

Ordinance amending the Code of Ordinances, City of Corpus Christi, Chapter 55, regarding water, gas, wastewater, and street maintenance rates and fees; consolidating, codifying, and adopting clarifying amendments of Ordinance No. 029876 and Ordinance No. 029877 regarding street maintenance fees; providing for publication, providing for severance, and providing effective date.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:

SECTION 1. Section 55-50 of the Code of Ordinances regarding water rates is revised to read as follows:

Sec. 55-50. Schedule.

(a) *Base rates for water service.* The rates for water service are as follows:

(1) Monthly minimum charges.

a. *Metered treated water customers.*

1. Inside city limits ("ICL"):

Meter Size (Inches)	August 1, 2012 to July 31, 2013	August 1, 2013 to July 31, 2014
Residential		
5/8—3/4	\$ 8.72	<u>\$8.89</u>
Commercial		
5/8—3/4	12.58	<u>12.83</u>
Residential and Commercial		
1	18.87	<u>19.25</u>
1½	31.46	<u>32.09</u>
2	62.90	<u>64.16</u>

3	100.64 <u>102.65</u>
4	201.29 <u>205.32</u>
6	314.52 <u>320.81</u>
8 and larger	629.03 <u>641.61</u>
Large Volume	
Any size	16,349.00 <u>16,676.00</u>
Temporary construction	
1	18.87 <u>19.25</u>
1½	31.46 <u>32.09</u>
2	62.90 <u>64.16</u>

2. Outside city limits ("OCL"):

Meter Size (Inches)	August 1, 2012-2013 to July 31, 2013 <u>2014</u>
Residential	
5/8—¾	\$ 10.46 <u>10.67</u>

Commercial	
5/8—¾	45.10 <u>15.40</u>
Residential and Commercial	
1	22.64 <u>23.10</u>
1½	37.75 <u>38.51</u>
2	75.48 <u>76.99</u>
3	120.77 <u>123.18</u>
4	241.55 <u>246.38</u>
6	377.42 <u>384.97</u>
8 and larger	754.84 <u>769.93</u>
Large Volume	
Any size	27,279.00 <u>27,825.00</u>
Temporary construction	
1	22.64 <u>23.09</u>
1½	37.75 <u>38.51</u>

2	75.48 <u>76.99</u>
---	-------------------------------

b. *Untreated water customers.*

	August 1, 2012 2013 to July 31, 2013 2014
Minimum monthly service charge, water districts/ municipalities with raw water supply contracts executed after January 1, 1997	\$390.28 <u>\$398.09</u> ¹
Minimum monthly service charge for public agency for resale untreated water without a raw water supply contract executed after January 1, 1997 ¹	237.70 <u>242.45</u>
Minimum monthly service charge, industrial	390.28 <u>398.09</u>
Minimum monthly service charge, domestic	13.00 <u>13.26</u>
Minimum annual service charge, domestic	130.09 <u>132.69</u>
Minimum monthly service charge, agricultural irrigation water service	195.00 <u>198.90</u>
Minimum monthly service charge, temporary construction water service	260.00 <u>265.20</u>
Minimum monthly service charge, temporary large volume industrial untreated water customers obtaining water, which is under contract to the city, from a reservoir under the exclusive control of a river authority	1,500.00 <u>1530.00</u>

¹Minimum monthly charge for public agency for resale untreated water customer without a raw water supply contract executed after January 1, 1997: If the charge based on the volume of water taken in a monthly billing period is less than \$237.70, the customer shall be billed \$237.70, unless a valid water supply contract between the customer and city that was executed prior to

January 1, 1997, provides for a minimum annual payment. If a valid water supply contract between the customer and city executed prior to August 1, 2000, provides for a minimum annual payment, the customer shall pay the minimum annual payment under the contract.

c. Blended water customers.

	August 1, 2012 2013 to July 31, 2013 2014
Any size	\$27,279.00 <u>27,825.00</u>

(2) Monthly volume charges per 1,000 gallons.

a. Residential rate.

1. Inside city limits:

	August 1, 2012 2013 to July 31, 2013 2014
First 2,000 Gallons	Minimum*
Next 4,000 Gallons	\$4.172 <u>4.495</u>
Next 4,000 Gallons	5.215 <u>5.619</u>
Next 5,000 Gallons	5.997 <u>6.462</u>
Next 15,000 Gallons	7.304 <u>7.867</u>
Next 20,000 Gallons	8.865 <u>9.553</u>
Next 50,000 Gallons	9.648 <u>10.395</u>
Over 100,000 Gallons	10.430 <u>11.238</u>

*Use the minimum charges in subsection (a)(1).

2. Outside city limits:

	August 1, 2012 2013 to July 31, 2013 2014
First 2,000 Gallons	Minimum*
Next 4,000 Gallons	\$1.695 <u>1.949</u>
Next 4,000 Gallons	2.119 <u>2.436</u>
Next 5,000 Gallons	2.437 <u>2.802</u>
Next 15,000 Gallons	2.967 <u>3.411</u>
Next 20,000 Gallons	3.602 <u>4.142</u>
Next 50,000 Gallons	3.920 <u>4.507</u>
Over 100,000 Gallons	4.238 <u>4.872</u>

*Use the minimum charges in subsection (a)(1).

b. Commercial rate.

1. Inside city limits:

	August 1, 2012 2013 to July 31, 2013 2014
First 2,000 Gallons	Minimum*
Over 2,000 Gallons	\$5.172 <u>5.662</u>

*Use the minimum charges in subsection (a)(1).

2. Outside city limits:

	August 1, 2012 2013 to July 31, 2013 2014
First 2,000 Gallons	Minimum*
Over 2,000 Gallons	\$2.412 <u>2.854</u>

*Use the minimum charges in subsection (a)(1).

c. Golf course and athletic field irrigation water inside city limits.

	August 1, 2012 2013 to July 31, 2013 2014
First 2,000 Gallons	Minimum*
Over 2,000 Gallons	\$2.542 <u>2.951</u>

*Use the minimum charges in subsection (a)(1) for ICL customer.

d. Residential irrigation water on separate meter.

1. Inside city limits:

Meter Size (Inches)	August 1, 2012 2013 to July 31, 2013 2014
First 2,000 Gallons	Minimum*
Next 4,000 <u>15,000</u> Gallons	\$ 7.304 <u>7.867</u>
Next 4,000 <u>20,000</u> Gallons	8.865 <u>9.553</u>

Next 5,000 <u>50,000</u> Gallons	9.648 <u>10.395</u>
Over 15,000 <u>87,000</u> Gallons	10.430 <u>11.238</u>

2. Outside city limits

Meter Size (Inches)	August 1, 2012 <u>2013</u> to July 31, 2013 <u>2014</u>
First 2,000 Gallons	Minimum*
Next 4,000 <u>15,000</u> Gallons	\$4.671 <u>3.411</u>
Next 4,000 <u>20,000</u> Gallons	6.235 <u>4.142</u>
Next 5,000 <u>50,000</u> Gallons	7.018 <u>4.507</u>
Over 15,000 <u>87,000</u> Gallons	7.800 <u>4.872</u>

e. Resale treated water rates.

1. Treated water rates purchased for resale where the water is taken and metered at the site of treatment are hereby set as follows:

	August 1, 2012 <u>2013</u> to July 31, 2013 <u>2014</u>
First 2,000 Gallons	Minimum*
Over 2,000 Gallons	\$.870 <u>1.008</u>

*Use the minimum charges in subsection (a)(1).

