CITY COUNCIL
PUBLIC HEARING AGENDA

Wednesday, October 28, 2015
7:00 p.m.
City Hall - Council Chamber
Daniel P. Moore Community Center Complex
1900 Billy G. Webb Drive
Portland, Texas

1. **CALL TO ORDER:** MAYOR KREBS

2. **PUBLIC HEARING:** THE CITY COUNCIL WILL CONDUCT A PUBLIC HEARING TO SOLICIT COMMENTS FROM CITIZENS AND OTHER INTERESTED PARTIES CONCERNING THE ANNEXATION OF APPROXIMATELY 753 ACRES ADJACENT TO AND SOUTHWEST OF THE CITY LIMITS OF THE CITY OF PORTLAND – MAYOR, CITY MANAGER, CITY ATTORNEY, AND REPRESENTATIVES OF THE CONSULTING CITY PLANNER

   Members of the audience who wish to comment or present questions during the Public Hearing must comply with the following rules of procedure:

   - Persons who wish to speak must fill out and turn in a speaker card to the City Secretary
   - The Mayor will announce the order of speakers and will direct speakers to the podium
   - Persons who wish to speak must identify themselves and their place of residence
   - Persons who wish to speak will be given 4 minutes to do so
   - Persons who wish to speak on behalf of 4 or more persons will be given 15 minutes to do so

3. **PUBLIC HEARING:** THE CITY COUNCIL WILL CONDUCT A PUBLIC HEARING TO SOLICIT COMMENTS FROM CITIZENS AND OTHER INTERESTED PARTIES CONCERNING THE ANNEXATION OF APPROXIMATELY 55 ACRES ADJACENT TO AND NORTHEAST OF THE CITY LIMITS OF THE CITY OF PORTLAND – MAYOR, CITY MANAGER, CITY ATTORNEY, AND REPRESENTATIVES OF THE CONSULTING CITY PLANNER

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4. <u>ADJOURNMENT</u>: MAYOR KREBS

NOTICE OF ASSISTANCE

If you plan to attend this public meeting and you have a disability that requires special arrangements to be made, please contact City Secretary Annette Hall at (361) 777-4513 or annette.hall@portlandtx.com in advance of the meeting. Reasonable accommodations will be made to facilitate your participation.

BRAILLE IS NOT AVAILABLE

Posted: October 23, 2015 by 5:00 p.m.
Portland City Hall

By: Annette Hall
Annette Hall
City Secretary

CITY COUNCIL PUBLIC HEARING ITEM

AGENDA TITLE	**PUBLIC HEARING:** THE CITY COUNCIL WILL CONDUCT A PUBLIC HEARING TO SOLICIT COMMENTS FROM CITIZENS AND OTHER INTERESTED PARTIES CONCERNING THE ANNEXATION OF APPROXIMATELY 753 ACRES ADJACENT TO AND SOUTHWEST OF THE CITY LIMITS OF THE CITY OF PORTLAND – MAYOR, CITY MANAGER, CITY ATTORNEY, AND REPRESENTATIVES OF THE CONSULTING CITY PLANNER **PUBLIC HEARING:** THE CITY COUNCIL WILL CONDUCT A PUBLIC HEARING TO SOLICIT COMMENTS FROM CITIZENS AND OTHER INTERESTED PARTIES CONCERNING THE ANNEXATION OF APPROXIMATELY 55 ACRES ADJACENT TO AND NORTHEAST OF THE CITY LIMITS OF THE CITY OF PORTLAND – MAYOR, CITY MANAGER, CITY ATTORNEY, AND REPRESENTATIVES OF THE CONSULTING CITY PLANNER
MEETING DATE	10/28/2015
DEPARTMENT	Administration
SUBMITTED BY	Brian DeLatte, P.E., Assistant City Manager

EXECUTIVE SUMMARY

The City of Portland has begun the process of annexing approximately 808 acres on both the northeast and southwest boundaries of the existing city limits. The annexation is being conducted in conformance with Chapter 43 of the Texas Local Government Code (TLGC). Two public hearings are required by the TLGC to allow citizens and other interested parties the opportunity to comment on the proposed annexation.

There will be no formal action taken by the City Council at the conclusion of the public hearings. Deliberation of the annexation ordinances is scheduled to occur on November 19 and December 1.

PRIOR ACTIONS OR REVIEWS

- August 4, 2015 – The City Council engaged Freese and Nichols to assist staff in conducting an annexation of the area within the City's ETJ
- September 1, 2015 – The City Council passed Resolution Nos. 703 and 704 that set the annexation public hearings
- October 6, 2015 – The City Council received and discussed a presentation from Freese and Nichols concerning the annexation process prescribed by TLGC.
- October 22, 2015 – The City Council conducted a Public Hearing to receive comments

on the proposed annexation

DETAILS / STAFF ANALYSIS

The remaining schedule for the deliberation of the annexation is as follows:

- Thursday, November 19 – City Council deliberation and first reading of proposed ordinance at Special City Council meeting at City Hall at 7:00 p.m.
- Tuesday, December 1 – City Council deliberation and final reading of proposed ordinance at Regular City Council meeting at City Hall at 7:00 p.m.

ALTERNATIVES CONSIDERED

None.

FINANCIAL IMPACT

None.

ATTACHMENTS

- Public Hearing Notices
- Presentation by Freese and Nichols
- City of Portland Annexation Frequently Asked Questions
- Development Agreement Application

RECOMMENDED ACTION

None.

NOTICE OF PUBLIC HEARING

Notice is hereby given that a first public hearing will be held by the City Council of the City of Portland, Texas, at 3:00 p.m. on Thursday, October 22, 2015, at the City of Portland City Hall City Council Chambers, 1900 Billy G. Webb, Portland, Texas, for all persons interested in the proposed annexation. All persons and interested parties shall have the right to appear and be heard at said time and place.

