

ORDINANCE 2013-13

AN ORDINANCE OF THE CITY OF LA FERIA, TEXAS ANNEXING CERTAIN AREAS ADJACENT TO THE CITY OF LA FERIA, TEXAS (KNOWN AS RABB ROAD); EXTENDING THE BOUNDARIES AND EXTRATERRITORIAL JURISDICTION OF THE CITY OF LA FERIA, TEXAS, SO AS TO INCLUDE SAID ANNEXED AREA WITHIN THE CORPORATE LIMITS OF THE CITY OF LA FERIA, TEXAS; GRANTING TO SAID ANNEXED AREA AND ALL OWNERS AND INHABITANTS THEREOF ALL THE RIGHTS AND PRIVILEGES ACCORDED TO OTHER CITIZENS OF THE CITY OF LA FERIA, TEXAS BY VIRTUE OF SUCH ANNEXATION; BINDING SAID AREAS AND ALL OWNERS AND INHABITANTS THEREOF TO ALL THE ACTS, ORDINANCES, AND OTHER RULES OF THE CITY OF LA FERIA, TEXAS, BY VIRTUE OF SUCH ANNEXATION, AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of La FERIA, Texas is a Home Rule Municipal Corporation formed pursuant to TEX. LOC. GOV'T. CODE § 9.001, et seq; and

WHEREAS, the City of La FERIA is authorized by TEX. LOC. GOV'T. CODE § 43.021 and by its charter to annex area and take other action regarding its corporate boundaries; and

WHEREAS, the City of La FERIA has not annexed property since 2009 and is therefore eligible to annex up to thirty percent (30%) of the total land area within the current city limits as authorized by TEX.LOC.GOV'T CODE §43.054; and

WHEREAS, the properties as described in Exhibit A are proposed to be annexed by the City of La FERIA, Texas.

(Exhibit A Attached)

WHEREAS, in accordance with TEX. LOC. GOV'T. CODE § 43.035, owners of properties within the annexation area that are appraised for ad valorem tax purposes as land for agricultural or wildlife management use, or as timberland by the Cameron County Appraisal District, were offered in writing by certified mail return receipt requested the option of entering into a Development Agreement with the City of La FERIA in lieu of annexation in accordance with TEX. LOC. GOV'T. CODE § 43.035, and certified mail receipts indicate that all such owners received the written offers of a development agreement; and

WHEREAS, seven Development Agreements have been signed and returned to the City of La FERIA and therefore, the properties as described in Exhibit B are classified as being within the City of La FERIA's extraterritorial jurisdiction, as defined by TEX. LOC. GOV'T. CODE §§ 42.01 and 42.022:

(Exhibit B Attached)

WHEREAS, properties with executed development agreements and located within the City of La FERIA's proposed annexed area are exempt from the thirty percent (30%) maximum amount of annexation limitation prescribed in TEX. LOC. GOV'T. CODE § 43.054; and

WHEREAS, the area proposed to be annexed is contiguous and adjacent to the corporate limits of the City of La Feria, Texas and is within the extraterritorial jurisdiction of the City of La Feria, Texas; and

WHEREAS, the area proposed to be annexed complies with the width requirements set forth in TEX. LOC. GOV'T. CODE § 43.054, and does not exceed the maximum allowable amount of annexation for 2013, as established by TEX. LOC. GOV'T. CODE § 43.055; and

WHEREAS, the City of La Feria has complied with all annexation hearing requirements set forth in TEX. LOC. GOV'T. CODE § 43.063 et seq.; and

WHEREAS, before publication of the notice of the first hearing required under TEX. LOC. GOV'T. CODE § 43.052, the City Commission of the City of La Feria directed its Planning Department to prepare a service plan that provides for the extension of full municipal services to the area proposed to be annexed; and

WHEREAS, the Planning Department of the City of La Feria, Texas has prepared such a service plan, a true and authentic copy of which, labeled Exhibit D, is attached hereto and made part of hereof for all purposes the same as if incorporated herein verbatim;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LA FERIA, TEXAS, THAT:

