CITY OF MARSHALL

COMMISSION AGENDA INFORMATION SHEET:

MEETING DATE: October 27, 2016

PROJECT: Consider approval of an ordinance amending Chapter 31 of the City Codes of Ordinances, revising the schedule of water rates and sewer rates, providing for monthly charges, and providing an effective date for the rate adjustment. (Public Services Director)

DESCRIPTION: The 2017 Annual Fiscal Budget, as recently approved by the City Commission, included a 1.5% water and sewer rate adjustment to assist in funding utility operations and badly needed capital improvements to our water and wastewater infrastructure. The attached ordinance incorporates the approved rate adjustment and sets an effective date of December 1st, 2016.

For presentation and information purposes only - we have highlighted the rates in the ordinance version attached to this memo to show the old rates and new rates in a side-by-side comparison. A history of rate adjustments over the last six years is listed herein below:

Water Rate Adjusted -
- December 2010 (by 1.0%)
- December 2011 (by 3.4%)
- December 2015 (by 3.0%)
- December 2016 (by 1.5%)

Sewer Rate Adjusted -
- December 2010 (by 1.0%)
- December 2011 (by 3.4%)
- December 2015 (by 3.0%)
- December 2016 (by 1.5%)

The amending rate ordinance is attached hereto.

COST:
N/A – Revenue source

FUNDING:	**Acct. Name & No**	**Original Budget**
	N/A	N/A

RECOMMENDED ACTION:
Approve our request to adopt an Ordinance amending Chapter 31 of the City Codes of Ordinances, revising the schedule of water rates and sewer rates by 1.5%, providing for monthly charges, and providing an effective date of December 1, 2016 for the revised charges. (Public Services Director)

CITY CONTACT: J. C. Hughes, Public Services Director

ATTACHMENTS:
Water & Sewer Amending Rate Ordinance – December 1st, 2016

cc: Finance/City Secretary – Elaine Altman
Water Billing – Yvette Graham
File

ORDINANCE NO._____

AN ORDINANCE AMENDING CHAPTER 31 OF THE CITY CODE OF ORDINANCES, REVISING THE SCHEDULE OF WATER RATES AND SEWER RATES, PROVIDING FOR MONTHLY CHARGES, AND PROVIDING AN EFFECTIVE DATE FOR THE REVISED CHARGES

NOW, BE IT ORDAINED BY THE CITY COMMISSION OF MARSHALL, TEXAS, THAT:

Section 1. That the findings set out in the preamble to this ordinance are hereby in all things approved.

Section 2. That Article I of Chapter 31, Section 1 of the Code of Ordinances of the City of Marshall is hereby repealed in its entirety and that there is hereby adopted in place of said ordinances a new Section 31-1 Chapter 31 of the Code of Ordinances of the City of Marshall, Texas, said section to read as follows:

Section 31-1. Schedule of water rates.

(a) SCHEDULE OF WATER RATES FOR CITY RESIDENTS

(1) Minimum for first 1,000 gallons or less:

		New Rate (Old Rate)
a)	¾ - 5/8" Meter	$ 8.66 (8.53)
b)	1" Meter	$ 12.93 (12.74)
c)	2" Meter	$ 26.01 (25.63)
d)	3" Meter	$ 43.33 (42.69)
e)	4" Meter	$ 86.64 (85.36)
f)	6" Meter	$ 173.29 (170.73)
g)	8" Meter	$ 259.93 (256.09)
h)	10" Meter	$ 346.59 (341.47)
i)	12" Meter	$ 519.86 (512.18)

j) Multiple-Residential units shall be charged a minimum of $8.66 ($8.53 old rate) for each dwelling unit.

k) For Multiple Non-Residential units served by a single meter, each unit shall be charged a monthly minimum based on meter size.

(2) $4.17 ($4.11 old rate) per 1,000 gallons for all over 1,000 gallons.

(b) SCHEDULE OF WATER RATES FOR OUT-OF-CITY CUSTOMERS ON HWY. 43 SOUTH, COOKS ROAD, GRANGEWAY SOUTH, GRANGEWAY ROAD, ROSBOROUGH SPRINGS ROAD, HWY 31. AND BROWN ROAD.

