



City of Corpus Christi

Street Maintenance Fee Payment and Appeals Process



The charge of the **Street Maintenance Fee (SMF)** is reflected on a customer's monthly utility bill. Calculation of the SMF is based on several factors and charged to benefitted properties in accordance with Article XX of the Code of Ordinances. Payment of the SMF is part of a customer's utility bill payment. Payment can be made through the same process utilized for all other utility bill payments. **The City's Utility Business Office (UBO) is the main point of contact for customers regarding the SMF.**

Residential and Non-Residential Customers may contest ~~residency~~ inside city limits status, or active meter account status, number of water meters billed, or occupancy status. Additionally, master metered Multi-family Residential accounts may contest the number of dwelling units. Customers must complete and submit a Street Maintenance Fee Correction/Appeal Request Form to the UBO. Once UBO receives notice of a request to change ~~residency or active meter status~~ any of these factors, ~~a the~~ UBO Resolution Officer will verify the customer's information and status. If the requested change is warranted, the UBO will correct the record and revise the bill accordingly.

Residential Customers ~~who are eligible~~ may request a **Low Income Discount (Discount).** The customer will need to fill out an application form provided by UBO, ~~and then submit the completed form to the Nueces County Department of Human Services (NCDHS) for processing and approval (same screening process as Operation Heat Help).~~ If NCDHS determines the customer is eligible to receive a Discount, the NCDHS will issue an approval voucher or certificate, which the customer will then bring to UBO to apply for a Low Income Discount adjustment to the SMF. ~~The Customers eligible for the Low Income Discount is~~ will receive a 50% of the customer's discount on their SMF, and This discount is good for one year only and applies only to the SMF and not to any other utility charge. Customers will need to reapply on a yearly basis ~~for (through the same NCDHS and UBO procedure described above)~~ in order for the Discount to apply to the customer's bill for the next year. It is a customer's responsibility to apply for a Discount. If a customer fails to apply for a Discount in any year, they will be required to pay the full amount of the SMF. The City will not issue refunds or credit related to the Low Income Discount.

Non-Residential Customers may appeal certain factors used in calculating the SMF by filing for an **appeal.** Appealable factors include: **square footage (SF), land use designation (LUD), and multi-meter/single business square footage cap application,** ~~number of active water meters, and residency~~ inside city limits/outside city limits (ICL/OCL) status. UBO provides **Appeal Request Forms** with instructions:

Customers must complete and submit a Street Maintenance Fee Correction/Appeal Request Form to the UBO. ~~The customer will complete an appeal form and submit it to the UBO for processing.~~ Upon receipt of a completed appeal form, ~~a the~~ UBO **Resolution Officer** will conduct a review. ~~—~~ If the UBO Resolution Officer recommends approval of the appeal, the records will be updated and the bill will be adjusted. If the appeal is **denied**, a customer may

appeal to the **Street Maintenance Fee Appeals Board**. If the Street Maintenance Fee Appeals Board **approves**, the records will be updated and the bill will be adjusted. If the Appeals Board **denies**, then the customer will need to pay the full bill. ~~Bill adjustments will be by credit or refund~~ reductions will result in the application of a refund or credit for the difference already paid. Bill increases as a result of an appeal will be billed prospectively only.

Three types of appeals require processing.

1. Square Footage (SF) Appeal - *Square footage is defined as: Square footage as recorded by the Nueces County Appraisal District tax records as "living area".*

UBO will direct the customer to the **Nueces County Appraisal District (NCAD)** where customers will file an appeal with the NCAD. ~~Upon receipt a completed appeal form, the~~ NCAD will assess the property to determine whether a change to the square footage of living area shown in the NCAD records is warranted. If NCAD approves the change, NCAD will update ~~the NCAD records and provide UBO with the new square footage~~ their records. UBO will coordinate with Development Services to update city records. Once the updated living area square footage is downloaded into the City's records, UBO will adjust the bill and notify the customer. Bill adjustments which result in a decrease in the SMF will result in a ~~by credit or refund of the difference already paid. Bill adjustments which result in an increase in the SMF charge will not be billed retroactively, but will be prospective only.~~

Certain properties may have SMF charges calculated based on estimated square footage. These include properties with a newly issued Certificate of Occupancy or tax exempt property for which NCAD does not record square footage information. An appeal of square footage for these properties will be processed through the City.

