

A RESOLUTION **2013-11-21-0042R**

APPROVING AN ALTERNATE RECOMMENDATION TO THE REQUEST SUBMITTED BY THE “COMMITTEE FOR THE INCORPORATION OF SANDY OAKS” AND CONSENTING TO THE INITIATION OF INCORPORATION PROCEEDINGS FOR A PORTION OF THE REQUESTED AREA ON THE EAST SIDE OF I.H. 37 SOUTH THAT TOTALS APPROXIMATELY 2.4 SQUARE MILES.

* * * * *

WHEREAS, municipal incorporation in the extraterritorial jurisdiction of another municipality must be executed pursuant to the written consent by ordinance or resolution of the municipality in which the proposed incorporation may occur; and

WHEREAS, the consent to the incorporation of the proposed is only an authorization to initiate incorporation proceedings by law; and

WHEREAS, on March 31, 2012, a “Committee for the Incorporation of Sandy Oaks” requested authorization to initiate incorporation proceedings for approximately four (4) square miles of land located within the Extraterritorial Jurisdiction (ETJ) of the City of San Antonio (“COSA”); and

WHEREAS, subject area is generally described as territory located in the southeast quadrant of Bexar County, inclusive of portions of the east side of the intersection of South Loop 1604 and Interstate Highway 37 South and extending south along Interstate Highway 37 South; and

WHEREAS, the City of San Antonio Planning Commission considered the matter at a public hearing at which all interested parties and citizens were allowed to be heard; and

WHEREAS, the Planning Commission recommends approval of the “Committee for the Incorporation of Sandy Oaks” request to initiate incorporation proceedings for the subject area; and

WHEREAS, the proposed incorporation conflicts with COSA’s Annexation Program Study Areas for future, near-term annexation; **NOW THEREFORE**,

BE IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The consent for “Committee for the Incorporation of Sandy Oaks” request to initiate municipal incorporation proceedings within the extraterritorial jurisdiction of San Antonio of approximately 2.4 square mile tract pursuant to Texas Local Government Code Sec. 42.041 is hereby granted. A map is attached hereto as ATTACHMENT 1 and incorporated herein by reference for all purposes.

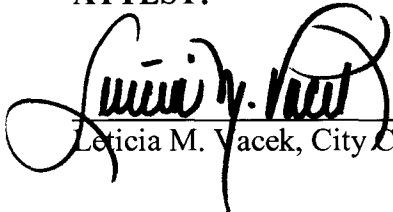
SECTION 2. The incorporation must be initiated within six months of the effective date of this resolution and must be finally completed within eighteen months of the date of this resolution. Failure to comply with either time requirements terminates this consent.

SECTION 3. This Resolution shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

PASSED AND APPROVED on this 21st day of November, 2013.

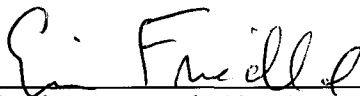

M A Y O R
Julián Castro

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



for Michael D. Bernard, City Attorney

Agenda Item:	49						
Date:	11/21/2013						
Time:	04:14:07 PM						
Vote Type:	Other: Staff Recommendation						
Description:	A Resolution authorizing initiation of incorporation proceedings by the "Committee for the Incorporation of Sandy Oaks" for approximately four (4) square miles of land located within the Extraterritorial Jurisdiction (ETJ) of the City of San Antonio (COSA). Staff recommends denial of the request as submitted by the "Committee for the Incorporation of Sandy Oaks" with an alternate recommendation of Approval of authorization to initiate incorporation proceedings for the portion of the requested area on the east side of I.H.-37 South that totals approximately 2.4 square miles. Planning Commission recommends approval of the request as submitted by the "Committee for the Incorporation of Sandy Oaks."						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1			x			
Ivy R. Taylor	District 2	x					
Rebecca Viagran	District 3		x				x
Rey Saldaña	District 4		x			x	
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Carlton Soules	District 10	x					