- SECTION 1.** The City of La Feria hereby annexes the properties described in Exhibit C, and hereby extends its boundaries and extraterritorial jurisdiction so as to include said annexed area within its corporate limits:
- SECTION 2.** A Development Agreement was executed by and between the City of La Feria and the property owners of the following properties as described in Exhibit B; thereby placing these properties within the extraterritorial jurisdiction of the City of La Feria as defined by TEX. LOC. GOV'T. CODE §§ 42.021 and 42.022.
- SECTION 3.** The City of La Feria, Texas hereby grants to said annexed area and all owners and inhabitants thereof all the rights and privileges accorded to other citizens of the City of La Feria, Texas by virtue of said area having been annexed, and binds said area and all owners and inhabitants thereof to all the acts, ordinances and other rules of the City of La Feria, Texas applicable to them by virtue of said area having been annexed.
- SECTION 4.** The City of La Feria's extraterritorial jurisdiction is being extended one (1) mile beyond the farthest properties listed in Exhibits B and C.
- SECTION 5.** The properties with executed development agreements and located within the City of La Feria's proposed annexation are exempt from the thirty percent (30%) maximum amount of annexation limitation prescribed in TEX. LOC. GOV'T. CODE § 43.062(a).


- SECTION 6.** The service plan, a true and authentic copy of which, labeled Exhibit D, is attached hereto and made a part hereof for all purposes the same as if incorporated verbatim, is hereby approved.
- SECTION 7.** The recitals set forth in the preamble to this Ordinance are hereby adopted as findings by the City Commission.
- SECTION 8.** This Ordinance shall not repeal, impair, modify, or in anywise affect any other ordinance annexing territory to the City of La Feria, whether finally passed or otherwise. The procedure initiated hereby and the annexation proceedings instituted hereunder shall be independent of any other proposed and pending annexation of such territory, and such other proceedings shall not be affected hereby.
- SECTION 9.** Should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, or the application thereof ineffective or inapplicable as to any territory, such unconstitutionality, illegality, invalidity, or ineffectiveness of said section or part shall not affect, impair, or invalidate the remaining portion or portions thereof, but as to the remaining portion or portions, the same shall be and remain in full force and effect; and should this Ordinance for any reason be ineffective as to any part of the area hereby annexed to the City of La Feria, such ineffectiveness or this Ordinance as to any part or parts of the area shall not affect the effectiveness of this Ordinance as to all of the remainder of such area, and the City Commission hereby declares it to be its purpose to annex to the City of La Feria every part of the area described in Sections I and II of this Ordinance, regardless of whether any other part of such described area is hereby effectively annexed to the City. Provided, further, that if there is included within the general description of territory set out in Sections I and II of this Ordinance to be hereby annexed to the City of La Feria any lands or area which are presently part and included within the limits of the City of La Feria, or which are not within the City of La Feria's jurisdiction to annex, the same is hereby excluded and excepted from the territory to be annexed as fully as if such excluded and excepted area were expressly described herein.
- SECTION 10.** The City Manager of the City of La Feria, Texas or his/her designated representative is hereby directed to file a certified copy of this Ordinance with all appropriate agencies, as required by state or federal law.
- SECTION 11.** All ordinances or parts of ordinances inconsistent with the terms of this Ordinance are hereby repealed; provided however that such repeal shall be only to the extent of such inconsistency and in all other respects the Ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this Ordinance.

SECTION 12. If any Section, subsection, sentence, clause or phrase of this ordinance, or the application of same to a particular set of persons or circumstances, should be for any reason be held to be invalid, such invalidity shall not affect the remaining portions of this Ordinance are declared to the severable.

SECTION 13. This Ordinance shall become effective and be in full force immediately upon and from the dates of its passage and the effective date of the annexation shall be as of December 1, 2013.

PASSED AND APPROVED BY THE LA FERIA CITY COMMISSION ON THIS THE 17th DAY OF SEPTEMBER, 2013.