This will be the first of two public hearings as required by Texas Local Government Code Section 43.063. The purpose of the public hearing is to consider the proposed annexation of the following described territory. The proposed annexation boundary is as described herein and as depicted on Exhibit "A":

FIELD NOTES FOR 753 ACRES OF LAND, MORE OR LESS, LOCATED IN SAN PATRICIO COUNTY, TEXAS; SAID 753 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point on the south line of F.M. 893 (variable width right-of-way) and on the east line of County Road 3567, extended, said point also being the southwest corner of the existing City limits of Portland, Texas as described in Ordinance No. 2100 (December 2, 2014);

THENCE, in a northeasterly direction continuing along the existing Portland City Limits line and the south line of F.M. 893, a distance of 3,777 feet, more or less, to a point for corner where F.M. 893 turns east;

THENCE, in an easterly direction, continuing along the existing Portland City Limits line and the south line of F.M. 893, a distance of 1,677 feet, more or less, to a point for corner where F.M. 893 turns southeast;

THENCE, in a southeasterly direction continuing along the existing Portland City Limits line and the south line of F.M. 893, a distance of 817 feet, more or less, to a point in the centerline of Allen Drive;

THENCE, turning in a southerly direction and following the existing Portland City Limits line, and the centerline of Allen Drive, a distance of 1,007 feet, more or less, to a point for corner in the centerlines of Allen Drive and Marriott Drive;

THENCE, in an easterly direction, along the existing Portland City Limits line and the centerline of Marriott Drive, a distance of 24 feet, more or less, to a point for corner;

THENCE, turning in a southerly direction with the existing Portland City Limits line, a

distance of 1,500 feet, more or less, to a point, said point being in the Mean High Water line (MHW) at Nueces Bay, said point also being where the Portland City Limits line turns westerly along the MHW line of Nueces Bay;

THENCE, in a westerly direction along the existing Portland City Limits[1], and along the existing MHW line of Nueces Bay, a distance of 4,900 feet, more or less, to a point where the City of Portland City Limits turns south, said point is also a shared corner in the City Limits of Portland and Corpus Christi[2], thus leaving the Portland City Limits line and continuing in a westerly direction along the existing MHW line of Nueces Bay and the City Limits line of Corpus Christi, in all a distance of 10,800 feet, more or less, to the southern extension of the west line of Parcel #2139-0116-000-010, to a point for corner;

THENCE, turning in a northerly direction and leaving the MHW line of Nueces Bay and the existing City Limits line of Corpus Christi, a distance of 690 feet, more or less to a point in the southwest corner of parcel #2139-0116-0000-010, passing and continuing along the west line of said parcel a distance in all of 4,297 feet, more or less, to the south line of F.M. 893 to a point for corner;

THENCE, continuing in a northerly direction, a distance of 65 feet, more or less, to a point for corner in the north line of F.M. 893;

THENCE, in a northeasterly direction along the north line of F.M. 893, a distance of 2,720 feet, more or less, to a point for corner on the east line of CR 3567, said point also being on the existing Portland City Limits line;

THENCE, in a southerly direction along the existing Portland City Limits line and the east line of CR 3567, a distance of 82 feet, more or less, to the **POINT OF BEGINNING** of the herein described tract, containing 753 acres of land, more or less.

This document was prepared under 22 TAC § 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

[1] See Portland City Ordinance No. 291 dated March 19, 1968
[2] See Corpus Christi City Ordinance No. 6636 dated September 18, 1962

Any questions concerning this matter should be directed to Brian DeLatte, P.E., Assistant City Manager, at (361) 777-4601 or brian.delatte@portlandtx.com.

NOTICE OF PUBLIC HEARING

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This will be the first of two public hearings as required by Texas Local Government Code Section 43.063. The purpose of the public hearing is to consider the proposed annexation of the following described territory. The proposed annexation boundary is as described herein and as depicted on Exhibit "A":

BEING A 55.204 ACRE TRACT OF LAND OUT OF CERTIFICATE 40, ABSTRACT 287, OF THE T.T. WILLIAMSON SURVEY, SAN PATRICIO COUNTY, TEXAS, THIS TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a point for the upper northeast corner of the existing City Limits and the northwest corner of this tract;

THENCE, South 66º 12' 28" East, a distance of 1,816.53 feet, to a point for the northeast corner of this tract;

THENCE, South 09º 02' 38" West, a distance of 1,332.24 feet, to a point for the lower northeast corner of the existing City Limits and the southeast corner of this tract;

THENCE, North 60º 59' 02" West, along the existing City Limits, at 432.90 feet pass a 5/8 inch iron rod, in all a distance of 2,205.83 feet to a point for an inside corner of the existing City Limits and the southwest corner of this tract;

THENCE, North 02º 24' 23" East, along the existing City Limits, a distance of 280.53 to the point of curvature of a curve to the right whose radius point bears North 79°33'37" East and which has a radius of 15.00 feet, a central angle of 92°37'41", an arc length of 24.25 feet and a tangent length of 15.70 feet;

THENCE, continuing along the existing City Limits with said curve to the right, an arc length of 24.25 feet, to a point of curvature of a reverse curve to the left whose radius point bears North 05°03'07" East and which has a radius of 424.02 feet, a central angle of 09°47'33", an arc length of 72.47 feet and a tangent length of 36.32 feet;

THENCE, continuing along the existing City Limits with said curve to the left, an arc length of 72.47 feet to a point for a corner of the existing City Limits and a corner of this tract;

THENCE, North 29°07’28” East, continuing along the existing City Limits, a distance of 779.44 feet to the PLACE OF BEGINNING and containing 55.204 acres (2,404,670 square feet) of land.

Bearings are based on the plat of North Shore Unit 3 recorded in Envelope 46 and 47, File Number 343755 of the San Patricio County Map Records.

This document was prepared under 22 TAC § 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

