

Ordinance amending Section 55-709, Drainage Utility Charge, of the Corpus Christi Code of Ordinances, to levy an amended schedule of stormwater drainage charges, repealing conflicting provisions, providing a savings clause, and providing an effective date.

WHEREAS, on September 7, 2021, the City Council created a Municipal Drainage Utility System as authorized by Texas Local Government Code Chapter 552, Subchapter C, "Municipal Drainage Utility Systems," as amended (the "Act"), within the City's municipal boundaries and levied charges related thereto;

WHEREAS, city staff has studied the cost of operating the Municipal Drainage Utility System during the last year and has determined that the Municipal Drainage Charges set forth in Section 55-709 of the City Code should be amended to reflect current costs of operating a municipal drainage utility system for the citizens of Corpus Christi, Texas.

WHEREAS, notice of the proposed increase in storm water drainage fees as set out in this ordinance has been published in a newspaper of general circulation in advance of a public hearing before the City Council to be held on **August 29, 2023**, regarding this ordinance.

WHEREAS, the City Council finds that (1) this ordinance establishes a schedule of drainage charges against all real property in the City's service area, (2) the City will provide drainage for all real property in the City's service area on payment of drainage charges, except real property exempted under Chapter 552 of the Act, and (3) the City will offer drainage service on nondiscriminatory, reasonable, and equitable terms.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:

SECTION 1. The above and foregoing recitals and premises to this ordinance are true and correct and are incorporated herein and made a part of this ordinance for all purposes.

SECTION 2. The City Council of Corpus Christi hereby levies the Schedule of Drainage Charges applicable to all non-exempt property owners in the City's service area for the collection, handling and transportation of stormwater drainage and runoff in accordance with the ordinance that created the City's Municipal Drainage Utility System.

SECTION 3. Section 55-709, Drainage Utility Charge, of the Corpus Christi Code is amended to read as follows:

“Sec. 55-709. Drainage Utility Charge

- (a) A Drainage Utility Charge is hereby imposed upon each improved lot and parcel within the Service Area. The Drainage Utility Charge shall be billed beginning October 1, 2023. Drainage Utility Charges shall be billed on a monthly basis thereafter for the duration of the drainage utility.
- (b) For purposes of imposing the Drainage Utility Charge, all lots and parcels within the City are classified into the following customer categories: (1) Residential Single-Family Property and (2) Non-Single-Family Residential (commercial) Property.
- (c) The ERU value for the City is determined through an inventory of all improved single-family residential parcels in the City and determination of Impervious Area for each parcel. This study shows that the impervious area for an average single-family residence in the City is 3,280 square feet.
- (d) The monthly Drainage Utility Charge for properties shall be calculated by multiplying the total number of ERU’s for the parcel by the ERU monthly billing rate.

SINGLE FAMILY RESIDENTIAL PARCELS:

	Numbers of parcels	Stormwater Unit Equivalent
Single Family Residential	91,278 98,959	1

TIERED SINGLE-FAMILY RESIDENTIAL DRAINAGE FEES:

	Estimated Impervious Area	Equivalent Residential Unit	FY 2023 FY 2024
Tier 1	Less than 3,000 sq. ft.	0.75	\$5.77 \$6.63
Tier 2	3,000 sq. ft.- 4,500 sq. ft.	1.00	\$7.69 \$8.84
Tier 3	Greater than 4,500 sq. ft.	1.75	\$13.46 \$15.47

NON-SINGLE FAMILY RESIDENTIAL (COMMERCIAL) FACTORS:

Intensity of Development (IDF) factors derived from City Drainage Manual	Property’s State Code determines which IDF is used
Rate Calculation = (Gross area x IDF) / 3,280 sq.ft.	1 stormwater unit = 3280 square feet

All properties (Non-SFR)	1 or more Stormwater Units based on calculation (area x factor)
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INTENSITY OF DEVELOPMENT FACTOR (for Non-Single Family Commercial)

Land Use	State Code Land Uses	Intensity of Development Factor	Number of Parcels
Townhouse Dwellings/Multiple Dwellings District; Manufactured Homes	B11, B3, B5, B7, B8, B9	0.65	297 306
Apartments	B1, B10, B6	0.80	426 747
Business District	F1	0.85	7,099 5,994
Industrial District	F2, F3, F4, F5, J3, J4, J5	0.7	356 232
Railroad Yard Areas		0.30	0
Parks, Playgrounds, Greenbelts, Cemeteries		0.31	0 1
Private Streets		0.83	0
Agriculture Uses	D1, E5R, E2, E3	0.05	174 44
Commercial Stock	C1	0.17	1,695 723

NON-SINGLE FAMILY RESIDENTIAL (COMMERCIAL) RATE:

Type of Use (Non-Single-Family Commercial)	YR 2023- FY 2024
Non-Single Family Rate (Commercial)	\$7.69 per unit \$8.84 per unit

- (e) The Public Works Department shall be responsible for determining Impervious Area of property based on reliable data, including the appraisal roll, geographic information system technology, aerial photography, or other reliable means for determining Impervious Area. The Public Works Department may require additional information from the property owner, tenant, manager, or developer to make the determination. The amount of a charge may be revised by the Public Works Department based on any additions to the Impervious Area through the City approved building permit process.

(f) No Drainage Utility Charge credit shall be given for the installation of drainage facilities required by the code or state law.

SECTION 4. All provisions of the ordinances of the City of Corpus Christi in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Corpus Christi not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 6. This Ordinance shall take effect on **October 1, 2023**, at which time the rates described herein will apply to all properties subject to the Drainage Utility Charge.

That the foregoing ordinance was read for the first time and passed to its second reading on this the _____ day of _____, 2023, by the following vote:

Paulette Guajardo _____	Jim Klein _____
Roland Barrera _____	Sylvia Campos _____
Gil Hernandez _____	Mike Pusley _____
Michael Hunter _____	Dan Suckley _____
Everett Roy _____	

That the foregoing ordinance was read for the second time and passed finally on this the _____ day of _____ 2023, by the following vote:

Paulette Guajardo _____	Jim Klein _____
Roland Barrera _____	Sylvia Campos _____
Gil Hernandez _____	Mike Pusley _____
Michael Hunter _____	Dan Suckley _____
Everett Roy _____	

PASSED AND APPROVED on this the _____ day of _____, 2023.

ATTEST:

Rebecca Huerta
City Secretary

Paulette Guajardo
Mayor