

**PUBLIC HEARING
TIME CERTAIN
6:30 PM**

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

TO: Sheryl Sculley, City Manager
FROM: Emil R. Moncivais, FAICP, AIA, CNU
SUBJECT: 2nd Public Hearing regarding Timberwood Park Annexation Area as required under Chapter 43 of the Texas Local Government Code
DATE: March 9, 2006

SUMMARY AND RECOMMENDATIONS

This is the second public hearing regarding the proposed annexation of the Timberwood Park Area as required under Chapter 43 of the Texas Local Government Code. The first public hearing was held on March 2, 2006.

On June 16, 2005, City Council annexed the Timberwood Park Area for limited purposes effective June 20, 2005. This action was taken under the City's Annexation Goal to preserve the integrity of the City and its extraterritorial jurisdiction (ETJ). City Council directed staff to place the entire Timberwood Park area and intervening property in the City's Three-Year Annexation Plan and annex the area for limited purposes with the opportunity to negotiate a non-annexation agreement for a specific period of time.

Texas Local Government Code § 43.0562 states that once public hearings are completed, the County Commissioners Court may appoint a five member negotiating team to negotiate for the provision of services or a non-annexation agreement.

No action is required of City Council.

BACKGROUND INFORMATION

The Timberwood Park area property is situated north of the Stone Oak area, generally between Blanco, West Borgfeld and Bulverde Roads and is primarily within the Edwards Contributing Zone. The area is approximately 4,345 acres or 6.79 square miles with an estimated 1,509 housing units and population of 4,606. There are approximately 1,059 vacant residential lots and approximately 1,290 acres in agricultural use that can be developed. A location map of the area is attached.

On March 4, 2004 the "City of Timberwood Park Committee" requested City Council's consent to incorporate. City Council denied the request on June 29, 2004 because it is inconsistent with the City's goals to preserve the integrity of the City and protect the ETJ. Subsequently, on

December 20, 2004 a petition requesting annexation was submitted to the City. As stated in Chapter 42 of the Texas Local Government Code, if the City of San Antonio refuses to annex the area within six months after receiving such a petition, that failure or refusal to annex constitutes the City of San Antonio's consent for incorporation. As a result, the City of San Antonio annexed the area for limited purposes effective June 20, 2005, within the required six month time limit.

On July 30, 2005, staff met with Timberwood Park area residents in the area to present the option to negotiate a non-annexation agreement. It was explained that after the completion of the second public hearing, the County Commissioners Court may appoint a five (5) member negotiating team. City staff will then meet with the appointed team to negotiate a non-annexation agreement. Staff anticipates completing negotiations within four to six months.

POLICY ANALYSIS

The City's goals for annexation are to preserve the range of annexation options, promote orderly growth and provision of municipal services, enhance the City's fiscal position, preserve the integrity of the City and the ETJ and maintain a systematic annexation process.

Including Timberwood Park annexation area in the City's Three-Year Annexation Plan and annexing the area for limited purposes was consistent with the City's goal to "preserve the integrity of the City and its extraterritorial jurisdiction." The action disallowed the incorporation of a city in San Antonio's ETJ and ensured through the extension of the City's development and building regulations that future development take place in a manner that ensures the health, safety, and welfare of the community.

Negotiating a non-annexation agreement in lieu of annexation for the Timberwood Park area will preserve the City's range of annexation options in the future.

FISCAL IMPACT

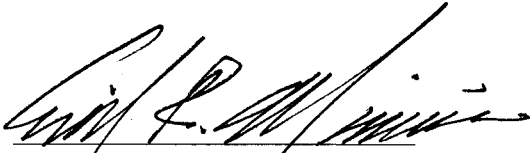
The financial impact will be determined upon the completion of the negotiations and will be presented to City Council in conjunction with the non-annexation agreement.

COORDINATION

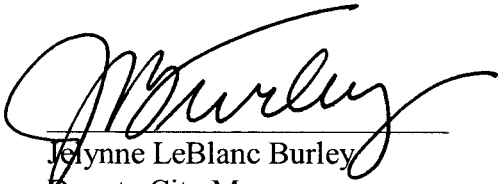
This item was coordinated with the City Attorney's Office, Management and Budget, Police, Fire, Public Works, Environmental Services, Code Compliance and other service related Departments.

SUPPLEMENTARY COMMENTS

A complete draft annexation service plan for the Timberwood Park annexation area is attached as required by § 43.056 (j) of the Texas Local Government Code and copies of the annexation service plan are also available for public review.

