

ORDINANCE 2022-06-23-0527

**AUTHORIZING THE CITY OF SAN ANTONIO'S CONSENT TO THE CREATION OF KENDALL COUNTY EMERGENCY SERVICES DISTRICT NO. 1 TO INCLUDE A PORTION OF THE CITY'S EXTRA TERRITORIAL JURISDICTION FOR THE PROVISION BY THE DISTRICT OF FIRE SUPPRESSION AND EMERGENCY MEDICAL SERVICES TO INDIVIDUALS RESIDING WITHIN ITS BOUNDARIES.**

\* \* \* \* \*

**WHEREAS**, certain residents of Kendall County have filed a petition with the Kendall County Commissioner's Court in which they seek to form an Emergency Services District No. 1 (ESD), which would include a portion of the Extraterritorial Jurisdiction (ETJ) of the City of San Antonio (COSA); and

**WHEREAS**, the citizens involved in the project have applied to COSA for consent to include that portion of the ETJ within the proposed special district as required by Ch. 775 of the Texas Health and Safety Code; and

**WHEREAS**, the affected portion of the City's ETJ is more particularly described in the Petition for Creation of the District attached as Attachment I; and

**WHEREAS**, City staff has reviewed the proposal and has recommended that consent be granted;  
**NOW THEREFORE;**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

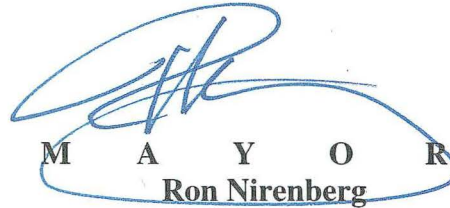
**SECTION 1.** Consent is granted to include the portion of the COSA ETJ within the proposed Kendall County ESD No. 1, described in Attachment I, in accordance with the terms of Chapter 775, Texas Health and Safety Code. Attachment I is attached and incorporated herein for reference.

**SECTION 2.** The City Clerk is directed to forward a copy of this action to the County Judge of Kendall County on behalf of the COSA.

**SECTION 3.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

**SECTION 4.** This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 23<sup>rd</sup> day of June, 2022.



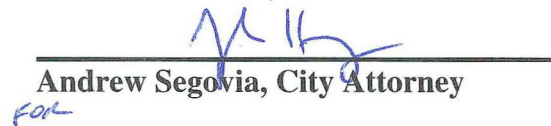
M A Y O R  
Ron Nirenberg

ATTEST:



Debbie Racea-Sittre, City Clerk

APPROVED AS TO FORM:



Andrew Segovia, City Attorney  
for



## City of San Antonio

### City Council A Session Meeting June 23, 2022

38.

2022-06-23-0527

Ordinance authorizing the City of San Antonio's consent to the creation of Kendall County Emergency Services Districts No. 1 to include a portion of the City's extraterritorial jurisdiction for the provision by the district of fire suppression and emergency medical services to individuals residing within its boundaries. [Jeff Coyle, Assistant City Manager; Sally Basurto, Director, Government Affairs]

Councilmember Rocha Garcia moved to Approve on the Consent

Agenda. Councilmember Castillo seconded the motion. The motion carried by the following vote:

**Aye:** Nirenberg, Bravo, McKeeRodriguez, Viagran, Rocha Garcia, Castillo, Cabello  
Havrda, Pelaez, Courage, Perry

**Absent:** Sandoval

# Attachment I

James Hoffstadt  
217 Mountain Creek  
Boerne, TX 78006

April 26, 2022

The Honorable Ron Nirenberg  
Mayor, City of San Antonio  
100 Military Plaza  
San Antonio, TX 78205

Request for Consent for the Creation of the Kendall County Emergency Services  
District No. 1

Dear Mayor Nirenberg,

James Hoffstadt and Adam Hawkins have filed the attached first amended petition for the creation of the Kendall County Emergency Services District No. 1 ("District").

Pursuant to 775.014 of the Texas Health and Safety Code we are requesting written consent from the City of San Antonio ("COSA") to include the extraterritorial jurisdiction of COSA to be within the proposed boundaries of the District.

Also, we understand there may be conditions negotiated with Commissioners Court of Kendall County pursuant to 775.014(h) of the Texas Health and Safety Code. Due to this we have included a legal description of the COSA ETJ as exhibit "C" to the Petition that was filed and is attached.