APPROVED:



Lori Weaver, Mayor Pro Tempore

ATTEST:



Olga Oberwetter, City Secretary

APPROVED AS TO FORM:



Richard S. Talbert, City Attorney

**CITY OF LA FERIA
ORDINANCE NO 2013-13**

EXHIBIT A

DESCRIPTION OF PROPERTIES PROPOSED FOR ANNEXATION

PROPERTY ID	CCAD GEO ID	LEGAL DESCRIPTION
182310	85-8540-0010-0100-00	Rabb Heights Blk 1 1.3700 Acres (The Alaskan Apts. RV Park)
182311	85-8540-0010-0200-00	Rabb Heights Pt Blk 1 & W2'S321.46' Blk 20.7750 AC (The Alaskan Apts. RV Park)
182312	85-8540-0020-0200-00	Rabb Heights Blks 2-3 1.9640 Acres (All Valley MH Park)
182313	85-8540-0020-0201-00	Rabb Heights Pt Blk 2, 0.6240 Acres
182314	85-8540-0030-0000-00	Rabb Heights Pt Blk 3, 0.5020 Acres
182315	85-8540-0040-0000-00	Rabb Heights Blk 4, 1.8200 Acres
182316	85-8540-0050-0000-00	Rabb Heights Pt Blk 5, 0.6140 Acres
182317	85-8540-0050-0101-00	Rabb Heights Pt Blk 5 & Pt Blk 14, 0.9150 Acres
182318	85-8540-0050-0102-00	Rabb Heights Pt Blk 5, All Blk 6 & Pt Blk 14, 0.9580 Acres
182319	85-8540-0060-0200-00	Rabb Heights Blk 6, 0.6000 Acres
182320	85-8540-0070-0000-00	Rabb Heights Blk 7 3.0400 Ac. (Mesquite Park & Sales)
182321	85-8540-0080-0100-00	Rabb Heights Blk 8 N ½, 0.9700 Acres
182323	85-8540-0090-0010-00	Rabb Heights S ½ Blk 9, 0.9700 Acres
182324	85-8540-0090-0011-00	Rabb Heights N ½ Blk 9, 0.9700 Acres
182325	85-8540-0100-0100-00	Rabb Heights Blk 10 N, 0.9700 Acres
182326	85-8540-0100-0200-00	Rabb Heights Blk 10 S, 0.9700 Acres

182327	85-8540-0110-0000-00	Rabb Heights Blk 11 2.020 Acres
182329	85-8540-0120-0000-00	Rabb Heights Blk 12, 1.7700 Acres
182330	85-8540-0120-0010-00	Rabb Heights Blk 13, 2.3500 Acres
182331	85-8540-0140-0010-00	Rabb Heights Pt Blk 5 & Pt Blk 14, 1.0000 Acres
182333	85-8540-0150-0000-00	Rabb Heights Blks 15 & 16, 2.9330 Acres
182334	85-8540-0150-0010-00	Rabb Heights Blk 15-16, 0.6970 acres
182335	85-8540-0170-0000-00	Rabb Heights Blk 17, 2.6500 Acres
182336	85-8540-0180-0000-00	Rabb Heights Blk 18, 2.5700 Acres
182337	85-8540-0190-0000-00	Rabb Heights Blk 19, 2.5700 Acres
182338	85-8540-0200-0000-00	Rabb Heights Blk 20-21-22, 6.0200 Acres
182339	85-8540-0230-0100-00	Rabb Heights Blk 23, 0.6580 Acres
182340	85-8540-0230-0105-00	Rabb Heights Blk 23, 0.6020 Acres
182341	85-8540-0230-0200-00	Rabb Heights Blk 23, 1.1859 Acres
182343	85-8540-0240-0000-00	Rabb Heights Blk 24, 0.6000 Acres
182344	85-8540-0240-0000-10	Rabb Heights Blk 24, 1.40 Acres
182345	85-8540-0250-0000-00	Rabb Heights Blks 25-26, 7.00 Acres
182377	85-8540-0450-0000-00	Rabb Heights Blk 45, 0.1370 Ac.
182379	85-8540-0460-0100-00	Rabb Heights Blk 46, 0.7560 Acres
182380	85-8540-0460-0200-00	Rabb Heights Blks 46-47, 0.8660 Acres
182381	85-8540-0470-0000-00	Rabb Heights Blks 47-48-49, 1.4980 Acres
182383	85-8540-0490-0000-00	Rabb Heights Pt Blk 49, 1.1300 Acres
182384	85-8540-0500-0000-00	Rabb Heights Subdivision 1&2 8.08 Acres Blks 50,51,52, & 53

