

CITY OF SAN ANTONIO
External Relations Department
Interdepartmental Correspondence Sheet

CONSENT AGENDA
ITEM NO. 15

TO: Mayor and City Council

FROM: Christopher J. Brady, Assistant City Manager

COPIES: J. Rolando Bono, Interim City Manager; Robert Ojeda, Fire Chief; Emil Moncivais, Planning Director; Andrew Martin, City Attorney; File

SUBJECT: Emergency Services District (ESD) #2 – Guadalupe County

DATE: October 7, 2004

SUMMARY AND RECOMMENDATION

An ordinance consenting to the inclusion of a portion of the City's extraterritorial jurisdiction (ETJ) in the proposed Emergency Services District #2, Guadalupe County, for the provision by the district of fire suppression and emergency medical services for individuals residing within the boundaries of the proposed district.

Staff recommends approval of this ordinance.

BACKGROUND

The Texas Legislature adopted legislation in 1989 authorizing the creation of Emergency Service Districts (ESD). The purpose of these districts is to provide fire suppression and emergency medical services for individuals residing within such districts. Residents in these districts were given the authority to impose a property tax of up to ten cents per \$100 valuation to fund the operations of an ESD. Since the adoption of this legislation, ESDs have been established throughout the state.

The City of San Antonio received its first ESD petition from residents in northwest Bexar County, seeking the use of the City's ETJ relating to the creation of ESD #1. Before the City gave its approval, City Council adopted the following guidelines to guide staff for future applications: (1) the City recognizes the value of ESDs in providing enhanced levels of fire suppression and emergency medical services; (2) the creation of an ESD should be consistent with the Annexation Program and Master Plan policies; (3) the City should consider the feasibility of providing emergency services on a contractual basis, but should not subsidize costs associated with providing services in unincorporated areas; and (4) the City should oppose any action that would result in making future annexations more costly.

During the 76th Legislative Session (2001), the City successfully lobbied state lawmakers in passing HB 3191, which gave the City authority to have limited input, through Bexar County, in the design of future ESDs. This input, however, was restricted to ESDs located within Bexar County and established prerequisites on debt limitations, mutual aid agreements, equipment compatibility and

the location of fire stations. Over the past 18 months, the City has given its consent to the creation of ESDs 3, 4, 5 and 6, all of which are located in Bexar County. In November 2003, the City gave its approval to the creation of ESD #1 in Guadalupe County.

POLICY ANALYSIS

On August 24, 2004, the City of San Antonio received a letter from Guadalupe County Judge Donald Shraub, Sr., informing the City that citizens in the area served by the Cibolo Volunteer Fire Department, had filed a petition with the Guadalupe County Commissioners Court to create ESD #2 in the western part of the county, which includes territory in the City's ETJ.

Staff from the City Attorney's Office, Planning, Fire and External Relations departments reviewed this petition and did not express any concerns that it might affect any future annexation plans or any existing services provided by the City's Fire Department. Under state law, the City is not authorized to impose any conditions on this proposed ESD relating to debt, mutual aid agreements, purchase of equipment, location of facilities, or input on board membership. Those conditions can only be negotiated for proposed districts within Bexar County.

City staff was advised that the City still has the option under state law of either approving or denying the use of its ETJ by ESD #2. However, due to the small area involved as well as the absence of any negative impact to the City, staff is recommending that City Council consent to the creation of the proposed ESD in Guadalupe County. Guadalupe County plans to conduct the ESD election on November 2, 2004, and all costs pertaining to that election will be paid by Guadalupe County.

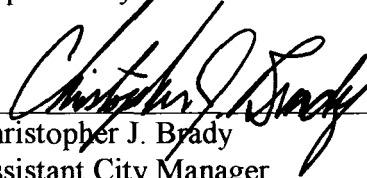
FINANCIAL IMPACT

Creation of ESD #2 - Guadalupe County will have no impact on the City's General Fund.


COORDINATION

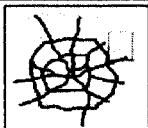
This item has been coordinated with the City Attorney's Office, Finance, Management and Budget, Planning, and the San Antonio Fire Department.

Approved by:


Christopher J. Brady
Assistant City Manager

Approved by:


J. Rolando Bono
Interim City Manager



Map created by the City of San Antonio Planning Department. The map is a general representation of the area and does not constitute a legal document. The map is based on the best available information and is subject to change without notice. The map is not intended to be used for any purpose other than general information.

- City of San Antonio
- Bexar County
- San Antonio ETJ
- Military Bases
- Guadalupe County ESD #2
- Guadalupe County Emergency Service District #2 Overlay with San Antonio ETJ
- Highways
- Major Roads
- Medium Flowing Rivers
- Flowing Streams & Small Rivers
- Intermittent Streams

Guadalupe County ESD #2

0 1,000 2,000 4,000 Feet

City of San Antonio
Planning Department

Area 11, Planning, JCTF and
Public Works Engineering

Planning Director
Planning Manager
Planning Analyst
Planning Technician