

**Ordinance amending the Code of Ordinances, regarding water, gas and wastewater utility rates and fees; water laboratory charges; compressed natural gas rates and charges; 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. The new rates are shown in underlined text and the former rates are shown as struck through text, as follows:

ARTICLE III. WATER RATES AND CHARGES.

**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)	<del>August 1, 2013 to September 30, 2014</del>	<u>Effective October 1, 2014</u>
Residential		
5/8—3/4	<del>\$ 8.89</del>	<u>\$ 9.33</u>
Commercial		
5/8—3/4	<del>12.83</del>	<u>13.47</u>
Residential and Commercial		
1	<del>19.25</del>	<u>20.21</u>
1½	<del>32.09</del>	<u>33.69</u>
2	<del>64.16</del>	<u>67.37</u>
3	<del>102.65</del>	<u>107.78</u>
4	<del>205.32</del>	<u>215.59</u>
6	<del>320.81</del>	<u>336.85</u>
8 and larger	<del>641.61</del>	<u>673.69</u>

Large Volume		
Any size	<del>16,676.00</del>	<u>17,510.00</u>
Temporary construction		
1	<del>-19.25</del>	<u>20.21</u>
1½	<del>-32.00</del>	<u>33.69</u>
2	<del>-64.16</del>	<u>67.37</u>

2. Outside city limits ("OCL"):

Meter Size (Inches)	August 1, 2013 to September 30, 2014	Effective October 1, 2014
Residential		
5/8—¾	<del>\$ 10.67</del>	<u>\$ 11.20</u>
Commercial		
5/8—¾	<del>—15.40</del>	<u>16.16</u>
Residential and Commercial		
1	<del>—23.10</del>	<u>24.25</u>
1½	<del>—38.51</del>	<u>40.43</u>
2	<del>—76.99</del>	<u>80.84</u>
3	<del>-123.18</del>	<u>129.34</u>
4	<del>-246.38</del>	<u>258.71</u>
6	<del>-384.97</del>	<u>404.22</u>
8 and larger	<del>-769.93</del>	<u>808.43</u>

Large Volume		
Any size	<del>27,825.00</del>	<u>29,216.00</u>
Temporary construction		
1	<del>-23.09</del>	<u>24.25</u>
1½	<del>-38.51</del>	<u>40.43</u>
2	<del>-76.99</del>	<u>80.84</u>

b. *Untreated water customers.*

	<del>August 1, 2013 to September 30, 2014</del>	<u>Effective October 1, 2014</u>
Minimum monthly service charge, water districts/ municipalities with raw water supply contracts executed after January 1, 1997	<del>\$398.09<sup>1</sup></del>	<u>\$417.99</u>
Minimum monthly service charge for public agency for resale untreated water without a raw water supply contract executed after January 1, 1997 <sup>1</sup>	<del>242.45</del>	<u>254.57</u>
Minimum monthly service charge, industrial	<del>398.09</del>	<u>417.99</u>
Minimum monthly service charge, domestic	<del>13.26</del>	<u>13.92</u>
Minimum annual service charge, domestic	<del>132.69</del>	<u>139.32</u>
Minimum monthly service charge, agricultural irrigation water service	<del>198.90</del>	<u>208.85</u>
Minimum monthly service charge, temporary construction water service	<del>265.20</del>	<u>278.46</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	<del>1,530.00</del>	<u>1,607.00</u>

<sup>1</sup>Minimum 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 \$254.57, the customer shall be billed \$254.57, 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, 2013 to September 30, 2014	<u>Effective October 1, 2014</u>
Any size	<del>\$27,825.00</del>	<u>29,216.00</u>

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

a. *Residential rate.*

1. Inside city limits:

	August 1, 2013 to September 30, 2014	<u>Effective October 1, 2014</u>
First 2,000 Gallons	Minimum*	<u>Minimum*</u>
Next 4,000 Gallons	<del>\$4.495</del>	<u>\$ 4.751</u>
Next 4,000 Gallons	<del>-5.619</del>	<u>5.939</u>
Next 5,000 Gallons	<del>-6.462</del>	<u>6.829</u>
Next 15,000 Gallons	<del>-7.867</del>	<u>8.314</u>
Next 20,000 Gallons	<del>-9.553</del>	<u>10.095</u>
Next 50,000 Gallons	<del>10.395</del>	<u>10.986</u>
Over 100,000 Gallons	<del>11.238</del>	<u>11.877</u>