If you have any questions related to this request you may reach me at 965-642-6025 and my e-mail is [jchoffstadt@gvvc.com](mailto:jchoffstadt@gvvc.com).

I look forward to working with COSA to expediate this request.

Respectfully,



James Hoffstadt



cc:

Mr. Erik Walsh  
City of San Antonio City Manager  
115 Plaza de Armas, 2<sup>nd</sup> Floor  
San Antonio, Texas 78205

Mr. Andy Segovia  
City of San Antonio City Attorney  
203 S. St Mary's Street, 2<sup>nd</sup> Floor  
San Antonio, Texas 78205

Mr. Christopher D. Herrera  
Bexar County Office of Emergency Management  
9810 Southton Road  
San Antonio, Texas 78223  
[Christopher.herrera@bexar.org](mailto:Christopher.herrera@bexar.org)

**PETITION FOR CREATION OF  
EMERGENCY SERVICE DISTRICT**

<b>THE STATE OF TEXAS</b>	§	<b>IN THE COMMISSIONER'S COURT</b>
	§	
	§	<b>OF</b>
	§	
<b>COUNTY OF KENDALL</b>	§	<b>KENDALL COUNTY, TEXAS</b>

**TO THE HONORABLE COUNTY JUDGE AND COMMISSIONER'S OF SAID COURT:**

NOW COME 100 or more qualified voters who own taxable property in Kendall County, Texas, pursuant to Texas Health & Safety Code, Section 775.011, requesting the creation of an Emergency Service District and would respectfully show the following:

**I.  
CREATION AND OPERATION**

That the proposed Kendall County Emergency Services District No. 1 (the "District") will be created and operated under the provisions of Article III, Section 48-e of the Constitution of Texas and Chapter 775 of the Texas Health & Safety Code of the State of Texas.

**II.  
NAME OF THE DISTRICT**

The name of the proposed District shall be "KENDALL COUNTY EMERGENCY SERVICES DISTRICT NO. 1".

**III.  
DISTRICT BOUNDARIES**

The area of the District will not overlap any portion of any other emergency service district and does include some of the extraterritorial jurisdiction of San Antonio, Texas. The boundaries of the District are more particularly described by the description attached as Exhibit "A", which

is attached hereto and incorporated herein for all purposes, and generally shown on the attached section or map in Exhibit "B". Further, attached as "LEGAL DESCRIPTION OF THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF SAN ANTONIO TO BE INCLUDED IN THE PROPOSED EMERGENCY SERVICE DISTRICT NO. 1" as Exhibit "C" which provides a specific description of the portion of the City of San Antonio ETJ that will be included within the District as required by 775.014(i)(2) of the Texas Health and Safety Code.

#### **IV. SERVICES PROVIDED**

The District will provide fire suppression and prevention and emergency services in response to any emergency situation in accordance with the authority granted to emergency services districts under Chapter 775 of the Texas Health & Safety Code

#### **V. COMPLIES WITH 775.020 AND 775.0205**

The creation of the District complies with Section 775.020 and 775.0205 of the Texas Health and Safety Code. The District does not overlap any other emergency service district in Kendall County

#### **VI. ADDRESS OF PETITIONERS**

That James Hoffstadt who resides at 217 Mountain Creek Trail, Boerne, Texas 78006, and Adam Hawkins, who resides at 103 Nueces Court, Boerne, Texas 78006, (collectively, "Petitioners"), agree and obligate themselves to pay the cost incident to the formation of the District, including the costs of publishing notices, election costs, and other necessary and



incidental expenses, such cost not to exceed one hundred fifty (\$150.00) to Kendall County as required by Section 775.013(b) of the Texas Health & Safety Code.

**VII.**  
**THE MUNICIPALITIES CONSENT**

The municipality of the City of San Antonio is the only municipality whose consent must be obtained under Section 775.014 of the Texas Health & Safety Code.

**VIII.**  
**SIGNATURES**

The signatures required by the Texas Health & Safety Code, Section 775.011, for the creation of Kendall County Emergency Services District No. 1 are attached as **Exhibit "D"**.

WHEREFORE, PREMISES CONSIDERED, Petitioner prays that such notices be issued by the County Clerk of Kendall County as required by law; that a public hearing be held on this petition in the county; and that after the hearing the Commissioner's Court of Kendall County grant this petition and call a special election regarding the creation of the District.