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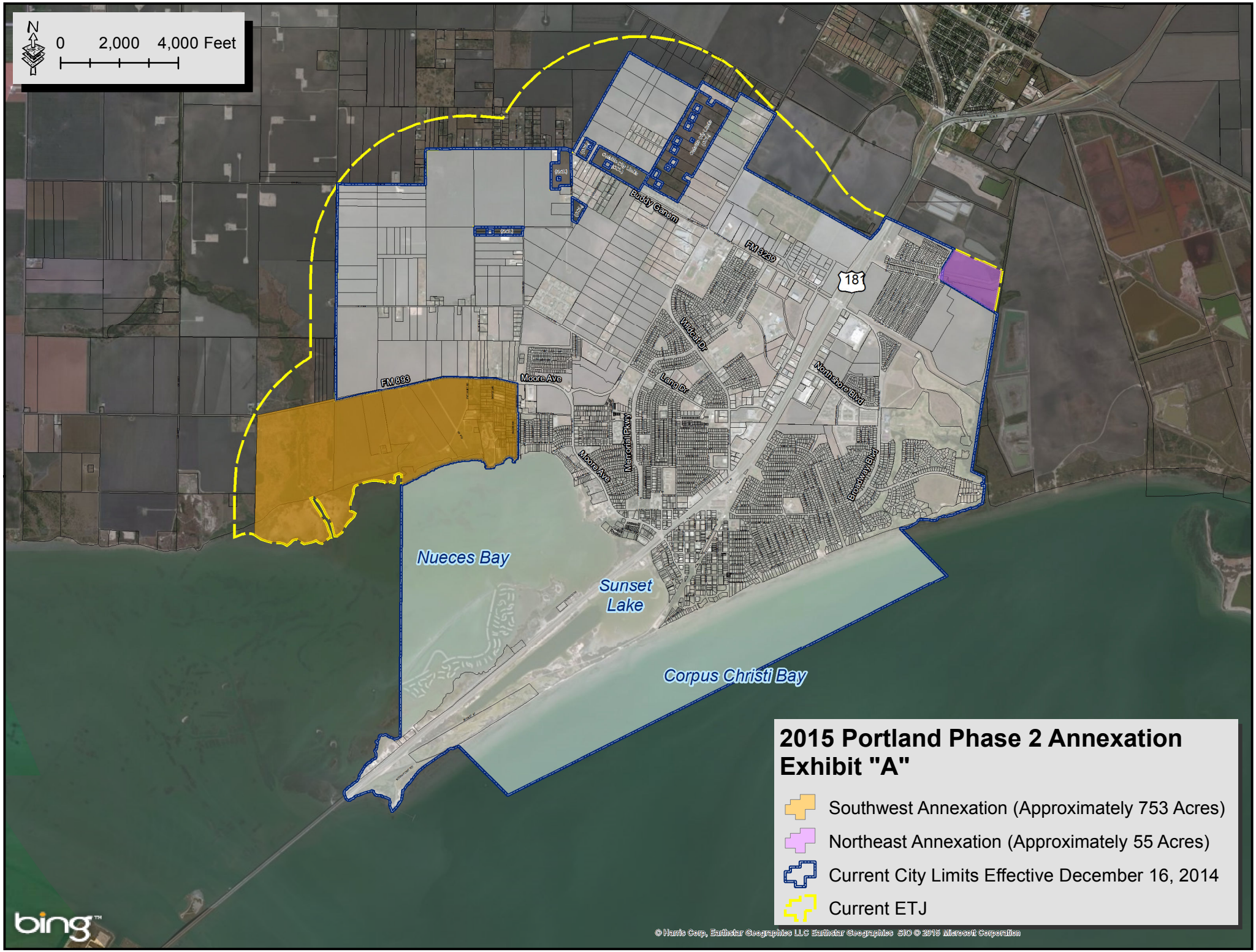
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Wildcat Dr
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FM 893
Nueces Bay
Sunset Lake
Corpus Christi Bay
2015 Portland Phase 2 Annexation Exhibit "A"
Southwest Annexation (Approximately 753 Acres)
Northeast Annexation (Approximately 55 Acres)
Current City Limits Effective December 16, 2014
Current ETJ
bing
© Harris Corp, Earthstar Geographics LLC Earthstar Geographics SIO © 2015 Microsoft Corporation

Annexation Public Hearings

Freese & Nichols, Inc.
Dan Sefko, FAICP
Nick Cecava, P.E.
Erica Craycraft-Bartlett, AICP

City Council
October 28, 2015

Today's Agenda

- Background information
- Summary of State law
- Recommendations
- Next steps
- Discussion and Q&A

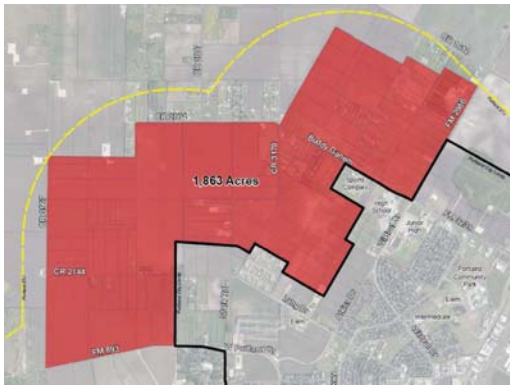
Why do cities annex land?

- Cities annex land for several reasons:
  - Manage land development with development controls (i.e., zoning)
  - Provide municipal services
  - Cost-sharing of City services
  - Room to grow and expand

Two Phase Approach

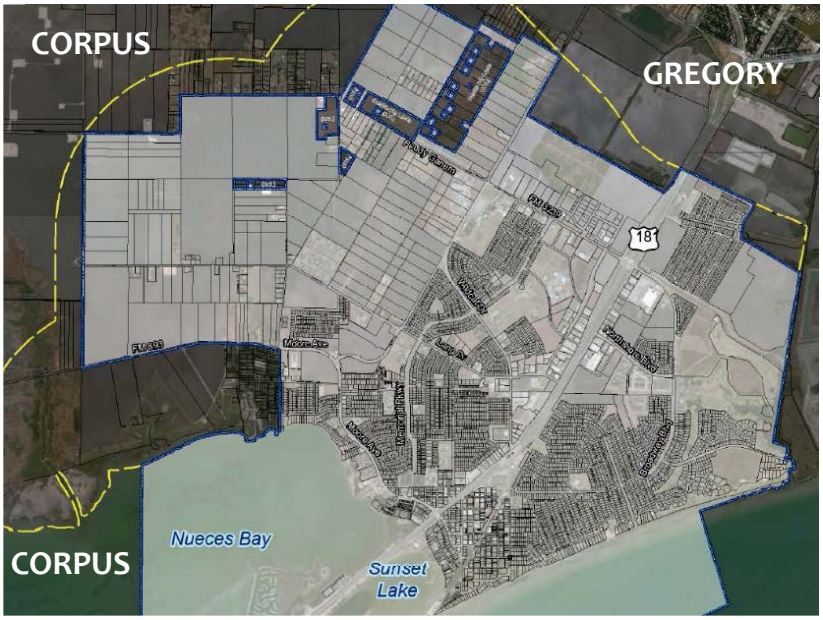
- Portland began assessing annexation opportunities in 2012
- Supported by 2013 Comprehensive Plan
- Proposed a two phase approach:
  1. 2014 annexation *(completed)*
  2. 2015 annexations

