

SERVICE PLAN FOR CITY OF TEXAS CITY
2018 ANNEXATION
(1,217.87 ACRE AREA)

I. INTRODUCTION

This Service Plan (“Plan”) is made by the City of Texas City, Texas (“City”) pursuant to Chapter 43 of the Local Government Code. This relates to the annexation by the City of the Proposed Annexed Areas located within the Extraterritorial Jurisdiction of Texas City. The Proposed Annexed Areas are described by metes and bounds in Exhibit “A”, attached to this Plan and with the annexation ordinance of which this Plan is a part of.

II. TERM: EFFECTIVE DATE

This Plan shall be in effect for a ten-year (10) period commencing on the effective date for annexation of the Proposed Annexed Area, unless otherwise stated in this Plan. Renewal of this Plan shall be the option of the City. Such option may be exercised by the adoption of an Ordinance by the City Commission which refers to this Plan and specifically renews this Plan for a stated period of time.

III. SERVICE PROGRAMS

A. General Coverage

This Plan includes two (2) service programs: (1) the early action program described below, and (2) the Capital Improvement Program also described below.

B. Scope and Quality of Services

Services under this Plan shall equal or exceed the number and level of services in existence in the Proposed Annexed Area prior to annexation. It is not the intent of this Plan to require that a uniform level of services in existence be provided to all areas of the City (including the Proposed Annexed Area) where differing characteristics of topography, land utilization and population density are considered a sufficient basis for providing differing service levels.

C. Definitions

1. As used in this Plan, providing services includes having services provided by any method or means by which the City extends municipal services to any other areas of the City. This may include causing or allowing private utilities, governmental entities and other public service organizations to provide such services, in whole or in part, it may also include separate agreements with associations or similar entities.
2. As used in this Plan, the phrase “standard policies and procedures” means those policies and procedures of the City applicable to a particular service which are in effect either at the time that the service is requested or at the time that the service is made available or provided. The policies and procedures may require that a specific type of request be made, such as an application or petition. They may require that fees or charges be paid, and may include eligibility requirements and similar provisions.

D. *Early Action Program*

1. Statutory Services. The statutory services will be provided within the Proposed Annexed Area within the period required by State law. Service will be provided immediately upon annexation. The statutory services are as follows:
 - a. Police Protection. The Police Department of the City will provide protection and law enforcement in the Proposed Annexed Area. These activities will include normal patrols and responses, the handling of complaints and incident reports, and, as appropriate, support by special units. Patrol Services will be provided by units based at 1004 9th Avenue North.
 - b. Fire Protection. The Fire Department of the City will provide fire protection in the Proposed Annexed Area from Fire Station #1 based at 1721 25th Street N., Texas City, Texas 77590.
 - c. Emergency Medical Service (EMS). The Fire Department of the City will provide EMS for medical emergencies occurring in the Proposed Annexed Area from Fire Station #1 based at 1721 25th Street N., Texas City, Texas 77590.
 - d. Solid Waste Collection. For eligible operations in the Proposed Annexed Area, contract services will be provided under City franchise agreement.
 - e. There are currently no public water distribution/wastewater facilities within the area. No maintenance will be required at this time.
 - f. Maintenance of Roads, Drainage, and Street Lighting. Roads, drainage, and street lighting is required immediately after annexation of the Proposed Annexed Area.

2. Additional Service. Certain services, in addition to the statutory services, will be provided within the Proposed Annexed Area to the same extent they are provided to similar territories elsewhere in the City. These are as follows:
 - a. Planning and inspection services will be provided for proposed facilities or activities to be constructed within the Proposed Annexed Area in accordance with City codes and ordinances.
 - b. Emergency Management Planning for the Proposed Annexed Area and any facilities or activities in the Proposed Annexed Area will be coordinated through the City, Office of Emergency Management.
 - c. Other City services, to the extent applicable to persons or properties within the Proposed Annexed Area, in accordance with standard policies and procedures.

3. Capital Improvement Program. The City will initiate the construction of certain capital improvements necessary for providing municipal service for the Proposed Annexed Area. Those improvements which are necessary are indicated below, and any necessary construction or acquisition shall begin within two years of the effective date of this Plan, except as otherwise indicated.
 - a. Police Protection. Police protection for the Proposed Annexed Area can be provided by using existing capital improvements. Additional capital improvements are not necessary at this time to provide police protection to the Proposed Annexed Area. However, the Proposed Annexed Area will be included with other territory in connection with Planning for new, revised, or expanded facilities.
 - b. Fire Protection. Fire protection for the Proposed Annexed Area can initially be provided by using existing capital improvements. The Proposed Annexed Area will be included with other territory in connection with Planning for a new, revised or expanded firefighting facility in the area.
 - c. Solid Waste Collection. No capital improvements are necessary at this time to provide solid waste collection services within the Proposed Annexed Area described in the Early Action Program. However, the Proposed Annexed Area will be included with other territory in connection with Planning for new, revised or expanded solid waste facilities.
 - d. Water and Waste Facilities. Currently, proposed annexation areas 2, and 3 are within the jurisdiction of Bacliff Municipal Utility District. Public water distribution or wastewater services can be obtained from that entity. Capital improvements for future needs if necessary will be based on the standard policies and procedures of the City, Public Works and Engineering Departments. Additionally, the Proposed Annexed Area will be included with other territory in connection with Planning for new, revised or expanded public water and wastewater facilities. The

Capital Facilities Plan will be initiated as Capital Recovery Fees are collected.

- e. Roads, Drainage and Street Lighting. It is not anticipated that any new roads, drainage or street lighting improvements will be required. However, the Proposed Annexed Areas will be included with other territory in connection with Planning for new, revised, widened or enlarged roads, streets or related facilities.
- f. Other Publicly-Owned Facilities, Buildings, or Services; Additional Services. In general, other City functions and services, and the additional services described above, can be provided for the Proposed Annexed Area by using existing capital improvements. Additional capital improvements are not necessary to provide City services. However, the Proposed Annexed Area will be included with other territory in connection with Planning for new, revised or expanded facilities, functions and services, including the additional services described above.

IV. AMENDMENT: GOVERNING LAW

This Plan may not be amended or repealed except as provided by the Local Government Code or other controlling law. Neither changes in the methods nor 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 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 Local Government Code, and the orders, rules and regulations of governmental bodies and officers having jurisdiction.

V. FORCE MAJEURE

In case of an emergency, such as a hurricane or other “force majeure” as that term is defined herein, in which the City is forced to temporarily divert its personnel and resources away from the Proposed Annexed Area for humanitarian purposes or for the safety of the general public, the City hereby obligates itself to take all reasonable measures to restore services to the Proposed Annexed Area to the level described in this Plan as soon as possible. “Force Majeure”, for the purpose of this Plan shall include, but not be limited to acts of God, acts of the public enemy, war blockades, insurrection, riots, epidemics, landslides, lightning, earthquakes, fire, storms, floods, washouts, droughts, tornadoes, hurricanes, arrests and restraints 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 Service Plan.

VI. ENTIRE PLAN

This document contains the entire and integrated Service Plan relating to the Proposed Annexed Area and supersedes all other negotiations, representations, Plans, and agreements whether written or oral.