

Draft Service Plan
for the City of La Feria
“Kelly Drive Annexation Area”
August 9, 2013

I. Area Annexed:

The general boundaries of the Kelly Drive Annexation Area are, on the south, the south right-of-way (ROW) line of U.S. Business Highway 83, which is also current city limits; on the east, the west ROW of Kansas City Road; on the north by the southern boundary of Block 6, Beakley Subdivision; and, on the west, by current city limits. See attached map. Table 1 lists the parcels expected to be included in the annexation.

Table 1. Property included within the Annexation and Service Agreement

CCAD property ID #	Land Area	
	square feet	acres
176362	83,200	1.91
176449	650,307	14.93
176450	49,963	1.15
176451	47,524	1.09
178506	38,333	0.88
178507	87,120	2.00
178508	111,949	2.57
176509	51,924	1.19
178510	871,200	20.00
178550	455,638	10.46
374544	9,147	0.21
TOTAL	2,456,305	56.39

Table 2 identifies four properties, which are located within the boundary of the Annexation Area, but are not expected to be annexed because the owners of these parcels will enter a Development Agreement with the City of La Feria, pursuant to Texas Local Government Code, §43.035.

Table 2. Kelly Drive Annexation Area Properties subject to a Development Agreement

CCAD property ID #	acres	description
176359	10.000	Beakley Subdivision, Block 3
176360	10.000	Beakley Subdivision, Block 4
176452	14.929	Quail Terrace Subdivision, Lot 4, Block 1
178505	9.985	Evans Subdivision Block B

II. Overview:

Section 43.056 of the Texas Local Government Code requires the City to prepare a service plan that provides for the same type, kind and quality of municipal services to be provided to the newly annexed area as presently enjoyed by the citizens of the City who reside in areas of similar topography, land use and population. La Feria may provide these services by any of the means by which it extends the services to any other area of the City. The services and facilities that will be provided to the annexed area by the City of La Feria, and the timeframe for providing them, are described below.

III. Municipal Services

Police Protection: The services of the La Feria Police Department will be provided to, and the jurisdiction of the Department will be exerted over, the annexed area immediately upon annexation. The La Feria Police Department has nine patrol officers, two detectives, a warrant officer and a chief. The Department has nine vehicles. The additional territory, households and businesses in the annexation area can be provided police services with the department's existing vehicles, equipment and personnel with no significant diminishment of services to households and businesses within existing city limits.

Fire Protection: The annexation area is currently served by the City of La Feria Volunteer Fire Department through a contract between the City and Cameron County Emergency Services District No. 1. The La Feria Fire Volunteer Department responds to structural, grass and brush, and vehicle fires. The Fire Department is also available to provide rescue services related to drowning, vehicle accidents, structure collapses, and bee attacks. Those services will continue uninterrupted upon annexation. Currently the La Feria Fire Marshall reviews the sufficiency of proposed fire hydrant plans for subdivision plats, in the City's ETJ, including the annexation area. That service will continue uninterrupted.

Emergency Medical Services: The City of La Feria has a contract with South Texas Emergency Care Foundation, Inc. (STECF) for the provision of emergency medical services (EMS) in La Feria. STECF responds to all calls to the La Feria Police or Fire Departments for EMS. Pursuant to that contract, STECF has an emergency medical services vehicle and staff based at the La Feria Fire Station. Persons who receive EMS from STECF are billed by that company for services rendered. These emergency medical services will be provided to the annexed area immediately upon annexation.

Solid Waste Collection and Disposal: Residents who currently receive solid waste collection services from a private provider may continue to do so for a period of up to two years from the date of annexation. After the two-year period has expired, the City of La Feria will provide solid waste collection services in the annexed area in the same manner as provided elsewhere in the City. If a property owner or occupant in this annexation area wishes to receive solid waste collection services sooner than 2 years

from annexation, the City will provide those services upon request and payment of the deposits and account initiation fee.

The current city-wide charge for residential solid waste collection services, established by Ord. 2011-12, is \$20.50 per month, which includes weekly pick-up of household garbage and brush. An extra container costs \$5.00/month. Bulky trash, such as furniture, carpeting, construction debris, is collected by the City only upon special arrangement and payment of the extra costs incurred. The account initiation fee is \$20.00 and the required deposit for residential households is \$75.00.

