

RESOLUTION NO. 20-R-83

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE CITY OF SAN ANTONIO FOR THE RELEASE AND ACCEPTANCE OF EXTRATERRITORIAL JURISDICTION (ETJ), AND RELATED MATTERS IN CONNECTION THEREWITH

WHEREAS, the owner of approximately 90 acres of land the City of Schertz requested the City seek to work with the City of San Antonio to release an additional 141 acres of adjacent land, so that in can be annexed into the City of Schertz; and

WHEREAS, access to the property is difficult to provide through the City of San Antonio, but is directly adjacent to Tejas Way a public street in the City of Schertz; and

WHEREAS, with the support of the property owner, the City of Schertz has the ability to annex the property and thus impose zoning regulation to ensure the orderly and compatible development of the property;

WHEREAS, the City of Schertz has the ability to provide necessary services including police and fire protection to the property; and

WHEREAS, the City of Schertz and the City of San Antonio have previously agreed to the adjustment of ETJ boundaries to the benefit of both communities;

WHEREAS, the City Council of the City of Schertz has determined it is in the best interest of the City to enter into an agreement with the City of San Antonio pursuant to the Extraterritorial Jurisdiction Agreement attached hereto as Exhibit A (the “ETJ Agreement”) regarding the release by San Antonio of certain land to the extraterritorial jurisdiction of the City.

NOW THEREFORE, BE IT RESOLVED, THAT THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. The City Council hereby authorizes the City Manager to execute and deliver the ETJ Agreement with the City of San Antonio in substantially the form set forth in Exhibit “A”.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this 27th day of October, 2020.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary

(CITY SEAL)

Exhibit A