

**CITY OF SAN ANTONIO
PLANNING DEPARTMENT
CITY COUNCIL AGENDA MEMORANDUM**

**PUBLIC HEARING
TIME CERTAIN
ITEM NO 26(B)**

TO: Mayor and City Council

FROM: Emil R. Moncivais, AICP, AIA, Planning Director

SUBJECT: Second Public Hearing Regarding the Voluntary Annexation of QVC San Antonio

DATE: October 6, 2005

SUMMARY AND RECOMMENDATIONS

This is the second public hearing regarding the proposed annexation of the QVC San Antonio industrial district. The first public hearing was held September 29, 2005

No action is required of City Council at this public hearing.

BACKGROUND INFORMATION

The QVC is a Pennsylvania based cable televised shopping network. QVC San Antonio is a 10-acre site with a customer service center located at 9855 Westover Hills Boulevard in northwest Bexar County near the intersection of Westover Hills and U.S. Highway 151. The approximately 71,500 square foot facility employs 556 full-time call center employees. In 1992, City Council approved a seven-year industrial district designation and non-annexation agreement of QVC. This industrial district and non-annexation agreement was extended for five years in 1999 to allow for job expansion. In 2004 this agreement was extended for one year. Since 1992, the City of San Antonio has provided fire service through a fire protection agreement.

The City of San Antonio is now executing the "Petition for Annexation" in Section 2 of the Industrial District Non-Annexation Agreement which requests annexation of this property at the end of the current agreement on December 29, 2005.

The proposed Annexation Schedule is as follows:

First Public Hearing	September 29, 2005
Second Public Hearing	October 6, 2005
Planning Commission Resolution	October 12, 2005
First Reading of Ordinances	October 27, 2005
Second Reading of Ordinances	December 1, 2005
Effective Date of Annexation	December 30, 2005

As required by state statute, the two public hearings were advertised by the San Antonio Express News on Sunday, September 18, 2005.

POLICY ANALYSIS

The City's annexation goal of enhancing the City's fiscal position is met by agreeing to the QVC Industrial District Non-Annexation Agreement, allowing the business to develop, create new jobs, and commercial opportunities during the agreement and set a future annexation date when the City revenues will be collected. The annexation goal of maintaining a systematic annexation process is implemented through the deferred annexation date and process.

As background, under municipal annexation laws, the City of San Antonio may designate Industrial District Non-Annexation Agreements through an ordinance. The ordinance authorizes the City Manager to enter into Industrial District Non-Annexation Agreements, which generally last seven years, and outlines conditions, responsibilities, benefits and remedies of the designation. The agreement defers annexation and allows the business to forgo city taxes to facilitate expansion. As a condition of the Industrial District designation, the City of San Antonio requires a petition for annexation once the agreement has ended.

FISCAL IMPACT

Upon annexation, the City will receive an estimated annual Total Property Tax Revenue of \$43,805.37. Of this total, \$27,791.20 will be designated to the General Fund and \$16,014.17 will be designated for the Debt Service Fund.

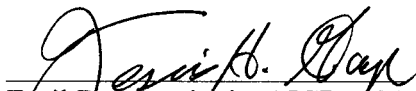
QVC can be served with existing resources. Attached is the draft service plan for the QVC site.

COORDINATION

This item was coordinated with the following Departments: City Attorney's Office, Code Compliance, Development Services, Economic Development, Environmental Services, Finance, Fire, Metropolitan Health District, Library, Office of Management & Budget, Parks, Police, and Public Works.