2. Treated water rates purchased for resale where the water is delivered to the resale entity through city facilities are hereby set as follows:

	August 1, 2012 2013 to July 31, 2013 2014
First 2,000 Gallons	Minimum*
Over 2,000 Gallons	\$1.493 <u>1.628</u>

*Use the minimum charges in subsection (a)(1).

f. *Large volume treated water customers.* A commercial treated water customer who agrees to pay for a minimum of ten million (10,000,000) gallons of treated water per month is considered a large volume treated water customer. Once a customer has elected to become a large volume treated water customer, the customer will be billed as a large volume treated water customer until the customer notifies the city and requests reclassification as a commercial customer in writing. However, a commercial customer may not elect to become a large volume treated water customer more than once in any twelve-month period.

1. Inside city limits:

	August 1, 2012 2013 to July 31, 2013 2014
First 10,000,000 Gallons	Minimum*
Each Additional 1,000 Gallons	\$3.597 <u>4.067</u>

*Use the minimum charges in subsection (a)(1).

2. Outside city limits:

	August 1, 2012 2013 to July 31, 2013 2014
First 10,000,000 Gallons	Minimum*
Each Additional 1,000 Gallons	\$1.493 <u>1.628</u>

*Use the minimum charges in subsection (a)(1).

g. *Large volume blended water customers.* A commercial blended water customer who agrees to purchase a minimum of ten million (10,000,000) gallons of blended water per month is considered a large volume blended water customer.

1. Inside city limits:

	August 1, 2012 2013 to July 31, 2013 2014
First 10,000,000 Gallons	Minimum*
Each Additional 1,000 Gallons	\$2.679 <u>2.779</u>

*Use the minimum charges in subsection (a)(1).

2. Outside city limits:

	August 1, 2012 2013 to July 31, 2013 2014
First 10,000,000 Gallons	Minimum*
Each Additional 1,000 Gallons	\$0.049 <u>0.069</u>

*Use the minimum charges in subsection (a)(1).

3. Peaking factor [To be determined.]

h. *Temporary water service.*

1. Treated water.

A. Inside city limits:

	August 1, 2012 2013 to July 31, 2013 2014
--	--

First 2,000 Gallons	Minimum*
Over 2,000 Gallons	\$5.472 <u>5.662</u>

*Use the minimum charges in subsection (a)(1).

B. Outside city limits:

	August 1, 2012 <u>2013</u> to July 31, 2013 <u>2014</u>
First 2,000 Gallons	Minimum*
Over 2,000 Gallons	\$2.412 <u>2.854</u>

*Use the minimum charges in subsection (a)(1).

2. Untreated water.

A. Inside city limits:

	August 1, 2012 <u>2013</u> to July 31, 2013 <u>2014</u>
First 2,000 Gallons	Minimum*
Over 2,000 Gallons	2 x RWCA

*Use the minimum charges in subsection (a)(1).

B. Outside city limits:

	August 1, 2012 <u>2013</u> to July 31, 2013 <u>2014</u>
First 2,000 Gallons	Minimum*

Over 2,000 Gallons	2 x RWCA
--------------------	----------

*Use the minimum charges in subsection (a)(1).

i. *Agricultural irrigation water outside city limits.*

	August 1, 2012 2013 to July 31, 2013 2014
First 2,000 Gallons	Minimum*
Over 2,000 Gallons	2 x RWCA

*Use the minimum charges in subsection (a)(1).

j. *Public agency for resale untreated water rates.* The rates for the purchase of untreated water purchased by a public agency, which does not have a raw water supply contract with the city executed after January 1, 1997, is the average of the monthly raw water cost adjustments, established under subsection (b) of this section, for the period used to determine the composite cost of untreated water under the city's current contract with the public agency.

k. Temporary large volume industrial untreated water customers obtaining water, which is under contract to the city, from a reservoir under the exclusive control of a river authority.

	August 1, 2012 2013 to July 31, 2013 2014
First acre foot or fraction thereof	Minimum*
Over acre foot	\$1,100.00 per acre foot or fraction thereof

*Use the minimum charges in subsection (a)(1).

(b) *Raw water cost adjustment (RWCA)*. In addition to the charges for the base rates for water service, established in subsection (a), a separate charge for the costs of raw water, the RWCA, will be added to each consumer's bill, except public agency for resale untreated water customers without a raw water supply contract executed after January 1, 1997. (A public agency for resale untreated water customer without a raw water supply contract executed after January 1, 1997, will pay the lower of the composite cost, as defined in its contract with the city or the rate for public agency for resale untreated water customers without a raw water supply contract executed after January 1, 1997, specified in subsection (a)(2)g. of this section.) The RWCA will be based on projected system-wide raw water sales, adjusted for water losses. The RWCA will be calculated on an annual basis using the adopted utility rate model, according to the following procedures:

- (1) Use projected system-wide water sales based on historical consumption and projected growth, with adjustments for water losses.
- (2) Include the annual budgeted cost of debt service. Bond payments, amortization of deferred losses on refundings, and other debt service costs shall be applied to the RWCA in the same proportion as the raw water activities proportion of the original bond proceeds.
- (3) Include budgeted expenditures for purchases of water.
- (4) Include purchases of water rights, amortized over the duration of the water right agreement.
- (5) Budgeted expenditures for capital items shall be included as follows:
 - a. The expense of acquiring a capital item that costs not more than five hundred thousand dollars (\$500,000.00) shall be charged in the year in which it is acquired.
 - b. The expense of acquiring a capital item that costs more than five hundred thousand dollars (\$500,000.00) shall be amortized over the number of years used to calculate depreciation expenses, with the half-year convention used in the year of acquisition.
- (6) All operating and maintenance expenditures shall be charged based on annual budgeted amounts. These expenditures include operation and maintenance of dams, reservoirs, pipelines, wells, pumping stations, and related interfund charges.
- (7) All expenses for consultants, engineering, legal services, and administration shall be charged based on annual budgeted amounts in the proportion to which they apply to raw water issues.
- (8) Expenses related to the acquisition and transportation of emergency water supplies shall be included in the RWCA for the following fiscal year, unless foreseen and budgeted in advance, in which case they are included in the year budgeted.
- (9) Miscellaneous revenues related to raw water activity, such as oil and gas lease revenues and rentals, is applied as an offset based on annual budgeted amounts.
- (10) Apply the credit for levelized Choke Canyon debt payments to city rate payers' RWCA. (The escalating payment schedule on the Choke Canyon debt was levelized through the creation of a reserve fund. In the initial years, payments greater than the debt

service were made, with the excess going into the reserve fund. This excess was paid through a rate surcharge on ICL and OCL metered treated water customers. Now that bond payments exceed the levelized payment amount, the reserve fund is drawn on to make up the difference. Since only ICL and OCL metered treated water customers participated in building the reserve fund, the drawing on the reserve fund is only credited to the RWCA assessed against ICL and OCL metered treated water customers.)

(11) Include funds necessary to collect 1.35 times coverage on current annual debt service in order to improve the financial position and bond ratings of the city's water fund.

(12) Include funds necessary to establish and maintain an operating reserve fund with a target amount of twenty-five (25) per cent (or three (3) months) of annual operating expenses for the fiscal year.

(13) Include funds necessary to establish and operate a water capital reserve fund with a target amount of two (2) per cent of the respective annual water capital improvements program for the fiscal year or two million dollars (\$2,000,000.00) (whichever is greater).