RESPECTFULLY SUBMITTED this 15<sup>th</sup> day of OCTOBER, 2021.

PETITIONERS:

By: James Hoffstadt  
Printed Name: JAMES HOFFSTADT

By: Adam Hawkins  
Printed Name: Adam Hawkins

FILED: 01-26-22  
DARLENE HERRIN, County Clerk  
Kendall County, Texas  
By: Sm Deputy

EXHIBIT A

LEGAL DESCRIPTION OF THE BOUNDARIES FORMING KENDALL COUNTY

EMERGENCY SERVICES DISTRICT NO.1

BEGINNING at the point on the south eastern Kendall County border with Comal County located at approximately (98° 36' 11.201" West longitude, 29° 46' 47.883" North Latitude);

Thence northeasterly to a point on the Kendall County border with Comal County located at approximately (98° 29' 25.466" West Longitude, 29° 52' 20.161" North Latitude);

Thence northerly to a point on the Guadalupe River located at approximately (98° 29' 25.440" West Longitude, 29° 52' 21.849" North Latitude);

Thence westerly to a point on the Guadalupe River located at approximately (98° 32' 51.786" West Longitude, 29° 54' 19.164" North Latitude);

Thence northerly along property lines located at approximately (98° 32' 51.765" West Longitude, 29° 54' 21.007" North Latitude);

Thence northerly along property lines located at approximately (98° 32' 51.536" West Longitude, 29° 54' 21.531" North Latitude);

Thence northerly along property lines located at approximately (98° 32' 51.510" West Longitude, 29° 54' 25.832" North Latitude);

Thence northerly along property lines located at approximately (98° 32' 50.826" West Longitude, 29° 54' 26.985" North Latitude);

Thence northerly along property lines located at approximately (98° 32' 51.212" West Longitude, 29° 55' 11.683" North Latitude);

Thence westerly along property lines located at approximately (98° 33' 12.253" West Longitude, 29° 55' 13.097" North Latitude);

Thence westerly along property lines located at approximately (98° 33' 36.342" West Longitude, 29° 55' 12.902" North Latitude);

Thence southerly along property lines located at approximately (98° 33' 35.824" West Longitude, 29° 55' 00.847" North Latitude);

Thence southerly along property lines located at approximately (98° 33' 36.008" West Longitude, 29° 54' 59.905" North Latitude);

Thence southerly along property lines located at approximately (98° 33' 35.789" West Longitude, 29° 55' 00.025" North Latitude);

Thence southerly along property lines located at approximately (98° 33' 36.241" West Longitude, 29° 54' 59.420" North Latitude);



Thence southerly along property lines located at approximately (98° 33' 35.729"West Longitude, 29° 54' 58.646"North Latitude;

Thence southerly along property lines located at approximately (98° 33' 35.398"West Longitude, 29° 54' 50.937"North Latitude;

Thence southerly along property lines located at approximately (98° 33' 33.702"West Longitude, 29° 54' 50.192"North Latitude;

Thence southerly along property lines located at approximately (98° 33' 33.745"West Longitude, 29° 54' 40.239"North Latitude;

Thence westerly along property lines located at approximately (98° 33' 54.052"West Longitude, 29° 54' 40.692"North Latitude;

Thence southernly along Texas Farm to Market Road 3351 located at approximately (98° 33' 54.903"West Longitude, 29° 54' 07.609"North Latitude;

Thence south westerly at a point on the Guadalupe River located at approximately (98° 33' 31.273"West Longitude, 29° 53' 30.673"North Latitude;

Thence southerly along property lines located at approximately (98° 35' 52.292"West Longitude, 29° 53' 05.851"North Latitude;

Thence westerly along property lines located at approximately (98° 35' 52.113"West Longitude, 29° 52' 15.151"North Latitude;

Thence southerly along property lines located at approximately (98° 36' 00.887"West Longitude, 29° 52' 14.706"North Latitude;

Thence westerly along property lines located at approximately (98° 36' 00.946"West Longitude, 29° 52' 08.227"North Latitude;

Thence southerly along property lines located at approximately (98° 36' 09.505"West Longitude, 29° 52' 10.308"North Latitude;

Thence westerly along property lines located at approximately (98° 36' 08.785"West Longitude, 29° 52' 01.971"North Latitude;