The City's existing equipment and staff are sufficient to provide solid waste collection and disposal services to this annexation area with no significant diminishment of services to existing customers within existing city limits.

Operation and Maintenance of Water and Wastewater Facilities: The annexation area is located within La Feria's Certificate of Convenience and Necessity for public water treatment and distribution and wastewater collection and treatment. The water and wastewater lines currently located in the annexation area are maintained by the City of La Feria on the same basis and at the same level as provided throughout the city and such operation and maintenance shall continue after annexation.

Maintenance of Roads, Streets and Drainage: Kelly Drive is the only local public road in the annexation area. There are no street lights to be maintained. Maintenance of Kelly Drive and the existing roadside drainage swales will be provided immediately upon the effective date of the annexation. The right-of-way of U.S. Business Highway 83 is included in this annexation area. The Texas Department of Transportation will remain responsible for maintenance of the pavement and drainage of U.S. Business Highway 83. The City of La Feria supplements maintenance provided by TxDOT on TxDOT roads. The City runs its street sweeper and mows the right-of-way on state highways in the city's jurisdiction. This supplemental maintenance will be provided to the newly annexed area to the same extent provided on state highways elsewhere in the City.

Maintenance of City Park and Recreation Facilities: There are no existing City park or recreation facilities within the annexation area. If, in the future, a public park is located in the annexation area, it will be maintained on the same basis and at the same level as provided throughout the City. City parks located elsewhere in the City are available for use by the residents of the annexation area on the same basis and at the same level as such use is available to current residents in the city.

Other Services including planning, zoning, code enforcement, animal control, library, youth recreation, court and general administration: Being located within the City's ETJ, proposed subdivision plats are now reviewed by the City Planning Department and the County Planning Department. After annexation, the City will continue to review plats and County review will cease. The other city services will be provided immediately upon annexation. Youth from this annexation area are now permitted to participate in youth recreational activities, such as football, baseball, softball, basketball, and summer recreation. That participation will continue. Full use of the library is permitted to residents of the annexation area and that will continue

IV. Capital Improvements:

Water and Wastewater - The City's water treatment plant and wastewater treatment plant have ample capacity to serve this annexation area. Line work has also been installed, or soon will be installed, to serve the area.

In the period 2009-2011, with financial assistance from the U.S. Economic Development Authority, the City of La Feria installed a 10" wastewater collection line along Kelly Drive from Beddoes Road to two hundred sixty feet (260') west of White Ranch Road. The City also installed a sanitary sewer lift station on the northeast corner of Kelly Drive and Beddoes Road with sufficient capacity to serve the annexation area.

Currently, with financial assistance from the Texas Water Development Board's 2011 Drinking Water State Revolving Funds, plans are being finalized for installation of the following water facilities within the annexation area:

- (a) a twelve-inch (12") line adjacent to the west ROW of White Ranch Road from U.S. Business Highway 83 to U.S. Expressway 83;
- (b) an eight-inch (8") line along Kelly Drive from Beddoes Road to White Ranch Road;
- (c) an eight-inch (8") line along the west side of Beddoes Road from U.S. Business 83 to Kelly Drive; and,
- (d) eleven (11) fire hydrants.

These new water facilities are expected to be available by the end of 2014.

With the installation of the water and wastewater infrastructure described above, the City has completed its plans for water and wastewater infrastructure in this area. Annexation will not cause or require additional water or wastewater infrastructure. Any additional water or wastewater facilities needed in this area are expected to be constructed and installed by the developer that proposes the use that requires the additional facilities. The City of La Feria, the Feria Industrial Development Corporation, or the La Feria Economic Development Corporation may choose to participate in the installation and construction of additional water or wastewater facilities, on a case-by-case basis, when in their determination such investment will further economic development objectives or achieve other public objectives.

The City Code of Ordinances, Section 13.03.071, authorizes the City to require property owners within the City's sanitary sewer service area to connect to the public sanitary sewer line whenever a residence is located within 100' of a public line. Notwithstanding this legal authority, the City's policy has been to mandate connection to the public sanitary sewer system only when a risk to public health is present. One indication of a risk to public health is a lot that does not comply with the minimum size required by the Texas Commission on Environmental Quality (TCEQ) for an on-site sewage facility (OSSF). This minimum lot size is currently one-half acre for a single-family residence. This service plan incorporates existing city policy.

