

**PROPOSED MUNICIPAL SERVICE PLAN  
FOR ANNEXATION OF AREAS WITHIN INDUSTRIAL DISTRICTS 1, 2, & 4**

**Introduction**

This Service Plan (“Plan”) is made by the City of Corpus Christi, Texas (“City”) pursuant to Texas Local Government Code §43.065 and §43.056. This Plan relates to the area annexed (“annexed area”) described by metes and bounds and maps in **Exhibit A & B**. In accordance with Tex. Local Gov’t Code 43.056(b), this service plan provides for full municipal services in the annexed area no later than 2.5 years after the effective date of the annexation, unless certain services cannot reasonably be provided within that period and the City proposes a schedule for providing those services, and this plan includes a list of all services required by 43.056 to be provided under a service plan. This Plan shall be made available for public inspection and explained to the inhabitants of the area at the public hearings. This Plan shall be a contractual obligation to the owners and residents of land in the annexed area who have applied for benefits pursuant to this Plan and shall be enforceable exclusively via a writ of mandamus requested in accordance with Tex. Local Gov’t Code 43.056(l).

**Section 1. General Municipal Services**

The following services shall be provided to the annexed area immediately from the effective date of annexation:

**(1) Police Protection:**

The Corpus Christi Police Department will provide police protection at the same level of service now being provided to other areas of the City of Corpus Christi, Texas, with similar topography, land use, and population density.

**(2) Fire Protection:**

The Corpus Christi Fire Department will provide fire protection and suppression at the same level of service now being provided to other areas of the City of Corpus Christi, Texas, with similar topography, land use, and population density.

**(3) Emergency Medical Service:**

The Corpus Christi Fire Department will provide emergency medical services at the same level of service now being provided to other areas of the City of Corpus Christi, Texas, with similar topography, land use, and population density.

**(4) Solid Waste Collection:**

Solid waste collection and services will be provided at the same level of service now being provided to other areas of the City of Corpus Christi, Texas, with similar topography, land use, and population density. Notwithstanding, the City will not prohibit the collection of solid waste in the annexed area by a privately-owned solid waste management service provider or offer solid waste management services in the annexed area unless a privately owned solid waste management service provider is unavailable within the first two years following the date of annexation in accordance with Texas Local Government Code §43.056(n).

**(5) Operation and Maintenance of Water and Wastewater Facilities that are not Within the Service Area of Another Water or Wastewater Utility:**

Water and wastewater service will be provided in accordance with the Corpus Christi Code of Ordinances, Utility Department Policies, and engineering standards at the same level of service now being provided to other areas of the City of Corpus Christi, Texas, with similar topography, land use, and population density, provided that the service is not within the certificated service area of another utility through existing facilities located within or adjacent to the area. Any and all water or wastewater facilities owned or maintained by the City of Corpus Christi, Texas, at the time of the proposed annexation shall continue to be maintained by the City of Corpus Christi, Texas. Any and all water or wastewater facilities that may be the property of another municipality or other entity shall not be maintained by the City of Corpus Christi unless the facilities are dedicated to and accepted by the City of Corpus Christi.

On-site wastewater facilities may be allowed contingent upon the property owner meeting all city, county, state and federal requirements.

**(6) Operation and Maintenance of Roads and Streets, including Road and Street Lighting:**

The City will maintain public streets, including road and street lighting, within the annexed area at the same level of service now being provided to other areas of the City of Corpus Christi, Texas, with similar topography, land use, and population density. Any and all lighting of roads, streets, and alleyways that may be positioned in a right-of-way, roadway, or utility company easement shall be maintained by the applicable utility company servicing the City of Corpus Christi, Texas, pursuant to the rules, regulations, and fees of the utility.

**(7) Operation and Maintenance of Parks, Playgrounds and Swimming Pools:**

Currently, there are no public recreational facilities in the annexation area, including parks, playgrounds, or swimming pools. Any park that may be under the responsibility of the County will be maintained by the City only upon the dedication of the park by the County to the City and acceptance of the park by the City Council.

**(8) Operation and Maintenance of any other Publicly-Owned Facility, Building, or Service:**

Currently, there are no such other publicly-owned facilities, buildings, or services identified in the annexation area. If the City acquires any publicly-owned facilities, buildings, or services within the annexed area, an appropriate City department will provide operation and maintenance of such publicly-owned facilities.

**Section 2. Capital Improvement Program**

The City will initiate the acquisition or construction of capital improvements necessary for providing municipal services adequate to serve the area. The construction of the facilities shall be accomplished in a continuous process and shall be completed no later than 2.5

years after the effective date of the annexation, consistent with generally accepted local engineering and architectural standards and practices. Notwithstanding, the construction of capital improvements may be interrupted for any reason by circumstances beyond the City's direct control. The Plan may be amended to extend the period for construction if the construction is proceeding with all deliberate speed. For services that cannot be reasonably provided within 2.5 years after the effective date of the annexation, the City will provide a schedule to provide such services within 4.5 years after the effective date of the annexation. Landowners in the area are not required to fund capital improvements necessary to provide municipal services in a manner inconsistent with Texas Local Government Code Chapter 395 unless otherwise agreed to by the landowner.