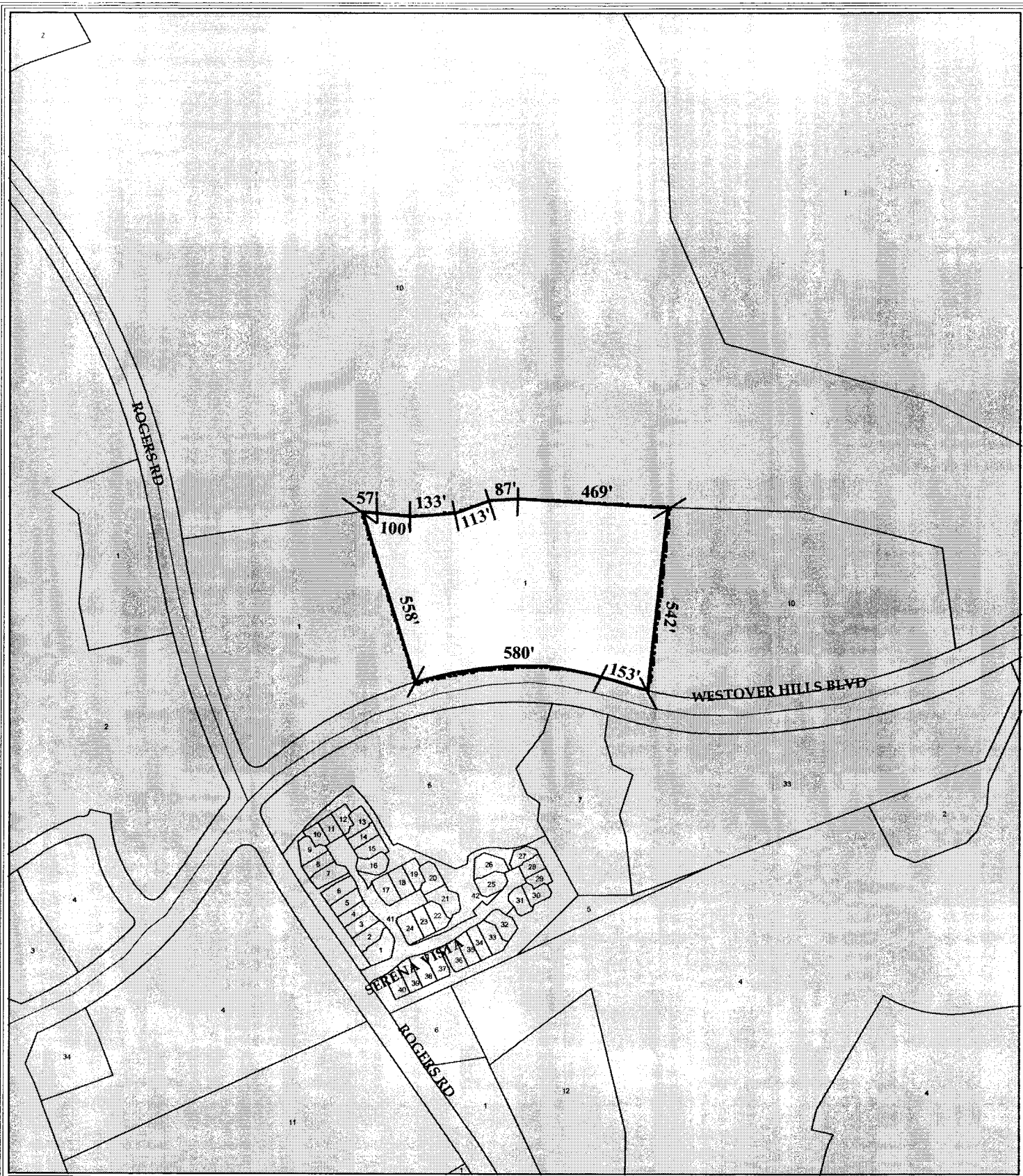
SUPPLEMENTARY COMMENTS

There is no action required of Council at the public hearings. Action will be required at the first and second readings of the annexation ordinances.

for 
Emil R. Moncivais, AICP, AIA
Director, Planning Department


Jerlyne LeBlanc Burley
Assistant City Manager

for 
J. Rolando Bono
City Manager



Ordinance No. _____
 Date Passed: _____
 Effective Date: _____

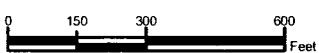
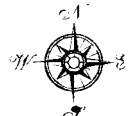
Data Source: City of San Antonio Enterprise GIS, Bexar Metro 911, Bexar Appraisal District
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 *Please contact the responsible City of San Antonio Department for specific determinations.

Map Created By: Gustavo Gutierrez Map File Location: C:\Arcview\Project_Maps\Annex\project\QVC Area.mxd
 Map Last Edited: September 2, 2005
 PDF Filename: C:\Arcview\pdf\2005\Sept\0509GG01.pdf

QVC Area **10.00 Ac.**

Legend

-  Parcels
-  QVC Site
-  City of San Antonio



City of San Antonio
Planning Department
 Earl R. Harwood, AICP, AIA
 Director, Planning Department
 Development Services
 Service Center
 400 E. Market
 San Antonio, TX 78205



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QVC San Antonio, Inc.

Annexation Service Plan

Date: July 2005

Introduction

The City ("City") of San Antonio, Texas, is making this Service Plan ("Plan") available pursuant to Chapter 43 of the Texas Local Government Code. This Plan relates to the annexation to the City of a tract of land ("annexation area") known as the **QVC, San Antonio, Inc.** The annexation area is a 10-acre site located at 9855 Westover Hills just east of Highway 151 in west Bexar County. The annexation area is also shown on the map in Exhibit A.

The annexation area is not currently included in the City's Annexation Plan. Since 1992, the **QVC, San Antonio, Inc. Annexation Area** has been designated as an "Industrial District". The Industrial District designation included a non-annexation agreement with basic fire service. According to the non-annexation agreement, the extraterritorial status and basic fire service expires on December 29, 2005.

Effective Term

This Plan shall be in effect for a ten-year period commencing on the effective date of the annexation, unless otherwise stated in this Plan. Renewal of the Plan shall be at the option of the City. Such option may be exercised by the adoption of an ordinance by the City Council, which refers to this Plan and specifically renews this Plan for a stated period of time. Residents of the annexation area may request extension of the service plan, and the plan may be extended upon the mutual agreement of the City and the residents.

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Intent

It is the intent of the City of San Antonio that services under this Plan shall provide full municipal services as required and defined by the Texas Local Government Code.

The City reserves the right guaranteed to it by the Texas Local Government Code, to amend this Plan if the City Council determines that changed conditions or subsequent occurrence or any other legally sufficient circumstances exist under the Local Government Code, or other Texas laws to make this Plan unworkable or obsolete or unlawful.

Statutory notification

The City will post a notice of public hearings on the City's Internet website and publish notice of the hearings in a newspaper of general circulation and the area proposed for annexation. (Sec. 43.056 (c), Texas Local Government Code.)

Service Components

In General. This Plan includes three service components: **(1) Annexation Service Requirements (2) Additional Services, and (3) a Capital Improvement Program.**

As used in this Plan, providing services includes having services provided by any method or means by which the City extends municipal services to any other area of the City. This may include causing or allowing private utilities, governmental entities and other public and private non-profit service organizations to provide such services by contract in whole or in part. It may also include separate agreements with associations or similar entities.

1. Annexation Service Requirements

The following services will be provided in the annexation area commencing on the effective date of the annexation, unless otherwise noted.