(14) Include funds necessary to establish and maintain a future water resources reserve fund (Water Supply Development Reserve) with an ultimate target balance of thirty million dollars (\$30,000,000.00), and an annual contribution of approximately two million dollars (\$2,000,000.00) per fiscal year. Revenue from this Water Supply Development Reserve will be deposited into a fund set aside for this purpose.

(15) The minimum operating or capital reserves amounts are intended to provide for unplanned, unbudgeted expenses and revenue shortfalls, and will not be used for routine expenses.

(16) At fiscal year end, determine the amount of over or under collections that have resulted from difference between budgeted and actual expenses and offsetting revenues and the difference between projected and actual volume of water sold. Any funds realized in excess of annual expenses are available for either supplementing minimum operating or capital reserves, for addition to the capital funds for discretionary cash capital funding of the water utility, or to create and maintain a reserve to level out large fluctuations in raw water charges is authorized. Apply any remaining amount as an adjustment to the RWCA.

(c) *Definitions.*

Costs of raw water is the total of all costs of acquiring, producing, storing, conserving, and transporting untreated water from its source to the city's treatment facility and all other points of diversion. These costs include, but are not limited to, the costs of:

Construction, including debt service, operation, and maintenance of dams and reservoirs.

Construction, including debt service, operation, and maintenance of raw water supply transmission pipelines.

Construction, including debt service, operation, and maintenance of wells.

Construction, including debt service, operation, and maintenance of facilities capable of converting wastewater effluent, salt water, and brackish ground water into water suitable for municipal, industrial, or agricultural uses.

Acquisition of new water supplies and water rights, including the establishment and funding of a reserve dedicated to offset the costs of acquisition of additional water rights and the implementation of long range water resource development and related capital improvements.

Construction, operation, and maintenance of facilities to reduce water losses from water resources due to evaporation or the release of water from a reservoir due to the operation of law.

Acquisition and transportation of emergency water supplies, including the costs of transporting water by vessel or pipelines from other regions.

Water supply development and protection, including consultants' studies and reports, investigations, legal fees, court costs, and any other costs related to the development or protection of the water supply.

Administrative costs, including overhead and the portion of the city's general administrative costs applicable to the activities enumerated in this definition.

(Ord. No. 9472, 8-27-1969; Ord. No. 11613, 8-8-1973; Ord. No. 12208, §§ 1, 2, 8-7-1974; Ord. No. 14140, §§ 1—3, 1-25-1978; Ord. No. 16446, §§ 1, 2, 8-12-1981; Ord. No. 16593 § 1, 10-14-1981; Ord. No. 17166, §§ 1—3, 7-28-1982; Ord. No. 17762, §§ 1, 2, 8-3-1983; Ord. No. 18351, §§ 1, 2, 7-24-1984; Ord. No. 18587, §§ 1, 2, 12-4-1984; Ord. No. 20411, §§ 1, 2, 7-26-1988; Ord. No. 21001, § 1, 10-9-1990; Ord. No. 21438, §§ 1—4, 7-21-1992; Ord. No. 21814, § 1(a)—(c), 12-14-1993; Ord. No. 22741, § 1, 11-12-1996; Ord. No. 22832, § 1, 1-28-1997; Ord. No. 22879, § 1, 3-25-1997; Ord. No. 23706, § 1, 7-20-1999; Ord. No. 23910, § 1, 1-11-2000; Ord. No. 24132, § 1, 7-25-2000; Ord. No. 24531, § 1a, 7-24-2001; Ord. No. 24969, § 1, 7-23-2002; Ord. No. 25386, § 1, 7-22-2003; Ord. No. 025866, § 1, 7-27-2004; Ord. No. 026368, § 1, 7-26-2005; Ord. No. 026900, § 1, 7-25-2006; Ord. No. 027355, § 1, 7-24-2007; Ord. No. 027781, § 1, 7-22-2008; Ord. No. 028256, § 1, 7-28-2009; Ord. No. 028686, § 1, 7-20-2010; Ord. No. 029158, § 1, 7-26-2010; Ord. No. 029386, § 1, 2-28-2012; Ord. No. 029584, § 1, 7-31-2012)

SECTION 2. The water rates established in Section 1 of this ordinance shall take effect and be applied against all service provided on or after the first day of August, 2013.

SECTION 3. Section 55-61 of the Code of Ordinances regarding gas rates is revised to read as follows:

Sec. 55-61. Classification of customers and schedules of rates.

(a) *Residential customers.*

(1) Inside city limits:

a. Winter rates (from November Cycle 11 through April Cycle 10).

	Rate per MCF
--	--------------

<i>Monthly Consumption</i>	<i>August 1, 20102013–July 31, 20112014</i>
Meter Charge	\$ 1.00 <u>1.03</u>
First 1 MCF (minimum bill)	9.47 <u>9.70</u>
Next 2 MCF	5.30 <u>5.43</u>
Next 3 MCF	3.06 <u>3.14</u>
Next 4 MCF	2.98 <u>3.05</u>
Next 20 MCF	2.89 <u>2.96</u>
Next 20 MCF	2.47 <u>2.53</u>
All over 50 MCF	2.05 <u>2.10</u>

Note: Rates do not include purchased gas adjustment and sales tax, where applicable.

b. Summer rates (from April Cycle 11 through November Cycle 10).

	Rate per MCF
<i>Monthly Consumption</i>	<i>August 1, 20102013–July 31, 20112014</i>
Meter Charge	\$ 1.00 <u>1.03</u>
First 1 MCF (Minimum Bill)	9.47 <u>9.70</u>
Next 2 MCF	5.30 <u>5.43</u>

Next 3 MCF	3.06 <u>3.14</u>
Next 4 MCF	2.30 <u>2.36</u>
Next 20 MCF	4.54 <u>1.58</u>
Next 20 MCF	4.50 <u>1.54</u>
All over 50 MCF	4.37 <u>1.40</u>

Note: Rates do not include purchased gas adjustment and sales tax, where applicable.

(2) Outside city limits:

a. Winter rates (from November Cycle 11 through April Cycle 10).

	Rate per MCF
<i>Monthly Consumption</i>	<i>August 1, 20102013–July 31, 20112014</i>
Meter Charge	\$1.25 <u>1.28</u>
First 1 MCF (minimum bill)	11.68 <u>11.97</u>
Next 2 MCF	5.94 <u>6.08</u>
Next 3 MCF	3.43 <u>3.52</u>
Next 4 MCF	3.34 <u>3.42</u>
Next 20 MCF	3.24 <u>3.32</u>
Next 20 MCF	2.77 <u>2.83</u>

All over 50 MCF	2.30 <u>2.35</u>
-----------------	-----------------------------

Note: Rates do not include purchased gas adjustment and sales tax, where applicable.

b. Summer rates (from April Cycle 11 through November Cycle 10).

	Rate per MCF
<i>Monthly Consumption</i>	August 1, 2010 <u>2013</u> –July 31, 2011 <u>2014</u>
Meter Charge	\$1.25 <u>1.28</u>
First 1 MCF (minimum bill)	11.68 <u>11.97</u>
Next 2 MCF	5.94 <u>6.08</u>
Next 3 MCF	3.43 <u>3.52</u>
Next 4 MCF	2.58 <u>2.64</u>
Next 20 MCF	1.72 <u>1.77</u>
Next 20 MCF	1.68 <u>1.72</u>
All over 50 MCF	1.53 <u>1.57</u>

Note: Rates do not include purchased gas adjustment and sales tax, where applicable.