182385	85-8540-0540-0000-00	Rabb Heights Blks 54 thru 60, 13.680 Acres
182386	85-8540-0610-0000-00	Rabb Heights Blks 61 thru 67, 20.90 Acres
182391	85-8540-0720-0000-00	Rabb Heights Blk 72, 10.68 Acres
182393	85-8540-0740-0000-00	Rabb Heights Blks 74 thru 87, 47.28 Acres
182347	85-8540-0320-0000-00	Rabb Heights Blk 32 12.770 Acres
182394	85-8540-0880-0000-00	Rabb Heights Blks 88 thru 95, 20.99 Acres
182354	85-85400350-0105-00	Rabb Heights Pt Blk 35, 2.00 Acres
182355	85-8540-0350-0106-00	Rabb Heights Pt Blk 35, 2.3810 Acres
176307	84-2020-0000-0010-00	BR Subdivision Lot 1
176308	84-2020-0000-0020-00	BR Subdivision Lot 2
176310	84-2020-0000-0030-00	BR Subdivision Lot 3
176311	84-2020-0000-0040-00	BR Subdivision Lot 4
177354	84-4900-0040-0100-00	Citrus Groves Subdivision 2.040 Acres out of 2.6790 Acres Blk 4
177355	84-4900-0040-0150-00	Citrus Groves Subdivision 0.6390 Acres out of 2.679 Acres Blk 4
177356	84-4900-0040-0200-00	Citrus Groves Blk 4, 0.9690 Acres
177441	84-5600-0030-0110-00	Collins Subdivision Blk 3, 1.420 Acres
177442	84-5600-0030-0302-00	Collins Subdivision Blk 3, 0.1460 Acres
177443	84-5600-0030-0304-00	Collins Subdivision Blk 3, 0.146 Acre of 1.324 acres of the SE Part.
177444	84-5600-0030-0305-00	Collins Subdivision Part of Blk 3, 0.4810 Acres
177446	84-5600-0030-0306-00	Collins Subdivision Blk 3, 0.320 Acres out of 1.324 Acres out of the SE Corner
177448	84-5600-0030-0401-00	Collins Subdivision Blk 3, 0.7140 Acres out of the N 18.09 Acres

177449	84-5600-0030-0402-00	Collins Subdivision Blk 3, 4.7950 Acres out of the N 18.09 Acres
177450	84-5600-0030-0403-00	Collins Subdivision Blk 3 2.5000 Acres out of the N 18.09 Acres
177452	84-5600-0030-0500-00	Collins Subdivision Blk 3 19.75 Acres Pt of the South 22.59 Acres
178555	84-8740-0040-0000-00	FLO-RA Subdivision 0.9358 Acres of Blk 4 & 0.3264 Acres of Blk 5
178557	84-8740-0050-0000-00	FLO-A Subdivision 2.127 Acres out of Blk 5
178561	84-8741-0010-0010-00	Pecina Estates Subdivision Lot 1, Blk 1
178563	84-8741-0010-0020-00	Pecina Estates Subdivision Lot 2, Blk 1
178564	84-8741-0010-0030-00	Pecina Estates Subdivision Lot 3, Blk 1
178652	84-9500-0010-0010-00	Gateway Freight Subdivision Lot 1, Blk 1, 3.82 Acres