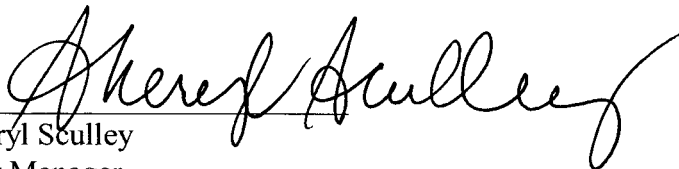


Emil R. Moncivais, FAICP, AIA, CNU
Director, Planning Department



Jelynne LeBlanc Burley
Deputy City Manager

Approved for Council Consideration:



Sheryl Sculley
City Manager

Timberwood Park

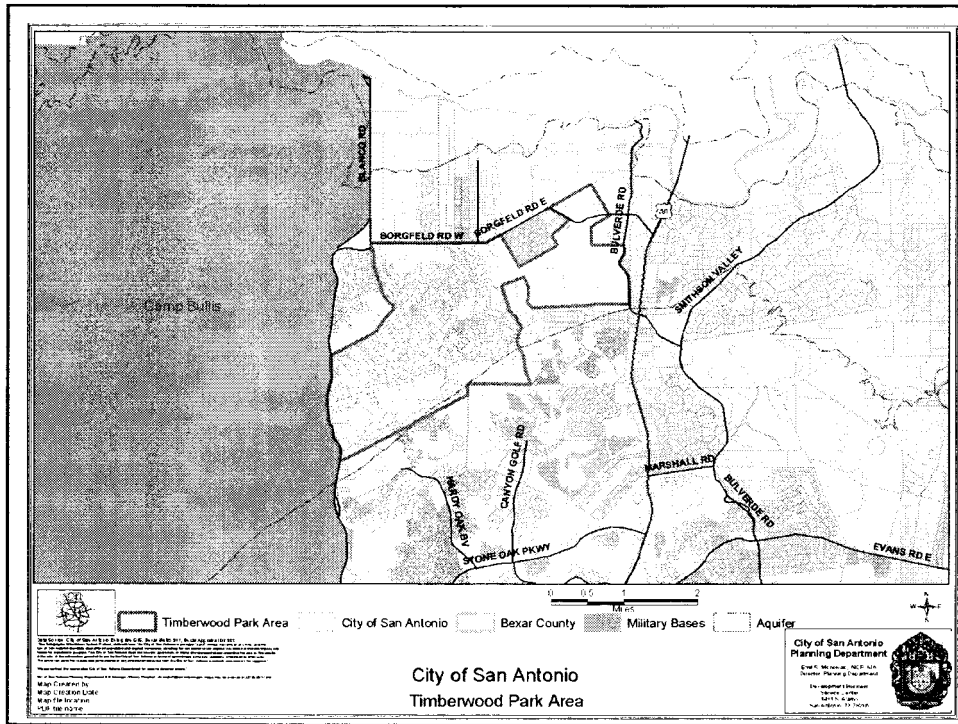
2nd Public Hearing
as Required under Chapter 43
Texas Local Government Code

March 9, 2006
6:30 pm

Agenda Item #
City of San Antonio
City Council

Purpose

- This is the 2nd of two Public Hearings required under Chapter 43 of the Texas Local Government Code.
- Upon completion of today's public hearing, City staff and five (5) representatives from the area shall negotiate for the provision of services or a non-annexation agreement.



Required Three-Year Annexation Plan Process under Ch. 43: Texas Local Government Code

- ✓• May 26, 2005 – Area placed on 3 Year Plan
- ✓• August 12, 2005 – Notification sent to Residents & Service Providers
- ✓• December 19, 2005 – Inventory of services available and posted on City website
- ✓• March 2, 2006 – Council holds 1st Public Hearing
- ➔• March 9, 2006 – Council holds 2nd Public Hearing

Upon completion of today's Public Hearing, the County Commissioners Court will appoint a negotiations team and negotiations will begin.

Timberwood Park Provision of Services

- If the Timberwood Park area were to be annexed, the area would receive the following municipal services upon the effective date of annexation in June 2008:
 - Police protection
 - New patrol district served by the North Patrol Substation
 - Fire protection
 - New Fire Station located in the vicinity of the Timberwood Park Annexation Area
 - Emergency medical service
 - Full time EMS unit located at the new Fire Station
 - Solid Waste Collection
 - Area residents can continue with current services for two years.

