

**Municipal Service Plan for the Annexation of Land Encompassing
Denton Fresh Water Supply Districts 1-A, 1-B, 1-C, 1-D, 1-E, 1-F, 1-G, and 1-H**

WHEREAS, on November [8], 2021, the City Council (the “City Council”) of the City of Lewisville, Texas (the “City”), approved an amendment (the “Third Amendment”) to the Strategic Partnership Agreement between the City and Denton County Fresh Water Supply Districts 1-A, 1-B, 1-C, 1-D, 1-E, 1-F, 1-G, and 1-H (the “Districts”) dated June 17, 2009, as amended (the “Agreement”), which Third Amendment was previously approved by each of the Districts; and

WHEREAS, the Third Amendment to the Agreement provides for full purpose annexation of the area encompassing the Districts (the “Area”), also known as the Castle Hills Development, into the City on November 15, 2021; and

WHEREAS, Texas Local Government Code (“LGC”) Section 43.056 provides that a municipality shall complete a service plan before annexation of an area that includes a program under which the municipality will provide “full municipal services” (as defined by Section 43.056) in the annexed area no later than 2 ½ years after the effective date of the annexation, unless certain exceptions apply; and

WHEREAS, the City has been providing fire and police services to the Area pursuant to various agreements; and

WHEREAS, the City owns various streets and roadways within the Area that are maintained by District 1-A; and

WHEREAS, District 1-A has been providing water and wastewater services to the Districts through agreements with the City whereby the City owns the water and wastewater improvements and facilities in the Area; and

WHEREAS, the City intends to provide, immediately upon annexation on November 15, 2021, full municipal services, as defined by LGC Section 43.056(c), except that private solid waste collection service providers operating in the affected area immediately prior to annexation and currently providing customers with service may continue to provide their existing service for up to two (2) years pursuant to Section 43.056(n) of the Texas Local Government Code; and

THEREFORE, in accordance with LGC Section 43.056, the City shall provide the following municipal services to the Area immediately upon annexation as follows:

A) SERVICE PLAN GENERALLY

- 1) This service plan (the “Service Plan”) has been prepared in accordance with LGC Sections 43.056 and 43.065. Municipal facilities and services to the annexed Area will be provided or made available on behalf of the City in accordance with the following Service Plan. The City shall provide the annexed Area the levels of services, public infrastructure, and public infrastructure maintenance that are comparable to the levels of services, public infrastructure, and public infrastructure maintenance available in other parts of the City with similar topography, land use, and population density. No part of the annexed Area had a level of services for

operating and maintaining the public infrastructure of the Area superior to the level of services provided within the City prior to annexation.

- 2) For purposes of this Service Plan, to “provide” services includes having services provided by any method or means by which the City provides municipal services to any other areas of the City, and may include causing or allowing private utilities, governmental entities and other public service organizations to provide such services by contract or right, in whole or in part, and may include duties on part of a private landowner with regard to such services.
- 3) The effective date of this Service Plan shall be November 15, 2021 (the “Effective Date”). This Service Plan shall be attached to the ordinance annexing the Area and defining the corporate limits of the City to include the Area and approved as part of that ordinance. On the Effective Date, the City shall provide such services and maintain such facilities as are enumerated below.

B) EMERGENCY SERVICES

1) Police Protection

- a) Police protection from the City of Lewisville Police Department shall be provided to the annexed Area at a level consistent with current methods and procedures presently provided to similar areas on the effective date of annexation. These services include:
 - i) Normal patrol and responses;
 - ii) Handling of complaints and incident reports;
 - iii) Special units, such as traffic enforcement and investigations; and
 - iv) Coordination with other public safety support agencies.
- b) As development expands in the Area, sufficient police protection, including personnel and equipment will be provided to furnish these areas with the level of police services consistent with the characteristics of topography, land utilization and population density of the areas.
- c) Upon ultimate development, police protection will be provided at a level consistent with other similarly situated areas within the City limits.

