



# CITY OF PLANO COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		10/27/14		
Department:		Budget & Research		
Department Head		Karen Rhodes-Whitley		
Agenda Coordinator (include phone #): <b>Ben Petty (7146)</b>				
<b>CAPTION</b>				
<p>An Ordinance of the City of Plano, Texas, repealing Ordinance No. 2014-10-7; amending Ordinance No. 2009-2-15 and 2013-10-32 codified as Sections 21-135, 21-136 and 21-147, of Article IV, Service Charges Generally, of Chapter 21, Utilities, of the Code of Ordinances of the City of Plano, to reflect new rates and increase the fee schedules for water and sewer services effective November 1, 2014, and providing a repealer clause, a severability clause, a savings clause, and an effective date.</p>				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input checked="" type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	2014-15	Prior Year (CIP Only)	Current Year	Future Years
		0	0	0
Budget		0	0	0
Encumbered/Expended Amount		0	0	0
This Item		0	0	0
BALANCE		0	0	0
<b>FUND(S):    WATER &amp; SEWER FUND</b>				
<p><b>COMMENTS:</b> Approval of this item will increase Water and Sewer revenues by an estimated \$8,153,110 for FY 2014-15 compared to FY 2013-14 Re-Estimate. The water and sewer rate increase and a change to the consumption rate schedule is included in the FY 2014-15 Water &amp; Sewer Budget.</p> <p><b>STRATEGIC PLAN GOAL:</b> Changes to the Water and Sewer service rates relates to the City's Goal of Financially Strong City with Service Excellence.</p>				
<b>SUMMARY OF ITEM</b>				
<p>It is the recommendation of staff that water rates, sewer rates, as well as separately metered irrigation for both residential and non-residential customers should be increased for all services rendered on or after November 1, 2014.</p>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Ordinance				

**An Ordinance of the City of Plano, Texas, repealing Ordinance No. 2014-10-7; amending Ordinance No. 2009-2-15 and 2013-10-32 codified as Sections 21-135, 21-136 and 21-147, of Article IV, Service Charges Generally, of Chapter 21, Utilities, of the Code of Ordinances of the City of Plano, to reflect new rates and increase the fee schedules for water and sewer services effective November 1, 2014, and providing a repealer clause, a severability clause, a savings clause, and an effective date.**

**WHEREAS**, on February 17, 2009 the City Council of the City of Plano enacted Ordinance No. 2009-2-15 amending the fee schedules for water and sewer service provided in the City; and

**WHEREAS**, on October 28, 2013 the City Council of the City of Plano enacted Ordinance No. 2013-10-32 amending the fee schedules for water and sewer service provided in the City; and

**WHEREAS**, on October 13, 2014 the City Council of the City of Plano enacted Ordinance No. 2014-10-7 to further amend the fee schedules for water and sewer service provided in the City; and

**WHEREAS**, it is necessary to repeal Ordinance No. 2014-10-7 as it incorrectly states certain rates; and

**WHEREAS**, staff recommends adopting this ordinance to reflect the correct rates; and

**WHEREAS**, upon consideration of the presentation and the recommendations contained therein, the City Council is of the opinion that the water rates for both residential and non-residential customers should be increased by ten percent (10%) for the minimum charge and for all usage above 1,000 gallons up to 30,000 gallons. For residential water customers, all usage above 30,000 gallons will be charged \$7.50 per 1,000 gallons. Sewer rates for both residential and non-residential customers should be increased by two and a half percent (2.5%) for the minimum charge and for all usage above 1,000 gallons; and

**WHEREAS**, the City Council further finds and determines that the fee increases are necessary and in the best interest of the City and its citizens.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:**

**Section I.** Ordinance No. 2014-10-7 is hereby repealed in its entirety.

**Section II.** *Section 21-135, Sewer Charges-Residential, of Article IV, Service Charges Generally, of Chapter 21, Utilities, of the Code of Ordinances of the City of Plano, is hereby amended to read in its entirety as follows:*

**“Sec. 21-135. Sewer charges - Residential.**

Monthly sewer charges for the residential connections to the sanitary sewer collection system shall be based upon the minimum charge and the metered water amounts and shall be as follows:

*Rates effective November 1, 2014*

- (1) Monthly sewer charges for residential connections to the sanitary sewer collection system shall be based upon the minimum charge and the **winter quarter average calculations**.
  - a. Winter quarter averaging is a method for determining residential sewer use based on winter quarter averages from up to three (3) consecutive winter periods. The winter average for each year is calculated based on the water consumption during a minimum of three (3) billed winter months or the three (3) lowest of the four (4) billed winter months (December, January, February, and March).
  - b. To determine the three year average, the calculated averages for each year will be combined and divided by three (3).
  - c. Residential customers whose water account has been established for less than three winter periods will be assessed based on the period of average for one or two years.
  - d. Residential customers, whose water account has not been established for at least three (3) billed months of the current winter period, will be charged based upon the average three-year residential winter quarter average citywide until an accurate winter average is available.
  