(b) *General rate customers* (commercial, industrial, and institutional rates):

(1) Inside city limits:

	Rate per MCF

Monthly Consumption	August 1, 2010 2013–July 31, 2011 2014
Meter Charge	\$ 12.02 <u>12.32</u>
First 1 MCF (minimum bill)	9.69 <u>9.93</u>
Next 2 MCF	5.30 <u>5.43</u>
Next 3 MCF	4.95 <u>5.07</u>
Next 4 MCF	4.86 <u>4.98</u>
Next 40 MCF	4.76 <u>4.88</u>
Next 50 MCF	2.05 <u>2.10</u>
Next 100 MCF	1.74 <u>1.75</u>
Next 100 MCF	1.50 <u>1.54</u>
Next 700 MCF	1.43 <u>1.47</u>
Next 1,000 MCF	1.24 <u>1.27</u>
Next 13,000 MCF	1.11 <u>1.14</u>
All over 15,000 MCF	1.06 <u>1.09</u>

Note: Rates do not include purchased gas adjustment and sales tax, where applicable.

(2) Outside city limits:

	Rate per MCF
<i>Monthly Consumption</i>	<i>August 1, 20102013–July 31, 20112014</i>
Meter Charge	\$15.02 <u>15.40</u>
First 1 MCF (minimum bill)	11.95 <u>12.24</u>
Next 2 MCF	5.94 <u>6.08</u>
Next 3 MCF	5.54 <u>5.68</u>
Next 4 MCF	5.44 <u>5.58</u>
Next 40 MCF	5.33 <u>5.47</u>
Next 50 MCF	2.30 <u>2.35</u>
Next 100 MCF	1.92 <u>1.96</u>
Next 100 MCF	1.68 <u>1.72</u>
Next 700 MCF	1.60 <u>1.65</u>
Next 1,000 MCF	1.39 <u>1.42</u>
Next 13,000 MCF	1.24 <u>1.28</u>
All over 15,000 MCF	1.19 <u>1.22</u>

Note: Rates do not include purchased gas adjustment and sales tax, where applicable.

(c) *Seasonal customers (partial year service) rates.* (All customers who have requested a cutoff and re-connection at the same location or for services to the same premises, including increases or reductions of the same premises, and which cutoff was not necessitated by reason of reconstruction of the building on the premises, shall be classified as seasonal customers, and in lieu of the rates applicable to residential customers, shall be charged and collected the following charge for gas furnished and delivered to the meters by the gas department of the city):

(1) Inside city limits:

	Rate per MCF
<i>Monthly Consumption</i>	<i>August 1, 20102013–July 31, 20112014</i>
Meter Charge	\$ 4.00 <u>1.03</u>
First 1 MCF (minimum bill)	15.74 <u>16.10</u>
Next 2 MCF	14.19 <u>14.54</u>
Next 3 MCF	10.46 <u>10.72</u>
Next 4 MCF	6.74 <u>6.91</u>
Next 30 MCF	2.89 <u>2.96</u>
Next 20 MCF	2.47 <u>2.53</u>
All over 50 MCF	2.05 <u>2.10</u>

Note: Rates do not include purchased gas adjustment and sales tax, where applicable.

(2) Outside city limits:

	Rate per MCF
<i>Monthly Consumption</i>	<i>August 1, 20102013–July 31, 20112014</i>
Meter Charge	\$ 4.25 <u>1.28</u>
First 1 MCF (minimum bill)	18.87 <u>19.34</u>
Next 2 MCF	15.89 <u>16.28</u>
Next 3 MCF	11.72 <u>12.01</u>
Next 4 MCF	7.55 <u>7.74</u>
Next 20 MCF	3.24 <u>3.32</u>
Next 20 MCF	2.77 <u>2.83</u>
All over 50 MCF	2.30 <u>2.35</u>

Note: Rates do not include purchased gas adjustment and sales tax, where applicable.

(d) *Incentive air cooling and conditioning rate customers rates.* (Limited to customers using less than fifteen thousand (15,000) MCF per month annual average. All general rate customers that have installed total energy or have gas operated air cooling and air conditioning equipment, or both, and have an average used in MCF per month in the seven (7) summer months that exceeds the five (5) winter months in average use, when inspected and approved by the gas department, who request in writing to be billed in the summer months on the summer incentive gas rate schedule starting with Cycle 11 in April and ending with the billing Cycle 10 in November shall be billed on the following rate schedule):

- (1) Inside city limits:

	Rate per MCF
Monthly Consumption	August 1, 2010 2013–July 31, 2011 2014
Meter Charge	\$ 12.02 <u>12.32</u>
First 1 MCF (minimum bill)	9.69 <u>9.93</u>
Next 2 MCF	5.30 <u>5.43</u>
Next 3 MCF	4.95 <u>5.07</u>
Next 4 MCF	4.29 <u>4.40</u>
Next 40 MCF	3.62 <u>3.71</u>
Next 150 MCF	1.54 <u>1.58</u>
Next 100 MCF	1.43 <u>1.47</u>
Next 700 MCF	1.24 <u>1.27</u>
Next 1,000 MCF	1.11 <u>1.14</u>
Next 13,000 MCF	1.06 <u>1.09</u>
All over 15,000 MCF	1.01 <u>1.04</u>

Note: Rates do not include purchased gas adjustment and sales tax, where applicable.

(2) Outside city limits:

	Rate per MCF
Monthly Consumption	August 1, 2010 2013–July 31, 2011 2014
Meter Charge	\$ 15.02 <u>15.40</u>
First 1 MCF (minimum bill)	11.95 <u>12.24</u>
Next 2 MCF	5.94 <u>6.08</u>
Next 3 MCF	5.54 <u>5.68</u>
Next 4 MCF	4.80 <u>4.93</u>
Next 40 MCF	4.05 <u>4.16</u>
Next 150 MCF	1.72 <u>1.77</u>
Next 100 MCF	1.60 <u>1.65</u>
Next 700 MCF	1.39 <u>1.42</u>
Next 1,000 MCF	1.24 <u>1.28</u>
Next 13,000 MCF	1.19 <u>1.22</u>
All over 15,000 MCF	1.13 <u>1.16</u>

Note: Rates do not include purchased gas adjustment and sales tax, where applicable.

(e) *Purchased gas adjustment.* The rates in subsections (a), (b), (c), and (d) of this section are subject to gas cost adjustments as follows: Rates will be adjusted monthly by the city following the receipt of notice of the cost of gas from the supplier to pass on to the consumer the full amount of such cost adjusted for pressure base and gas loss and unaccounted-for factors. Additional fees and charges paid to the supplier, which are necessary for the city to receive the gas, shall be included in the cost of gas. All general rate customers, who consume over fifteen thousand (15,000) MCF in one (1) month, and who receive gas from the city's distribution system at the same pressure base at which the city receives the gas from its supplier (14.65 psi), shall be billed 2.05 per cent less per MCF for purchased gas adjustment than the general customer rate schedule.

(f) *Interruptions.* Deliveries of gas to commercial or industrial customers may be interrupted or curtailed in case of shortage, or threatened shortage, of gas supply from any cause whatsoever, to conserve gas for residential and other human need customers served hereunder, according to all mandatory orders of governmental agencies having jurisdiction.