Police Protection

The San Antonio Police Department ("SAPD") will provide protection and law enforcement services in the new area upon the effective date of annexation. These services include:

- Routine patrols and responses;
- Handling of complaints and incident reports;
- Special units, such as traffic enforcement, criminal investigations, covert operations, K-9 Unit, Family Assistance Crisis Teams, Bomb Squad, and Special Weapons and Tactics Team (SWAT);
- Any other services or programs provided to the citizens of San Antonio at the time of annexation.

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The newly annexed area will either become a new patrol district or part of an existing one based upon factors such as the size of the area, population, and the expected number of calls for service. These factors will also determine the need for hiring additional patrol officers to insure all patrol districts are adequately staffed 24 hours a day, seven days a week, and to maintain an average response time comparable to other areas of the city. The San Antonio Fear Free Environment (SAFFE) officers will be available to meet with residents as requested to discuss police issues in the neighborhoods.

The City currently has six (6) Police Substations. Each Substation is responsible for a Patrol "Service Area", under the command of a Captain. These Service Areas are divided into Patrol Sections. The Patrol Sections, with supervisory responsibilities assigned to Sergeants, are divided into "Patrol Districts". The "Patrol Districts" are geographically defined areas established for several reasons, including but not limited to:

- They serve as a manpower distribution tool based on call volume, population, area size, and geographic variables.
- They provide a means of establishing primary responsibility to individual officers, during their tour of duty, for various activities within a specific geographic area.
- They provide an efficient and effective means of assigning, identifying, and locating officers, within a generalized area, using currently available technology

The QVC, San Antonio, Inc. Annexation Area will be served by the West Patrol Substation located at 7000 Culebra Rd. Twenty-two Patrol Districts presently serve the area. This Substation currently has 177 Patrol Officers, twelve Property Crimes Detectives, four Robbery Detectives and 17 SAFFE Officers assigned to the service area.

The QVC, San Antonio, Inc. Annexation Area will become part of patrol district # 5360.

There is no specific number of officers that can be assigned to a patrol district. Patrol districts are staffed with at least one officer, 24 hours a day, 7 days a week. Many times multiple officers are assigned to single districts.

Services are initiated by on-sight officer activity, citizen requests, and any other means available. The most common

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means by which officers receive their assignments is through direct supervisory command and radio/computer transmissions by police dispatchers.

Fire Protection

In the Fire Suppression Division, the Department currently operates 67 fire apparatus out of 48 facilities. This equipment is staffed with firefighters 24 hours a day. The Ladder Trucks (19) are maintained with 4 persons on a daily basis. The pumpers (48) are maintained with 4 persons on a minimum of 40 of the 48 units per day. Firefighters work a 24-hour shift every three days.

The San Antonio Fire Department will be providing permanent fire protection within the QVC, San Antonio, Inc. annexation area primarily from Fire Station #45 located at 3415 Rogers Road. The facility houses a pumper company. It will provide fire suppression, and first responder services to this area with permanently assigned personnel and equipment. The Fire Company will respond to calls for assistance, fire emergencies and provide other services as needed. Additional initial emergency response will be provided by Fire Station #35 located at 7038 Culebra and Fire Station #44 located at 1351 Horal. Additional resources will be utilized as necessary to provide service to this area.

The goal of the Fire Department for fire station location is to have the first responding fire unit no further than 4 and one quarter minutes away from 90% of all city blocks. Currently we are reaching 87.2% of all city blocks in that time frame. Service will be provided to this area with existing resources.

Structure Fire Response:

When a fire occurs, the Fire Department has several levels of response based on the structure's hazard. The standard response is 3 pumpers, 1 ladder truck and 1 command officer. High hazard occupancies such as a hospital or high-rise would receive an enhanced response that consists of 4 pumpers, 2 ladder trucks and a command officer. As the need arises on any incident, additional units and command officers may be called for. Additional alarms consist of 4 pumpers, 2 ladder trucks and a command officer.

As fire units become depleted in a particular area due to a large number of calls or a large incident, the SAFD dispatch

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will move units from other areas into those areas. This strategy utilizes the total resources of the department to maintain a reasonable response at all times.

Emergency Medical Service (EMS)

The City of San Antonio Fire Department EMS will provide the following emergency and safety services to the annexation area:

- 1 Emergency dispatch, pre-arrival First Aid instructions and coordination of other public safety support agencies
- 2 Emergency paramedic ambulance response

As part of the Fire Departments EMS response, the fire companies provide first responder service. First responder service involves dispatching a fire unit to respond to a medical emergency. All SAFD firefighters are trained to the basic EMT level. When a critical medical emergency occurs or the paramedic unit is delayed, the first in Fire Company will respond with first aid, basic life support and defibrillator capabilities.

The EMS Division has 26 full time units and averages 6 peak period ambulances per day. A peak period unit is an ambulance that is put into service to cover a specific time period and area based on historical run data.

A peak period EMS unit is housed at Fire Station #45 located at 3415 Rogers Road. An additional peak unit is housed at Fire Station #35 located at 7038 Culebra. Full-time EMS units that respond to this area are housed at Fire Station #41 located at 9146 Dover Ridge, and Fire Station #44 located at 1351 Horal. The EMS unit will respond to calls for advanced life support.

The response goal of the EMS division is to maintain an average 6-minute travel time to all calls within the city limits. In fiscal year 2004, the average travel time was 6.22 minutes.

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Other SAFD Services

The San Antonio Fire Department also provides fire prevention services. These services include fire code enforcement and inspection as well as issuing of permits. In addition to these prevention activities, the Fire Department also operates the Community Resources Office. This office provides fire safety education to school age children with such tools as a mobile fire safety house, which teaches children how to exit a burning building, and a juvenile fire setter intervention program. This program provides counseling to children that have set fires in an effort to modify their behavior as well as giving general presentations to elementary schools.