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

2. Outside city limits:

	August 1, 2013 to September 30, 2014	<u>Effective October 1, 2014</u>
First 2,000 Gallons	Minimum*	<u>Minimum*</u>

Next 4,000 Gallons	\$1.949	\$ 2.028
Next 4,000 Gallons	-2.436	<u>2.535</u>
Next 5,000 Gallons	-2.802	<u>2.915</u>
Next 15,000 Gallons	-3.411	<u>3.549</u>
Next 20,000 Gallons	-4.142	<u>4.310</u>
Next 50,000 Gallons	-4.507	<u>4.690</u>
Over 100,000 Gallons	-4.872	<u>5.070</u>

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

b. *Commercial rate.*

1. Inside city limits:

	<del>August 1, 2013 to September 30, 2014</del>	<u>Effective October 1, 2014</u>
First 2,000 Gallons	<del>Minimum*</del>	<u>Minimum*</u>
Over 2,000 Gallons	<del>\$5.662</del>	<u>\$ 5.672</u>

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

2. Outside city limits:

	<del>August 1, 2013 to September 30, 2014</del>	<u>Effective October 1, 2014</u>
First 2,000 Gallons	<del>Minimum*</del>	<u>Minimum*</u>
Over 2,000 Gallons	<del>\$2.854</del>	<u>\$ 3.086</u>

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

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

	<del>August 1, 2013 to September 30, 2014</del>	<u>Effective October 1, 2014</u>
First 2,000 Gallons	<del>Minimum*</del>	<u>Minimum*</u>
Over 2,000 Gallons	<del>\$2.954</del>	<u>\$ 3.106</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)	<del>August 1, 2013 to September 30, 2014</del>	<u>Effective October 1, 2014</u>
First 2,000 Gallons	<del>Minimum*</del>	<u>Minimum*</u>
Next 15,000 Gallons	<del>\$ 7.867</del>	<u>\$ 8.314</u>
Next 20,000 Gallons	<del>9.553</del>	<u>10.095</u>
Next 50,000 Gallons	<del>10.395</del>	<u>10.986</u>
Over 87,000 Gallons	<del>11.238</del>	<u>11.877</u>

## 2. Outside city limits

Meter Size (Inches)	<del>August 1, 2013 to September 30, 2014</del>	<u>Effective October 1, 2014</u>
First 2,000 Gallons	<del>Minimum*</del>	<u>Minimum*</u>
Next 15,000 Gallons	<del>\$3.411</del>	<u>\$ 3.549</u>
Next 20,000 Gallons	<del>4.142</del>	<u>4.310</u>
Next 50,000 Gallons	<del>4.507</del>	<u>4.690</u>
Over 87,000 Gallons	<del>4.872</del>	<u>5.070</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, 2013 to September 30, 2014	<u>Effective October 1, 2014</u>
First 2,000 Gallons	Minimum*	<u>Minimum*</u>
Over 2,000 Gallons	<del>\$1.008</del>	<u>\$ 1.253</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, 2013 to September 30, 2014	<u>Effective October 1, 2014</u>
First 2,000 Gallons	Minimum*	<u>Minimum*</u>
Over 2,000 Gallons	<del>\$1.628</del>	<u>\$1.914</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, 2013 to September 30, 2014	<u>Effective October 1, 2014</u>
First 10,000,000 Gallons	Minimum*	<u>Minimum*</u>
Each Additional 1,000 Gallons	<del>\$4.067</del>	<u>\$ 4.480</u>

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

## 2. Outside city limits:

	August 1, 2013 to September 30, 2014	<u>Effective October 1, 2014</u>
First 10,000,000 Gallons	Minimum*	Minimum*
Each Additional 1,000 Gallons	<del>\$1.628</del>	<u>\$1.914</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, 2013 to September 30, 2014	<u>Effective October 1, 2014</u>
First 10,000,000 Gallons	Minimum*	Minimum*
Each Additional 1,000 Gallons	<del>\$2.779</del>	<u>\$ 2.677</u>