(Code 1958, §§ 38-46, 38-47; Ord. No. 8552, § 1, 8-2-1967; Ord. No. 9685, § 1, 3-25-1970; Ord. No. 9812, § 1, 6-24-1970; Ord. No. 9883, § 2, 8-12-1970; Ord. No. 11614, § 1, 8-8-1973; Ord. No. 11755, § 1, 10-24-1973; Ord. No. 11867, § 1, 1-9-1974; Ord. No. 12210, § 1, 8-7-1974; Ord. No. 15043, § 1, 8-8-1979; Ord. No. 15701, §§ 1, 3, 8-13-1980; Ord. No. 15950, §§ 1, 3, 12-24-1980; Ord. No. 16451, § 1, 8-12-1981; Ord. No. 16582, § 1, 10-7-1981; Ord. No. 17155, §§ 1, 2, 4, 7-28-1982; Ord. No. 17761, §§ 1, 2, 4, 8-3-1983; Ord. No. 18939, §§ 1, 2, 4, 7-23-1985; Ord. No. 21001, § 1, 10-9-1990; Ord. No. 21439, § 1, 7-21-1992; Ord. No. 21814, § 1(d), 12-14-1993; Ord. No. 23706, § 1, 7-20-1999; Ord. No. 24132, § 1, 7-25-2000; Ord. No. 24531, § 1c, 7-24-2001; Ord. No. 24969, § 4, 7-23-2002; Ord. No. 25396, § 4, 7-22-2003; Ord. No. 025866, § 3, 7-27-2004; Ord. No. 026368, § 3, 7-26-2005; Ord. No. 026900, § 3, 7-25-2006; Ord. No. 027355, § 3, 7-24-2007; Ord. No. 027781, § 5, 7-22-2008; Ord. No. 028256, § 3, 7-28-2009; Ord. No. 028688, § 1, 7-20-2010)

SECTION 4. The gas rates established in Section 3 of this ordinance shall take effect and be applied against all service provided on or after the first day of August, 2013.

SECTION 5. Section 55-70 of the Code of Ordinances regarding water utility tap fees is revised to read as follows:

Sec. 55-70. Adoption of rules, regulations and water and gas fees.

The rules and regulations concerning the control, operation and administration of utility taps or service connections of water, gas and sewer utilities owned by the city and the regulations prescribing fees for utility taps or service connections are hereby adopted and approved as follows:

(1) *Utility tap applications.* Applications for water, gas or sewer taps may be accepted from anyone who has properly applied for a building or plumbing permit for taps to be

made inside or outside the city, and the fees for such taps shall be paid before the permit is issued. Impact fees have been adopted in accordance with the Texas Local Government Code, Chapter 395 for certain areas of the city. The fee schedule and map for such fees is contained in Appendix A of the Platting Ordinances of the City Corpus Christi.

(2) *Utility tap fee payment.* Utility tap fees will be paid in cash upon application of utility taps. Where applicant has requested a water line extension and water tap, he may make payment upon an installment basis as hereto set forth. Water tap charge and water line extension charge may be paid upon an installment basis with the owner being furnished the necessary forms for execution including a promissory note and mechanic's and materialman's lien contract. If a cash payment is made at the time of delivery of the executed note and mechanic's lien paper, the note shall be for the balance of the installation charges. If no cash payment is made, the note shall be for the total amount of the installation charges applicable to the property to be served. There shall be a carrying charge on any balance of five (5) per cent per annum for the period covered by all of the installation payment, with such total payable in monthly installments not exceeding twenty-four (24) installments. All monthly installments will be made at the accounting office of the city department of public utilities and will be due and payable monthly on the same due date as the regular utility bill applicable to the property. Such installment note and contract shall contain a provision to the effect that the property owner agrees to make the monthly payments as therein set forth and further that the owner's water meter deposit can be applied to any payment becoming delinquent. Such contract shall also provide that the city shall have the right to discontinue water service to the property in the event any of the installment payments become delinquent.

(3) *Utility tap fees defined.* Utility tap fees are separate and distinct from any plumbing permit or inspection fees and will not be construed as being a part of or as including such fees.

(4) *Utility tap fees extra charges.* No charges will be made in addition to utility tap fees for street cuts; however, for taps outside the city, which cannot be readily made to existing lateral lines provided for such services or for taps which involve major highway crossings or taps to major mains or trunk lines and similar cases, charges will be made to cover the entire cost of all work and material, including meters, if any, as estimated by the city.

(5) *Fee schedule, gas:*

(a) *Inside city limits:*

	Street Fee	Easement Fee
Gas—Residential, 1 and 2-family dwelling	\$100.00	\$100.00

Commercial up to two inch in size	300.00	300.00
Commercial larger than two inch in size	Special*	Special*
Loops	10.00	
Meter moves	50.00	

*To be determined by Gas Division at the time of the request.

(b) *Outside city limits:*

	Street Fee	Easement Fee
Gas—Residential, 1 and 2-family dwelling	\$100.00	\$100.00
Commercial up to two inch in size	300.00	300.00
Commercial larger than two inch in size	Special*	Special*
Loops	10.00	
Meter moves	50.00	

*To be determined by Gas Division at the time of the request.

(6) *Definition of street taps and easement taps.*

(a) Street tap fees will apply to all taps made to laterals or mains in front or at the side of property to be served, regardless of whether the line to be tapped is in the street, behind the curb or in some similar position.

(b) Easement tap fees will apply to all taps made to mains or laterals in the rear of the property to be served, where such lines are in dedicated or established easements or alleys.

(7) *Service to be provided for fees.* Gas, sewer and water taps will be made and services installed to a standard location. Necessary meters and regulators will be installed. The entire installation will remain the property of the city and will be maintained by the city for as long as services available from the city are desired on the property by the occupant. Maintenance of privately-owned service lines, or parts of service lines, on private property will be the responsibility of the owner, occupant or consumer. Failure to maintain such service lines will subject the service in question to discontinuance by the city.

(8) *Availability of service.* The existence of mains or trunk lines, or even lateral lines, near a property will not constitute an obligation for the city to cap such lines on request for taps, where such lines are inaccessible due to necessary crossings of major highways or major streets or due to excessive cost or excessive distance. These special cases must be arranged for with the director of public utilities well in advance of the desired service date, to permit necessary extensions, crossings or similar construction.

(9) *Fee schedule, water:*

(a) Inside city limits:

Size	Street Fee	Easement Fee
5/8 inch x 3/4 inch	\$561.00 <u>617.10</u>	\$469.00 <u>515.90</u>
3/4 inch	576.00 <u>633.60</u>	484.00 <u>532.40</u>
1 inch	734.00 <u>807.40</u>	644.00 <u>705.10</u>
Over 1 inch	Special*	Special*
Loops*, minimum	250.00 <u>275.00</u>	250.00 <u>275.00</u>
Meter moves*, minimum	60.00 <u>66.00</u>	60.00 <u>66.00</u>

*Denotes costs to be specified by the director of water utilities based on circumstances.

(b) Fees inside the city limits in subdivision in which the developer has installed the service lines when the subdivision was constructed.