Our arson investigation unit is staffed with individuals that are highly trained in determining fire cause. These individuals are also sworn police officers and as such have received training in criminal investigation. This unit brings a high level of expertise to investigating, apprehending and convicting criminals that participate in arson related activities.

The Department also has a hazardous materials response team available 24 hours a day. A haz-mat incident that occurs on a roadway near a residential neighborhood can have disastrous effects. This team is highly trained and well equipped to handle any haz-mat problem.

Another service of the Fire Department is the provision of a technical rescue team. This team has been trained in all types of special rescues such as cave rescue, collapsed trench rescues, water rescues, vehicle extrications and many others requiring special expertise and equipment. This team is also staffed and available 24 hours a day.

Solid Waste Services

The City of San Antonio Environmental Services Department will provide residential solid waste services within this area. Services will be provided by City personnel or by solid waste service providers under contract with the City. Services provided would be at a level equivalent to those provided to residents in the current City limits. Fees for services will be assessed on CPS Energy (CPS) utility bills.

For the first two years after annexation, residents may choose to either retain their present private service provider or utilize

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City-provided service. If residents elect to retain private service, City garbage collection and brush fees will not be assessed.

Planned Unit Developments (PUD) may elect to either contract directly with private service providers or utilize City-provided service. If private service is desired, City garbage collection and brush fees will not be assessed in PUD areas. If City-provided services are desired, the PUD must consent to an indemnity Agreement allowing the City or its contractor entry onto private streets and exempting the City from liability.

Solid Waste Services available for residential units

- Garbage collection – Residents must provide garbage containers.
- Curbside Recycling Collection – Each home is provided with one 18-gallon bin. Materials currently accepted include: newspaper, tin, steel and aluminum cans, glass bottles and jars and plastic bottles (#1 and #2).
- Brush and Bulky item collection – Collection is provided in accordance with an annual schedule. For an additional fee, residents may schedule special collections.
- Dead Animal collection in the City right-of-way is available upon request.
- Bitters Road Brush Recycling Site, Household Hazardous Waste Drop off Site, Special collection events, such as Free Disposal Days, Dial-A-Trailer and Citywide Cleanup are available to all Solid Waste and Brush Collection ratepayers.

The Environmental Services Department is phasing-in an automated garbage collection system. With this system, the city provides each home one heavy duty 96-gallon wheeled trash cart. When the cart is set out on collection day, it is lifted and emptied by a specially designed truck with a mechanical gripper arm. Since the container is lifted mechanically, all materials must be inside the container –no materials can be placed outside or alongside the container for collection. Currently, garbage service is provided twice weekly at the established monthly service fee. The City retains ownership of the 96-gallon cart. Customers are required to safeguard the containers and to maintain them in a sanitary condition.

Citywide phase-in of this system will be over a seven year period. Due to limitations with street widths, one-way streets, alleys, etc. it is not feasible to service every home in the city

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using a fully-automated system. It is estimated that 85% of the City will be issued a wheeled cart for fully or semi-automated garbage collection, and approximately 15% may remain on manual collection.

Services available for commercial properties

- Commercial collection for garbage is available by purchasing City-issued bags or stickers. If City-provided commercial service is not desired, businesses may utilize private service providers.
- Collection of dead animals at veterinary clinics is available by purchasing dead animal tags.
- Collection of brush and bulky waste is available on a limited basis. Cost estimates will be provided on a case-by-case basis.

Fees

Fees are set annually by City Council. Current fees for service are described below:

Environmental Services Fee

All properties, residential and nonresidential shall be assessed a monthly environmental services fee of \$1.30 per each electrical meter account. This fee is intended to defray municipal expense necessary to cleaning up illegally dumped waste, collecting and disposing of dead animals, performing regulatory maintenance on closed landfills and equitably sharing costs for neighborhood cleanups, benefiting residents and businesses that do not pay monthly solid waste and brush fees.

Garbage collection and brush fees

Residents will be assessed monthly garbage collection and brush fees on their CPS utility statement. The current monthly fees for garbage and brush are \$9.71 and \$1.20 respectively.

Commercial fees

Commercial bags or stickers: \$1.00 per bag or sticker, sold in lots of 50. Dead animal collection for veterinary clinics: \$10.00 per tag. Limited brush/bulky collection: \$12.71 per cubic yard.

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Maintenance of Water and Wastewater Facilities

The San Antonio Water System (SAWS) will maintain and operate the public water and wastewater facilities that are within its certificated service area. Routine standard maintenance of the facilities is performed on a scheduled basis. Emergency maintenance and repairs receive immediate attention, and are available 24 hours a day, 7 days a week. The facilities will be maintained and operated in accordance with standard SAWS policies and procedures, and under the provisions of the SAWS Utility Service Regulations for the extension of facilities.

Rates

The average residential customer's bill for water, wastewater, and water supply fee is \$42.19 (Inside City Limits) and \$50.65 (Outside City Limits) (based on 8,500 gallons/mo. water use, standard rates, and 6,500 gallons/mo. winter average).

An interactive rate calculator - that residential customers can use to see how the changes will affect their bill - is available on SAWS web site at www.saws.org.

The SAWS rate structure is designed to provide balance between residential and business rates, strengthen conservation pricing for all water users, and establish a supply fee that is uniformly applied to usage by all customers.

The current rates were approved by City Council at the beginning of January, 2005. SAWS customers, after annexation, will pay the lower Inside City Limit rate as opposed to the Outside City Limit rate. This will amount to an approximate 30% reduction in the average water bill and approximate 20% reduction in the average sewer bill. The rates are set by City Council and can be amended in the future.