Thence southerly along property lines located at approximately (98° 36' 10.149"West Longitude, 29° 52' 01.975"North Latitude;

Thence north westerly along property lines located at approximately (98° 36' 10.709"West Longitude, 29° 51' 21.402"North Latitude;

Thence northerly along property lines located at approximately (98° 36' 34.180"West Longitude, 29° 51' 33.547"North Latitude;

Thence westerly along property lines located at approximately (98° 36' 34.281"West Longitude, 29° 51' 57.986"North Latitude;

Thence westerly along property lines located at approximately (98° 37' 19.902"West Longitude, 29° 51' 57.570"North Latitude;

Thence south westerly along property lines located at approximately (98° 38' 51.790"West Longitude, 29° 52' 29.652"North Latitude;

Thence south westerly along property lines located at approximately (98° 39' 59.733"West Longitude, 29° 51' 55.371"North Latitude;

Thence easterly along property lines located at approximately (98° 40' 02.948"West Longitude, 29° 51' 52.884"North Latitude;

Thence southerly along property lines located at approximately (98° 39' 11.492"West Longitude, 98° 40' 29° 51' 52.483"North Latitude;

Thence westerly along property lines located at approximately (98° 39' 11.491"West Longitude, 29° 51' 35.676"North Latitude;

Thence southerly along property lines located at approximately (98° 39' 37.552"West Longitude, 29° 51' 35.664"North Latitude;

Thence southerly along property lines located at approximately (98° 39' 38.446"West Longitude, 29° 51' 34.431"North Latitude;

Thence southerly along property lines located at approximately (98° 39' 38.672"West Longitude, 29° 51' 05.329"North Latitude;

Thence southerly along property lines located at approximately (98° 39' 38.266"West Longitude, 29° 51' 03.302"North Longitude;

Thence easterly along property lines located at approximately (98° 39' 38.327"West Longitude, 29° 51' 00.286"North Longitude;

Thence southerly along property lines located at approximately (98° 39' 11.209"West Longitude, 29° 51' 01.162"North Latitude;

Thence southerly along property lines located at approximately (98° 39' 09.833"West Longitude, 29° 50' 40.718"North Latitude;

Thence westerly along property lines located at approximately (98° 39' 09.584"West Longitude, 29° 49' 47.344"North Latitude;

Thence southerly along property lines located at approximately (98° 39' 56.583"West Longitude, 29° 49' 47.623"North Latitude;

Thence southerly along property lines located at approximately (98° 39' 54.784"West Longitude, 29° 49' 39.666"North Latitude;

Thence southerly along property lines located at approximately (98° 39' 53.824"West Longitude, 29° 49' 02.438"North Latitude;



Thence south easterly along property lines located at approximately (98° 39' 50.906"West Longitude, 29° 48' 58.734"North Latitude;

Thence southerly along property lines located at approximately (98° 39' 49.363"West Longitude, 29° 48' 58.756"North Latitude;

Thence easterly along property lines located at approximately (98° 39' 49.431"West Longitude, 29° 48' 42.642"North Latitude;

Thence northerly along property lines located at approximately (98° 39' 29.546"West Longitude, 29° 48' 42.594"North Latitude;

Thence easterly along property lines located at approximately (98° 39' 29.528"West Longitude, 29° 48' 47.223"North Latitude;

Thence south easterly along property lines located at approximately (98° 39' 07.284"West Longitude, 29° 48' 47.180"North Latitude;

Thence south easterly along property lines located at approximately (98° 39' 06.433"West Longitude, 29° 48' 46.671"North Latitude;

Thence south easterly along property lines located at approximately (98° 39' 02.862"West Longitude, 29° 48' 35.637"North Latitude;

Thence south easterly along property lines located at approximately (98° 39' 02.286"West Longitude, 29° 48' 35.781"North Latitude;

Thence south easterly along property lines located at approximately (98° 39' 01.424"West Longitude, 29° 48' 34.971"North Latitude;

Thence easterly along State Highway 46 located at approximately (98° 38' 59.400"West Longitude, 29° 48' 25.773"North Latitude;

Thence southerly along property lines located at approximately (98° 37' 53.426"West Longitude, 29° 48' 44.538"North Latitude;

Thence westerly along property lines located at approximately (98° 37' 53.865"West Longitude, 29° 47' 56.427"North Latitude;

Thence southerly along property lines located at approximately (98° 38' 03.983"West Longitude, 29° 47' 56.763"North Latitude;

