

I. INTRODUCTION

This Service Plan (“Plan”) is prepared by the City of Seguin, Texas (“City”) pursuant to Chapter 43 of the Texas Local Government Code. This Plan relates to the annexation of **AREA 1**, consisting of 170.68 (+/-) acres (hereafter referred to as THE AREA), located in the extra-territorial jurisdiction of the City of Seguin, Guadalupe County, Texas.

II. EFFECTIVE TERM

This Plan shall be in effect for the period required by state law, commencing on the effective date of the annexation of THE AREA, unless otherwise stated in this Plan. Renewal of the Plan shall be at the option of the City. Such option may be exercised by the adoption of an ordinance by the City Council, which refers to this Plan and specifically renews this Plan for a stated period of time and in accordance with all applicable State statutes.

III. INTENT

It is the intent of the City of Seguin that services under this Plan shall equal the number of services and the level of services in existence in THE AREA prior to annexation and which are available in other parts of the City with land uses and population densities similar to those reasonably contemplated or projected in THE AREA. However, it is not the intent of this Plan to require that a uniform level of services be provided to all areas of the City, including THE AREA, where differing characteristics of topography, land utilization and population density constitute a sufficient basis for providing differing service levels.

The City reserves the right to amend this statutorily created contract 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 making this service plan unworkable or obsolete or unlawful.

IV. SERVICE PROGRAMS

A. In General

1. This Plan includes the following programs: services presently being provided, services immediately provided upon effective date of annexation, the 60 day program to provide services and the Capital Improvement Program.
2. As used in this Plan, providing services includes having services provided by any method or means by which the City may extend municipal services to any other area of the City. The City shall provide the area or cause the area to be provided with services in accordance with the service plan. This may include, but is not limited to, causing or allowing private utilities, governmental entities, and other public service organizations to provide such services, in whole or in part. The acquisition or construction of the facilities shall be accomplished by purchase, lease, or other contract or by the municipality succeeding to the powers, duties,

assets, and obligations of a conservation and reclamation district as authorized or required by law.

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 a 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 a petition. They may require that fees or charges be paid, and they may include eligibility requirements and similar provisions.

B. Services Presently Being Provided

1. The following services are presently being provided to THE AREA.
 - a. The Fire Department of the City of Seguin presently provides fire protection to THE AREA. No additional personnel or equipment is anticipated at this time.
 - b. Emergency Medical Service – EMS is currently provided by the City of Seguin for THE AREA. EMS will remain at the current level of service. The City may elect to contract for Emergency Medical Service with supplementary forces. No additional personnel or equipment is anticipated at this time.
 - c. Library – Library services are currently provided for THE AREA at the Seguin Public Library.
 - d. Parks – The same standards and policies now used by the City of Seguin will be followed in operating, maintaining and expanding the parks and recreation program and facilities. There are no plans to provide recreational facilities or parks to the tracts specifically identified by this service plan. Access to all park facilities is currently being provided for residents of the areas proposed for annexation. Non-residential fees for park use were removed effective October 1, 1996. The City of Seguin park facilities consist of the following:

Park Locations

4-Plex Softball Fields
Amphitheater
Barky Park
Blumberg Park
Bowl Pavilion at Max Starcke Park West
Central Park
Smokey Joe Williams Baseball Field
Golf Course at Max Starcke Park
Juan Seguin Burial Site
Little League Fields
MTR Skatepark
Manuel C. Castilla Park
Park West
Patricia K. Irvine-King Pavilion

Park Address

833 Nelda
1412 River Drive East
1400 River Drive West
1100 Avenue D
1354 River Drive West
201 South Austin
637 Midway
700 River Drive West
789 South Saunders
1115 South Austin
919 San Antonio Avenue
2402 North Guadalupe
601 North Vaughan Avenue
1412 River Drive East

Riverside Cemetery	201 East Klein
Sebastopol House Historic Site	704 Zorn
Seguin Events Complex	950 South Austin
Tennis Courts at Max Starcke Park	630 River Drive West
Veterans Park	312 South Erkel
Volleyball Complex	960 South Austin
Walnut Springs Park	317 West Court
Wave Pool	1 Wave Pool Drive

- e. Subdivision Review & Approval – The rules and regulations of the City of Seguin regarding the subdivision and development of property are currently in effect regarding the tracts identified by this service plan. The City of Seguin Subdivision Ordinance regulating design and infrastructure construction standards for all developments will be overseen by the City Planning & Zoning Commission, City Engineer, Director of Planning & Codes and/or designated city staff.

C. Services Immediately Provided Upon Effective Date of Annexation

- 1. The following services will immediately be provided to THE AREA upon the effective date of annexation.
 - a. Police Protection – The Police Department of the City will provide protection and law enforcement services in THE AREA. These activities will include normal patrols and police responses, the handling of complaints and incident reports, and as appropriate, support by special units. Support and supervisory personnel will be assigned as needed. No additional personnel or equipment is anticipated at this time.
 - b. Solid Waste Collection – All eligible residences in THE AREA will be provided solid waste collection service by contract with the City’s solid waste collection provider. Such service will consist of once weekly curbside pickup of refuse and may be amended through the City’s contract with the solid waste collection provider. An arrangement to provide City solid waste services to those residents with existing contracts will be initiated in accordance with Sec. 43.056 (n) and (o), as adopted in Senate Bill No. 89 by the 76th Texas Legislature.
 - c. Operation and Maintenance of Public Roads and Streets, Except State and Federal Roads– The Department of Public Works will provide maintenance of public roads and streets over which the City will have jurisdiction. In general, the City will acquire control of all public roads, except State and Federal roads, and jurisdiction in, over and under all public roads and public streets within THE AREA. Additional roads, streets, or related facilities, are not necessary at this time to service THE AREA. Future extensions of roads or streets and future installation of related facilities, such as traffic control devices or street lights in the City’s electric service area or through the City’s agreement with Guadalupe Valley Electric Cooperative, will be governed by standard policies and procedures in place at time of annexation. THE AREA will be included with the City in connection with planning for new, improved, revised, widened, or enlarged roads, streets, or related facilities.