Size	Fee
5/8 inch x 3/4 inch	\$169.00 <u>185.90</u>
3/4 inch	183.00 <u>201.30</u>
1 inch	228.00 <u>250.80</u>

(c) Outside city limits:

Size	Street Fee	Easement Fee
5/8 inch x 3/4 inch	\$763.00 <u>839.30</u>	\$598.00 <u>657.80</u>
3/4 inch	782.00 <u>860.20</u>	644.00 <u>675.40</u>
1 inch	1,023.00 <u>1125.30</u>	849.00 <u>900.90</u>
Over 1 inch Special*	Special*	Special*
Loops*, minimum	374.00 <u>411.40</u>	374.00 <u>411.40</u>
Meter moves*, minimum	89.00 <u>97.90</u>	89.00 <u>97.90</u>

*Denotes cost to be specified by the director of water utilities based on circumstances.

(d) Fees outside the city limits in subdivision in which the developer has installed the service lines when the subdivision was constructed.

Size	Fee
5/8 inch x 3/4 inch	\$ 169.00 <u>185.90</u>
3/4 inch	183.00 <u>201.30</u>
1 inch	228.00 <u>250.80</u>

(1966 Supp., § 38-26; Ord. No. 10083, § 1, 1-20-1971; Ord. No. 16383, § 1, 7-15-1981; Ord. No. 16447, § 1, 8-12-1981; Ord. No. 16453, § 1, 8-12-1981; Ord. No. 22913, § 10, 4-22-1997; Ord. No. 026369, § 2, 7-26-2005; Ord. No. 027395, § 2, 8-28-2007; Ord. No. 027854, § 2, 9-16-2008; Ord. No. 028260, § 1, 7-28-2009; Ord. No. 028326, § 2, 9-29-2009; Ord. No. 028686, § 5, 7-20-2010; Ord. No. 028792, § 2, 9-28-2010)

SECTION 6. The water rates established in Section 5 of this ordinance shall take effect and be applied against all service provided on or after the first day of August, 2013.

SECTION 7. Section 55-100 of the City Code of ordinances regarding wastewater rates is revised to read as follows:

Sec. 55-100. Schedule.

(a) The monthly charge to be paid by users of sewer 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	August 1, 2011 <u>2013</u> to July 31, 2012 <u>2014</u>
Inside city limits One-family minimum monthly charge (first 2,000 gallons)	\$ 23.96 <u>25.96</u>

Inside city limits One-family per 1,000 gallons over 2,000	4.84 <u>5.25</u>
Inside city limits One-family maximum monthly charge (up to 25,000 gallons)	135.28 <u>146.71</u>
Outside city limits One-family minimum monthly charge (first 2,000 gallons)	29.95 <u>32.45</u>
Outside city limits One-family per 1,000 gallons over 2,000	10.72 <u>11.65</u>
Outside city limits One-family maximum monthly charge (up to 25,000 gallons)	279.98 <u>300.40</u>
Inside city limits Commercial minimum monthly charge (first 2,000 gallons)	32.55 <u>35.37</u>
Inside city limits Commercial per 1,000 gallons over 2,000	3.46 <u>3.76</u>
Outside city limits Commercial minimum monthly charge (first 2,000 gallons)	40.69 <u>44.21</u>
Outside city limits Commercial per 1,000 gallons over 2,000	6.93 <u>7.53</u>

(b) The amount of water used to compute the monthly bills to one-family residential customers shall be computed on the basis of the "winter average" or "interim average" that is calculated under this subsection.

(1) *Definitions.*

a. *Winter averaging wastewater charge period:* The period of water and wastewater service during the three (3) complete consecutive reading periods commencing on or after December 1 of each year.

b. *Winter average usage*: The monthly wastewater usage established by the city during the "winter averaging wastewater charge period" based upon their average monthly water consumption during that period.

c. *Interim average*: The monthly wastewater usage established by the city for individual customers who have not established a "winter average usage". The "interim average" is recalculated each year based on the total "winter average usage" of all customers subject to winter averaging divided by the number of winter averaging customers, and is be the basis for monthly billings until a "winter 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 average criteria*.

a. The customer must receive wastewater service at one (1) location during the three (3) consecutive reading periods in order to establish a "winter average usage".

b. "Winter average usage" charges shall apply to one-family residential customers only.

c. The "winter average usage" shall be based on a customer's average water consumption for three (3) complete consecutive reading periods commencing with the customer's first reading period on or after December 1 of each year.

d. The following method will be used to calculate a customer's "winter average usage":

1. Add the three (3) winter months' water consumption to get total water consumption.

2. Divide three-month usage amount by three (3) to get winter average usage. Such winter average usage shall be limited to a maximum of twenty-five thousand (25,000) gallons.

e. Using the winter average usage, apply the applicable rates established in subsection (a) to calculate the customer's wastewater bill for each month until a new winter average usage is established or rates are changed. The adjusted rate that applies to service after June 30 will reflect wastewater usage based on the previous "winter averaging wastewater charge period".

f. New and relocating customers; adjustments:

1. Customers new to the service area, who have not established a "winter average", shall be billed at the "interim average" rate.

2. Customers who are relocating within the service area, who established a "winter average" at their previous address, shall be billed at the "interim average" rate or their "winter average" rate at the previous address, whichever is less.

3. Customers who are relocating within the service area, who have not established a "winter 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 average charge period, and if the customer can produce proof of repairs, the director of finance or the director's designee may adjust the wastewater bill.

(3) *Administrative change in rates.*

~~a. Annually the city manager shall calculate base revenues from single-family residential wastewater customers during the prior year. Base revenues shall equal the prior year's actual revenues from single-family residential wastewater customers, adjusted for any rate charges, and for any increase in the single-family residential wastewater customer base. For this purpose, a year shall run from June 1 through May 31.~~

~~b. The city manager shall annually, based upon the winter average wastewater usage determined during the winter averaging wastewater charge period, adjust the rate in the new fiscal year applied to each customer's winter average or interim average so that the adjusted rate will produce an amount equal to the basebudgeted revenues, ~~plus any rate changes approved by the city council for the new fiscal year.~~~~

~~b. In years in which preliminary winter average data is available to be used in the utility rate model for determining wastewater rates, the adopted wastewater rates will not be subject to an administrative change in rates unless the final winter average data is materially different than preliminary data. A difference of at least 2% shall be considered material.~~

(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 shall pay an additional abnormal wastewater surcharges as provided in section 55-148.

(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)

SECTION 8. Section 55-148 of the City Code of ordinances regarding wastewater surcharges is revised to read as follows:

Sec. 55-148. Fees.

(a) *Abnormal wastewater surcharge.*

- (1) Any user generating wastewater which exhibits none of the characteristics of prohibited wastes as described in subsection 55-141(a), but which has an average concentration of biochemical oxygen demand, has an average concentration of chemical oxygen demand, or contains total suspended solids in excess of normal wastewater (as defined in subsection 55-140(c)), may be required to pretreat to meet the requirements of normal wastewater or such other more stringent parameters as the city may determine as necessary and appropriate to the particular treatment plant receiving such abnormal wastewater. Pretreated abnormal wastewater may be accepted by a POTW if all the following requirements are met:
 - a. The wastes will not cause damage to the collection system.
 - b. The wastes will not impair the treatment processes.
 - c. The user pays the applicable surcharge over and above published sewer rates, as provided herein; and
 - d. The waste is amenable to treatment such that when it leaves the treatment plant to be discharged, the waste does not exceed, or cause the total discharge to exceed, the standards set by federal and state agencies having jurisdiction.
- (2) Prior to imposition of a surcharge, the user shall be notified in writing that his waste discharge is in excess of normal wastewater as established in this article.
- (3) Surcharges will be adjusted on billings for the month following submission of new data but not more frequently than quarterly, unless authorized by the director.
- (4) The volume of flow used in computing abnormal wastewater surcharges shall be based upon metered water consumption as shown in the records of meter readings maintained by the city of utilities department. In the event that a person discharging waste into the POTW produces evidence to the city demonstrating that a portion of the total amount of water used for all purposes does not reach the POTW, a separate meter or meters or other approved flow measuring device may be installed at the user's expense, upon his request, to measure only that portion of the total flow being discharged into the POTW. Upon request by the user, credit may be allowed by the city for evaporation, product water exported from the user or other operational consumption through which

such water is not discharged to the POTW. If it is impossible to show volume by metering, then recognized industry standards designated by the city shall apply. If a surcharge is assessed by the city, it shall be shown separately on the monthly billing.