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Timberwood Park Provision of Services (cont'd.)

- Operation and maintenance of
 - water and wastewater facilities (Bexar Met Water District)
 - roads and streets, including road and street lighting;
 - parks, playgrounds, and swimming pools; and
 - any other publicly owned facility, building, or service.
- Capital Improvements necessary to deliver municipal services:
 - Must be substantially completed within 2 ½ years of annexation.

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Timberwood Park Provision of Services (cont'd.)

- Fiscal Impact
 - Detailed analysis of net cost of service delivery utilizing 10-year model
 - Factors Include
 - Projected revenues
 - Estimated costs for services

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Next Steps

- County Commissioners Court to appoint negotiating team
- Staff's Goal is to complete negotiations within four to six months

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Timberwood Park

2nd Public Hearing
as Required under Chapter 43
Texas Local Government Code

March 9, 2006
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City Council

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Timberwood Park

Annexation Service Plan

Date: January 2006

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 Timberwood Park Annexation Area**. The annexation area is located in north Bexar County on the west side of US Highway 281 North, north of Stone Oak and the Canyon Springs area between Blanco Road, West Borgfeld Drive and Bulverde Road. The area covers approximately 4,345 acres (6.79 square miles).

The Timberwood Park Annexation Area is included in the City of San Antonio's Municipal Annexation Plan as amended on May 26, 2005 and was annexed for "limited purposes" effective June 20, 2005. According to the plan, the **Timberwood Park Annexation Area** is scheduled for "full purpose" annexation effective in June 2008. This is in accordance with state law provisions, that property will be eligible for annexation under the Three-Year Plan after the third anniversary of the amendment to the Plan. However, the particular property may be removed from the Plan or annexed under other provisions of Chapter 43.

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.

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.

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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.

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. SAPD SAFTE officers will be available to meet with residents as requested to discuss police issues in the neighborhoods.

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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 annexation area will be served by the North Patrol Substation, 13030 Jones Maltzberger. Nineteen Patrol Districts currently serve the area. This Substation currently has 142 Patrol Officers, nine Property Crimes Detectives, four Robbery Detectives and 16 SAFFE Officers assigned to the service area.

The annexation area will become part of newly proposed patrol district 3180. A total of eight (8) police officers will be added to the north patrol service area. This entails five (5) patrol officers, two (2) detectives and one (1) sergeant. An existing SAFFE officer will be assigned to the area.

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 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

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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 annexation area from a new facility to be located in the vicinity of the Timberwood Park area. The facility will house a pumper company and a full time EMS unit upon the effective date of annexation. It will provide fire suppression, first responder, and EMS 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 emergency response will be provided by Fire Station # 46 located at 165 Evans Road and Fire Station #48 located at 18100 Bulverde Road.

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. It is estimated that the new fire station at US 281 and Marshall Road will cover 92.4 % of all city blocks within the annexation areas in 4.25 minutes travel time or less.

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 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.

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Emergency Medical Service (EMS)

EMS for the City of San Antonio will replace the current provider of emergency medical services in the annexation area.

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

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.

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 a delayed, the first in Fire Company will respond with first aid, basic life support and defibrillator capabilities.

The EMS Division has 27 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 full-time EMS unit will be located at a new facility to be located in the vicinity of the Timberwood Park area. The EMS unit will respond to calls for advanced life support. A peak EMS unit will provide service from Fire Station #46 located at 1165 Evans Road. Additional, emergency response will be provided by Fire Station # 48 on Bulverde Rd.

The response goal of the EMS division is to maintain an average 6 minute travel time to all calls within the city limits. Through the first 6 months of fiscal year 2004, the average travel time 6.07 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 utility bills.

For the first two years after annexation, residents may choose to either retain their present private service provider or utilize City-provided service. If residents elect to retain private service, City garbage collection and brush fees will not be

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assessed.

Planned Unit Developments (PUD's) 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 it's contractor entry onto private streets and exempting the City from liability.

Solid Waste Services available for residential units

- Garbage collection – Each home will be provided one 96-gallon trash cart, which must contain all materials on collection day.
- 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 with the recycling symbol.
- 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.

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:

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Environmental Services Fee

All properties, residential and nonresidential shall be assessed a monthly environmental services fee of \$1.30 per each electrical meter account (CPS). 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.

