

## VOLUNTARY PAVING ASSESSMENT PROGRAM (VPAP) PROCESS

The following information outlines the current process being utilized by the City of Corpus Christi for the street improvement assessment program. The outline provides the step-by-step procedures involved in the process. The procedures are in full compliance with the requirements set forth in Article 1105 (b) of the Texas Civil Statutes and in Section 49021 of the City Code of Ordinance.

### I. Voluntary Paving Assessment Program - Petition Process

- A. Engineering Department prepares a petition package, as per individual request. The petition package includes:
  1. Voluntary Paving Assessment Program Information
  2. VPAP Maximum Rates Guide
  3. Property Listing (information obtained from Nueces County Appraisal District web site)
  4. Petition Cover Letter with Signature Pages
  5. Plat Map and/or Site Photos
  
- B. It is understood that the petition will be valid only if the true property owners of property fronting the street requesting the improvements support the project and meets one of the following requirements:
  1. Over 50% of the true property owners sign the petition, or
  2. Owners of over 50% of the total front footage along the project sign the petition, or
  3. Over 50% of the property owners in the subdivision of which this is part of, sign the petition
  4. Where sufficient street right-of-way does not exist, abutting property owners shall be required to dedicate the street right-of-way necessary for the requested improvements. If the right-of-way is not dedicated the improvements cannot be constructed.
  
- C. Petition Requestor circulates the petition to the property owners for signatures in support of the improvements. Completed form and signatures are returned to Engineering Department.
  
- D. Engineering Department reviews information submitted. If the petition meets one of the listed requirements, it becomes a "Qualified" VPAP petition. After the petition is "Qualified" by the City the following will occur:
  1. The "Qualified" VPAP petition for street improvements is placed on hold in date order until funding becomes available. The "Qualified" VPAP petition is considered as a possible candidate in the next Capital Improvements Program Bond election.
  2. "Qualified" VPAP street improvement projects proceed based upon funding availability as approved by the voters of Corpus Christi.

- E. The City maintains a list of all “Qualified” VPAP petitions. Each one is listed in date order received. “Qualified” VPAP petitions remain on the ‘Qualified’ list for two years. After two years the petitioner will be required to “re-qualify” the petition in order to remain on the “Qualified” list.
- F. Capital Improvements Program Bond election is held. If the voters approve and vote in favor of it, funds become available.

## II. Bid Process

The Assistant City Manager of Public Works and Transportation authorizes the request to advertise for bids for street construction projects.

- A. Bids are received and opened 10-20 days after the last advertising date.
- B. The qualifying contracting low bidder is determined, and the assessment rates are computed by applying bid prices to the assessment ordinance guidelines.

## III. Assessment Process

A. The assessment rates are computed and a Preliminary Assessment Roll is prepared. Each individual property assessment is determined and the following ordinances are submitted for City Council action.

### 1. Ordinance No. 1

- a. Determines the necessity for and orders the street improvements;
- b. Requires the City Secretary to file “Notice of Intent” in the County Clerk’s Office as to action herein; and
- c. Provides how such improvements shall be paid.

### 2. Ordinance No. II

- a. Approves the written statement of the Director of Engineering Services of Various costs of the improvements.
- b. Determines the portion of costs to be assessed against abutting property owners and the portion to be paid by the city; and
- c. Sets a public hearing on the Preliminary Assessment Roll.

### 3. Public Hearing Notices

- a. The City Secretary publishes notice in the local newspaper on three separate dates; the first publication is 21 days prior to the public hearing date.
- b. The City mails each individual property owner a certified letter 14 days prior to the public hearing date, notifying them of the upcoming public hearing and the proposed assessments.

B. The public hearing is held before the City Council to consider the preliminary assessment roll and any recommended changes to the roll. The public hearing is then closed and the following ordinances are presented to the City Council for action:

1. Ordinance No. III

- a. Closes the public hearing;
- b. Finds and determines the property abutting said streets will be specifically benefited and enhanced in excess of the cost; and
- c. Levies an assessment and adopts an assessment roll. (NOTE: The assessment roll is not the Final Assessment Roll, since it is subject to change.)

2. Ordinance No. IV

- a. Awards the construction contract to the successful bidder; and
- b. Appropriates monies from the street bond fund, or other funding sources, for the project cost, if not part of the appropriation ordinance for the Capital Improvements Program.

C. During the construction phase of the street project a City Construction Inspection representative will contact each individual property owner. The representative will answer questions regarding construction and coordinate driveway changes. He/She will also acquire property owner's signature on Mechanic's Liens and Promissory Notes for any changes made and will arrange for monthly payments.

D. After the City has accepted the completed street project and the Contractor has certified that all sub-contractors have been paid, the following ordinance is submitted to the City Council for action along with a Final Assessment Roll, correct for "as-built" final quantities.

1. Ordinance V

- a. Amending Ordinance No. III by amending Section 3 of the ordinance so as to adopt a Final Assessment Roll.
- b. File the Final Assessment Roll at the Court House.

IV. Collection Process

A. Once the Final Assessment Roll has been adopted by the City Council, the final roll and Supporting Mechanic's Liens and Promissory Notes are forwarded to the Collection Section of the Joint Tax Office for billing. Each assessment item is set up as an individual account and is billed on a monthly basis. As each account is paid in full, the Collection Section files a "Release of Lien" with the County Clerk.