Programs & Rebates

Through conservation programs such as our Watersaver Landscape rebates, and educational programs that reach out to all citizens of San Antonio, we want to encourage citizens to conserve. These programs are residential and commercial customers.

If you're a homeowner and a SAWS customer, you can get great rebates by taking steps to conserve water. These

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include installing a watersaver landscape, buying a high-efficiency washing machine and installing an approved hot-water-on-demand system.

With Commercial customers accounting for 10% of the customer base and 40% of SAWS' annual water sales, there is great potential for water savings through our commercial conservation programs. Commercial customers can get great rebates by taking steps to conserve. These programs include Commercial Washing, Large Scale Retrofits, Cooling Tower Audits, Restaurant Certified Water Savers and Golf Fore SA.

Detailed information on these and other programs can be found on the SAWS web site at www.saws.org

Maintenance of Roads and Streets

The Street Maintenance Division of the Public Works Department will maintain public streets over which the City has jurisdiction. These services include:

- Emergency pavement repair. The Department's goal is to repair potholes within 48 hours of being reported to the Street Maintenance Division. These services are initiated by contacting the City's 311 system.

Following are the City's adopted goals and performance measures for emergency pavement repair. Service Level Agreement (SLA) is a measure of output and response times to successfully completing service requirements.

FY 2004/2005 Adopted Goal - 98.0% of potholes reported will be repaired within 48 hours.

FY 2003/2004 - 97.0% within 48 hours (SLA)

FY 2002/2003 - 95.5% within 48 hours (SLA)

FY 2001/2002 - 94.4% within 48 hours (SLA)

- Guard Post and Guard Rail Maintenance. The Department's goal is to repair damaged Guard Posts and Guard Rails within 60 days of being reported to the Street Maintenance Division. These services are initiated by contacting the City's 311 system.

Following are the City's adopted goals and performance

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measures for guard post and guard rail maintenance;

FY 2004/2005 Adopted Goal - 75% of flex beam service requests will be repaired within 45 days (SLA).

Year to date performance in FY 2004/2005 - 100% within 45 days SLA)

Actual Performance in FY 2003/2004 - 73.9% within 45 days (SLA)

Actual performance in FY 2002/2003 - 63.4% within 45 days (SLA)

- Ice and snow monitoring of City of San Antonio Bridge infrastructure, major thoroughfares, Public Facilities, and Downtown sidewalks.
- Preventative street maintenance. Preventative maintenance activities are conducted upon approval and identification of funding by City Council to include crack seal, chip seal coat, slurry seal, and Asphalt overlay and other structural treatments;

Following are steps undertaken for Street Maintenance Project selection and adoption of the Street Maintenance Program:

- 1) Street Maintenance Program Coordinated with City Council in Fall and early Winter annually
- 2) Pavement Management System
- 3) City Council Requests
 - a) Citizen Request
 - i) Blue-Blazers
 - ii) 311 and other modes of Communication
 - iii) Neighborhood Sweep Program
 - iv) Neighborhood Meetings
 - b) Staff Evaluation
 - c) Improvement by utilities
 - d) Resource Maximization

Pavement Management System (PMS)

- 1) PMS is used to perform a variety of engineering and planning functions. These include forecasting future network pavement condition and costs associated with implementing various pavement repair strategies.
 - a) The PMS is an integral component of our Infrastructure Management process:
 - i) Know your system - What is the state of the existing infrastructure

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- ii) Where are we going? What are the future infrastructure needs?
 - iii) What are the current and future unmet needs?
 - iv) How do we close the resource gap? What are the priorities?
 - v) What is the program? How will the needs be funded?
- 2) The system provides users with necessary analytical tools to define realistic long-term goals, based on projected investment levels.
- 3) PMS goals:
 - a) Provide smooth pavement surfaces
 - b) Extend life of streets
 - c) Improve skid resistance for safety
 - d) Eliminate potholes
 - e) Reduce street repair costs
 - f) Respond to public demand for quality streets
- Repair / maintenance of public streets on an as-needed basis. Repair maintenance operations include pothole repair, filling depressions (level up), spot surface replacement, and spot full-depth repair. These services are initiated by contacting the City's 311 system.
- The Street Maintenance Division constructs curbs, sidewalks, driveways, curb ramps and other street infrastructure in accordance with the City of San Antonio and the Americans with Disability Act (ADA) standards. Projects are selected and funded by the City Council on a citywide basis upon availability of funding and scheduled based on workforce capacity under the Neighborhood Access and Mobility Program (NAMP) as approved by City Council.

Neighborhood Access and Mobility Program (NAMP) -

Currently base funding is \$200,000 per Council District in FY 2004-2005.

- 1) The Neighborhood Access and Mobility Program was designed to help neighborhoods control traffic speed and provide mobility for pedestrians
- 2) Solutions adopted
 - a) Sidewalks for Pedestrian Traffic
 - b) Speed Humps for Vehicular Traffic
 - c) Traffic Improvements
 - d) School Flashers
- 3) Cost Responsibility
 - a) Sidewalks and other pedestrian mobility

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improvements:

- i) Material costs for sidewalk installation may be funded (including signs, pavement markings and retaining walls). Operating costs for labor and equipment are scheduled costs and not included in cost estimates.
 - ii) Approx. 85% of programmed NAMP funding targeted for Sidewalk construction.
 - b) Speed Humps
 - i) The contract cost for speed hump installation (including signs, pavement markings and retaining walls) may be funded from the NAMP fund.
 - ii) For a street located in a Community Development Block Grant (CDBG) eligible area, the cost responsibility of the residents is zero percent, regardless of how much the measured speed exceeds the speed criteria.
 - iii) The cost for transportation engineering studies is the responsibility of the City.
 - iv) Approx. 15% of programmed funding is targeted for Speed Hump installation.
- Barricade Services. The Street Maintenance Division performs Barricading Service for emergency issues twenty-four (24) hours a day, three-hundred sixty-five (365) days per year. Vehicular and pedestrian hazards are barricaded immediately. Requests for service and/or necessary action is reported and monitored through the 311 System.