Maintenance of Water and Wastewater Facilities

The annexation area is currently within the **Bexar Met Water District**. Assuming that all water lines are documented and constructed in accordance with Bexar Met Water District requirements, Bexar Met will provide routine maintenance of the facilities.

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 BexarMet policies and procedures, and under the provisions of the BexarMet Utility Service Regulations for the extension of facilities.

Current water charges and rebate programs are provided below.

Water Charges for 5/8" and 3/4" Water Meters

System Improvement/Resources Development Fee

This fee is collected to provide funding for maintaining BexarMet's current infrastructure to applicable standards as well as searching for new sources of water. Fee: \$6.64 for 3/4 and 5/8" meters.

Capacity Reservation Fee

This fee is included with the water charge and is used to offset the costs of getting the water from the production facility (well/tank/pump station) to the

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customer.

Fee: \$24.74 for 3/4 and 5/8" meters.

Residential Water Rate Levels

<u>Amount</u>	<u>\$/1000 gals</u>
0 to 3,000 gals	\$1.63
3,001 to 25,000 gals	\$2.01
Over 25,000 gals	\$3.13

Maintenance of Roadways

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.
- 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.
- 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
 - a. 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.
 - i. The PMS is an integral component of our Infrastructure Management process
 - j) 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?
 - b. The system provides users with necessary analytical tools to define realistic long-term goals, based on projected investment levels.
- 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
- Repair / maintenance of public streets on an as-needed basis. Repair maintenance operations include filling depressions (level up), spot surface replacement, and spot full-depth repair. These services are initiated by contacting the City's 311 system.

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
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 requests for service collected are 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.

- The Street Maintenance Division constructs curbs,

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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.

- 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.

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 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.
 - 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) The cost for transportation engineering studies is the responsibility of the City.

If necessary, the Public Works Department will provide regulatory signage services in the annexation area. Traffic

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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.

Streetlighting

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.

Maintenance of Parks, Playgrounds, and Swimming Pools

Current parks that serve the immediate area:

Panther Springs located at 21456 Blanco Road in District 9 includes 281.2 acres of natural area.

Stone Oak Park located at 20395 Stone Oak Parkway in District 9 includes 245.3 acres of natural area.

Phase I: Improvements from '99 Bonds include entrance drive, parking, trail head, trails, cave protection, interpretation and wayfinding signage. Construction began 4/05 and is scheduled for completion 1/06. Phase II: Improvements from '03 Bonds include trail lighting, trail heads, outdoor classrooms, and interpretive features to compliment and connect to educational facilities. Construction begins 4/06, ends 11/06

All recreation classes and facilities are available for use by

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any interested individual, to include sports league, recreation centers, swimming pools, and classes.

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.

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

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subject to changes by the City Council.

Zoning

The annexation area was annexed for limited purposes effective June 20, 2005 and all property was 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 full purpose annexation. The zoning process may include a land-use study, preliminary zoning plan and a series of neighborhood meetings prior to any public hearings.

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 Business and Services Center has been created to assist the public in any development questions that relate to development and small

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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 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 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).

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 current average residential fee is \$3.68 per month and the current average fee for commercial sites less than .5 acres is \$15.85 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

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agreements.

In 2003 and 2005, revenue backed bonds were acquired providing capacity for approximately \$110 million in regional storm water 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 #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

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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.

Library Services

Residents of the annexation area are nearest to the following library service:

- Encino Park Bookmobile Stop, Encino Park Community Center, 1923 Encino Rio.
- Reagan High School and Public Library, 19000 Ronald Reagan Dr. (8,000 sq. ft.)
- Brook Hollow Branch Library, 530 Heimer Road (14,470 sq. ft.)

The library locations provide 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

The Health Department currently provides a wide range of

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Services

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 lead levels in children;
- Access to community health clinics;
- Medical Assistance Program benefits;

Currently Bexar County receives environmental health services from SAMHD for licensing of Food Establishments SAMHD would provide additional services for oversight of day care centers, semi-public swimming pools, air quality permits and livestock issues.

Currently 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.

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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

Fire Protection: A facility will be situated in the vicinity of the Timberwood Park Area and will be operational upon the effective date of annexation.

Emergency Medical Service: A full time EMS unit will be located at a new facility to be located in the vicinity of the Timberwood Park Area.

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.

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.

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 interpreted in accordance with the Constitution and laws of the United States of America

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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, foods, 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.