

RESOLUTION 2008-__
ANNEXATION SERVICE PLAN

WHEREAS, V.T.C.A., Local Government Code Section 43.056, "Provision of Services to Annexed Area" requires that a plan of service be made part of the annexation ordinance annexing an area; and

WHEREAS, the City of McAllen is contemplating annexation of the areas shown on the attached Exhibit A;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF McALLEN.

SECTION 1. Pursuant to the provisions of V.T.C.A., Local Government Code Section 43.056, there is hereby adopted for the proposed annexation area the following plan of services:

A. Services to be provided on the effective date of annexation unless otherwise specified.

1. Police Protection

Patrolling, radio response to calls and other routine police services using present personnel and equipment will be provided on the effective date of annexation. Patrol positions will be added when population warrants.

2. Fire Protection

Fire protection by the present personnel and equipment of the fire fighting force within the limitations of available water will be provided on the effective date of annexation.

3. Emergency Medical Services

Emergency medical services will be provided through contract services on the effective date of annexation.

4. Health Protection

Health protection including rabies and rodent control programs, regulation of animal and fowls density, and elimination of unsanitary septic systems and sources of standing water will be provided on the effective date of annexation.

5. Solid Waste Collection

Pick up will begin on the effective date of annexation at the same level of service and cost provided to other similar areas presently found within the City of McAllen.

Brush collection will be on a periodic basis as established by the City

Sanitation Department.

City of McAllen will not prohibit the collection of solid waste in the area by a privately owned solid waste management service provider; or impose a fee for solid waste management services on a person who continues to use the services of a privately owned solid waste management service provider before the second anniversary of the effective date of annexation. City of McAllen will not provide solid waste collection services to a person who continues to use the services of a privately owned solid waste management service provider.

6. Operation and maintenance of public water and wastewater facilities
Routine maintenance of existing water and wastewater facilities owned by the McAllen Public Utilities that are not within the service area of another water or wastewater utility will begin on the effective date of annexation.
7. Operation and maintenance of public roads and streets
Routine maintenance of public roads and streets will begin on the effective date of annexation on the same basis as presently occurs in the city.

Maintenance of streets including the repair of hazardous potholes and measures necessary for traffic flow will begin on the effective date of annexation. Unpaved streets will be graded as necessary to meet city standards.

Maintenance of traffic signals, street markings and other traffic control devices will begin on the effective date of annexation.

Maintenance of street lights will begin on the effective date of annexation.

8. Operation and maintenance of parks, playgrounds and swimming Pools
Operation and maintenance of public parks, playgrounds and swimming pools located in the area will begin on the effective date of annexation.
9. Operation and maintenance of any other publicly owned facility, building or service
City drainage ditches will be maintained on the effective date of annexation as necessary and as determined by the City Engineer.

- B. Acquisition or construction of capital improvements necessary for providing full municipal services adequate to serve the area to be initiated within 2-1/2 years after

the effective date of annexation of the area and substantially complete within 4-1/2 years after the effective date of annexation.

1. Police Protection
None

2. Fire Protection
None

3. Emergency Medical Services
None

4. Solid Waste Collection
None

5. Public Water and Wastewater Facilities
Water and wastewater facilities for domestic and commercial uses will be available at City rates according to policies of the McAllen Public Utilities from existing lines not within the service area of another water or wastewater utility on the effective date of annexation.

New water and wastewater lines of the McAllen Public Utilities will be extended to the area not within the service area of another water or wastewater utility by developers as land becomes subdivided in accordance with City ordinances and policies.

Landowners in the area are not required to fund water and wastewater capital improvements necessary to provide full municipal services that are inconsistent with V.T.C.A. Local Government Code Chapter 395 unless otherwise agreed to by the landowner.

6. Public Roads and Streets
Reconstruction and resurfacing of streets, installation of storm drainage facilities, construction of curbs and gutters, and other major improvements will be accomplished under the established policies of the city as need determines and upon development and subdivision of said areas.

Traffic signals, street markings and other traffic control devices will be installed as need is established by appropriate study and traffic standards.

Street lighting is to be installed by developers according to city policies when land is subdivided.

Landowners in the area are not required to fund street and drainage capital improvements necessary to provide full municipal services that are inconsistent with V.T.C.A. Local Government Code Chapter 395 unless otherwise agreed to by the landowner.

7. Parks and playgrounds
None

8. Construction of any other publicly owned facility, or building necessary to provide full municipal services
None

READ, CONSIDERED, PASSED and **APPROVED** this 27th day of May, 2008 at a regular meeting of the Board of Commissioners of the City of McAllen at which a quorum was present and which was held in accordance with Chapter 551 of the Local Government Code.

SIGNED this ___ day of May, 2008.

CITY OF McALLEN

By: _____
Richard Cortez, Mayor

ATTEST:

Annette Villarreal, City Secretary

Approved as to form:

Kevin Pagan, City Attorney

EXHIBIT A

- Tract 1:** 18.45 acres out of Lot 13, Section 279, Texas-Mexican Railway Company Survey as recorded in Volume 24, Pages 168 & 169 Deed Records and 10.62 acres out of Lot 6, E. M. Card Survey recorded in volume 8, Page 1, Map Records of Hidalgo County, Texas, 2800 Oxford Avenue. Voluntary.
- Tract 2:** 46.02 acres out of Lots 38 and 47, La Lomita Irrigation and Construction Company Subdivision as recorded in as recorded in Volume 24, Page 67-68, Deed Records of Hidalgo County, Texas, 8516 to 8920 North 29th Street. Involuntary.
- Tract 3:** 2.20 acres out of Lot 47, La Lomita Irrigation and Construction Company Subdivision as recorded in as recorded in Volume 24, Page 67-68, Deed Records of Hidalgo County, Texas, 8312 to 8400 North 29th Street. Involuntary.
- Tract 4:** 38.40 acres out of Lot 49 & Lot 50, La Lomita Irrigation and Construction Company Subdivision as recorded in as recorded in Volume 24, Page 67-68, Deed Records of Hidalgo County, Texas, 2300 to 2720 Auburn Avenue, 8200 to 8300 North 29th Street. Involuntary.
- Tract 5:** 4.70 acres out of Lot 51, La Lomita Irrigation and Construction Company Subdivision as recorded in as recorded in Volume 24, Page 67-68, Deed Records of Hidalgo County, Texas, 3200 to 2720 Auburn Avenue. Involuntary.
- Tract 6:** 10.0 acres out of Lot 39, La Lomita Irrigation and Construction Company Subdivision as recorded in as recorded in Volume 24, Page 67-68, Deed Records of Hidalgo County, Texas, 9101 North 29th Street. Involuntary.
- Tract 7:** 2.8 acres out of Lot 202 and 205, Pride O' Texas Subdivision as recorded in as recorded in Volume 5, Page 58 & 59, Deed Records of Hidalgo County, Texas, 3301 Oxford Avenue, 9212 North 36th Street. Involuntary.