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

## 2. Outside city limits:

	August 1, 2013 to September 30, 2014	<u>Effective October 1, 2014</u>
First 10,000,000 Gallons	Minimum*	Minimum*
Each Additional 1,000 Gallons	<del>\$0.069</del>	<u>\$0.111</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, 2013 to September 30, 2014	Effective October 1, 2014
First 2,000 Gallons	Minimum*	Minimum*
Over 2,000 Gallons	\$5.662	\$ 5.672

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

B. Outside city limits:

	August 1, 2013 to September 30, 2014	Effective October 1, 2014
First 2,000 Gallons	Minimum*	Minimum*
Over 2,000 Gallons	\$2.854	\$ 3.086

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

2. Untreated water.

A. Inside city limits:

	August 1, 2013 to September 30, 2014
	Effective October 1, 2014
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, 2013 to September 30, 2014
	Effective October 1, 2014

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.*

	<p>August 1, 2013 to September 30, 2014</p> <p><u>Effective October 1, 2014</u></p>
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.

	<p>August 1, 2013 to September 30, 2014</p>	<p><u>Effective October 1, 2014</u></p>
First acre foot or fraction thereof	Minimum*	Minimum*
Over acre foot	<del>\$1,100.00 per acre foot or fraction thereof</del>	<u>\$1,155.00 per acre foot or fraction thereof</u>

\*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.

**Section 2.** Section 55-54 of the Code of Ordinances regarding water utilities laboratory charges is revised. The new charges take effect October 1, 2014. The new charges

are shown in underlined text and the deleted charges are shown in struck-through text, all as follows:

**Sec. 55-54. Water utilities laboratory charges.**

(a) The following fees apply to tests performed at the city's water utilities laboratory for other government agencies and private parties:

Parameter	Fee Effective October 1, 2014
Total Coliform	\$17.00
<del>Fecal Streptococcus</del>	<del>\$20.00</del>
Fecal Coliform	\$20.00
Escherichia coli (E. Coli)	<del>\$20.00</del> <u>\$17.00</u>
Enterococci	\$17.00
Hexane Extractable Material (HEM)	\$50.00
Total Organic Carbon	\$35.00
Specific Ultra-Violet Absorption (SUVA)	\$35.00
Biochemical Oxygen Demand (BOD)	\$30.00
Carbonaceous Biochemical Oxygen Demand (CBOD)	\$32.00
Total Suspended Solids (TSS)	\$15.00
Total Dissolved Solids (TDS)	\$20.00

Total Kjeldahl Nitrogen (TKN)	\$35.00
Total Nitrate – Nitrogen	\$25.00
Total Ammonia - Nitrogen	<del>\$20.00</del> <u>\$25.00</u>
Total Phosphorus	\$25.00
Dissolved Phosphorus	<del>\$27.00</del> <u>\$30.00</u>
<u>Total Nitrite-Nitrogen</u>	<u>\$25.00</u>
<u>Chloride</u>	<u>\$12.00</u>
<u>UV 254</u>	<u>\$20.00</u>
<u>pH</u>	<u>\$5.00</u>
<u>Total Alkalinity</u>	<u>\$10.00</u>
<u>Conductivity</u>	<u>\$10.00</u>
<u>Dissolved Organic Carbon</u>	<u>\$37.00</u>
<u>Turbidity</u>	<u>\$10.00</u>
<u>Total Hardness</u>	<u>\$20.00</u>
<u>Sulfate-Ion Chromatography</u>	<u>\$20.00</u>

<u>Bromide-Ion Chromatography</u>	<u>\$20.00</u>
<u>Fluoride-Ion Chromatography</u>	<u>\$20.00</u>
<u>Chloride-Ion Chromatography</u>	<u>\$20.00</u>
<u>Nitrite-Ion Chromatography</u>	<u>\$20.00</u>
<u>Nitrate-Ion Chromatography</u>	<u>\$20.00</u>
<u>Heterotrophic Plate Count</u>	<u>\$15.00</u>

(b) If a test or laboratory fee is requested that is not listed in subsection (a) of this section, the Water Utilities Laboratory should charge a fee that recovers the city's labor, material, and equipment costs.