Thence southerly along property lines located at approximately (98° 38' 03.245"West Longitude, 29° 47' 36.103"North Latitude;

Thence easterly along property lines located at approximately (98° 38' 02.586"West Longitude, 29° 47' 27.108"North Latitude;

Thence easterly along property lines located at approximately (98° 37' 53.385"West Longitude, 29° 47' 31.970"North Latitude;

Thence southerly along property lines located at approximately (98° 37' 49.823"West Longitude, 29° 47' 27.732"North Latitude;

Thence southerly along property lines located at approximately (98° 37' 37.770"West Longitude, 29° 47' 32.184"North Latitude;

Thence easterly along property lines located at approximately (98° 37' 37.561"West Longitude, 29° 47' 26.705"North Latitude;

Thence north easterly along property lines located approximately (98° 37' 32.175"West Longitude, 29° 47' 28.899"North Latitude;

Thence north easterly along property lines located approximately (98° 37' 25.007"West Longitude, 29° 47' 35.038"North Latitude;

Thence north easterly along property lines located approximately (98° 37' 21.024"West Longitude, 29° 47' 42.605"North Latitude;

Thence northerly along property lines located at approximately (98° 37' 19.932"West Longitude, 29° 47' 43.190"North Latitude;

Thence north easterly along property lines located approximately (98° 37' 21.049"West Longitude, 29° 47' 59.214"North Latitude;

Thence southerly along property lines located at approximately (98° 37' 00.858"West Longitude, 29° 47' 58.444"North Latitude;

Thence south easterly along property lines located at approximately (98° 36' 57.711"West Longitude, 29° 47' 06.058"North Latitude;

Thence easterly along property lines located at approximately (98° 36' 51.872"West Longitude, 29° 47' 00.772."North Latitude;

Thence easterly along property lines located at approximately (98° 36' 37.803"West Longitude, 29° 47' 00.379"North Latitude;

Thence south easterly along property lines located at approximately (98° 36' 26.335"West Longitude, 29° 46' 50.685"North Latitude;

Thence southerly along property lines located to the start of the survey at the Kendall County Southeastern Border with Comal County at approximately (98° 36' 11.201"West Longitude, 29° 46' 47.883"North Latitude.

EXHIBIT C

LEGAL DESCRIPTION OF THE BOUNDARIES FORMING KENDALL COUNTY

EMERGENCY SERVICES DISTRICT NO.1

Inside City of San Antonio ETJ

BEGINNING at the point on the south eastern Kendall County border with Comal County located at approximately (98° 36' 11.201" West longitude, 29° 46' 47.883"North Latitude);

Thence northeasterly to a point on the Kendall County border with Comal County located at approximately (98° 35' 00.506"West Longitude, 29° 47' 45.981"North Latitude);

Thence westerly to a point located at approximately (98° 36' 08.905"West Longitude, 29° 47' 06.396"North Latitude);

Thence westerly along property lines located at approximately (98° 37' 52.528"West Longitude, 29° 47' 59.770"North Latitude;

Thence westerly along property lines located at approximately (98° 37' 53.865"West Longitude, 29° 47' 56.427"North Latitude;

Thence southerly along property lines located at approximately (98° 38' 03.983"West Longitude, 29° 47' 56.763"North Latitude;

Thence southerly along property lines located at approximately (98° 38' 03.245"West Longitude, 29° 47' 36.103"North Latitude;

Thence easterly along property lines located at approximately (98° 38' 02.586"West Longitude, 29° 47' 27.108"North Latitude;

Thence easterly along property lines located at approximately (98° 37' 53.385"West Longitude, 29° 47' 31.970"North Latitude;

Thence southerly along property lines located at approximately (98° 37' 49.823"West Longitude, 29° 47' 27.732"North Latitude;

Thence southerly along property lines located at approximately (98° 37' 37.770"West Longitude, 29° 47' 32.184"North Latitude;

Thence easterly along property lines located at approximately (98° 37' 37.561"West Longitude, 29° 47' 26.705"North Latitude;

Thence north easterly along property lines located approximately (98° 37' 32.175"West Longitude, 29° 47' 28.899"North Latitude;

Thence north easterly along property lines located approximately (98° 37' 25.007"West Longitude, 29° 47' 35.038"North Latitude;



# Proposed Bergheim ESD