Similarly, connection to the City's water system will not be mandated in the absence of a risk to public health. Lots that do not meet TCEQ's minimum lot size for a domestic supply water well or minimum distance from an OSSF is one indication of a risk to public health. TCEQ now requires one acre minimum lot size for a residence serviced by a well and OSSF and the minimum distance between a domestic supply well and an OSSF is 150 feet. These well and OSSF standards may change in the future and the city will follow any stricter standards adopted by the TCEQ.

Drainage: Drainage is currently provided via roadside swales on both sides of Kelly Drive which flow east to White Ranch Road. The outfall from the ditches flows in 24" culverts under White Ranch Road to another roadside ditch east of White Ranch Road, then south to a 24" culvert under the railroad, where stormwater run-off then enters a 30" pipe to the Adams Garden Irrigation District Drainage ditch. This ditch flows in a northeasterly direction before eventually discharging to the North Floodway.

The City of La Feria is currently obtaining the ROW and completing plans for major regional drainage and flood prevention improvements that will provide the annexation area with improved drainage options. The funding for these improvements is from the Texas Community Development Block Grant Disaster Recovery program.

Streets and Roads

Kelly Drive is a caliche road. On the City of La Feria Thoroughfare Plan, Kelly Drive is classified as a local street with desired right-of-way of 50' with 30' of pavement. The City's 2008-2025 Comprehensive Plan estimated the cost to pave 1000 feet of Kelly Road (40' wide) to be \$183,164. Adjusting this estimate to 2013 prices according to the Consumer Price Index and increasing the length by an additional 1,800 feet results in a cost estimate of \$577,570. This estimate includes curb and gutter and underground drainage pipe.

The City's General Fund provides for the routine maintenance and repair of city streets. City property taxes levied on this area, assuming continuation of current land uses and current tax rates, will yield approximately \$5,419 annually. The General Fund does not fund construction of new streets or major repair of existing streets. Certificates of obligation are sometime used by the City to complete major repairs on existing streets. In limited circumstances, the City has obtained and utilized community development block grant funds to reconstruct and re-pave city streets. However, these funds can only be used in areas that qualify as low income.

Nonetheless, the City of La Feria recognizes that street improvements in one area of the community benefit the entire community, both directly and indirectly, and the City will endeavor to improve Kelly Drive as soon as resources are available to the same extent existing streets are reconstructed in other areas of the city with similar topography, land utilization and population. Developers who propose intensification of land use in the annexation area may be required to construct the necessary street improvements or be asked to contribute to construction of a street on a proportionate basis, consistent with Texas Local Government Code, Chapter 395.

Street lights will be installed on Kelly Drive by developers proposing to intensify land use or to convert agricultural land to urban use. Alternatively, street lights may be installed at the time Kelly Drive is paved. Until such intensification of land use is proposed, the semi-rural character of the area will be protected, in part, by dark skies and absence of street lights. Consistent with its practice in other parts of the City, La Feria will pay the cost of electricity to operate the street lights when and if they are installed.

Sidewalks – Sidewalks will be provided in this annexation area to the same extent they are provided in other areas of the City with similar land use and population.

Parks –Parks will be created in this annexation area to the same extent they are provided in other parts of the City with similar land use and population. Residents of the annexation area will have access to all city parks and recreation facilities, both existing and future, to the same extent as residents in other rural parts of the city.

V. SPECIFIC FINDINGS:

The City Commission of the City of La Feria finds and determines that this proposed Service Plan will not provide fewer services nor a lower level of service in the annexation area than were in existence immediately preceding annexation, nor will the annexation cause a significant diminishment of services to areas already within City limits.

Furthermore, the City Commission of the City of La Feria finds and determines the quasi-rural nature of the annexation area is characteristically different from more intensely developed areas within the City's corporate limits. Consequently, due to the differing topography, land utilization and population density, the service levels ultimately provided in the annexed area may differ from service levels provided to other areas of the City. The City of La Feria will undertake to provide to this annexed area the same type, kind and quality of service presently enjoyed by the citizens of the City who reside in areas of similar topography, land utilization and population.