2014 Annexation



- City annexed 1,863 acres in late 2014
- 65 homes, mostly undeveloped land
- 18 development agreements for ag. exempt properties (15 year term)

Today's Status



- City can annex land in the 1-mile ETJ
- 1,801 acres currently in the ETJ
- Bounded by Corpus Christi and Gregory

Texas Local Government Code
[Chapter 43. Municipal Annexation]

- Annexation Planning:
  - Chapter 43 specifically details the annexation process for all cities
  - A 3-year annexation plan is required for areas with more than 100 parcels with residential dwellings
  - Areas with fewer than 100 parcels with residential dwellings do <u>not</u> require a 3-year annexation plan
  - No “gerrymandering”

Texas Local Government Code
[Chapter 43. Municipal Annexation]

- Restrictions:
  - A city can annex up to 10% of the city limits acreage each year
  - Unused amounts carry over, up to 30%
  - In 2014, Portland annexed 1,863 acres
  - In 2015, Portland *could* annex up to 1,087 acres

Texas Local Government Code
[Chapter 43. Municipal Annexation]

- City's Obligations:
  - Service Plan to show how services will be provided
    - "Soft services" start upon annexation
    - "Hard services" may take up to 2.5 - 4.5 years for completion
  - Provide hard services <u>to the area</u>
  - Provide hard services for short- and mid-term development, not necessarily ultimate build-out

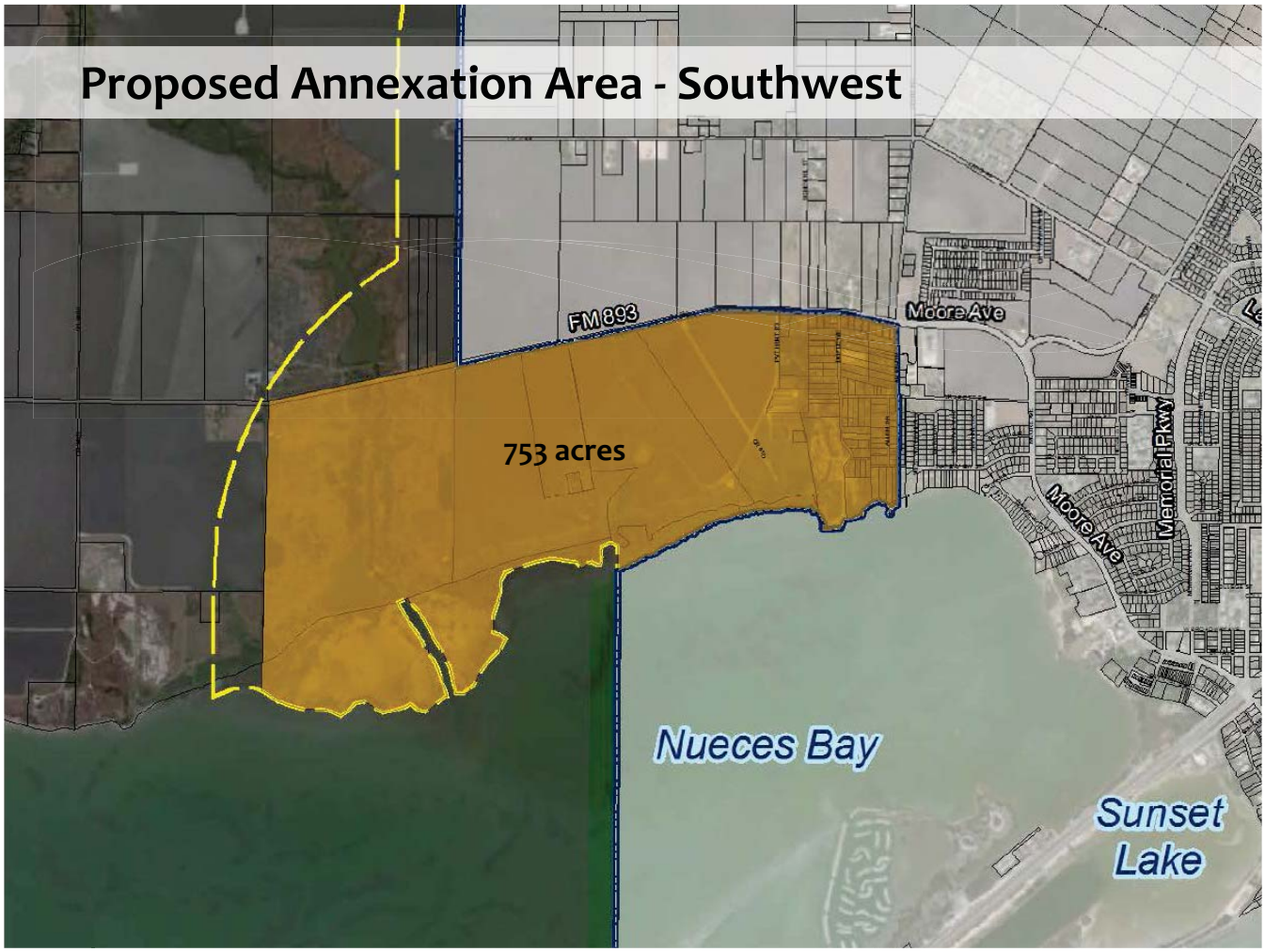
Texas Local Government Code
[Chapter 43. Municipal Annexation]

- Development Agreements:
  - City must offer development agreements to properties with agricultural exemptions from the County (agriculture, timber, or wildlife per TLGC 43.035)
  - Property remains in the ETJ for the term as long as no development occurs
    - No City taxes; no City services
  - Portland's term is 15 years, however TLGC allows renewals up to 45 years
  - Property owners must contact the City for an application
  - TLGC does not authorize the City to offer development agreements to non-exempt properties