**CITY OF LA FERIA
ORDINANCE NO 2013-13**

EXHIBIT B

**DESCRIPTION OF PROPERTIES WITH EXECUTED DEVELOPMENT
AGREEMENTS**

PROPERTY ID	CCAD GEO ID	LEGAL DESCRIPTION
178555	84-8740-0040-0000-00	FLO-RA Subdivision 0.9358 Acres of Blk 4 & 0.3264 Acres of Blk 5
182333	85-8540-0150-0000-00	Rabb Heights Blks 15 & 16, 2.9330 Acres
182335	85-8540-0170-0000-00	Rabb Heights Blk 17, 2.6500 Acres
182337	85-8540-0190-0000-00	Rabb Heights Blk 19, 2.5700 Acres
182338	85-8540-0200-0000-00	Rabb Heights Blk 20-21-22, 6.0200 Acres
182341	85-8540-0230-0200-00	Rabb Heights Blk 23, 1.1859 Acres
182344	85-8540-0240-0000-10	Rabb Heights Blk 24, 1.40 Acres
182345	85-8540-0250-0000-00	Rabb Heights Blks 25-26, 7.00 Acres
182385	85-8540-0540-0000-00	Rabb Heights Blks 54 thru 60, 13.680 Acres
182386	85-8540-0610-0000-00	Rabb Heights Blks 61-67, 20.90 Acres
182391	85-8540-0720-0000-00	Rabb Heights Blk 72, 10.68 Acres
182393	85-8540-0740-0000-00	Rabb Heights Blks 74-87, 47.28 Acres
182394	85-8540-0880-0000-00	Rabb Heights Blks 88 thru 95, 20.99 Acres

**CITY OF LA FERIA
ORDINANCE NO 2013-13**

EXHIBIT C

DESCRIPTION OF PROPERTIES ANNEXED

PROPERTY ID	CCAD GEO ID	LEGAL DESCRIPTION
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182311	85-8540-0010-0200-00	Rabb Heights Pt Blk 1 & W2'S321.46' Blk 20.7750 AC (The Alaskan Apts. RV Park)
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182313	85-8540-0020-0201-00	Rabb Heights Pt Blk 2, 0.6240 Acres
182314	85-8540-0030-0000-00	Rabb Heights Pt Blk 3, 0.5020 Acres
182315	85-8540-0040-0000-00	Rabb Heights Blk 4, 1.8200 Acres
182316	85-8540-0050-0000-00	Rabb Heights Pt Blk 5, 0.6140 Acres
182317	85-8540-0050-0101-00	Rabb Heights Pt Blk 5 & Pt Blk 14, 0.9150 Acres
182318	85-8540-0050-0102-00	Rabb Heights Pt Blk 5, All Blk 6 & Pt Blk 14, 0.9580 Acres
182319	85-8540-0060-0200-00	Rabb Heights Blk 6, 0.6000 Acres
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182325	85-8540-0100-0100-00	Rabb Heights Blk 10 N, 0.9700 Acres
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182334	85-8540-0150-0010-00	Rabb Heights Blk 15-16, 0.6970 acres
182336	85-8540-0180-0000-00	Rabb Heights Blk 18, 2.5700 Acres
182339	85-8540-0230-0100-00	Rabb Heights Blk 23, 0.6580 Acres
182340	85-8540-0230-0105-00	Rabb Heights Blk 23, 0.6020 Acres
182343	85-8540-0240-0000-00	Rabb Heights Blk 24, 0.6000 Acres
182377	85-8540-0450-0000-00	Rabb Heights Blk 45, 0.1370 Ac.
182379	85-8540-0460-0100-00	Rabb Heights Blk 46, 0.7560 Acres
182380	85-8540-0460-0200-00	Rabb Heights Blks 46-47, 0.8660 Acres
182381	85-8540-0470-0000-00	Rabb Heights Blks 47-48-49, 1.4980 Acres
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182355	85-8540-0350-0106-00	Rabb Heights Pt Blk 35, 2.3810 Acres
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176308	84-2020-0000-0020-00	BR Subdivision Lot 2
176310	84-2020-0000-0030-00	BR Subdivision Lot 3
176311	84-2020-0000-0040-00	BR Subdivision Lot 4
177354	84-4900-0040-0100-00	Citrus Groves Subdivision 2.040 Acres out of 2.6790 Acres Blk 4
177355	84-4900-0040-0150-00	Citrus Groves Subdivision 0.6390 Acres out of 2.679

