MUNICIPAL SERVICE PLAN
FOR NORTH OF CORPUS CHRISTI BAY

Introduction

This Service Plan ("Plan") is made by the City of Corpus Christi, Texas ("City") pursuant to Section 43.056 of the Texas Local Government Code. This Plan relates to the area annexed ("annexed area") within the area depicted in the attached map ("annexation area"). 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 writ of mandamus requested in accordance with Tex. Local Gov't Code 43.056(l).

a. Services to be provided to the annexed area pursuant to Texas Local Government Code 43.056(b) on the effective date of the annexation:

(1) Police Protection:

Services to be Provided: The Corpus Christi Police Department will provide police protection.

(2) Fire Protection:

Services to be Provided: The Corpus Christi Fire Department will provide fire protection and suppression through its existing fire stations.

(3) Emergency Medical Service:

Services to be Provided: The Corpus Christi Fire Department will provide emergency medical services.

(4) Solid Waste Collection:

Services to be Provided: The City of Corpus Christi will provide solid waste services to single-family residential customers directly or indirectly through a third-party contract. Notwithstanding, in accordance with Texas Local Government Code §43.056(n), within the first two years following the date of annexation, 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.

Commercial garbage collection service for businesses and multi-family residences is available on a subscription basis from private service providers.

The City of Corpus Christi will allow commercial refuse collectors to continue providing this service to condominium complexes, multi-family apartments, and commercial and industrial establishments.

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

Currently, there are no City-owned water or wastewater facilities in the annexation area that are not within the service area of another water or wastewater facility. Upon construction of Corpus Christi owned water or wastewater facilities, the City will operate and maintain water and wastewater facilities in the annexed area. Corpus Christi allows other certificate of convenience and necessity ("CCN") holders to operate and maintain facilities in existing areas of the City and will allow this practice in the annexed area.

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

The City will maintain public roads and streets over which the City has jurisdiction. Roads, streets or alleyways which are dedicated to and accepted by the City of Corpus Christi, Texas, or which are owned by the City of Corpus Christi, Texas, shall be maintained to the same degree and extent that other roads, streets, and alleyways are maintained in the City. Lighting of public roads, streets and alleyways shall be maintained by the applicable utility company servicing the City unless the lighting facilities have been dedicated to the public, in which case the City will be the operator.

(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 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 these services.

b. Services to be extended to annexed area pursuant to Texas Local Government Code 43.056(a)

(1) Water Service:

Existing Services: Currently, The San Patricio Municipal Water District provides water to industrial customers in part of the annexation area. The Rincon Water Supply Corporation may hold and/or have applied for a water CCN for part of the annexation area. The City of Gregory may hold and/or have applied for a water CCN for part of the annexation area.

Services to be Provided: The San Patricio Municipal Water District will continue to provide water service to industrial customers in the annexed area. The City will not interfere with the San Patricio Municipal Water District contracts to provide water in the annexed area. The City will not interfere with the with the San Patricio Municipal Water District's right to contract for water service. If provided currently, the Rincon Water Supply Corporation will continue to provide water service in part of the annexed area. If provided currently, the City of Gregory will continue to provide water service in part of the annexed area. In accordance with the applicable rules and regulations for the provision of water service, water service will be provided to the subject property, or applicable portions thereof, by the utility holding a water CCN for the subject property or portions thereof (the "CCN holder") and, as applicable, the utility providing wholesale or retail water service to said CCN holder. Absent a water CCN by the utility in whose jurisdiction the subject property, or portions thereof as applicable, is located, the extension of water service will be provided in accordance with all the ordinances, regulations, and policies of the City.

(2) Wastewater Service:

Existing Services: The City of Gregory may hold and/or have applied for a wastewater CCN for part of the annexation area.

Services to be Provided: If provided currently, the City of Gregory will continue to provide water service in part of the annexed area. When areas are not reasonably accessible to a public wastewater facility of sufficient capacity as determined by adopted City wastewater standards, individual aerobic system or individual wastewater treatment plant will be utilized in accordance with all the ordinances, regulations, and policies of the City.

(3) Planning and Zoning Services:

Services to be Provided: Planning and zoning services will be provided by the City's Department of Development Services. The use of land in a legal manner may continue in accordance with Texas Local Government Code §43.002. Any extension of service described in this Plan may be held in abeyance until the landowner requesting services pursuant to this Plan makes application for services through the City's Department of Development Services.

(4) Other Municipal Services:

Excluding gas and electric services, all other City Departments with jurisdiction in the area will provide services according to City policy and procedure.

c. Capital improvement program pursuant to Texas Local Government Code 43.056(e)

The City will initiate 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 direct control of the City. 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 Facilities: Upon application, the City will provide water services to the area on the same basis as services provided by the City within its full-purpose boundaries.

To the extent the Corpus Christi Code of Ordinances, Corpus Christi Unified Development Code and Corpus Christi Water Distribution Standards are not inconsistent with Texas Local Government Code Chapter 395, water services to any new development and subdivisions will be provided according to the Corpus Christi Code of Ordinances, Corpus Christi Unified Development Code and the Corpus Christi Water Department standards, which may require the developer of a new subdivision or site to install water lines.