(c) The city manager may waive fees in the interest of public safety or as the city's contribution to a project in which the city is involved.

**SECTION 3.** Article IV, Gas Rates and Charges, of Chapter 55 of the Code of Ordinances is revised as described in this Section 3. The revisions take effect October 1, 2014. The new provisions are shown in underlined text and the deleted provisions are shown as struck through text, all as follows:

#### **ARTICLE IV. GAS RATES AND CHARGES**

##### **Sec. 55-60. Definitions.**

The following terms as used in this article shall have the respective meanings ascribed to them:

*Cycle:* A group of gas customers regularly billed together for their separate accounts by the city utilities division. Cycles are numbered from "1" up.

*Director:* The Director of Gas Operations or designee.

*Installed total energy:* The total energy output at a metered location of all customer-owned or controlled electric-powered generation and gas-fired equipment.

##### **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>Effective October 1, 2014 August 1, 2013—September 30, 2014</i>
Meter Charge	<u>\$1.25</u> <del>\$1.03</del>
First 1 MCF (minimum bill)	<u>10.19</u> <del>9.70</del>
Next 2 MCF	<u>5.70</u> <del>5.43</del>
Next 3 MCF	<u>3.30</u> <del>3.14</del>
Next 4 MCF	<u>3.20</u> <del>3.05</del>
Next 20 MCF	<u>3.11</u> <del>2.96</del>
Next 20 MCF	<u>2.66</u> <del>2.53</del>
All over 50 MCF	<u>2.21</u> <del>2.10</del>

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>Effective October 1, 2014 August 1, 2013—September 30, 2014</i>
Meter Charge	<u>\$1.25</u> <del>\$1.03</del>
First 1 MCF (Minimum Bill)	<u>10.19</u> <del>9.70</del>
Next 2 MCF	<u>5.70</u> <del>5.43</del>
Next 3 MCF	<u>3.30</u> <del>3.14</del>
Next 4 MCF	<u>2.48</u> <del>2.36</del>



Next 20 MCF	<u>1.66</u> – <del>1.58</del>
Next 20 MCF	<u>1.62</u> – <del>1.54</del>
All over 50 MCF	<u>1.47</u> – <del>1.40</del>

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>	<u>Effective October 1, 2014</u> <del>August 1, 2013</del> – <del>September 30, 2014</del>
Meter Charge	<u>\$1.50</u> – <del>\$1.28</del>
First 1 MCF (minimum bill)	<u>12.57</u> – <del>11.97</del>
Next 2 MCF	<u>6.38</u> – <del>6.08</del>
Next 3 MCF	<u>3.70</u> – <del>3.52</del>
Next 4 MCF	<u>3.59</u> – <del>3.42</del>
Next 20 MCF	<u>3.49</u> – <del>3.32</del>
Next 20 MCF	<u>2.97</u> – <del>2.83</del>
All over 50 MCF	<u>2.47</u> – <del>2.35</del>

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>	<u>Effective October 1, 2014</u> <del>August 1, 2013</del> – <del>September 30, 2014</del>
Meter Charge	<u>\$1.50</u> – <del>\$1.28</del>

First 1 MCF (minimum bill)	<a href="#">12.57</a> <del>11.97</del>
Next 2 MCF	<a href="#">6.38</a> <del>6.08</del>
Next 3 MCF	<a href="#">3.70</a> <del>3.52</del>
Next 4 MCF	<a href="#">2.77</a> <del>2.64</del>
Next 20 MCF	<a href="#">1.86</a> <del>1.77</del>
Next 20 MCF	<a href="#">1.81</a> <del>1.72</del>
All over 50 MCF	<a href="#">1.65</a> <del>1.57</del>

