

One-reading Ordinance amending Corpus Christi Code Section 55-100 regarding wastewater rates effective January 1, 2025

Whereas, the City of Corpus Christi last amended its utility rates which took effect January 1, 2024;

Whereas, the City Council has received presentation on proposed amendments to the utility rates to be effective January 1, 2025 and finds that the proposed rates are just and reasonable and rely upon reasonable methodologies to allocate costs of providing service in calculating the cost of service;

Now, therefore, be it ordained by the City Council for the City of Corpus Christi, Texas:

Section 1. The City Council specifically finds that the foregoing statements included in the preamble of this ordinance are true and correct and adopts such findings for all intents and purposes related to the authorization of this ordinance.

Section 2. That the City Code Section 55-100 is amended to revise wastewater rates as shown in redline text as follows on attached and incorporated **Exhibit A**.

Section 3. The rates as amended by this Ordinance are determined to be just and reasonable. In addition, the rates are not unreasonably preferential, prejudicial, or discriminatory but are sufficient, equitable, and consistent in application to each class of customers.

Section 4. If for any reason any section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance, for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

Section 5. Publication shall be made in the official publication of the City of Corpus Christi as required by the City Charter of the City of Corpus Christi.

Section 6. This rates as amended by this ordinance take effect January 1, 2025.

Section 7. Upon written request of the Mayor or five City Council members, copy attached, the City Council: (1) finds and declares an emergency due to the need for immediate action necessary for the efficient and effective administration of City's affairs and (2) suspends the Charter rule that requires consideration of and voting upon ordinances at two regular meetings so that this ordinance is passed and takes effect upon first reading as an emergency measure on this 17th day of September, 2024.

ATTEST:

CITY OF CORPUS CHRISTI

Rebecca Huerta
City Secretary

Paulette Guajardo
Mayor

Corpus Christi, Texas

_____ day of _____, 2024

TO THE MEMBERS OF THE CITY COUNCIL
Corpus Christi, Texas

For the reasons set forth in the emergency clause of the foregoing ordinance, an emergency exists requiring suspension of the Charter rule as to consideration and voting upon ordinances at two regular meetings. I/we, therefore, request that you suspend said Charter rule and pass this ordinance finally on the date it is introduced or at the present meeting of the City Council.

Respectfully,

Respectfully,

Paulette Guajardo
Mayor

Council Members

The above ordinance was passed by the following vote:

Paulette Guajardo	_____
Roland Barrera	_____
Sylvia Campos	_____
Gil Hernandez	_____
Michael Hunter	_____
Jim Klein	_____
Mike Pusley	_____
Everett Roy	_____
Dan Suckley	_____

Sec. 55-100. Schedule.

- (a) The monthly charge to be paid by users of wastewater service furnished by the city's municipal sewer system, except as otherwise provided in articles VII and XI of chapter 55, shall be based on the amount of water used by the user according to the following rates:

Classification—Residential	Usage Effective January 1, 2024⁵
Inside city limits	
One-family minimum monthly charge (first 2,000 gallons)	\$33.58 <u>35.11</u>
One-family per 1,000 gallons over 2,000	\$7.02 <u>8.07</u>
Inside city limits	
One-family maximum monthly charge (up to 25,000 gallons)	\$195.04 <u>220.72</u>
Outside city limits	
One-family minimum monthly charge (first 2,000 gallons)	\$41.99 <u>30.05</u>
One-family per 1,000 gallons over 2,000	\$11.06 <u>8.07</u>
Outside city limits	
One-family maximum monthly charge (up to 25,000 gallons)	\$296.37 <u>216.16</u>
Classification—Commercial	Effective January 1, 2024⁵
Inside city limits	
Commercial minimum monthly charge (first 2,000 gallons)	\$46.10
Inside city limits	
Commercial per 1,000 gallons over 2,000	\$7.02 <u>8.07</u>
Outside city limits	
Commercial minimum monthly charge (first 2,000 gallons)	\$57.63 <u>39.45</u>
Outside city limits	
Commercial per 1,000 gallons over 2,000	\$11.06 <u>8.07</u>

- (b) By May 1, 2020, the amount of water used to compute the monthly bills for wastewater service to one-family residential customers shall be computed on the basis of the "winter quarter average usage" that is calculated pursuant to this subsection and every year thereafter.

(1) *Definitions.*

- a. *Winter quarter averaging wastewater charge period:* The period of water and wastewater service during the three (3) preceding winter quarter months of December, January and February. The initial winter quarter averaging wastewater charge period occurs during the months December 2019 through March 2020.
- b. *Winter quarter average usage:* The monthly wastewater usage established by the city during the "winter quarter averaging wastewater charge period" based upon the customer's thirty-day average water consumption during that period.
- c. *Interim residential average usage:* The monthly wastewater usage established by the city for individual customers who have not established a "winter quarter average usage". The "interim

average" is calculated annually based on the average "winter quarter average usage" for all residential customers during the "winter quarter averaging wastewater charge period" as determined each year, and is the basis for monthly wastewater charges until a "winter quarter average usage" as defined in subsection (b)(1)b. of this section is established for the individual customer.