- (2) **All residential.** (Includes but is not limited to single family homes, individually metered multi-family units, patio homes, town homes and all other separately metered residential dwellings).
  - a. Minimum charge.
    1. All meter sizes..... \$12.55
  - b. Consumption charges.
    1. First 1,000 gallons included in meter charge (minimum bill).
    2. All over 1,000 gallons (per 1,000 gallons) ..... \$4.37
  - c. There will be no sewer charges for water consumed through separately metered landscape irrigation systems.”

**Section III.** *Section 21-136, Sewer Charges-Non-Residential, of Article IV, Service Charges Generally, of Chapter 21, Utilities, of the Code of Ordinances of the City of Plano, is hereby amended to read in its entirety as follows:*

**“Sec. 21-136. Sewer charges-Non-residential.**

Monthly sewer charges for non-residential connections to the sewer collection system shall be based upon the size of the water meter and the metered water amounts and shall be as follows:

*Rates effective November 1, 2014*

(1) **All non-residential.** (Includes but is not limited to commercial, schools, churches, homeowners associations, mobile home park, industrial, apartment complexes, cooling towers and any other non-residential use).

a. Minimum charge

1. 5/8 and 3/4 inch .....	\$12.55
2. 1 inch .....	24.48
3. 1 1/2 inch .....	44.27
4. 2 inch .....	68.08
5. 3 inch .....	131.49
6. 4 inch .....	202.79
7. 6 inch .....	400.97
8. 8 inch .....	596.66
9. 10 inch .....	916.21

b. Consumption charges

1. First 1,000 gallons included in meter charge (minimum bill).	
2. All over 1,000 gallons (per 1,000 gallons) .....	\$4.37

c. Maximum charge (cap) effective for cooling towers and commercial swimming pools is 12,000 gallons.

d. There will be no sewer charges for water consumed through separately metered landscape irrigation systems.”

**Section IV.** *Section 21-147, Water Charges, of Article IV, Service Charges Generally, of Chapter 21, Utilities, of the Code of Ordinances of the City of Plano, is hereby amended to read in its entirety as follows:*

“For Services Rendered on or after November 1, 2014:

**Sec. 21-147. Water charges.**

(1) **All residential.** (Includes but is not limited to single family homes, and separately metered multi-family units, patio homes, town homes, condominiums and all other residential dwellings.)

- a. Minimum charge.
  - 1. Up to 3/4 inch..... \$20.48
  - 2. 1 inch..... 20.48
  - 3. 1 1/2 inch..... 90.65
  - 4. 2 inch..... 143.07

- b. Consumption charges.
  - 1. First 1,000 gallons included in meter charge (minimum bill).
  - 2. 1,001 – 5,000 gallons (per 1,000 gallons)..... \$0.54
  - 3. 5,001 – 20,000 gallons (per 1,000 gallons)..... 2.77
  - 4. 20,001 – 30,000 gallons (per 1,000 gallons)..... 5.53
  - 5. All over 30,000 gallons (per 1,000 gallons)..... 7.50

(2) All **non-residential**. (Includes, but is not limited to commercial, schools, churches, homeowners associations, mobile home parks, industrial, apartment complexes, cooling towers and any other non-residential use.)

- a. Minimum charge.
  - 1. Up to 3/4 inch..... \$20.48
  - 2. 1 inch..... 46.27
  - 3. 1 1/2 inch..... 90.65
  - 4. 2 inch..... 143.07
  - 5. 3 inch..... 282.81
  - 6. 4 inch..... 440.18
  - 7. 6 inch..... 877.09
  - 8. 8 inch.....1,401.38
  - 9. 10 inch.....2,013.21

- b. Consumption charges.
  - 1. First 1,000 gallons included in meter charge (minimum bill).
  - 2. 1,001- 5,000 gallons (per 1,000 gallons)..... \$0.54
  - 3. All over 5,000 gallons (per 1,000 gallons)..... 2.77

(3) **Separately metered irrigation use.**

- a. Minimum charge.
  - 1. Up to 3/4 inch..... \$20.48
  - 2a. 1 inch (Residential)..... 20.48
  - 2b. 1 inch (Commercial)..... 46.27
  - 3. 1 1/2 inch..... 90.65
  - 4. 2 inch..... 143.07
  - 5. 3 inch..... 282.81
  - 6. 4 inch..... 440.18

7.	6 inch.....	877.09
8.	8 inch.....	1,401.38
9.	10 inch.....	2,013.21

b. Consumption charges.

1.	First 1,000 gallons included in meter charge (minimum bill).	
2.	1,001- 5,000 gallons (per 1,000 gallons).....	\$0.54
3.	5,001 – 20,000 gallons (per 1,000 gallons).....	2.77
4.	All over 20,000 gallons (per 1,000 gallons).....	5.53”

**Section V.** Any provision of any Ordinance of the City of Plano, codified or uncodified, in conflict with the provisions of this Ordinance is hereby repealed, and all other provisions of the ordinances of the City of Plano, codified or uncodified, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**Section VI.** It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance.

**Section VII.** The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any Ordinances at the time of passage of this Ordinance.

**Section VIII.** This Ordinance shall become effective November 1, 2014.

**DULY PASSED AND APPROVED** this the 27th day of October, 2014.

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Harry LaRosiliere, MAYOR

ATTEST:

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Lisa C. Henderson, City Secretary

**APPROVED AS TO FORM:**

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Paige Mims, City Attorney