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
<i>Monthly Consumption</i>	<a href="#">Effective October 1, 2014</a> <del><a href="#">August 1, 2013</a></del> <del><a href="#">September 30, 2014</a></del>
Meter Charge	<a href="#">\$16.00</a> <del>\$12.32</del>
First 1 MCF (minimum bill)	<a href="#">10.43</a> <del>9.93</del>
Next 2 MCF	<a href="#">5.70</a> <del>5.43</del>
Next 3 MCF	<a href="#">5.32</a> <del>5.07</del>
Next 4 MCF	<a href="#">5.23</a> <del>4.98</del>
Next 40 MCF	<a href="#">5.12</a> <del>4.88</del>
Next 50 MCF	<a href="#">2.21</a> <del>2.10</del>
Next 100 MCF	<a href="#">1.84</a> <del>1.75</del>
Next 100 MCF	<a href="#">1.62</a> <del>1.54</del>
Next 700 MCF	<a href="#">1.54</a> <del>1.47</del>

Next 1,000 MCF	<u>1.33</u> – <del>1.27</del>
Next 13,000 MCF	<u>1.20</u> – <del>1.14</del>
All over 15,000 MCF	<u>1.14</u> – <del>1.09</del>

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><u>Effective October 1, 2014</u> <del>August 1, 2013—September 30, 2014</del></i>
Meter Charge	<u>\$19.08</u> <del>\$15.40</del>
First 1 MCF (minimum bill)	<u>12.85</u> <del>12.24</del>
Next 2 MCF	<u>6.38</u> – <del>6.08</del>
Next 3 MCF	<u>5.96</u> – <del>5.68</del>
Next 4 MCF	<u>5.86</u> – <del>5.58</del>
Next 40 MCF	<u>5.74</u> – <del>5.47</del>
Next 50 MCF	<u>2.47</u> – <del>2.35</del>
Next 100 MCF	<u>2.06</u> – <del>1.96</del>
Next 100 MCF	<u>1.81</u> – <del>1.72</del>
Next 700 MCF	<u>1.73</u> – <del>1.65</del>
Next 1,000 MCF	<u>1.49</u> – <del>1.42</del>
Next 13,000 MCF	<u>1.34</u> – <del>1.28</del>
All over 15,000 MCF	<u>1.28</u> – <del>1.22</del>

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>	<u>Effective October 1, 2014</u> <del>August 1, 2013</del> <del>September 30, 2014</del>
Meter Charge	<u>\$1.25</u> <del>\$ 1.03</del>
First 1 MCF (minimum bill)	<u>16.91</u> <del>16.40</del>
Next 2 MCF	<u>15.27</u> <del>14.54</del>
Next 3 MCF	<u>11.26</u> <del>10.72</del>
Next 4 MCF	<u>7.26</u> <del>6.91</del>
Next 30 MCF	<u>3.11</u> <del>2.96</del>
Next 20 MCF	<u>2.66</u> <del>2.53</del>
All over 50 MCF	<u>2.21</u> <del>2.10</del>

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

- (2) Outside city limits:

	Rate per MCF
<i>Monthly Consumption</i>	<u>Effective October 1, 2014</u> <del>August 1, 2013</del> <del>September 30, 2014</del>
Meter Charge	<u>\$1.50</u> <del>\$ 1.28</del>
First 1 MCF (minimum bill)	<u>20.31</u> <del>19.34</del>
Next 2 MCF	<u>17.09</u> <del>16.28</del>

Next 3 MCF	<a href="#">12.61</a> — <a href="#">12.04</a>
Next 4 MCF	<a href="#">8.13</a> — <a href="#">7.74</a>
Next 20 MCF	<a href="#">3.49</a> — <a href="#">3.32</a>
Next 20 MCF	<a href="#">2.97</a> — <a href="#">2.83</a>
All over 50 MCF	<a href="#">2.47</a> — <a href="#">2.35</a>

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	<a href="#">Effective October 1, 2014</a> <del><a href="#">August 1, 2013</a></del> <del><a href="#">September 30, 2014</a></del>
Meter Charge	<a href="#">\$16.00</a> <del><a href="#">\$12.32</a></del>
First 1 MCF (minimum bill)	<a href="#">10.43</a> — <a href="#">9.93</a>
Next 2 MCF	<a href="#">5.70</a> — <a href="#">5.43</a>
Next 3 MCF	<a href="#">5.32</a> — <a href="#">5.07</a>
Next 4 MCF	<a href="#">4.62</a> — <a href="#">4.40</a>
Next 40 MCF	<a href="#">3.90</a> — <a href="#">3.71</a>
Next 150 MCF	<a href="#">1.66</a> — <a href="#">1.58</a>
Next 100 MCF	<a href="#">1.54</a> — <a href="#">1.47</a>