(5) Any person discharging industrial waste into the POTW who procures any part or all of his water supply from sources other than the city utilities department, all or part of which is discharged into the POTW, shall install and maintain at his expense water meters of the type approved by the city for the purpose of determining the proper volume of flow to be used in computing sewer service charges. Such meters shall be read monthly and tested for accuracy when deemed necessary by the city. Where it can be shown that a portion of the water as measured by the aforesaid meter, or meters, does not enter the POTW of the city, then the user if he so elects, may install additional approved meters at the user's expense in such a manner as to measure the quantity of water actually entering the said POTW system from the premises of such user, and the quantity of water used to determine the wastewater service charge and abnormal wastewater surcharge shall be the quantity of water actually entering the POTW as so determined.

(6) Computations of each surcharge, as applicable, shall be based on the following:

$$S = V \times 8.34 \times X \times (\text{COD}-562)$$

$$S = V \times 8.34 \times Y \times (\text{BOD}-250)$$

$$S = V \times 8.34 \times Z \times (\text{TSS}-250)$$

S = Surcharge in dollars for the billing period.

V = Water consumption in millions of gallons during the billing period.

8.34 = Weight of water in pounds per gallon.

X = Unit charge in dollars per pound for COD as established in subdivision (8) of this subsection.

Y = Unit charge in dollars per pound for BOD as established in subdivision (8) of this subsection.

Z = Unit charge in dollars per pound for TSS as established in subdivision (8) of this subsection.

COD = Chemical oxygen demand strength index in parts per million by weight, or mg/l.

BOD = Five-day biochemical oxygen demand strength index in parts per million by weight, or mg/l.

TSS = Total suspended solids strength index in parts per million by weight, or mg/l.

250 = Normal BOD and TSS strength in parts per million by weight, or mg/l.

562 = Normal COD strength in parts per million by weight, or mg/l.

(7) The city reserves the right to review and approve any waters or industrial waste entering the POTW or proposed to be discharged into the system having an average daily flow greater than ten (10) per cent of the design flow capacity of the plant which will treat

the waste. In the event the city's measurement discloses such flow to be in excess of ten (10) per cent of said capacity, the city shall be under no obligation to receive such flow in excess of ten (10) per cent of design capacity and the city's published rates shall not apply to such excess. An owner affected hereby shall be promptly notified of such determination by the city. A special contract, at the city's option, may be made with the user to accommodate such excess flow.

(8) The values for X, Y, and Z used in subdivision (6) of this subsection to determine the abnormal wastewater surcharge are:

Value	August 1, 2010 2013 to July 31, 2011 2014
X (unit charge in dollars per pound of COD)	\$0.0000
Y (unit charge in dollars per pound of BOD)	0.3696 0.4014
Z (unit charge in dollars per pound of TSS)	0.2654 0.2882

(b) *Pretreatment charges and fees.* The city may adopt reasonable charges and fees for reimbursement of costs of setting up and operating the city's pretreatment program which may include:

- (1) Fees for wastewater discharge permit applications including the cost of processing such applications as set forth in the wastewater fee schedule.
- (2) Fees for monitoring, inspection, and surveillance procedures including the cost of collecting and analyzing an industrial user's discharge, and reviewing monitoring reports submitted by the industrial user.
- (3) Fees for reviewing and responding to accidental discharge procedures and construction.
- (4) Fees for filing appeals.
- (5) Other fees as the city may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this article and are separate from all other fees, fines and penalties chargeable by the city.

(Ord. No. 21666, § 1, 6-1-1993; Ord. No. 21814, § 1(g), 12-14-1993; Ord. No. 23706, § 1, 7-20-1999; Ord. No. 24132, § 1, 7-25-2000; Ord. No. 24531, § 1g, 7-24-2001; Ord. No. 24969, § 8, 7-23-2002; Ord. No. 25377, § 13, 7-22-2003; Ord. No. 25396, § 8, 7-22-2003; Ord. No. 025866, § 7, 7-27-2004; Ord. No. 026368, § 7, 7-26-2005;

Ord. No. 026900, § 7, 7-25-2006; Ord. No. 027355, § 7, 7-24-2007; Ord. No. 027781, § 9, 7-22-2008; Ord. No. 028256, § 7, 7-28-2009; Ord. No. 028690, § 3, 7-20-2010)

SECTION 9. The wastewater rates established in Section 7 and Section 8 of this ordinance shall take effect and be applied against all service provided on or after the first day of August, 2013.

SECTION 10. The Code of Ordinances is amended to add Article XX to Chapter 55, Utilities, titled "Street Preventative Maintenance Program," with three divisions, titled as follows:

CHAPTER 55 UTILITIES

* * * * *

**"ARTICLE XX
STREET PREVENTATIVE MAINTENANCE PROGRAM**

DIVISION 1. Reserved.

Secs. 55-605 – 55-610. Reserved.

DIVISION 2. Reserved.

Secs. 55-610 – 55-620. Reserved.

DIVISION 3. STREET MAINTENANCE FEES"

* * * * *

SECTION 11. The Code of Ordinances is amended by adding Section 3, "Fee Established," of Ordinance No. 029876 (adopted by City Council on June 25, 2013) to Division 3, "Street Maintenance Fees," and renumbering as Section 55-621 of the Code to read as follows:

"DIVISION 3. STREET MAINTENANCE FEES

Sec. 55-621. Fee Established.

A Street Maintenance Fee is established. to be implemented by policies, rates, and methodologies established by separate ordinance.

The City Council finds, determines and declares that in order to protect the citizenry from the deterioration of the quality and safety of the Street System that they rely upon and use on a regular basis, it is necessary and in the best interest of the public health and safety to establish a Street Maintenance Fee in order to provide a properly maintained road system.

To this end, the City Council will establish a schedule of Street Maintenance Fees subject to the limitations of the state law to cover the costs to the City to provide maintenance of the Street System. The City will offer this maintenance service in a nondiscriminatory, reasonable and equitable manner.

(a) Council hereby establishes a Street Maintenance Fee, imposed against, and to be paid by, each Utility Customer and owner of Benefitted Property within the city limits, set in amounts that will provide sufficient funds to properly maintain the Street System.

(b) Collection of the Fee against each Benefitted Property shall be made by a monthly charge to be added to the utility bill for such property.

(c) Council will by separate ordinance establish the rate based upon the cost to the City for maintaining the Street System.”