Proposed Annexation Areas

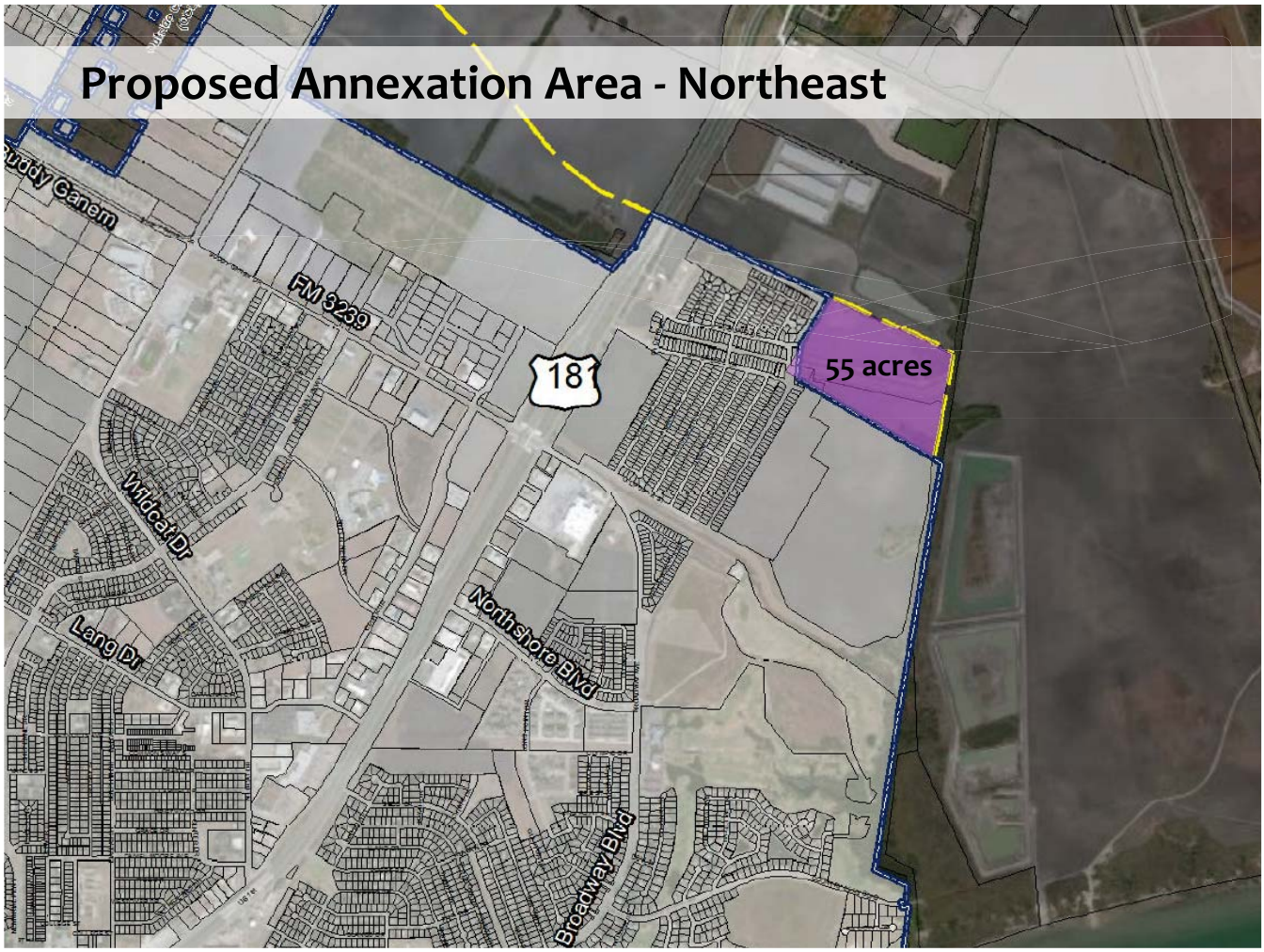
Proposed Annexation Areas

- Two separate areas are recommended for annexation:
  - Southwest area
    - 753 acres
    - 94 parcels with homes
  - Northeast area
    - 55 acres
    - 0 parcels with homes



Southwest Annexation Area

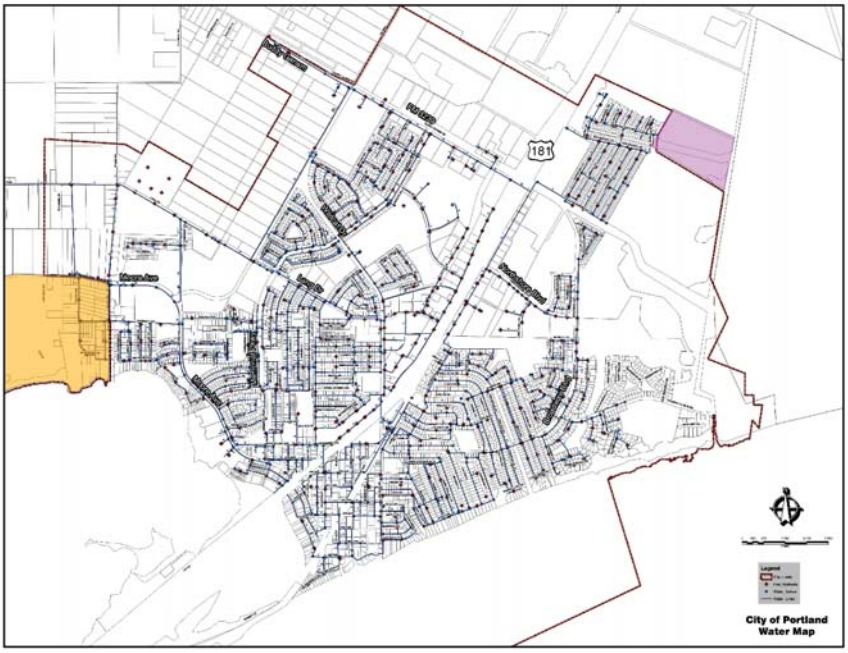
- City is already providing water service and has extended wastewater mains to the area
- Indications of some support for annexation
- Ensure that any future redevelopment reflects the City's vision and standards