Preventative maintenance projects are planned within a five-year plan, prioritized on a citywide basis and scheduled based on a variety of factors, including surface condition (distresses), ride-ability (smoothness), age, traffic volume, functional classification, public input, coordination of projects with utilities / school districts, and available funding as approved by City Council. Repair maintenance will match surfaces to existing overlay in terms of safety, durability and ride-ability (smoothness).

Following are performance measures for preventive maintenance projects:

Base and Pavement Repairs - 75% within 60-day SLA
Street Bleeding/Seeping - 75% within 10-day SLA

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Street Cracking - 75% within 10-day SLA
Street Scabbing/Peeling - 75% within 10-day SLA
Utility Trench failure (Storm Water) - 75% within 10-day SLA
Garbage/Service Alley repairs - 75% within 60-day SLA

All information (requests for service) collected is investigated, evaluated and programmed for appropriate action. Repairs are scheduled and response data collected for performance measurement reporting. Additionally, this information is used as project criteria as identified in the project selection criteria bullet listed above.

If necessary, the Public Works Department will provide regulatory signage services in the annexation area. Traffic signal, stop and all other regulatory studies are conducted in conjunction with growth of traffic volumes. Traffic signs, signals, and markings are installed in conformance with the Texas Manual on Uniform Traffic Control Devices. Faded, vandalized, or missing signs are replaced as needed. "CALL BACK" service provided 24 hours a day, 365 days a year for emergency repair of critical regulatory signs. The Department's current goal is for critical regulatory signs to be repaired within 72 hours of being reported to the Transportation Division. Requests for signage should be called into 311. On average, emergency sign replacements are closed in TSPW in 2.29 days. 81% of requests were closed out within 72 hours.

For major arterials and collectors, the repainting of street markings is on a twelve to fifteen month frequency. All improved intersections and roadways are striped in conformance with the Texas Manual on Uniform Traffic Control Devices. All roadways are re-striped and remarked as needed.

Street lighting

City Public Service will maintain public street lighting in accordance with Sec. 43.056 (b)(6) Texas Local Government Code and the City's policies. Upon annexation, the City will assume the cost of electricity for public streetlights.

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Maintenance of Parks, Playgrounds, and Swimming Pools

There are no parks in the immediate vicinity of the annexation area. The nearest parks are four to five miles from the annexation area. These parks are Cathedral Rock Park, Oscar Perez Park, and Culebra Creek Park. There are plans to purchase or have donated neighborhood park property in the area that may be closer than the four miles of the other parks.

Maintenance responsibilities for publicly owned parks in annexed areas are the responsibility of the City. Any proposed or existing privately owned parks, playgrounds, swimming pools, recreational facilities and common spaces in the annexation area are the responsibility of the property owner(s).

Maintenance of Any Other Publicly Owned Facility, Building, or Service

Should the City acquire any other facilities, buildings, or services necessary for municipal services located within the annexation area, an appropriate City department will provide maintenance services for them.

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2. ADDITIONAL SERVICES

Code Compliance

The Code Compliance Department enforces City codes and regulations to protect the health, safety and general welfare of the community. Current enforcement is provided to the following and is not limited to:

- Vacant dangerous premises and structures
- Junked vehicles
- Weeded vacant lots
- Zoning (Unified Development Code)
- Noise
- Illegal dumping
- Minimum housing, including unsanitary premises
- Front yard parking
- Water & sewer
- Livestock
- Alley and right-of-way violations
- Water leaks or discharges of wastewater on private or public property
- Monthly inspections of salvage/junk yards
- Monitoring and enforcing materials received at salvage/junk yards
- Enforcement of Garage sale permits

The Code and ordinances enforced by this department are subject to changes by the City Council.

Zoning

Upon the effective date of annexation, all property will be zoned "DR" Development Reserve. The "DR" designation is an interim zoning district that indicates that the property may be suitable for any land use subject to analysis and the placing of permanent zoning on the property. While under the "DR" zoning district designation, the property may be used for agricultural purposes or for single family development in conformance with the regulations of an "R-6" zoning district.

The City will initiate the zoning process for a permanent zoning classification within one year of annexation. The zoning process may include a land-use study, preliminary zoning plan and a series of neighborhood meetings prior to any public hearings.

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The zoning will be at no cost to property owners. As an alternative to the City initiated zoning, owners of property being annexed may pay a fee and apply for zoning of the property on or after the date on which City Council institutes annexation proceedings.

Building Permits

Incomplete construction must obtain building permits from the Development Services Department in accordance with City codes. Incomplete construction implies that final inspections have not been conducted and approved. For new residential construction, incomplete construction indicates that one has not obtained approved final inspections for building, mechanical, plumbing, and electric field inspections. For new commercial construction, incomplete construction indicates, that one has not obtained approved final inspections for building, mechanical, plumbing, electric, fire, traffic, drainage, sidewalks, irrigation, tree, and landscape field inspections. Other field inspections may be applicable for new commercial construction depending on the specific use and/or location of the project. Building permits may be applied for at 1901 South Alamo. In addition, as part of the permitting process, applicant(s) will be required to adhere to the City's Tree and Landscape requirements. The Development and Business Services Center has been created to assist the public in any development questions that relate to development permits and small business services.