2) Fire Protection

- a) The Lewisville Fire Department will provide emergency and fire prevention services to the annexed Area. These services include:
 - i) Fire suppression and rescue;
 - ii) Pre-hospital medical services including triage, treatment and transport by Advanced Life Support (ALS) fire engines, trucks and ambulances;
 - iii) Hazardous materials response and mitigation;
 - iv) Emergency prevention and public education efforts;
 - v) Arson investigation;
 - vi) Fire inspection
 - vii) Technical rescue response; and
 - viii) Constriction Plan Review and required inspections.
- b) Fire protection from the City shall be provided to the annexed area at a level consistent with current methods and procedures presently provided to similar

areas of the City on the effective date of annexation.

- c) As development expands in the Area, sufficient, fire protection, including personnel and equipment will be provided to furnish these areas with the level of services consistent with the characteristics of topography, land utilization and population density of the areas. It is anticipated that fire stations planned to service areas currently with the City will be sufficient to serve the annexed Area.
 - d) Upon ultimate development, fire protection will be provided at a level consistent with similarly situated areas within the City limits.
- 3) Emergency Medical Services
- a) The Lewisville Fire Department will provide emergency and safety services to the annexed Area. These services include:
 - i) Emergency medical dispatch and pre-arrival First Aid instructions;
 - ii) Pre-hospital emergency Advanced Life Support (ALS) response; and transport; and
 - iii) Medical rescue services.
 - b) Emergency Medical Services (EMS) from the City of Lewisville shall be provided to the annexed area at a level consistent with current methods and procedures presently provided to similar areas of the City of Lewisville on the effective date of annexation.
 - c) As development expands in these areas, sufficient EMS, including personnel and equipment, will be provided to furnish these areas with the level of services consistent with the characteristics of topography, land utilization and population density of the areas.
 - d) Upon ultimate development, EMS will be provided at a level consistent with similarly situated areas within the City limits.

C) SOLID WASTE

- 1) Solid Waste and Recycling Collection Services will be provided to the annexed Area immediately upon the effective date of the annexation at a level consistent with current methods and procedures presently provided to similar areas within the City. However, in accordance with LGC Section 43.056(n), the City will not, for a period of two years after the effective date of annexation, prohibit the collection of solid waste in the area by a privately owned solid waste management service provider or offer solid waste management services in the area unless a privately owned solid waste management service provider is unavailable. Subject to compliance with LGC Section 43.056(n) and/or following the two-year period thereunder, residential solid waste and recycling collection services will be provided through the City in the same manner and frequency as provided to other areas within the City, which is currently once per week pickup, and commercial businesses will be required to use the City's designated franchise company, which is currently Republic Services.

D) WASTEWATER FACILITIES

- 1) Wastewater services will be provided to the annexed Area immediately upon the effective date of the annexation at a level consistent with current methods and procedures presently provided to similar areas within the City.
- 2) As development expands in the Area, sanitary sewer mains will be extended in accordance with the provisions of the City's codes, ordinances, regulations and policies. City participation in the costs of these extensions shall be in accordance with applicable City codes, ordinances, regulations and policies. Capacity and extensions shall be provided consistent with the characteristics of topography, land utilization and population density of the areas.
- 3) Sanitary sewer mains and lift stations installed or improved to City standards, and accepted by the City, within the annexed area which are located within dedicated easement, rights-of-way, or any other acceptable location approved by the City Manager or her designee, shall be maintained by the City on the effective date of annexation.
- 4) Operation and maintenance of wastewater facilities in the annexed Area that are within the certificated service area of another wastewater utility, if any, will be the responsibility of that utility. Operation and maintenance of private wastewater facilities, if any, in the annexed Area will be the responsibility of the owner.

E) WATER FACILITIES

- 1) Connections to existing City-operated water distribution mains for water will be provided to the Area in accordance with existing City codes, ordinances, regulations and policies. Upon connection to existing City-operated distribution mains, water service will be provided at rates established by City ordinance.
- 2) As development expands in the Area, water distribution mains will be extended in accordance with City codes, ordinances, regulations and policies. City participation in the costs of these extensions shall be in accordance with the City's codes, ordinances, regulations and policies. Water service extensions and capacity shall be provided consistent with the characteristics of topography, land utilization and population density of the area.
- 3) Operation and maintenance of existing water facilities in the annexed Area that are within the service area of another water utility, if any, will be the responsibility of that utility. Operation and maintenance of private water facilities, if any, in the annexed area will be the responsibility of the owner.