Next 700 MCF	<a href="#">1.33</a> <del>1.27</del>
Next 1,000 MCF	<a href="#">1.20</a> <del>1.14</del>
Next 13,000 MCF	<a href="#">1.14</a> <del>1.09</del>
All over 15,000 MCF	<a href="#">1.09</a> <del>1.04</del>

Note: Rates do not include purchased gas adjustment and sales tax, where applicable.  
(2) Outside city limits:

	Rate per MCF
Monthly Consumption	<a href="#">Effective October 1, 2014</a> <del>August 1, 2013</del> <del>September 30, 2014</del>
Meter Charge	<a href="#">\$19.08</a> <del>\$15.40</del>
First 1 MCF (minimum bill)	<a href="#">12.85</a> <del>12.24</del>
Next 2 MCF	<a href="#">6.38</a> <del>6.08</del>
Next 3 MCF	<a href="#">5.96</a> <del>5.68</del>
Next 4 MCF	<a href="#">5.18</a> <del>4.93</del>
Next 40 MCF	<a href="#">4.37</a> <del>4.16</del>
Next 150 MCF	<a href="#">1.86</a> <del>1.77</del>
Next 100 MCF	<a href="#">1.73</a> <del>1.65</del>
Next 700 MCF	<a href="#">1.49</a> <del>1.42</del>
Next 1,000 MCF	<a href="#">1.34</a> <del>1.28</del>
Next 13,000 MCF	<a href="#">1.28</a> <del>1.22</del>
All over 15,000 MCF	<a href="#">1.22</a> <del>1.16</del>

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

- (e) *Purchased gas adjustment (PGA)*. 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.

**Sec. 55-62. Gas service to city without charges.**

~~No-All rates or charges shall be assessed for natural gas service provided to city buildings, city vehicles, institutions, and activities operated by the city. The city shall maintain records showing the free service provided and the value thereof. Provided, however, that rates and charges shall be assessed for city utilities provided to city buildings, institutions, and activities operated by the city for which operating and maintenance expenditures are recorded in the aviation, golf, and marina funds.~~

**Sec. 55-63. Charges for lighting, etc., of natural gas appliances.**

- (a) Customers at a residential, apartment, or mobile home address shall be charged a service fee for lighting, adjusting, or turning off one (1) or more natural gas appliances, or the conversion of burner orifices to burn natural gas. The service fee includes service to all gas appliances at the address for which service is requested. ~~The service fee is fifty dollars (\$50.00) for each appliance service order. Unless otherwise noted, the service fees are as follows:~~
- ~~(1) Twenty five dollars (\$25.00) for each appliance service order between April 1 and October 31.~~
  - ~~(2) Forty dollars (\$40.00) for each appliance service order between November 1 and March 31.~~
  - ~~(3) Twenty five dollars (\$25.00) for each service order associated with gas lamp light ups, adjustments, and turn offs.~~
  - ~~(4) Twenty dollars (\$20.00) per hour for maintenance or repairs to gas lamps.~~
- (b) All other customers ~~(including commercial, industrial and institutional customers)~~ shall be charged ~~twentyseventy-five dollars (\$2575.00) for each appliance lighted, adjusted, or turned off between April 1 and October 31 and forty dollars (\$40.00) for each appliance lighted, adjusted, or turned off between November 1 and March 31.~~
- (c) Maintenance, installation, or service of appliances is ~~not neither offered nor~~ included in the lighting and adjusting of any gas appliance ~~except for gaslight mantles and glasses, which will be billed to the customer requesting service at a retail price over and above the charge set forth above.~~
- (d) However, in the event the head of a household is sixty-five (65) years of age or above, or the recipient of Social Security disability payments and resides at a residential, apartment, or mobile home address, then no charge shall be made by the city for the first service call made within any calendar year. Proof of eligibility for the exemptions shall be provided in a form to be prescribed by the director, gas operations.