Certificate of Occupancy

New and existing businesses must obtain a Certificate of Occupancy and related licenses required by City code from the Development Services Department, Health Department, and/or City Tax Office. In Accordance with the 2003 International Building Code, no person may occupy a building or a space without first obtaining a Certificate of Occupancy from the Building Official. Certificates of Occupancy may be applied for at the Development and Business Services, 1901 South Alamo.

Nonconforming rights

To establish nonconforming rights for zoning, property owners with existing land uses are encourage to register within one year of the annexation date with the Development Services Department. Uses that existed legally prior to annexation, generally become nonconforming after annexation because of the new zoning classification placed on the land. You may register for nonconforming rights at 1901 South Alamo. Registration of your legal nonconforming

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uses allows you to apply for a Certificate of Occupancy. Upon the issuance of the Certificate of Occupancy, you may continue the legal nonconforming uses that existed prior to annexation. A Certificate of Occupancy will be issued certifying only those uses required by applicable City and State codes. Unless exempted by Chapter 43, of the Texas Local Government Code, nonconforming rights to allow future construction of the development of a master plan must be filed within 60 days of annexation, with the Development Services Department in accordance with the Unified Development Code (UDC).

Certain services, in addition to the above services, will be provided within the annexation area. They are as follows:

Storm Water Utility Services

Storm water services are fee-based. Fees are assessed based on Customer Classification (Residential, Multifamily, Public, and Commercial). Within each Customer Classification are tiers based on size of the parcel. For example, the average residential fee is \$3.08 per month and the fee for commercial sites less than .5 acres is \$13.26 per month. This fee is collected through either the San Antonio Water System or Bexar Met billing system. Services are currently provided by the Utility, in accordance with the Utility's approved business plan and as limited by applicable codes, laws, ordinances and special agreements.

In 2003 and 2005, revenue backed bonds were acquired providing capacity for approximately \$110 million in regional capital improvements. Thirty-two projects were funded to provide for flood recovery efforts, storm water infrastructure recapitalization, major storm water outfalls, low water crossing mitigation, removal of residential structures from the 100-year floodplain, and other regional storm water facilities. As additional capacity is achieved, more projects will be executed providing the community with a higher level of flood control and surface water quality.

These services are scheduled by the Utility however concerns or questions regarding these services can be addressed by contacting the City's non-emergency number

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#311. Needed regional storm water capital improvements are prioritized on a citywide watershed basis. Local drainage capital improvements are prioritized on a watershed basis and council district basis.

Open Waterway Maintenance

Inspection and maintenance of rivers, creeks and improved drainage channels. Maintenance includes de-silting and re-grading of improved channels, natural waterway and creek maintenance, removal of debris from drainage ways and low water crossings. Mow improved channels in public rights-of-ways three (3) times per fiscal year.

Surface Maintenance

Sweep residential streets two (2) times per year, arterial and collector streets 4 times per year.

Remove fallen trees that are blocking streets. Applications of herbicide for weed control to street gutter lines, drainage ways and medians. Inspect and maintain as necessary medians 20 times per year.

Tunnel Operations

Replacement and cleaning of underground drainage pipes. Also, repair and cleaning storm drainage inlets. Maintain and operate high water detection system and flood control structures.

Engineering

Comprehensive watershed management. Implement mitigation plans for identified flooding problems, as funding is made available. Floodplain management. Coordinate with Development Services Department to ensure new development and redevelopment complies with the watershed master plan. Respond promptly and effectively to drainage concerns by the citizens.

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Library Services

The QVC, San Antonio, Inc. Annexation Area is nearest to the 12,500 square foot Great Northwest Branch located at 9050 Wellwood. A renovation and 4,800 square foot expansion of this branch is scheduled to begin in September 2005 and will be completed by July 2006.

The Great Northwest branch provides the following services:

Library materials for adults, young adults and children including books, periodicals, compact disks, DVD, videos, audiobooks, and electronic books.

Programming for adults, young adults and children such as regularly scheduled storytimes, book discussion groups and other topics of interest to the community.

Access to the Internet, databases and other computer programs.

Professional staff to assist library customers with reference and reader's advisory questions.

Public meeting room space.

Library website: www.sanantonio.gov/Library

Health Department Services

The Health Department currently provides a wide range of services to this annexation area.

Upon annexation, the following additional services will be available.

- Investigation of public health related complaints including food borne illness, recreational water quality, and public swimming pools and spas, and investigation of toxic exposures.
- Enforcement of the City's smoking in public places ordinance and the minor's access to tobacco ordinance
- Investigation of reported elevated blood levels in children
- Access to community health clinics
- Medical Assistance Program benefits

Bexar County receives environmental health services from SAMHD for licensing of Food Establishments. SAMHD would provide additional services for oversight of day care centers,

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semi-public swimming pools, air quality permits and livestock issues.

Bexar County performs some spraying on a seasonal basis (Vector Control). SAMHD would provide year round services for mosquito spraying, rodent control and disease surveillance for mosquito acquired diseases.

Animal Care Services Division

Newly annexed areas would receive new and additional services that are not medically related such as Animal Control. Currently areas in unincorporated Bexar County share animal control services with four officers assigned for the entire County. Once annexed they would be part of a specifically dedicated Animal Control District for the specific area.

Other Services

All other City Departments with jurisdiction in the area will provide services according to City policy and procedure.

3. Capital Improvements Program

The City will initiate the construction of capital improvements as may be necessary for providing municipal services to the annexation area. The timing for the construction of capital projects that may be necessary for the delivery of municipal services will be done in accordance with the requirements of Subchapter C of Chapter 43, Local Government Code.