(6) Wastewater Facilities: No capital improvements are necessary at this time to provide wastewater services**.** When areas are not reasonably accessible to a public wastewater facility of sufficient capacity as determined by adopted City wastewater standards, individual aerobic system or individual wastewater treatment plant will be utilized in accordance with all the ordinances, regulations, and policies of the City.

(7) Roads and Streets: 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.

(8) Road and Street Lighting: No capital improvements are necessary at this time to provide services. 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 Publicly Owned Facilities, Building or Services: Additional Services. In general, other City functions and services, and the additional services described above can be provided for the annexation area by using existing capital improvements. Additional capital improvements are not necessary to provide City services.

(11) Capital Improvements Planning: The annexed 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 and Three-Year Capital Budget program.

d. Effective 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.

e. 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.

f. 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.

g. 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.

h. Level of Service

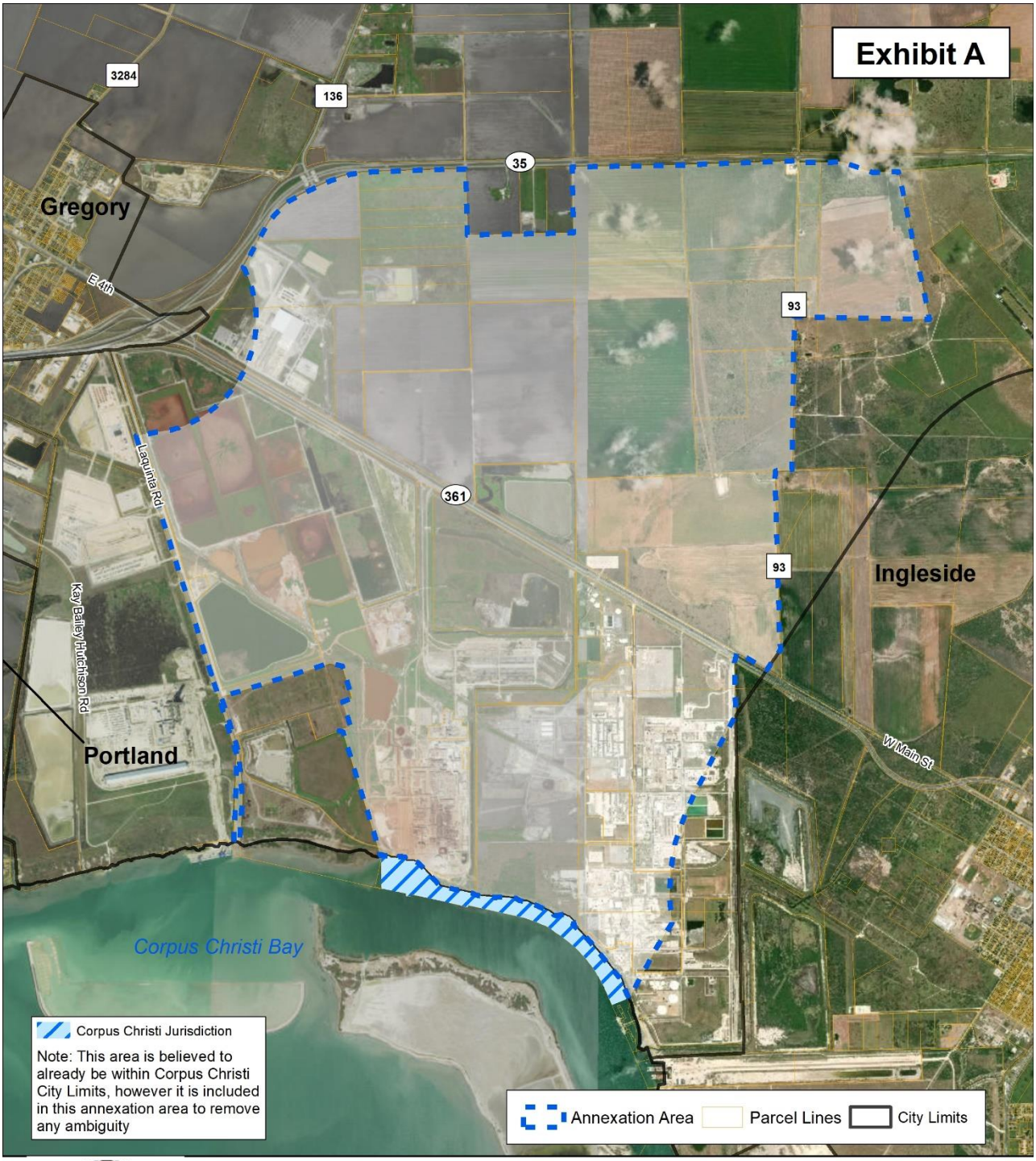
The City will provide “full municipal services” in the annexed area in the manner and time required by Texas Local Government Code 43.056.

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 are considered a sufficient basis for providing different levels of service.

The City of Corpus Christi will provide services to the newly 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.

i. 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.



City of Corpus Christi

Print Date: 3/21/2019

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