**Sec. 55-64. Classification of customers and compressed natural gas rates.**

(a) *Compressed natural gas rates.*

- (1) The ~~city gas superintendent~~Director shall prepare the rates for the sale of compressed natural gas.
- (2) The rates shall be based on the sum of:
  - a. The compression charge,
  - b. The distribution charge,
  - c. The commodity charge [refer to section 55-61(e) PGA],
  - d. Federal tax, and
  - e. State tax.

~~(3) These rates shall be submitted to the city manager for approval.~~

~~(4) The approved rates shall be filed with the city secretary and copies shall be provided to the city council.~~

(b) *Retail and consumer rates.* The rate categories at which compressed natural gas shall be set are as follows:

- (1) *Wholesale.* Consumers who own or operate a fleet of more than ten (10) vehicles may purchase compressed natural gas at a reduced wholesale rate.
- (2) *Retail.* All other consumers may purchase compressed natural gas at the retail rate.

(c) *Periodic rate gas adjustment.* The Director shall adjust the rates on a periodic basis with City Council approval. Adjustment of rates will be based on annual reviews of the compression charge based on the city's cost to compress the natural gas for sale and/or the distribution charge based on the city's cost to distribute natural gas for sale.

~~((1) The city gas superintendent shall adjust the rates on a periodic basis by:~~

- ~~a. Adjusting the compression charge based on the city's cost to compress the natural gas for sale over the previous six-month period.~~
- ~~b. Adjusting the distribution charge based on the city's cost to distribute natural gas for sale over the previous six-month period.~~
- ~~c. Adjusting the commodity charge based on the purchased gas adjustment as provided in section 55-61(e).~~

~~(2) The city gas superintendent shall file copies of the adjusted rates with the city secretary. Copies of the adjusted rates shall be provided to the city manager and the city council.~~

(d) ~~*Effective date of rates.* Compressed natural gas rates shall become effective ten (10) days after the rates are filed with the city secretary.~~ *Commodity Charge.* The Director shall adjust the commodity charge based on the purchased gas adjustment as provided in section 55-61(e) PGA.

(e) *Current Rate Schedule.*

<u>CNG Service Wholesale (&gt;10 Vehicles)</u>		
<u>Service Component</u>	<u>Current Price \$/MCF</u>	<u>Current Price \$/Gasoline Gallon Equivalent</u>
<u>Compression Charge</u>	<u>0.97</u>	<u>0.12</u>
<u>Distribution Charge</u>	<u>1.05</u>	<u>0.13</u>



<u>Commodity Charge (changes monthly based on PGA)</u>	<u>5.31</u>	<u>0.64</u>
<u>Federal Tax (if applicable)</u>	<u>1.52</u>	<u>0.18</u>
<u>State Tax (if applicable)</u>	<u>1.25</u>	<u>0.15</u>
<u>Total Charge</u>	<u>10.10</u>	<u>1.21</u>

<u>CNG Service Retail (&lt;10 Vehicles)</u>		
<u>Service Component</u>	<u>Current Price \$/MCF</u>	<u>Current Price \$/Gasoline Gallon Equivalent</u>
<u>Compression Charge</u>	<u>0.97</u>	<u>0.12</u>
<u>Distribution Charge</u>	<u>1.45</u>	<u>0.17</u>
<u>Commodity Charge (changes monthly based on PGA)</u>	<u>5.31</u>	<u>0.64</u>
<u>Federal Tax (if applicable)</u>	<u>1.52</u>	<u>0.18</u>
<u>State Tax (if applicable)</u>	<u>1.25</u>	<u>0.15</u>
<u>Total Charge</u>	<u>10.50</u>	<u>1.26</u>

**Sec. 55-65. Builder's incentive program.**

- (a) The ~~city gas superintendent~~Director is authorized to established a builder's incentive program to promote the installation of natural gas powered equipment throughout the city. The ~~Director~~city gas superintendent is authorized under this program to make payments in the form of cash, fuel credits, or equipment to builders, developers, property owners, and equipment providers who install gas piping and certain natural gas powered equipment.
- (b) The ~~Director~~city gas superintendent shall prepare a rebate schedule for the builder's incentive program. The rebate schedule shall be submitted to the city manager for approval. The approved rebate schedule shall be filed with the city secretary and copies shall be provided to the city council. The rebate schedule shall be reviewed on an annual basis and may be adjusted at any time.