- d. Operation and Maintenance of Any Other Publicly Owned Facility, Building or Service – Those drainage facilities associated with the City-maintained public streets will be maintained by the Department of Public Works, as needed. Should any other municipal facilities, buildings or services be constructed or located by the City, an appropriate City Department will provide maintenance services for those facilities.
- e. Health Inspections – Health inspection services include restaurant inspections, food handler certifications, adult and child day care inspections, foster home inspections, sewer leaks and on-site sanitary sewer facility permitting. These services will be provided immediately upon the effective date of annexation.
- f. Building Inspection – Building inspection services including but not limited to structural, plumbing and electrical inspections and permitting will be provided for all construction activities that occur immediately upon effective date of annexation. No additional personnel or equipment is anticipated at this time.
- g. Floodplain Management – Floodplain management in accordance with FEMA and the City of Seguin floodplain management ordinances shall occur immediately upon the effective date of annexation. These ordinances are designed to minimize the risk of damage and loss of life due to flooding.
- h. Code Enforcement – Code enforcement including high weeds, junk vehicle removal and nuisance violations will be provided immediately upon the effective date of annexation. The Building & Standards Commission with Planning & Codes staff will administer the Building & Standards Ordinance, which provides for demolition, removal or improvements of substandard structures. No additional personnel or equipment is anticipated at this time.
- i. Animal Control – Animal control services including but not limited to “at large” canine and rabies control will be provided by the City of Seguin upon annexation. Other services include dead animal removal, “at large” cat control, wildlife control, and license and vaccination requirements. “At large” livestock control will be administered in conjunction with Guadalupe County.

D. 60 Day Program to Provide Services

- 1. State law requires that the City provide the following services in THE AREA within 60 days after the effective date of the annexation. The 60 Day Program Plan is as follows:
 - a. Brush – The City will provide for the collection of brush within 60 days of the effective date of annexation in the established brush schedule for the City. Under certain conditions, agricultural operations may apply for a burn permit through the Seguin Fire Marshal in accordance with state and local policies.
 - b. Zoning Administration – The City will begin providing zoning administration for properties within 60 days of the effective date of annexation. No increase in personnel or equipment is anticipated.

E. Capital Improvement Program – (Water, Wastewater and Electric)

Water

Water is provided by **Springs Hill W.S.C.** or with private wells that may exist. No water extensions to THE AREA are being proposed by the City of Seguin. This area is located outside the water service jurisdiction of the City of Seguin and with the Certificate of Convenience and Necessity (CCN) of other water supply providers. Water extensions to serve future development may be considered in accordance with adopted City of Seguin ordinances and policies and in conjunction with **Springs Hill W.S.C.** and relevant State regulations.

Wastewater

Wastewater in THE AREA is available from an existing City of Seguin public sewer line located along FM 725. No additional wastewater extensions to THE AREA are being proposed at this time. Sewer extensions to serve future development may be considered in accordance with adopted City of Seguin ordinances and policies.

Summary of Extension Policy for Wastewater Service – The following information is a summary of the City of Seguin’s policies for wastewater service extensions. It is made in compliance with the Texas Local Government Code, which requires that each annexation include a summary of the service extension policy. Nothing in this summary repeals any provision of the Seguin General Code of Ordinances as amended, and any of the uncodified ordinances that contain the City’s policies and procedures.

Extensions built by the City at its full cost are included in its Capital Improvement Plan, which is updated annually. Placement of an extension or enlargement of wastewater lines in the Capital Improvement Plan is based primarily on the following requirements: (1) to provide service, (2) to eliminate wastewater overflows, and (3) to provide adequate capacity for project service requirements.

Persons wishing to develop land in unserved areas must construct wastewater service lines and extensions to serve those areas in accordance with existing City ordinances and policies.

Electric

Electric service to THE AREA is provided by Guadalupe Valley Electric Cooperative (G.V.E.C.). All areas within the City provided electric service by G.V.E.C. shall receive street lighting in accordance with the City’s agreement with G.V.E.C. Placement of street lights will be determined by City staff and G.V.E.C. in accordance with standard City policies.

V. ZONING ANALYSIS

The City of Seguin Planning & Codes will recommend zoning districts for the different uses of land in the annexed areas through the Planning & Zoning Commission and the City Council.

VI. 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 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 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.

VII. FORCE MAJEURE

The municipality does not violate this service plan if the construction process is interrupted for any reason by circumstances beyond the direct control of the municipality. In case of an emergency, such as a flood 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 this 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 level described in this Plan as soon as possible. “Force Majeure”, for the purposes of this Plan, shall include, but not be limited to, acts of God, acts of a public enemy, war, blockades, insurrection, riots, epidemics, landslides, lightning, earthquakes, fires, storms, floods, washouts, droughts, tornadoes, hurricanes, arrests 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 the purposes of this Plan.

VIII. ENTIRE PLAN

This document contains the entire and integrated Service Plan relating to annexation and supersedes all other negotiations, representations, plans, and agreements whether written or oral.