



# 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 **inside city limits status, active 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 any of these factors, 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** may request a **Low Income Discount (Discount).** The customer will need to fill out an application form provided by UBO. Customers eligible for the Low Income Discount will receive a 50% discount on their SMF. 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 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.**

Customers must complete and submit a Street Maintenance Fee Correction/Appeal Request Form to the UBO. Upon receipt of a completed appeal form, 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 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. 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 their 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 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 9<sup>th</sup> 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 to recommend a grant or denial of the requested change in the land use. If a change is **approved**, UBO will update their records and notify the customer. Bill adjustments which result in a decrease in the SMF charge will 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. The Appeals Board will decide whether to grant or deny the customer's appeal. If the change is **granted**, 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](http://www.cctexas.com)