* * * * *

SECTION 12. The Code of Ordinances is amended by adding Sections 1 through 17 of Ordinance No. 029877 (adopted by City Council on June 25, 2013) to the Code, by inserting Sections 1 through 17 after Section 55-620, “Fee Established,” of Division 3, “Street Maintenance Fees,” and renumbering accordingly, so that Section 1, ”Definitions,” from Ordinance No. 029877 is added to the Code and renumbered as Section 55-621, “Definitions,” with the body of the section inserted below each title, and Section 2, “Findings,” is added to the Code and renumbered as Section 55-622, with the body of the section inserted, and so on, with the disposition of sections renumbered the same or similar to what is shown below:

Section 1 Definitions (Ordinance No. 029877) is codified as Sec. 55-621. DEFINITIONS.
Section 2 Findings (Ordinance No. 029877) is codified as Sec. 55-622. FINDINGS, and so on . . .

- Sec. 55-621. DEFINITIONS.
- Sec. 55-622. FINDINGS.
- Sec. 55-623. TRIP FACTORS.
- Sec. 55-624. STREET FEE-ONLY ACCOUNT.
- Sec. 55-625. FEE CALCULATION.
- Sec. 55-626. RESIDENTIAL BENEFITTED PROPERTY.
- Sec. 55-627. NONRESIDENTIAL BENEFITTED PROPERTY.
- Sec. 55-628. BILLING AND COLLECTION OF FEE.
- Sec. 55-629. RECOVERY OF UNPAID FEE.
- Sec. 55-630. STREET MAINTENANCE FUND.
- Sec. 55-631. RULES.
- Sec. 55-632. APPEALS.
- Sec. 55-633. DISPOSITION OF FEES AND CHARGES.
- Sec. 55-634. LOW-INCOME DISCOUNT.
- Sec. 55-635. EXEMPTIONS.
- Sec. 55-636. EFFECTIVE PERIOD.
- Sec. 55-637. LIABILITY.

SECTION 13. The Code of Ordinances is amended to revise the Section 55-626 “Residential Benefitted Property,” codified above (Section 6 of Ordinance No. 029877 adopted by Council on June 25, 2013) by inserting before the first paragraph a new first paragraph that reads as follows:

* * * * *

“Sec, 55-626. Residential Property.

“The Director shall determine the Fee for Residential Benefitted Property on the basis of factors that include the trip generation rate published by the Institute of Transportation Engineers for residential use of the property.

The Fee for Residential Benefitted Property shall be . . . “

* * * * *

SECTION 14. The Code of Ordinances is amended to revise Section 55-629 “Recovery of Unpaid Fee,” (Section 9 of Ordinance No. 029877 adopted by Council on June 25, 2013) by deleting the last sentence in the paragraph or section as follows:

* * * * *

“Sec. 55-629. RECOVERY OF UNPAID FEE.

The City may recover a Street Maintenance Fee that is not paid when due in an action at law. ~~The City may discontinue utility services to a Customer who fails to pay the Fees when due.”~~

* * * * *

SECTION 15. The Code of Ordinances is amended to revise Section 55-628 “Billing and Collection of Fee,” (Section 8 of Ordinance No. 029877 adopted by Council on June 25, 2013), to read as follows:

* * * * *

“Sec. 55-628. BILLING AND COLLECTION OF FEE.

The Street Maintenance Fee shall take effect and be applied against all Benefitted Property for services provided on or after become effective January 1, 2014. ~~Beginning January 1, 2014, Fees will be billed and collected each month on the utility bill for each Benefitted Property. Payment is due upon receipt of the bill. The Utility Customer is responsible for apportionment of Fees to any person or persons leasing units of the Benefitted Property.”~~

* * * * *

SECTION 16. The Code of Ordinances is amended to revise Section 55-632 “Appeals,” (Section 12 of Ordinance No. 029877 adopted by Council on June 25, 2013), to read as follows:

* * * * *

“Sec. 55-632. APPEALS.

The City Council shall adopt an appeals process by separate action of the City Council.

~~A reduced fee under this section is prospective only. A Customer may not receive a refund resulting from a reduction under this section.”~~

* * * * *

SECTION 17. The Code of Ordinances is amended to revise Section 55-633 “Disposition of Fees and Charges,” (Section 13 of Ordinance No. 029877 adopted by Council on June 25, 2013), to read as follows:

* * * * *

“Sec. 55-633. DISPOSITION OF FEES AND CHARGES.

The Fee paid and collected by virtue of this article shall not be used for the general or government proprietary purposes of the City, except to pay for the equitable share of the cost of accounting, management and government thereof of the SPMP.

Other than as described above, the fees and charges shall be used solely to pay for the cost of operation, administration, planning, engineering, development of guidelines and controls, inspection, maintenance, repair, improvement, and renewal of the Street System under the SPMP and the costs incidental thereto. “

* * * * *

SECTION 18. The Code of Ordinances is amended to revise Section 55-635 “Exemptions,” (Section 15 of Ordinance No. 029877 adopted by Council on June 25, 2013) to read as follows:

* * * * *

“Sec. 55-635. EXEMPTIONS.

This article does not apply to a city, county, state, federal agency or department, hospital district, publicly funded independent school district or charter school, public institution of higher education, or regional transit authority.

This article does not apply to vacant property that generates no Motor Vehicle Trips. The Director may adopt any reasonable method to determine whether a property is vacant and generates no Motor Vehicle Trips.

This article does not apply to a property that is used only for off-street parking.

In order for an exemption under this section to apply, a person entitled to an exemption under this section must notify the Director of the Utility Business Office of the applicable exemption.”

* * * * *

SECTION 19. The Code of Ordinances is amended to revise Section 55-636 “Effective Period,” (Section 16 of Ordinance No. 029877 adopted by Council on June 25, 2013) to read as follows:

* * * * *

“Sec. 55-636. EFFECTIVE PERIOD.

This Ordinance takes effect immediately upon its passage and continues for ten years after January 1, 2014. This Ordinance ceases to have effect on January 1, 2024 ~~ten years from date of its final passage~~, unless further Council action is taken to extend this Ordinance.”

* * * * *

SECTION 20. The Code of Ordinances is amended to add a new Section 55-638 “Periodic Review of Rates,” to read as follows:

* * * * *

“Sec. 55-638. PERIODIC REVIEW OF RATES.

City Council will periodically review the street maintenance fees and rates.”

* * * * *

SECTION 21. Any and all section numbers in this ordinance intended to represent new a new section number of the Code of Ordinances may not be interpreted to be material. If for any reason, in order to implement the purpose of this ordinance and codify any sections as provided herein any or every section number not in sequence with the Code of Ordinances must be revised, then each section number shall be so revised and renumbered as necessary and appropriate, for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word or provision of this ordinance be given full force and effect for its purpose.

SECTION 22. 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 of this ordinance be given full force and effect for its purpose.

SECTION 23. 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.

That the foregoing ordinance was read for the first time and passed to its second reading on this the _____ day of _____, _____, by the following vote:

Nelda Martinez	_____	Chad Magill	_____
Kelley Allen	_____	Colleen McIntyre	_____
Rudy Garza	_____	Lillian Riojas	_____
Priscilla Leal	_____	Mark Scott	_____
David Loeb	_____		

That the foregoing ordinance was read for the second time and passed finally on this the _____ day of _____, _____, by the following vote:

Nelda Martinez	_____	Chad Magill	_____
Kelley Allen	_____	Colleen McIntyre	_____
Rudy Garza	_____	Lillian Riojas	_____
Priscilla Leal	_____	Mark Scott	_____
David Loeb	_____		

PASSED AND APPROVED, this the _____ day of _____, _____.

ATTEST:

Armando Chapa
City Secretary

Nelda Martinez
Mayor