		Acres Blk 4
177356	84-4900-0040-0200-00	Citrus Groves Blk 4, 0.9690 Acres
177441	84-5600-0030-0110-00	Collins Subdivision Blk 3, 1.420 Acres
177442	84-5600-0030-0302-00	Collins Subdivision Blk 3, 0.1460 Acres
177443	84-5600-0030-0304-00	Collins Subdivision Blk 3, 0.146 Acre of 1.324 acres of the SE Part.
177444	84-5600-0030-0305-00	Collins Subdivision Part of Blk 3, 0.4810 Acres
177446	84-5600-0030-0306-00	Collins Subdivision Blk 3, 0.320 Acres out of 1.324 Acres out of the SE Corner
177448	84-5600-0030-0401-00	Collins Subdivision Blk 3, 0.7140 Acres out of the N 18.09 Acres
177449	84-5600-0030-0402-00	Collins Subdivision Blk 3, 4.7950 Acres out of the N 18.09 Acres
177450	84-5600-0030-0403-00	Collins Subdivision Blk 3 2.5000 Acres out of the N 18.09 Acres
177452	84-5600-0030-0500-00	Collins Subdivision Blk 3 19.75 Acres Pt of the South 22.59 Acres
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178561	84-8741-0010-0010-00	Pecina Estates Subdivision Lot 1, Blk 1
178563	84-8741-0010-0020-00	Pecina Estates Subdivision Lot 2, Blk 1
178564	84-8741-0010-0030-00	Pecina Estates Subdivision Lot 3, Blk 1
178652	84-9500-0010-0010-00	Gateway Freight Subdivision Lot 1, Blk 1, 3.82 Acres

EXHIBIT D – ORDINANCE NO. 2013-13

Service Plan for the City of La Feria “Rabb Road Annexation Area”

UPDATED AS OF SEPTEMBER 17, 2013

I. Area Annexed:

The Rabb Road Annexation Area adjoins the City of La Feria’s current western boundary, south of the Expressway.

II. Overview:

Section 43.056 of the TxLGC requires the City to prepare a service plan that provides for the same type, kind and quality of 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, and the timeframe for providing them, are described below.

III. Municipal Services

Police Protection: The services and jurisdiction of the La Feria Police Department will be offered to, and 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 presently has eleven police vehicles. The territory, households and businesses in the annexation area can be provided police services with the department’s existing personnel, vehicles, and equipment 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 drownings, vehicle accidents, structural 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, maintains and operates an emergency medical services vehicle and staff that is 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.

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 of La Feria Public Works Department has four trucks: 1 rear-loader used for only eight commercial accounts still using metal dumpsters and 3 side-loading trash collection vehicles. The City also has one grappler truck and will soon be acquiring a second grappler truck. The Public Works department has ten employees. In addition to the Department Director, the department has two full-time equivalent (FTE) dedicated to brush collection; 1.5 FTE dedicated to garbage collection, one FTE dedicated to the shop, one FTE dedicated to mowing grass, 0.5 FTE completes miscellaneous tasks such as erecting signs, filling potholes, helping with mowing, etc., a water and wastewater line supervisor and two water and wastewater line employees, who review plans, repair leaks, connect and disconnect accounts, relocate meters, etc. 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 Rabb Road Annexation Area is located within La Feria's Certificate of Convenience and Necessity (Service Area) for public water treatment and distribution and wastewater collection and treatment. The operation and maintenance of existing City water and wastewater lines currently located in the annexation area will continue after annexation.

Maintenance of Roads, Streets and Drainage: This annexation area includes approximately 8,000 linear feet of Rabb Road, 2600 linear feet of Falt Road, and 1700 linear feet of Memorial Drive. Maintenance and repair of these streets and roadside ditches by the City will begin immediately upon annexation to the same extent maintenance and repair is provided to other local streets in other parts of the city with

similar topography, land utilization and population. There are no street lights to be maintained.

The annexation also includes approximately 3,300 linear feet of Business Highway 83 right-of-way, which is operated and maintained by the Texas Department of Transportation. 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 state roads. The City runs its street sweeper and mows the right-of-way on state highways in the city's jurisdiction. This maintenance will be provided to the newly annexed area to the same extent provided elsewhere in the City. Street lights on U.S. Business 83 will be operated and maintained by the City of La Feria immediately upon annexation.

