

INTERLOCAL AGREEMENT BY AND BETWEEN THE CITY OF SAN ANGELO, TEXAS AND TOM GREEN COUNTY, TEXAS, PROVIDING FOR SUBDIVISION REGULATION WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY AND SUPERSEDING PRIOR INTERLOCAL AGREEMENT

This Interlocal Agreement is made by and between the City of San Angelo, Texas, a home rule city located within Tom Green County, Texas ("City") and Tom Green County, Texas, a political subdivision of the State of Texas ("County"), and is authorized under Chapter 242 of the Texas Local Government Code. This Agreement supersedes and replaces the Interlocal Agreement Providing for Subdivision Regulation Within the Extraterritorial Jurisdiction of the City, effective April 1, 2014,

WHEREAS, the regulation of subdivisions of land is a governmental function of cities and counties administered pursuant to Chapters 212 and 232 of the Texas Local Government Code; and

WHEREAS, pursuant to Chapter 212 of the Texas Local Government Code, the City has statutory authority to adopt rules governing plats and subdivisions of land, both within its corporate limits and its extraterritorial jurisdiction (herein referred to as the "ETJ"); and

WHEREAS, pursuant to Chapter 232 of the Texas Local Government Code, the County has statutory authority to adopt rules governing plats and subdivisions of land in the areas of the County lying outside the limits of a municipality, including the area within the extraterritorial jurisdiction of the City; and

WHEREAS, Chapter 242 of the Texas Local Government Code prohibits requiring a person who intends to subdivide land within the extraterritorial jurisdiction of a municipality to submit a plat to and obtain related permits from both the municipality and county; and

WHEREAS, Chapter 242 of the Texas Local Government Code further requires certain counties and municipalities to execute a written agreement that identifies the governmental entity authorized to regulate subdivision plats in the extraterritorial jurisdiction of the municipality, and permits apportionment of the ETJ between them for regulation; and

WHEREAS, the parties desire to delegate the authorization for regulation of subdivision plats in the extraterritorial jurisdiction of the City as it now exists or as it may be extended in the future under state law by apportioning certain areas of the ETJ for regulation by City and designating the remaining areas of the ETJ for regulation by County ;

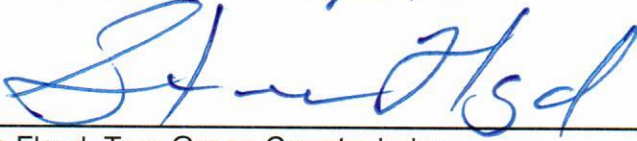
NOW, THEREFORE, In consideration of the mutual premises contained herein the parties to this Agreement hereby contract, covenant and agree as set forth below:

1. City and County agree that the City is hereby authorized to exercise exclusive jurisdiction to regulate subdivision plats in that part of the ETJ of the City that is within the Annexation Plan, or other annexation program, adopted by City, as it now exists or as it may be amended by City from time to time ("Annexation Program"). A current copy of City's Annexation Program is attached hereto as **Exhibit "A"**.

2. City and County agree that County is hereby authorized to exercise exclusive jurisdiction to regulate subdivision plats and approve related permits in that part of the ETJ of the City that is outside of the applicable Annexation Program.
3. City agrees that it will provide County with a copy of the adopted Annexation Program and all current rules and regulations of the City applicable to subdivision of property within the ETJ, and further agrees that if it amends the Annexation Program or any rule or regulation pertaining to subdivision of property within its ETJ it will provide a copy of the amended Annexation Program rule or regulation to County.
4. City agrees that upon receipt of any application or request for subdivision of property within the area of the applicable Annexation Program within its ETJ, City will give notice of the application or request to County and provide County an opportunity to comment on the application or request before consideration of the application or request.
5. As required by Section 242.001(c) of the Texas Local Government Code, City agrees to notify County of any expansion or reduction in the City's extraterritorial jurisdiction.
6. City and County recognize that the assignment or modification of official 911 addresses is often part of the building permit process, and that City does not issue building permits within the ETJ. As such, the City and the County agree that the County is hereby authorized and given exclusive jurisdiction to assign and modify official 911 addresses within the ETJ. In addition, the County agrees that it will give notice of all addressing assignments or modifications to City for City's use in maintaining official GIS maps of the ETJ.
7. City specifically agrees that, because it desires to have the authority to regulate subdivisions of land within the Planned Annexation areas of its ETJ, the authority to do so is adequate consideration for the performance of its obligations under this Agreement.
8. County specifically agrees that, because it does not desire the responsibility of regulating subdivisions of land within the Planned Annexation areas of the City's ETJ, being relieved of this responsibility is adequate consideration for its relinquishment of any statutory right to do so.
9. This Agreement does not extend the liability of the parties or create any rights in third parties not party to this Agreement. Neither the City nor the County waives any immunity or defenses available to it against claims made by third parties.
10. The term of this Agreement is for one year from and after the Effective Date. This Agreement will automatically be extended annually for successive one year terms unless terminated by a party to the Agreement as herein provided.
11. Either party to this Agreement may terminate the Agreement without cause by notifying the other party not later than 45 days prior to the expiration of the then current term that the Agreement will terminate at the expiration of that term. However, both parties understand and agree that the right to terminate this Agreement does not avoid the statutory duty of the County and City to have a written agreement providing for subdivision regulation within the City's extraterritorial jurisdiction.

IN WITNESS WHEREOF, this Agreement is executed by the officials of each party first being duly authorized by their respective governing bodies, effective when duly executed by each of the parties as authorized by their governing bodies (Effective Date).

AGREED to and ADOPTED by the Commissioners Court of Tom Green County, Texas, on the 30th day of April, 2019



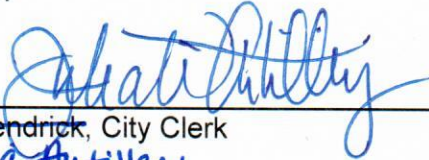
Steve Floyd, Tom Green County Judge

AGREED to and ADOPTED by the City Council of San Angelo, Texas, on the 4th day of June, 2019



Daniel Valenzuela, City Manager

ATTEST:



Bryan Kendrick, City Clerk

Julia Antilley

Approved as to Content:



Jon C. James, Planning Director

Approved as to Form:



Theresa James, City Attorney