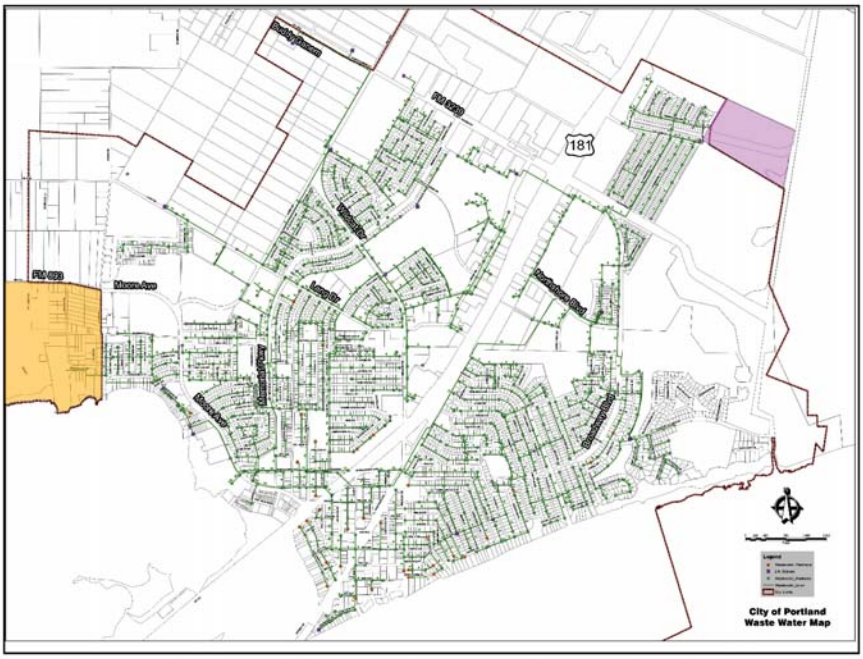
Northeast Annexation Area

- Regulate development adjacent to the port facilities
- Manage industrial and residential land uses
- Currently undeveloped
- Ensure future development reflects the City's vision and standards

Existing Water Infrastructure



Existing Wastewater Infrastructure



What's Next?

Next Steps

- Two public hearings are required for each annexation area
  - Separate hearings for each area but may be at the same meeting
  - Tonight is the second public hearing
- Notice as prescribed by State law:
  - Written notice for property owners 30 days before *(completed)*
  - Published in newspaper 10-20 days before *(completed)*
  - Published online 10-20 days before through date of the hearing *(completed)*

Next Steps

- Council adopts an ordinance annexing the tracts and approving the service plans for those tracts
- Portland's City Charter requires readings at two meetings (regular or special)
- First reading must be 20-40 days after public hearings
- Annexation must be completed 90 days from first reading

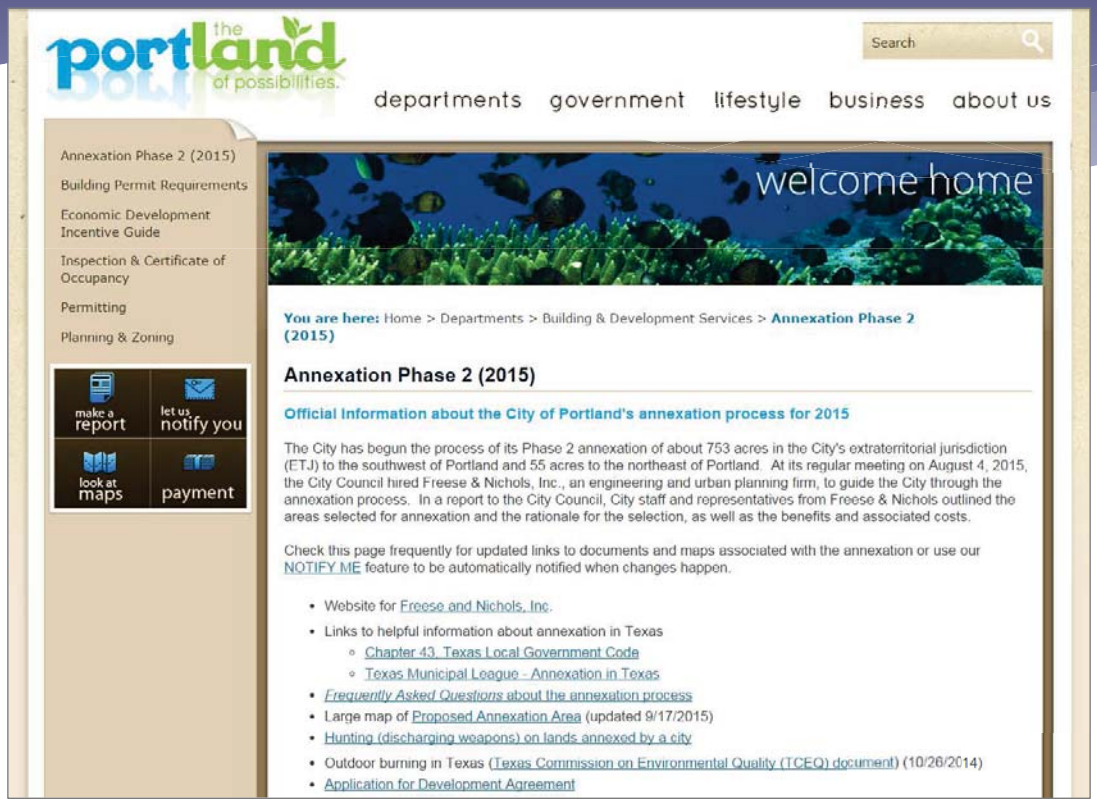
Next Steps

Notice and two public hearings → Two Council readings → Annexation complete

Annexation Schedule

- Sept 17: Send mailed notice for first public hearing *(completed)*
- Sept 24: Send mailed notice for second public hearing *(completed)*
- Oct 6: Council discussion on the process *(completed)*
- Oct 8: Publish notice for first public hearing *(completed)*
- Oct 15: Publish notice for second public hearing *(completed)*
- Oct 22: First public hearing | City Hall @ 3:00pm *(completed)*
- **Oct 28: Second public hearing | City Hall @ 7:00pm**
- Nov 19: 1st reading of ordinance adopting the tracts and service plans | City Hall @ 7:00pm
- Dec 1: 2nd and final reading | City Hall @ 7:00pm

More Info on City's Website



Q&A from October 22 Public Hearing

Q&A

- **Question: Will I be able to continue farming and agricultural activities once annexed?**
  - Answer: Yes, all existing legal land uses can continue after annexation.
- **Question: Can I build a single-family house if I have entered into a development agreement?**
  - Answer: Yes, a development agreement allows for the construction of a single-family home and accessory structures without voiding the development agreement on the entire property. However, any portion of the property that loses its agricultural exemption as a result of the home or accessory structure construction would be automatically annexed. The San Patricio County Appraisal District typically creates at 1-acre carve out that is removed from the exempted parcel.