Maintenance of City Park and Recreation Facilities: There are no existing City park and 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 in this annexation area 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:

A. Water and Wastewater –

The City's water and wastewater treatment plants have ample capacity to serve the annexation area.

The City has a 12" water line extending from the water treatment plant the entire length of Rabb Road to U.S. Expressway 83. As part of the city project funded by the Texas Water Development Board's 2011 Drinking Water State Revolving Fund, a water line will be installed along Pancho Maples Drive from the City's main line near the La Feria Canal to Rabb Road. The new water line will be available in 2015.

The City has limited current capacity to provide wastewater collection services to the annexation area. The City has a 12" wastewater gravity line on the west side of Rabb Road from Business 83 north to the lift station (300' south of the Expressway). The City also has a 6" gravity line along Memorial Drive from East Solis Road to Rabb Road. With funding from the Texas Water Development Board, final engineering is being

completed for construction of a wastewater lift station, south of Business 83 and west of Rabb Road. Additionally, the existing businesses and residents on the southside of Business 83, west of Rabb Road will be able to connect to the City's wastewater services. Installation of the line is expected to be completed in 2015.

In the near term, annexation will not cause or require any additional water or wastewater infrastructure. The existing homes that are not connected to the city's water and wastewater services are served by wells and OSSF on lots that are of sufficient size to meet state standards for continued use of these individual systems. Any additional water or wastewater facilities needed in the area are expected to be constructed and installed by the property owner who desires to connect to the city's system or the developer that proposes the use that requires the additional facilities. The City of La Feria, the City of La 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 is warranted to facilitate economic development.

The City Code of Ordinances, Section 13.03.071, authorizes the City to require property owner to connect to the public sanitary sewer line whenever a residence is located within 100' of the public line. Notwithstanding this legal authority, the City's policy has been to mandate connection to the public sanitary sewer system only in cases where 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 lot size required by Texas Commission on Environmental Quality (TCEQ) for an on-site sewage facility (OSSF), which is currently one-half acre for a single-family residence. This service plan incorporates that city policy.

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

B. Drainage: The Rabb Road Annexation Area is now drained primarily by AN-47, on the east side of the La Feria Main Canal, which funnels storm water run-off to the north, across Business 83 and Expressway 83, then east, then south again, back across the Expressway, Business Highway 83 and the railroad, then on to the Arroyo. The City will soon begin construction of major drainage improvements that will re-route run-off from AN-47 to AN-49, where it can be carried more directly to the Arroyo Colorado. The project entails improving the borrow ditches alongside the La Feria Main Canal, as well as improving the Arroyo Colorado levee crossing and installing a levee pump for those occasions when the floodway is closed. The drainage improvements are funded by several federal disaster recovery and mitigation funds. The result will be significantly improved drainage for this area.

C. Streets and Roads

The City will soon reconstruct and improve Rabb Road between U.S. Business 83 and U.S. Expressway 83. The width of the pavement will be increased to 40 feet, allowing one travel lane for each direction, a continuous left-turn turn lane, and paved shoulders. Additionally, the roadside drainage swales will be converted to underground pipes. The road improvements are funded by a combination of several federal disaster mitigation and recovery programs. It is expected to be completed within one year.

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 a total of approximately \$22,600 annually. The General Fund is not expected to 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.

This Service Plan proposes no capital improvements for Rabb Road, south of Business 83 or Memorial Drive. Developers who propose intensification of land use in the annexation area, either residential or commercial, that require additional or improved streets will be responsible for the construction of such streets, consistent with City standards, in a manner consistent with Texas Local Government Code, Chapter 395. The City of La Feria, the City of La Feria Industrial Development Corporation, or the La Feria Economic Development Corporation may choose to participate in the installation and construction of additional streets, on a case-by-case basis, when in their determination such participation is justified to facilitate or support economic development.

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 the south section of Rabb Road and Memorial 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.

Street lights will be installed in the Annexation Area by developers proposing to intensify land use or to convert agricultural land to urban use. La Feria will pay the cost of electricity to operate the street lights when and if they are installed in the annexation area.

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

E. Parks – Parks will be created in this 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.