Each component of the Capital Improvement Program is subject to the City providing the related service directly. In the event that the related service is provided through a contract service provider, the capital improvement may not be constructed or acquired by the City but may be provided by the contract provider. The City may also lease buildings in lieu of construction of any necessary buildings.

Police Protection: No capital improvements are necessary at this time to provide Police services. The annexation area will become part of current patrol district # 5360 and will be served by the West Patrol substation located at 7000 Culebra Road.

Fire Protection: No capital improvements are necessary at this time to provide Fire serves. Fire protection will be provided to this area with existing resources. Fire

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protection will be primarily from Fire Station #45 located at 3415 Rogers Road. Additional fire protection will be provided by Fire Station #35 located at 7038 Culebra and Fire Station #44 located at 1351 Horal.

Emergency Medical Service: No capital improvements are necessary at this time to provide Emergency Medical Services. Service will be provided to this area with existing resources. A peak period EMS unit is housed at Fire Station #45 located at 3415 Rogers Road. An additional peak unit is housed at Fire Station #35 located at 7038 Culebra. Full-time EMS units that respond to this area are housed at Fire Station #41 located at 9146 Dover Ridge, and Fire Station #44 located at 1351 Horal.

Solid Waste Collection: No capital improvements are necessary at this time to provide solid waste collection services.

Roads and Streets: No newly constructed road or street related capital improvements are necessary at this time to provide services. The City will assume maintenance responsibilities for all public streets.

Parks, Playgrounds and Swimming Pools: There are no annexation service requirements.

Library: There are no annexation service requirements. The existing Great Northwest Branch facility located at 9050 Wellwood will serve this area. A renovation and 4,800 square foot expansion of this branch is scheduled to begin in September 2005 and will be completed by July 2006.

Capital Improvements Planning: the annexation area will be included with other territory within the municipality in connection with planning for new or expanded facilities and/or services. (We will attach Bond Program information and post a web link to the capital budget)

All other capital improvements will be considered through the 6 Year Capital Budget that represents the City's long-range physical infrastructure development and improvement plan. Major funding sources are General Obligation Bonds, Certificates of Obligation, Storm Water Revenue Bonds, and Community Development Block Grants as applicable. Capital projects are placed in inventory by the City Council person through input from neighborhood plans, community association, neighborhood requests and other community processes.

Amendment: Governing Law

This Plan may not be amended or repealed except as provided by the Texas Local Government Code or other controlling law. Neither changes in the methods or means of implementing any part of the service programs nor changes in the responsibilities of the various departments of the City shall constitute amendments to this Plan, and the City reserves the right to make such changes. This Plan is subject to and shall be

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interpreted in accordance with the Constitution and laws of the United States of America and the State of Texas, the Texas Local Government Code, and the orders, rules and regulations of governmental bodies and officers having jurisdiction.

Force Majeure

In case of an emergency, such as force Majeure as that term is defined in this Plan, in which the City is forced to temporarily divert its personnel and resources away from the annexation area for humanitarian purposes or protection of the general public, the City obligates itself to take all reasonable measures to restore services to the annexation area of the level described in this Plan as soon as possible. Force Majeure shall include, but not be limited to, acts of God, acts of the public enemy, war, blockages, insurrection, riots, epidemics, landslides, lightning, earthquakes, fires, storms, floods, washouts, droughts, tornadoes, hurricanes, arrest and restraint of government, explosions, collisions and other inability of the City, whether similar to those enumerated or otherwise, which is not within the control of the City. Unavailability or shortage of funds shall not constitute Force Majeure for purposes of this Plan.

Summary of the Water and Wastewater Utility Service Regulations 2003

The following information is a summary of the SAWS Utility Service Regulations for the extension of water and/or wastewater facilities as incorporated by reference in the latest version of the Unified Development Code, in conformance with the Texas Local Government Code requirement that the Plan have a summary of the service extension policy (SAWS USR).

Water and wastewater service is only provided to lots that have been properly subdivided and platted or are a legal lot. For property that is required by subdivision regulations to construct water or wastewater facilities connecting to the SAWS system, funding and construction of those facilities will remain the responsibility of the developer. If the specific undeveloped property does not have SAWS water or wastewater service fronting the property, the owner may make an application for an extension of service to SAWS Director of Infrastructure Development Department for review. If the Director determines that adequate capacity is available, or will be and if the project does not include SAWS cost participation or reimbursement, and if the proposed facilities are a logical extension of SAWS water and/or wastewater system and the requested extension meets the requirements of SAWS Utility Service Regulations, the extension size, capacity, and routing may be approved by the Director. Funding and construction of the facilities will be the responsibility of the developer.

Depending on the size of the new facilities and other conditions, with SAWS Board of Trustees approval, SAWS may reimburse the developer for a portion of the cost of constructing certain facilities. With Board approval, SAWS may reimburse costs associated with the oversize capacity of water and wastewater mains. The actual

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calculation of the cost participation and reimbursement amounts, including limits and the schedules for the payments, are included in SAWS Utility Service Regulations as incorporated by reference in the UDC.

For lots that have water or wastewater lines in the street fronting the lot, the owner may receive water or wastewater service by applying for a tap permit and paying any required fees. The new customers will be required to pay the impact fees and all connection fees.

Should a property be served by a septic system: The property owner remains responsible for the operation and maintenance of the septic system. If the septic system fails, the property owner must repair the system or pay to extend SAWS wastewater facilities to the property, if unavailable. Under certain circumstances the City of San Antonio Health Department and/or applicable regulatory agency for septic tanks may require the property owner to connect to SAWS public wastewater facilities.

This policy is set by the City Council and can be amended in the future by ordinance.