Q&A

- **Question: What will my zoning be once annexed?**
  - Answer: Newly annexed areas will receive an initial zoning designation of Single Family Residential until such time that permanent zoning designations are adopted by the City Council. Per state law, all existing land uses can legally remain as a nonconforming use even with the Single Family Residential zoning.
- **Question: When will the wastewater project in the Doyle Addition be completed?**
  - Answer: The wastewater main construction is substantially complete, the City still has a warranty on the work and will address any issues that may arise from the original construction. The City has received a grant from the TWDB and USDA to connect individual houses to the wastewater mains at no cost to the residents. No bids were received when this project was advertised earlier this year. This project is expected to be rebid and complete in 2016. For residents who do not want to wait for the grant funded tie-ins, they can connect into the wastewater main anytime at their own expense.

Q&A

- **Question: What will happen to drainage in the annexed area?**
  - Answer: The San Patricio Drainage District built the current drainage system in the annexed area and remains responsible for the construction and maintenance of major drainage facilities inside and outside of the City. City personnel will maintain culverts and other local drainage facilities.
- **Question: Will the City require that manufactured houses (trailer houses) are removed from my property?**
  - Answer: No. All existing structures, including trailers, can remain in the annexed area as long as they remain structurally safe. No new manufactured housing is allowed within the City or annexed areas.
- **Question: Can I build a pier? Will a permit be required?**
  - Answer: Yes. Piers require a permit through the U.S. Army Corps of Engineers. The City does not issue permits for piers nor charge permit fees.

City of Portland Annexation Frequently Asked Questions

Q. Why is the City of Portland considering annexation?

The City of Portland is considering annexation for several reasons:

1. Promote Orderly, Planned Development: The lack of land use regulations within the City's Extraterritorial Jurisdiction (ETJ) means that certain uses, such as wind turbines or industrial facilities, may locate in areas that could be offensive to adjacent property owners. The City can utilize regulatory tools such as zoning and building codes to help ensure that buildings, subdivisions, and infrastructure are compatible with each other and meet minimum standards.
2. Provide Municipal Services: The City of Portland can further extend water and wastewater service into annexed areas. Providing these services protects the health and welfare of all property owners in the vicinity.
3. Implement the Comprehensive Plan: The 2012 Comprehensive Plan outlines several recommendations related to annexation, including identifying locations for future growth and protecting residential neighborhoods from encroachment of incompatible land uses. An example of an incompatible land use is the wind turbines to the northwest of Portland, which cannot be regulated in the county and could negatively impact property values in the annexation area.
4. Room for Growth: The City of Portland is becoming landlocked unless it acquires more room to grow and expand. Without this growth potential, the City has limited abilities to regulate and provide services.

Q. What is the Extraterritorial Jurisdiction and how is the ETJ determined?

A. The ETJ of a municipality is the unincorporated area that is contiguous to the corporate boundaries of the municipality. The Texas Legislature declares it the policy of the state to designate certain areas as the extraterritorial jurisdiction of municipalities to promote and protect the general health, safety, and welfare of persons residing in and adjacent to the municipalities. The size of the ETJ depends on the population of the city. The City of Portland's ETJ generally extends 1 mile beyond the city boundaries, or in some cases has been adjudicated with adjacent municipalities.

Q. What City services will be provided on the day an area is annexed into the City?

A. In accordance with State law, the following services will be provided on the effective date of the annexation:

- Police protection
- Fire protection
- Emergency medical services

- Solid waste collection, including recycling and monthly brush and bulky items collection
- Operation and maintenance of water and wastewater facilities that are not within the service area of another water or wastewater utility
- Operation and maintenance of roads and streets, including road and streetlights
- Operation and maintenance of publicly owned parks and playgrounds
- Operation and maintenance of any other publicly owned facility, building, or service

Q. How will annexation affect my taxes?
A. City property taxes are assessed on the January 1st after annexation and added to the City's tax rolls. You will receive your city tax bill in the fall of the same year, which must be paid by February 1 the following year to avoid penalties. The City Council adopts a new tax rate each fall. The current tax rate in Portland is $0.529645 per $100 assessed value.

Q. Does the City provide exemptions on ad valorem (property) taxes?
A. The City of Portland allows a $15,000 exemption for Over-65. Other state approved exemptions may apply to your property.

Q. Will I still have to pay county taxes?
A. Yes, San Patricio County taxes are collected from all property owners throughout the county, whether a resident of a city or not, to provide the services administered by the county.

Q. Will my property's address change?
A. The Fire Code includes addressing standards to ensure the efficient dispatch of emergency services through the 911 system. Several streets in the proposed annexation areas are identified by "County Road XXX". If a street name or numbering change is required, all affected homeowners, all utility providers, and the United States Postal Service (USPS) will be notified by the Police Department. To ensure mail delivery during the transition, the USPS utilizes both the new and old mailing addresses for up to 18 months. While the Police Department has authority for street name and numbering, the USPS district office has sole authority to determine city and zip code designation of mailing addresses.

Q. If I am annexed, will I have to change school districts?
A. No, annexation into the City of Portland has no bearing on school district boundaries.

Q. Will there be neighborhood police patrols?
A. Yes, the City of Portland Police Department provides neighborhood policing services to all areas of our jurisdiction.

Q. Will the city put up streetlights?
A. It is City policy to install streetlights on new public streets at the following locations (when city funds are available):

- Intersections
- The end of dead-end streets longer than 200 feet

- Significant curves in the street
- Mid-block 500 feet between lights

Street lights are not scheduled to be installed in existing subdivisions in the proposed annexation areas.

Q. How can I get my street repaired?

A. For minor and emergency repairs, such as patching potholes, flooding, or cleaning City drainage ditches, gutters, inlets, and culverts, call City of Portland Public Works at 361-777-4601. Requests for more extensive repairs, such as overlay, reconstruction or correction of major drainage problems will be investigated and, if appropriate, included in the appropriate maintenance or capital improvement program.

Q. What is the status of the wastewater service connection project in the Doyle Addition and Nueces Bay Subdivision? Does annexation affect this project?