- d. *Service area*: The geographic region served by the city's wastewater system.
- (2) *Winter quarter average criteria*.
- a. The customer must receive wastewater service at one (1) location during the entire winter quarter averaging wastewater charge period in order to establish a "winter average usage".
 - b. "Winter quarter average usage" charges shall apply to one-family residential customers only.
 - c. The following method will be used to calculate the customer's "winter quarter average usage":
 - 1. Add the customer's water consumption during the winter quarter averaging wastewater charge period to determine total winter quarter consumption.
 - 2. Divide total winter quarter consumption amount by the number of days between the reading in December and the latest reading in March to determine the average daily usage. In the event a reading in December does not exist, the most recent prior reading will be utilized.
 - 3. Multiply the average daily usage by thirty (30) to determine winter quarter average usage. Such winter quarter average usage shall be limited to a maximum of twenty-five thousand (25,000) gallons.
 - d. The following method will be used to calculate the customer's monthly wastewater charge: apply the applicable wastewater rates established in subsection (a) to calculate the customer's monthly wastewater charge. The adjusted rate that applies to service on and after May 1 will reflect wastewater usage based on the previous "winter quarter averaging wastewater charge period." A new winter quarter average usage shall be calculated by May 1 annually based upon the amount of water used during the winter quarter averaging wastewater charge period.
 - e. New and relocating customers; adjustments:
 - 1. Customers new to the service area, who have not established a "winter quarter average", shall be billed at the "interim average" rate.
 - 2. Customers who are relocating within the service area, who established a "winter quarter average" at their previous address, shall be billed at the "interim average rate" or their "winter quarter average" rate at the previous address, whichever is less.
 - 3. Customers who are relocating within the service area, who have not established a "winter quarter average" at their previous address, shall be billed at the "interim average" rate.
 - 4. When a customer experiences a substantial increase in water or wastewater usage from hidden water leaks in the plumbing system during the winter quarter average charge period, and if the customer can produce proof of repairs, the director of water utilities or the director's designee may adjust the wastewater bill.
 - f. The city will begin in March 2020 to implement winter quarter averaging as soon as the city billing system has been programmed to calculate the wastewater bills utilizing winter quarter average usage.
- (c) The rates established in subsection (a) of this section are based upon water consumption for wastewater service customers with wastewater characteristics of five hundred sixty-two (562) parts per million or less by

weight of chemical oxygen demand index, two hundred fifty (250) parts per million or less by weight of biochemical oxygen demand index, and two hundred fifty (250) parts per million or less by weight of suspended solids index. If the wastewater characteristics exceed any of these parameters, the customer shall pay additional abnormal wastewater surcharges as provided in section 55-148.

- (d) Due to the extreme cold weather event in February 2021, the wastewater winter quarter average usage (WQA) will not be recalculated in 2021. Instead, the amount previously calculated as the WQA in 2020 will be used as the WQA for wastewater service in May 2021 through April 2022. A customer may request a review and adjustment of their WQA calculation on a case-by-case basis if they have objection to use of their 2020 WQA.

(Code 1958, § 38-49; Ord. No. 9863, § 1, 7-29-1970; Ord. No. 11612, § 1, 8-8-1973; Ord. No. 12209, § 1, 8-7-1974; Ord. No. 12656, § 1, 6-25-1975; Ord. No. 13860, § 1, 8-3-1977; Ord. No. 15700, § 1, 8-13-1980; Ord. No. 16448, § 1, 8-12-1981; Ord. No. 17156, § 1, 7-28-1982; Ord. No. 17763, § 1, 8-3-1983; Ord. No. 18352, § 1, 7-24-1984; Ord. No. 18940, § 1, 7-23-1985; Ord. No. 19403, § 1, 7-29-1986; Ord. No. 20412, § 1, 7-26-1988; Ord. No. 20748, § 1, 8-8-1989; Ord. No. 21001, § 1, 10-9-1990; Ord. No. 21440, § 1, 7-21-1992; Ord. No. 21662, § 1, 5-25-1993; Ord. No. 21671, § 1, 6-8-1993; Ord. No. 21814, §§ 1(e), (f), 12-14-1993; Ord. No. 21965, § 1, 6-14-1994; Ord. No. 22743, § 1, 11-12-1996; Ord. No. 23706, § 1, 7-20-1999; Ord. No. 24132, § 1, 7-25-2000; Ord. No. 24531, § 1e, 7-24-2001; Ord. No. 24969, § 6, 7-23-2002; Ord. No. 25396, § 6, 7-22-2003; Ord. No. 025866, § 5, 7-27-2004; Ord. No. 026368, § 5, 7-26-2005; Ord. No. 026900, § 5, 7-25-2006; Ord. No. 027355, § 5, 7-24-2007; Ord. No. 027781, § 7, 7-22-2008; Ord. No. 028256, § 5, 7-28-2009; Ord. No. 028690, § 1, 7-20-2010; Ord. No. 029160, § 3, 7-26-2011; Ord. No. 029917, § 7, 7-30-2013; Ord. No. 030242, § 4(Exh. A), 7-29-2014; Ord. No. 030295, § 5, 9-23-2014; Ord. No. 030605, § 4, 9-8-2015; Ord. No. 031244, § 2, 9-12-2017; Ord. No. 031874, § 1, 9-17-2019; Ord. No. 032093, § 1, 4-21-2020; Ord. No. 032421, § 1, 4-27-2021; Ord. No. 032552, § 2, 9-7-2021; Ord. No. 032854, § 1, 9-6-2022; Ord. No. 033149, § 2, 9-5-2023)