

## **ORDINANCE NO. 2022-26**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AMENDING THE BASTROP CITY CODE OF ORDINANCES, AMENDING APPENDIX A, FEE SCHEDULE, ARTICLE A13.02 “WATER AND WASTEWATER RATES AND CHARGES”, SECTIONS A13.02.002 WASTEWATER SERVICE CHARGE, AND A13.02.004 WATER SERVICE CHARGE, AS ATTACHED IN EXHIBIT A; PROVIDING FOR: FINDINGS OF FACT, ENACTMENT, REPEALER, SEVERABILITY, EFFECTIVE DATE, CODIFICATION, AND PROPER NOTICE AND MEETING**

**WHEREAS**, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt ordinances or regulations that are for the good government, peace, or order of the City and that are necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS**, the City Council of the City of Bastrop, Texas engaged NewGen Strategies and Solutions to conduct a Water and Wastewater Rate Study in May 2018 and a Wholesale Rate Study in August 2022; and

**WHEREAS**, the Water and Wastewater Rate Study recommended a phase-in plan for the demand charge by meter size for water meters that reflects the American Waterworks Associations industry standards; and

**WHEREAS**, the Wholesale Rate Study recommended increased rates for both water and wastewater to fund ongoing water and wastewater infrastructure projects; and

**WHEREAS**, this ordinance increases the water demand charge for meter sizes greater than 1.5” and increases wholesale water and wastewater rates; and

**WHEREAS**, the City Council of the City of Bastrop, Texas has determined that in order to properly bill water and wastewater charges to their customers, it is necessary to amend the City Code of Ordinances Appendix A: Fee Schedule Article A13.02 Water and Wastewater Rates and Charges, Sections 13.02.002 and 13.02.004, as attached in Exhibit A.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AS FOLLOWS:**

**SECTION 1: FINDINGS OF FACT** The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

**SECTION 2. ENACTMENT** Appendix A, Article A13.02 Water and Wastewater Rates and Charges, Sections A13.02.002 Wastewater service charge and A13.02.004

Water service charge are hereby amended to read in accordance with Exhibit A which is attached hereto and incorporated into this Ordinance for all intents and purposes. Underlined language shall be added. Stricken language shall be deleted.

**SECTION 3. REPEALER** All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**SECTION 4. SEVERABILITY** Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

**SECTION 5. EFFECTIVE DATE** This Ordinance shall be effective November 1, 2022.

**SECTION 6. PROPER NOTICE & MEETING** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

**READ & APPROVED** on First Reading on the 20<sup>th</sup> day of September 2022.

**READ & ADOPTED** on the Second Reading on the 11<sup>th</sup> day of October 2022.

**APPROVED:**

\_\_\_\_\_  
Connie B. Schroeder, Mayor

**ATTEST:**

\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Alan Bojorquez, City Attorney

*Exhibit "A"*

**Appendix A – Fee Schedule**

Sec. A13.02.002 - Wastewater service charge.

(a) No change

~~(b) In order to meet critical needs of the city's wastewater system, it is the city's intention to increase these rates, by separate ordinances, by not less than 3.5% each year, starting in December 2012, and each succeeding December until December 2020, consistent with the recommendations of the city's staff, K\* Friese and Associates and Rimrock Consulting. The intended future rate increases are as follows:~~

~~December 2013 – Minimum and volume charges not less than 6.3% higher than those shown adopted in 2012;~~

~~December 2014 – Minimum and volume charges not less than 3.5% higher than those shown adopted in 2013;~~

~~December 2015 – Minimum and volume charges not less than 3.5% higher than those shown adopted in 2014;~~

~~December 2016 – Minimum and volume charges not less than 4.5% higher than those shown adopted in 2015;~~

~~December 2017 – Minimum and volume charges not less than 4.5% higher than those shown adopted in 2016;~~

~~December 2018 – Minimum and volume charges not less than 4.0% higher than those shown adopted in 2017; and~~

~~December 2019 – Minimum and volume charges not less than 3.5% higher than those shown adopted in 2018.~~

~~(e)(b)~~ Wholesale Wastewater: The following rates are applicable to all wholesale wastewater customers within the corporate limits of the city and the city's extraterritorial jurisdiction who have metered wastewater connections and who have executed a wholesale wastewater agreement with the city:

Monthly Fixed Charge

Customer Charge....\$1.75 per wholesale meter

Plus the following charges per 1,000 gallons of metered contributed flow

Volumetric Charge per 1,000 gallons.....\$5.18 per 1,000 gallons of metered flow contributed

**Sec. A13.02.004 - Water service charges.**

(a) Retail Water: The following rates will be applicable to retail all sales or service of water within the corporate limits of the city.

(1) Residential - In city limits

Meter Size	Minimum Charge
¾" (or smaller)	\$27.72
1"	\$47.13
1½"	\$87.24
2"	\$136.01
3"	\$255.02
4"	\$379.24
6"	\$819.06

Plus the following charges for consumption per 1,000 gallons:

0—3,000 gallons	\$ 2.85
3,001—5,000 gallons	\$ 3.04
5,001—10,000 gallons	\$ 3.22
10,001—20,000 gallons	\$ 3.42
20,001—50,000 gallons	\$ 3.69
Over 50,000 gallons	\$ 3.87

Commercial - In city limits.

Meter Size	Minimum Charge
¾" (or smaller)	\$27.72
1"	\$47.13
1½"	\$87.24
2"	\$136.01

3"	\$255.02
4"	\$379.24
6"	\$819.06

Plus the following charges for consumption per 1,000 gallons:

0—3,000 gallons	\$ 2.85
3,001—5,000 gallons	\$ 3.04
5,001—10,000 gallons	\$ 3.22
10,001—20,000 gallons	\$ 3.42
20,001—50,000 gallons	\$ 3.69
Over 50,000 gallons	\$ 3.87

(2) Residential and Commercial- Outside city limits.

Meter Size	Minimum Charge
$\frac{3}{4}$ " (or smaller)	\$41.59
1"	\$70.70
1½"	\$130.87
2"	\$204.03
3"	\$382.53
4"	\$649.00
6"	\$1,228.59

Plus the following charges for consumption per 1,000 gallons:

0—3,000 gallons	\$ 4.12
3,001—5,000 gallons	\$ 4.42
5,001—10,000 gallons	\$ 4.70
10,001—20,000 gallons	\$ 4.98

20,001—50,000 gallons	\$ 5.39
Over 50,000 gallons	\$ 5.66

- (b) Wholesale Water: The following rates are applicable to wholesale sales of water within the corporate limits of the city and the city's extraterritorial jurisdiction who have metered water connections and who have executed a wholesale water agreement with the city.

Monthly Fixed Charge

Source Cost .....\$45,000.00 per MGD subscribed capacity

Transmission Cost .....\$4,977.71 per MGD subscribed capacity

Customer Charge .....\$1.75 per wholesale meter

Plus the following charges for consumption per 1,000 gallons

Volumetric Charge per 1,000 gallons .....\$2.24 per 1,000 gallons of actual consumption