From time to time NCAD may update the amount of living area square footage attributable to a property. Upon receipt of the updated information, the City will automatically adjust Non-Residential customers' SMF charges appropriately. Increases in the SMF attributed to adjustments made by NCAD are not appealable to the City, but must be addressed with NCAD. Decreases in the SMF attributed to adjustments made by NCAD as part of their routine procedures will not result in a refund or credit of the difference previously paid. The customer is responsible for paying any such adjusted charges.

2. Land Use Designation (LUD) Appeal - *Land Use is defined as: Land uses identified and described in the Street Maintenance Fee Trip Factor Index derived from the ITE land use codes in the ITE Trip Generation Manual 9th Edition.*

The customer will complete an appeal form and submit to the UBO for processing. Upon receipt of a completed appeal form, the UBO Resolution Officer will research the request ~~and coordinate with Development Services staff~~ to recommend a grant or denial of the requested change in the land use. If a change is **approved**, ~~Development Services~~ UBO will update their records ~~and coordinate with UBO to confirm the changes made~~ and notify the customer. Bill adjustments which result in a decrease in the SMF charge will ~~be result in~~ a credit or refund of the difference already paid. If the appeal results in an increase in the SMF charge, the customer will be charged the new higher fee prospectively and will not be charged the

difference retroactively. If the appeal is **denied** or is approved resulting in a higher SMF charge, the customer may request appeal to the **Street Maintenance Fee Appeals Board**. If the customer does not appeal to the Board, there will be no change in the land usage. If the customer requests to appeal to the Board, UBO will notify the customer of Street Maintenance Fee Appeals Board scheduled hearings.

3. Multi-Meter/Single Business Square Footage Cap Application Appeal – Multi-metered properties with one (1) tax id and one (1) business use which exceed the square foot cap of 118,000 SF.

The customer will complete an appeal form and submit it to the UBO. Upon receipt of a completed appeal form, the UBO Resolution Officer will research the appeal to make a recommendation for approval or denial. If the requested change is **approved**, UBO will update their records and notify the customer of the changes. Bill adjustments will be a credit or refund of the difference already paid. If the appeal is **denied**, the customer may appeal to the **Street Maintenance Fee Appeals Board**. If the customer does not appeal to the Board, there will be no change. If the customer files an appeal to the Board, UBO will notify the customer of Street Maintenance Fee Appeals Board scheduled hearings.

Additional Documentation Required

Master metered Multi-family Residential customers contesting the number of total billed dwelling units will be required to provide certified documentation of the correct number of dwelling units from a Texas Registered Design Professional to include an engineer, architect or land surveyor. Tax exempt properties appealing an estimated living area square footage must provide certified documentation of the correct square footage from a Texas Registered Design Professional to include an engineer, architect or land surveyor.

Street Maintenance Fee Appeals Board:

Street Maintenance Fee Appeals Board will be comprised of five (5) members: 1) Assistant City Manager over Finance, 2) Director of Water or Director of Wastewater, 3) Director of Street Operations, 4) and 5) Two Citizens appointed by City Manager.

Street Maintenance Fee Appeals Board Hearings: UBO **Resolution Officer** will provide the requested documentation and staff recommendation. Customers may advocate their case to the Board. ~~Development Services will present their findings and recommendation, after which t~~he Appeals Board will decide whether to grant or deny the customer's appeal. If the change is **granted**, ~~Development Services and~~ UBO will update the records to reflect the change. UBO will notify the customer of the changes made and a credit or refund will be made for the difference already paid. If the change is **denied**, no changes will be made, UBO will inform the customer of the decision, and no refund or credit will be made.

For additional information contact:

Corpus Christi Call Center
(361) 826-CITY (2489)
or visit www.cctexas.com