A. Bids were opened on the project earlier this year and were rejected. The City has received commitments for additional funding from the Texas Water Development Board and will rebid the project following an additional resident survey of the project area. Annexation does not affect the funding or construction of the project. All property owners will be required to connect to the system once completed.

For property owners outside of the Doyle Addition and Nueces Bay Subdivision, existing water wells and septic systems (On-Site-Sewage-Facilities) may remain in use until such time you choose to hook on to City services or until such times as extensive repairs are necessary. At the time these repairs occur, you may be required to abandon your well and/or septic system and connect to City services. The San Patricio County Health Department will continue to inspect your existing OSSF systems. *[Editor's revision note: Answers from multiple questions have been combined into one section for clarity].*

Q. Will my water bill increase?

A. No, the water charges on utility bills will decrease. Customers in the existing ETJ are charged 25% more than the inside city limits rates. Once annexed, customers will no longer be charged this 25% increase.

Q. How soon will water and/or wastewater facilities be available to annexed areas?

A. Several factors determine the timing of service availability. These factors include:

- The distance of a property from existing service mains
- The number of residents in a particular area interested in service
- The existence of any proposed developments that may speed up the service being provided

The City is required by State law to have made progress toward providing service within 2 ½ years from the date of annexation, with an additional 2 years provided for the construction of infrastructure. Note that this statute does not require the City to extend services to every lot or tract within the annexed areas.

Q. Who will pick up my trash? When will my trash day be?
A. The City of Portland contracts with Republic Services to collect all trash and recycling within City limits. Republic Services provides two separate roll carts to residents for the collection of garbage and recycling. A welcome packet will be mailed to any affected residents prior to annexation detailing the collections days for trash, recycling, brush, and bulky collection services.

Q. Will my trash bill increase?
A. It is likely that your trash bill will decrease once annexed. The City of Portland charges $17.51 per month. Services include weekly trash collection, biweekly recycling collection, and monthly bulky and brush pickup collection. More information regarding these services can be found at http://www.portlandtx.com/index.aspx?NID=297. *[Editor's revision note: This answer previously indicated a monthly rate of $17.32. The rate that becomes effective on November 1, 2015, is $17.51].*

Q. Will a property owner be able to continue to use their property in the same way after annexation?
A. Yes, you may continue the existing use of your land provided that it is a legal use. Section 43.002 of the Texas Local Government Code says that after annexing an area, a municipality may not prohibit a person from continuing to use land in a legal manner for which the land was being used when it was annexed, or from beginning to use land in a way that was planned before annexation if the owner meets certain requirements. The law does not prevent the City from imposing certain types of regulations, such as regulations relating to public nuisances. City staff can address questions about specific existing land uses.

Q. Who will determine the zoning placed on my property?
A. Newly annexed areas will receive an initial zoning designation of Single Family Residential until such time that permanent zoning designations are adopted by the City Council.

Q. Do I need a building permit and inspections for construction started before annexation?
A. No, existing structures that are legally permitted by San Patricio County are grandfathered and do not require permitting or inspections.

Q. Will I have to bring my home up to city code if I sell it?
A. No, you will not be required to bring your home up to city code requirements; however, you will be required to meet the Texas Real Estate Inspector's requirements before selling. As such, the Real Estate Inspector may note several items that are not within code. Those items would be dealt with in the selling process and could affect the selling price of your home.

Q. When do I need to obtain a building permit?
A. City Ordinance states: No building, structure, patio, porch, deck, swimming pool, spa, sign, or fence or other similar structure shall be erected, constructed, altered, moved, converted, extended or enlarged, and no structure or manufactured home shall be placed on any lot,

without the owner first having obtained a building permit. No parking lot shall be resurfaced, including seal coats, overlays, slurries, rehabilitations, or reconstructions, without the owner first having obtained a permit. Permits are obtained from City of Portland Development Services located in the Public Works Building, 1101 Moore Avenue.

Q. Will leash-laws apply to my pets? Do I have to get licenses for my animals?
A. Yes. It is unlawful for the owner of any dog to allow a dog to run at large or stray beyond the premises of the owner. All dogs and cats must be immunized against rabies and licensed each year. Licenses can be obtained at the Police Department by showing proof of vaccination or through a local veterinarian.

Q. What code enforcement services will the City provide in the annexed areas?
A. Code Enforcement Officers perform inspections and investigate complaints concerning dangerous buildings, substandard structures, junked motor vehicles, vehicles illegally parked in front and side yards, excessively high grass and weeds, accumulations of trash and debris, miscellaneous animal related violations, illegal dumping, zoning violations, and other general nuisance related violations.

Q. Is the City going to prevent me from shooting fireworks?
A. City ordinance prohibits shooting fireworks within city limits.

Q. Which hunting and firearm regulations apply in annexed areas?
Sec. 229.002 of the Texas Local Government Code states that a municipality may not apply a regulation relating to the discharge of firearms or other weapons in the extraterritorial jurisdiction of the municipality or in an area annexed by the municipality after September 1, 1981, if the firearm or other weapon is:

1) a shotgun, air rifle or pistol, BB gun, or bow and arrow discharged:
    a. on a tract of land of 10 acres or more and more than 150 feet from a residence or occupied building located on another property; and
    b. in a manner not reasonably expected to cause a projectile to cross the boundary of the tract; or
2) a center fire or rim fire rifle or pistol of any caliber discharged:
    a. on a tract of land of 50 acres or more and more than 300 feet from a residence or occupied building located on another property; and
    b. in a manner not reasonably expected to cause a projectile to cross the boundary of the tract.

APPLICATION TO
CITY OF PORTLAND
FOR
DEVELOPMENT AGREEMENT PURSUANT TO §43.035, Local Government Code
FOR AGRICULTURAL, WILDLIFE MANAGEMENT OR TIMBER LAND

Property Owner: _____
(Name on Property Tax Roll)

_____
(Printed Name)

Mailing Address: _____

_____

Property: _____
(Tax Account Number)

_____
(Physical location)

Legal Description: _____
(With Exhibit map
showing Property)

_____

Type of Exemption: _____
(Agricultural, Wildlife Management or Timber)

This form be signed and returned to the address below by November 6, 2015. Upon receipt of this form, the City of Portland will prepare a formal agreement and mail it to you. The formal agreement must be executed and returned to the City of Portland by November 30, 2015.

City of Portland
City Secretary
1900 Billy G. Webb Dr.
Portland, Texas 78374