

## **Staff Report**

Date: May 13, 2005

To: Governing Body

From: City Attorney Maria Schrock

Re: Comprehensive Revision of the Water Code

**Recommendation:** Consider and approve the water code revisions, and direct that they be presented in ordinance format for Council approval at a subsequent agenda.

**Background:** The water code of the City of Bel Aire regulates water system connections to maintain proper sanitation for all users, sets rates for water service, establishes collection procedures, allows certain appeals and adjudications, provides the means to enforce violations and directs drought management measures. The current code is an assemblage of ordinances passed over many years, with changes always coming in response to some immediate need. Such an occasion arose again after the City Council passed the 2025 Municipal Water Conservation Plan. Several provisions of the current code must be changed to conform to that Plan. City staff has used the opportunity created by this need to comprehensively update the water code to improve efficiency, fairness and transparency to users.

**Discussion:** Many parts of the City's water code are unchanged since it was created approximately 45 years ago. Since then, there have been significant changes in technology, court decisions, and public expectations of responsiveness and transparency. Therefore, key portions of the water code are outdated and of marginal value. The revisions also recognize the value of separating the legislative Council function of rate setting and system expansion from the administrative functions of connections, collections and enforcement. Besides these substantive changes, the proposed language is also written in a style that is simpler and less staid.

**Financial considerations:** Most of the proposed changes are revenue neutral. Changes that allow greater staff efficiency will likely produce more timely service with broader scope rather than cost savings. The proposed changes requiring landlords to maintain master accounts will create an unquantified net gain to the system resulting from continuous baseline income and reducing the costs to frequent disconnect-reconnect requests.

**Legal considerations:** The City Attorney has directed, supervised and approved all proposed changes. The City Manager and all effected department heads have provided input and endorse the proposed changes. When the new code provisions are enacted, the prior ordinances which collectively create current procedure should be repealed.

**Recommendation:** Approve the proposed water code changes and direct staff to prepare the required ordinance for City Council approval.

**Attachments:**

Current water code with delineated changes

Proposed water code