



**CITY OF PLANO
COUNCIL AGENDA ITEM**

CITY SECRETARY'S USE ONLY				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		10/25/2010		
Department:		Customer & Utility Services		
Department Head		Mark Israelson		
Agenda Coordinator (include phone #): Eric Ellwanger X5128				
CAPTION				
<p>An Ordinance of the City of Plano, Texas, amending specific sections of Ordinance No. 2010-9-5 codified as Section 21-147, of Article IV, Service Charges Generally, of Chapter 21, Utilities, of the Code of Ordinances of the City of Plano to clarify the water rate schedule as provided in Section 21-147(1)(b)(3) for residential customers and Section 21-147(3)(b)(3) for customers with separately metered irrigation systems, and distinguish fees for residential and commercial customers with 1-inch metered irrigation use under Section 21-147(3)(a) effective November 1, 2010, and providing a repealer clause, a severability clause, a savings clause, and an effective date.</p>				
FINANCIAL SUMMARY				
<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: 10/11	Prior Year (CIP Only)	Current Year	Future Years	TOTALS
Budget	0	0	0	0
Encumbered/Expended Amount	0	0	0	0
This Item	0	0	0	0
BALANCE	0	0	0	0
FUND(S): WATER & SEWER (041)				
COMMENTS: Approval of this item will clarify sections of the water rate schedule as passed in Ordinance 2010-9-5. This amendment will have no impact to the FY 2010-11 Water & Sewer Budget.				
SUMMARY OF ITEM				
STRATEGIC PLAN GOAL: Changes to Water & Sewer Service Rates and Fees relate to the City's Goal of "Financially Strong City with Service Excellence".				
List of Supporting Documents: Ordinance 2010-9-5 Amendment Memo			Other Departments, Boards, Commissions or Agencies	

Memo

Date: 10/13/2010

To: Mark Israelson, Assistant City Manager

From: Eric Ellwanger, Customer & Utility Services Manager

RE: Ordinance 2010-9-5 Amendment Memo

Ordinance 2010-9-5 that was passed by City Council on 9/13/2010 had three separate typographical errors in the Water Rate Schedules as presented. Outlined below are the three errors and their corrections. The amended Ordinance with the corrections as outlined below will be sent to City Council on 10/25/2010.

- The third tier of consumption charges for both residential and separately metered irrigation use were mislabeled as "All over 5,000 gallons" when they should have been labeled "5,001--20,000 gallons".
- Separately metered irrigation use minimum charges for a 1 inch meter have historically been differentiated between residential and commercial use. The amended ordinance adds a line to distinguish between a 1 inch residential meter and a 1 inch commercial meter.

An Ordinance of the City of Plano, Texas, amending specific sections of Ordinance No. 2010-9-5 codified as Section 21-147, of Article IV, Service Charges Generally, of Chapter 21, Utilities, of the Code of Ordinances of the City of Plano to clarify the water rate schedule as provided in Section 21-147(1)(b)(3) for residential customers and Section 21-147(3)(b)(3) for customers with separately metered irrigation systems, and distinguish fees for residential and commercial customers with 1-inch metered irrigation use under Section 21-147(3)(a) effective November 1, 2010, and providing a repealer clause, a severability clause, a savings clause, and an effective date.

WHEREAS, on September 13, 2010 the City Council of the City of Plano enacted Ordinance No. 2010-9-5 amending the fee schedules for water service provided in the City; and

WHEREAS, it is necessary to clarify the water rate schedule as provided in Section 21-147(1)(b)(3) for residential customers and Section 21-147(3)(b)(3) for customers with separately metered irrigation systems, and distinguish fees for residential and commercial customers with 1-inch metered irrigation use under Section 21-147(3)(a) effective November 1, 2010.

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

Section I. *Effective November 1, 2010, Section 21-147(1)(b) of Ordinance No. 2010-9-5 codified as Section 21-147, of Article IV, Service Charges Generally, of Chapter 21, Utilities, of the Code of Ordinances of the City of Plano is revised to read as follows:*

“Sec. 21-147. Water charges.

- b. Consumption charges.
 - 1. First 1,000 gallons included in meter charge (minimum bill).
 - 2. 1,001--5,000 gallons (per 1,000 gallons)..... \$0.39
 - 3. 5,001--20,000 gallons (per 1,000 gallons)..... 2.01
 - 4. All over 20,000 gallons (per 1,000 gallons)..... 4.02”

Section II. *Effective November 1, 2010, Sections 21-147(3)(a) and 21-147(3)(b) of Ordinance No. 2010-9-5 codified as Section 21-147, of Article IV, Service Charges Generally, of Chapter 21, Utilities, of the Code of Ordinances of the City of Plano are hereby revised to read as follows:*

“(3) Separately metered irrigation use.

- a. Minimum charge.
 - 1. 5/8 and 3/4 inch..... \$16.93
 - 2. 1 inch (Residential)..... 16.93
 - 3. 1 inch (Commercial)..... 38.24
 - 4. 1 1/2 inch..... 74.92
 - 5. 2 inch..... 118.24
 - 6. 3 inch..... 233.73
 - 7. 4 inch..... 363.78
 - 8. 6 inch..... 724.86
 - 9. 8 inch..... 1158.16
 - 10. 10 inch..... 1663.81

- b. Consumption charges.
 - 1. First 1,000 gallons included in meter charge (minimum bill).
 - 2. 1,001--5,000 gallons (per 1,000 gallons)..... \$0.39
 - 3. 5,001--20,000 gallons (per 1,000 gallons)..... 2.01
 - 4. All over 20,000 gallons (per 1,000 gallons)..... 4.02”

Section III. 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 IV. 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 V. 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 VI. This Ordinance shall become effective immediately upon its passage.

DULY PASSED AND APPROVED this the 25th day of October, 2010.

Phil Dyer, MAYOR

ATTEST:

Diane Zucco, City Secretary

APPROVED AS TO FORM:

Diane C. Wetherbee, City Attorney