**Sec. 55-66. Service charge for same day gas service.**

The customer must pay an ~~thirtyeighty~~n thirtyeighty-dollar (~~\$3080~~\$3080.00) service charge for turning on gas service on the same day the customer requests gas service from the city.

**Secs. 55-67—55-69. Reserved.**

**SECTION 4.** Article V, Taps and Connections, of Chapter 55 of the Code of Ordinances is revised to amend Section 55-70 as described in this Section 4. The revisions take effect October 1, 2014. The new provisions are shown in underlined text and the deleted provisions are shown as struck through text, all 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	<del>\$100.00</del> <u>200.00</u>	<del>\$100</del> <u>200.00</u>

Commercial up to <del>two-eight</del> inches in size	<del>300</del> <u>1,600</u> .00	<del>300</del> <u>1,600</u> .00
Commercial larger than two inch in size	Special*	Special*
Loops	<del>—</del> <u>10.00</u>	
Meter moves	<del>—</del> <u>50.00</u>	
	<u>Fee</u>	
Loops	<u>20.00</u>	
Meter moves	<u>200.00</u>	

~~\*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	<del>\$100.00</del> <u>200.00</u>	<del>\$100.00</del> <u>200.00</u>
Commercial up to two inch in size	<del>300.00</del> <u>1,600</u>	<del>300.00</del> <u>1,600</u>
Commercial larger than two inch in size	Special*	Special*
Loops	<del>—</del> <u>10.00</u>	
Meter moves	<del>—</del> <u>50.00</u>	
	<u>Fee</u>	
Loops	<u>20.00</u>	
Meter moves	<u>200.00</u>	

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

\* \* \* \* \*

**SECTION 5.** Article VII, Wastewater Rates, Section 55-100 of the Code of Ordinances regarding wastewater rates is revised. The new rates are shown in underlined text and the former rates are shown as struck through text, 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, 2013 to September 30, 2014	Effective October 1, 2014
Inside city limits One-family minimum monthly charge (first 2,000 gallons)	<del>\$ 25.96</del>	<u>\$ 29.23</u>
Inside city limits One-family per 1,000 gallons over 2,000	<del>—5.25</del>	<u>5.75</u>
Inside city limits One-family maximum monthly charge (up to 25,000 gallons)	<del>146.71</del>	<u>161.48</u>
Outside city limits One-family minimum monthly charge (first 2,000 gallons)	<del>—32.45</del>	<u>37.36</u>
Outside city limits One-family per 1,000 gallons over 2,000	<del>—11.65</del>	<u>12.76</u>
Outside city limits One-family maximum monthly charge (up to 25,000 gallons)	<del>300.40</del>	<u>330.84</u>
Inside city limits Commercial minimum monthly charge (first 2,000 gallons)	<del>—35.37</del>	<u>39.53</u>
Inside city limits Commercial per 1,000 gallons over 2,000	<del>—3.76</del>	<u>4.11</u>
Outside city limits Commercial minimum monthly charge (first 2,000 gallons)	<del>—44.24</del>	<u>50.23</u>
Outside city limits Commercial per 1,000 gallons over 2,000	<del>—7.53</del>	<u>8.23</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 August 31 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. 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 budgeted revenues.
  - 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 two (2) per cent 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.

**SECTION 6.** The effective date is revised in Section 55-148 of the Code of Ordinances, Fees for abnormal wastewater surcharge, subsection (a) (8) to reflect effective date of October 1, 2014. The new date is shown in underlined text and the former date is shown in struck through text, 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	<del>August 1, 2013 to July 31, 2014</del> Effective October 1, 2014
X (unit charge in dollars per pound of COD)	\$0.0000
Y (unit charge in dollars per pound of BOD)	0.4014
Z (unit charge in dollars per pound of TSS)	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.

**SECTION 7.** All rates and charges established or revised by this ordinance take effect October 1, 2014.

**SECTION 8.** 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 9.** 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:

---

Rebecca Huerta  
City Secretary

---

Nelda Martinez  
Mayor

Approved as to form:

By: \_\_\_\_\_  
Lisa Aguilar, Assistant City Attorney  
For the City Attorney