**(1) Police Protection:** No capital improvements are necessary at this time to provide police services.

**(2) Fire Protection:** No capital improvements are necessary at this time to provide fire services.

**(3) Emergency Medical Service:** No capital improvements are necessary at this time to provide emergency medical services.

**(4) Solid Waste Collection:** No capital improvements are necessary at this time to provide solid waste collection services.

**(5) Water and Wastewater Services:** No capital improvements are necessary at this time to provide water and wastewater service. Water and wastewater services to new development and subdivisions will be provided according to the Corpus Christi Code of Ordinances, Corpus Christi Unified Development Code, and the Water and Wastewater Department standards, which may require the developer of a new subdivision or site plan to install water and wastewater lines. When areas are not reasonably accessible to a public wastewater facility of sufficient capacity as determined by adopted City wastewater standards, individual aerobic systems or individual wastewater treatment plants will be allowed in accordance with all the ordinances, regulations, and policies of the City.

**(7) Roads and Streets, including road and street lighting:** No road or street-related capital improvements are necessary at this time. In general, the City will acquire control of all public roads and public streets within the annexed area upon annexation. Future extensions of roads or streets and future installation of related facilities, such as traffic control devices, will be governed by the City's standard policies and procedures. Lighting in new and existing subdivisions will be installed and maintained in accordance with the applicable standard policies and procedures.

**(9) Parks, Playgrounds, and Swimming Pools.** No capital improvements are necessary at this time to provide services.

**(10) Other Services:** In general, other City functions and services, and the additional services described above can be provided for the annexation area using existing capital improvements. No additional capital improvements are necessary to provide City services.

**(11) Capital Improvements Planning:** The annexation area will be included with other territory in connection with the planning for new or expanded facilities, functions, and services as part of the City's Capital Improvement Plan.

### **Section 3. Term**

This Plan shall be in effect for a ten-year period commencing on the effective date of the annexation unless otherwise stated in this Plan. Renewal of the Plan shall be at the option of the City. A renewal of this Plan may be exercised by the City Council provided the renewal is adopted by ordinance and specifically renews this Plan for a stated period of time.

### **Section 4. Special Findings**

The City Council of the City of Corpus Christi, Texas, finds and determines that this Plan will not provide any fewer services or a lower level of services in the annexation area than were in existence in the annexation area at the time immediately preceding the annexation process. The Plan will provide the annexed area with a level of service, infrastructure, and infrastructure maintenance that is comparable to the level of service, infrastructure, and infrastructure maintenance available in other parts of the municipality with topography, land use, and population density similar to those reasonably contemplated or projected in the annexed area.

The City reserves the right guaranteed to it by the Texas Local Government Code to amend this Plan if the City Council determines that changed conditions or subsequent occurrences or any other legally sufficient circumstances exist under the Local Government Code or other Texas laws to make this Plan unworkable or obsolete or unlawful.

### **Section 5. Amendment: Governing Law**

This Plan may not be amended or repealed except as provided by the Texas Local Government Code or other controlling law. Neither changes in the methods or means of implementing any part of the service programs nor changes in the responsibilities of the various departments of the City shall constitute amendments to this Plan, and the City reserves the right to make such changes. This Plan is subject to and shall be interpreted in accordance with the Constitution and laws of the United States of America and the State of Texas, the Texas Local Government Code, and the orders, rules, and regulations of governmental bodies and officers having jurisdiction.

### **Section 6. Force Majeure**

In case of an emergency, such as force majeure as that term is defined in this Plan, in which the City is forced to temporarily divert its personnel and resources away from the

annexed area for humanitarian purposes or protection of the general public, the City obligates itself to take all reasonable measures to restore services to the annexed area of the level described in this Plan as soon as reasonably possible. Force Majeure shall include, but not be limited to, acts of God, acts of the public enemy, war, blockages, insurrection, riots, epidemics, landslides, lightning, earthquakes, fires, storms, floods, washouts, droughts, tornadoes, hurricanes, arrest and restraint of government, explosions, collisions and other inability of the City, whether similar to those enumerated or otherwise, which is not within the control of the City. Unavailability or shortage of funds shall not constitute Force Majeure for purposes of this Plan.

### **Section 7. Level of Service**

The City of Corpus Christi will provide services to the annexed area in a manner that is similar in type, kind, quantity, and quality of service presently enjoyed by the citizens of the City of Corpus Christi, Texas, who reside in areas of similar topography, land utilization, and population density. Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed area, if different characteristics of topography, land use, and population density constitute a sufficient basis for providing different levels of service.

### **Section 8. Remedy**

A person residing or owning land in an annexed area may enforce a service plan by applying for a writ of mandamus not later than the second anniversary of the date the person knew or should have known that the municipality was not complying with the service plan. It is presumed that a resident or landowner in the annexation area is provided full municipal service in the absence of a written request identifying the service not provided to the resident or landowner per the service plan. Written notice to be delivered or sent to the City Manager.

INSERT ANNEXATION AREA MAPS AS **EXHIBIT A & B**