(1) Minimum for first 1,000 gallons or less:

		New Rate (Old Rate)
a)	¾ - 5/8" Meter	$ 10.65 (10.49)
b)	1" Meter	$ 15.28 (15.05)
c)	2" Meter	$ 28.41 (27.99)
d)	3" Meter	$ 49.71 (48.98)
e)	4" Meter	$ 99.43 (97.96)
f)	6" Meter	$191.75 (188.92)
g)	8" Meter	$284.07 (279.87)
h)	10" Meter	$390.61 (384.84)
i)	12" Meter	$568.16 (559.76)

j) Multiple-Residential units shall be charged a minimum of $10.65 ($10.49 old rate) for each dwelling unit.

k) For Multiple Non-Residential units served by a single meter, each unit shall be charged a monthly minimum based on meter size.

(2) $4.45 ($4.38 old rate) per 1,000 gallons for all over 1,000 gallons.

(c) SCHEDULE OF WATER RATES FOR ALL OTHER OUT-OF-CITY CUSTOMERS (out-of-city customer billing is determined by the location of the unit receiving city service, not by the location of the meter).

The Rate shall be double the regular rates for customers within the City Limits.

(d) The City of Marshall reserves the right to negotiate a contract with any customer for water sales and sewer usage at a rate other than those contained herein, should it be in the best interests of the City of Marshall.

Section 3. That Article I of Chapter 31, Section 31-3 of the Code of Ordinances of the City of Marshall is hereby repealed in its entirety and that there is hereby adopted in place of said ordinances a new Section 31-3 Chapter 31 of the Code of Ordinances of the City of Marshall, Texas, said section to read as follows:

Section 31-3. Rates – Sewers.

The following sewer rates shall be charged for each monthly period to all users of the sewer system of the City:

(a) Residential/Apartments/Multiple Family Dwellings:

Applicable to sewer service furnished to each dwelling unit for use as usual in a home:

(1) $11.65 ($11.48 old rate) for the first 1,000 gallons or less.

(2) $4.66 ($4.59 old rate) for each additional 1,000 gallons.

(3) Monthly Basis: Average three (3) month water consumption during the months of December, January and February.

(4) Where a previous history of usage is absent for a particular service location, an estimate will be made based upon the same or similar service provided at other locations within the same neighborhood of the City. This estimate will be used as a monthly basis until an actual service history can be properly determined during the months of (December, January and February).

(5) Where a particular service location is not served directly by City water or water consumption cannot otherwise be determined, the sewer charge will be based on citywide average for that type of service.

(b) Commercial: Applicable to all users other than residential, apartment and multiple family dwelling users:

(1) $11.65 ($11.48 old rate) for the first 1,000 gallons or less.

(2) $4.66 ($4.59 old rate) for each additional 1,000 gallons.

(3) Monthly Basis; based on actual water consumption for each month.

(c) Out-of-City Customers: The rate for customers located outside the city limits will be double the rates for customers within the city limits (out-of-city customer billing is determined by the location of the unit receiving city service, not by the location of the meter).

(d) The City of Marshall reserves the right to negotiate a contract with any customer for water sales and sewer usage at a rate other than those contained herein, should it be in the best interests of the City of Marshall.

Section 4. That the meeting at which this ordinance was passed was conducted in strict compliance with the Texas Open Meetings Act (Texas Government Code Chapter 551).

Section 5. That all other prior ordinances or portions of ordinances of the City of Marshall in conflict with the terms and provisions of this ordinance are hereby repealed to the extent of such conflict only.

Section 6. That the repeal of any ordinance or portion of an ordinance by this ordinance shall not affect the validity of any pending enforcement action or fines outstanding and due and payable on or before the effective date of this ordinance.

Section 7. That if any section, paragraph, subdivision, clause, phrase or provision of this ordinance is hereafter determined to be invalid or in violation of the laws of the State of Texas or the Constitution of the United States by a court of appropriate jurisdiction, such finding of invalidity shall affect the continued enforcement only of the provision or provisions so determined to be invalid, it being the intent of the City Commission of the City of Marshall that all other terms and provisions of this ordinance not affected thereby shall remain in full force and effect.

Section 8. That this ordinance shall be effective on December 1, 2016.

PASSED, APPROVED this 27th day of October, 2016.

AYES: _____

NOES: _____

ABSTAINED: _____

PASSED, APPROVED AND ADOPTED this 10th day of November, 2016.

AYES: _____

NOES: _____

ABSTAINED: _____

APPROVED:

_____
CHAIRMAN OF THE CITY COMMISSION
MARSHALL, TEXAS

ATTEST:

_____
CITY SECRETARY