F) ROAD AND STREETS

- 1) Emergency roadway/street maintenance shall be provided within the annexed Area upon annexation. Routine maintenance will be provided within the annexed Area and will be scheduled as part of the City's annual program and in accordance with the City's current codes, ordinances, regulations, policies and procedures defined therein and/or as established by the City Council. Private roads/streets and drives shall remain private and not be improved, reconstructed, maintained or serviced by the City.
- 2) Any construction or reconstruction will be considered within the annexed Area on

- a City-wide basis and within the context of the City's Capital Improvement Plan and/or yearly fiscal budgetary allotments by the City Council. As development, improvement or construction of roads/streets to City standards continues within the annexed Area, the policies of the City with regard to participation in the costs thereof, acceptance upon completion and maintenance after completion shall apply.
- 3) Roadway/street signage and associated posts will be replaced in priority of importance starting with regulatory signs, then warning signs, then informational signs and in conformance with fiscal allotments by the City Council. If a sign remains, it will be reviewed and placed on the City's inventory listed for routine replacement. All existing signs will be reviewed for applicability and based upon an engineering study. New signs will be installed when necessary and based upon an engineering study.
 - 4) Routine maintenance of road/street markings will be placed on a priority listing and scheduled within the yearly budgetary allotments by the City Council.
 - 5) The City will coordinate any request for improved road and street lighting with the local electric provider. Any and all road and street lighting will be pursuant to the rules, regulations and fees of such electric utility and shall be maintained by the applicable utility company.

G) ENVIRONMENTAL HEALTH, INSPECTIONS AND CODE ENFORCEMENT SERVICES

- 1) Enforcement of the City's environmental health ordinances and regulations, including but not limited to, weed and brush ordinances, junked and abandoned vehicle ordinances and animal control ordinances, shall be provided within this area sixty (60) days of the effective date of annexation. These ordinances and regulations will be enforced through the use of existing personnel.
- 2) Inspection services including the review of building plans, the issuance of permits and the inspection of all buildings, plumbing, mechanical and electrical work to ensure compliance with City codes and ordinances will be provided after the effective date of annexation. City personnel will provide these services.
- 3) The City's zoning, subdivision, sign and other ordinances shall be enforced in this area beginning upon the effective date of annexation.
- 4) All inspection services furnished by the City of Lewisville, but not mentioned above, will be provided to this area within sixty (60) days of the effective date of annexation.
- 5) As development and construction expands in this Area, sufficient personnel will be provided to furnish this area the same level of environmental health, inspection and code enforcement services as are furnished throughout the City.

H) PLANNING AND ZONING SERVICES

The planning and zoning jurisdiction of the City will extend to this Area upon the effective date of the annexation. City planning will thereafter encompass this property, and it shall be entitled to consideration for zoning in accordance with the City's Zoning Ordinance and Comprehensive Plan.

I) PARKS, PLAYGROUNDS, LIBRARIES, SWIMMING POOLS

- 1) Residents within the annexed Area may utilize all existing public park and public recreation facilities, on the effective date of this annexation. Fees, if any, for such usage shall be in accordance with current fees established by ordinance.
- 2) As development expands in the Area, additional public park and public recreation facilities may be constructed based on park policies defined in the Parks Master Plan and as specified in the City ordinances, regulations, and policies. The general planned locations and classifications of public parks will ultimately serve residents from the current City limits and residents from areas being considered for annexation.

J) PUBLICLY OWNED FACILITIES

Any publicly owned facility, building, or service located within the annexed Area, and not otherwise owned or maintained by another governmental entity, shall be maintained by the City of Lewisville on the effective date of the annexation.

K) OTHER SERVICES

Other services that may be provided by the City, such as municipal and general administration will be made available on the effective date of the annexation. The City will provide levels of services, public infrastructure, and public infrastructure maintenance that are comparable to the levels of services, public infrastructure, and public infrastructure maintenance available in other parts of the City with similar topography, land use, and population density similar to those reasonably contemplated or projected in the Area.

L) CAPITAL IMPROVEMENTS

As of November 15, 2021, the effective date of annexation, no acquisition or construction of capital improvements, as defined by LGC Section 43.056(e), are necessary to provide municipal services adequate to serve the Area.

M) TERM

The Service Plan has a term of 10 years, beginning on the Effective Date and expiring on November 15, 2031, subject to renewal. Renewal of the Service Plan shall be at the sole discretion of the City.