

ORDINANCE NO. 21-01-07-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, AMENDING APPENDIX A FEE SCHEDULE OF THE CODE OF ORDINANCES, ARTICLE 6.000 UTILITY RELATED FEES TO ADD WATER AND WASTEWATER RATES FOR OUTSIDE CITY CUSTOMERS PROVIDING CODIFICATION AND PUBLICATION, AN EFFECTIVE DATE, REPEALER, SEVERABILITY, PROPER NOTICE AND OPEN MEETINGS CLAUSE.

WHEREAS, The City of Lago Vista, Texas is a Home Rule City; and

WHEREAS, The City Council of the City of Lago Vista finds that it is necessary and reasonable to adopt rates for water and wastewater services applicable to outside City customers to ensure that all costs associated with provision of such services is recouped; and

WHEREAS, the City Council desires to amend Appendix A, Fee Schedule, as set out in the attached Exhibit "A" and

WHEREAS, the City Council finds that it is necessary and proper for the purpose of promoting effective and efficient government of the City to adopt the proposed amendments to Appendix A, Fee Schedule of the City of Lago Vista Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, THAT:

SECTION 1. FINDINGS OF FACT. All of the above and foregoing recitals are hereby found to be true and correct legislative findings of the City and are incorporated herein as findings of fact.

SECTION 2. AMENDMENT. The City Council of the City of Lago Vista, Texas, does hereby amend Article 6.000 Utility Related Fees as shown in Exhibit "A." Underlined language shall be added and language to be deleted is signified by strike-through.

SECTION 3. REPEALER. All ordinances, orders or resolutions heretofore passed and adopted by the City Council of the City of Lago Vista, Texas, are hereby repealed to the extent said ordinances, orders or resolutions or parts thereof are in conflict herewith.

SECTION 4. SEVERABILITY CLAUSE. If any section, subsection, article, paragraph, sentence, clause, phrase or word in this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite

such invalidity, which remaining portions shall remain in full force and effect.

SECTION 5. CODIFICATION AND PUBLICATION. The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.013 of the Texas Local Government Code.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and publication in accordance with the Texas Local Government Code.

SECTION 7. OPEN MEETINGS. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

AND, IT IS SO ORDERED.

PASSED AND APPROVED this 7th day of January 2021 by a vote of the City Council of the City of Lago Vista, Texas.



Ed Tidwell
Ed Tidwell, Mayor

ATTEST:

Sandra Barton
Sandra Barton, City Secretary

On a motion by Councilmember Marion, seconded by Councilmember Williams, the above and foregoing ordinance was passed and approved.

Exhibit "A"

ARTICLE 6.000 UTILITY RELATED FEES

Sec 6.200 Utility Rates And Fees

(a) Residential and commercial water service:

1. Utility Line Extension Rate:

Unit Cost per Linear Foot									
Line Size	2"	3"	4"	6"	8"	10"	12"	16"	18"
Cost	\$67	\$68	\$92	\$100	\$119	\$136	\$146	\$203	\$212

2. Construction Administrative Fees:

- (A) 5% of the estimate for Option 1 (Resident Applicant)
- (B) 10% of the estimate for Option 1a (Home Builder Applicant)
- (C) 15% of the estimate for Option 1b (All Other Applicants and over 400' Extension)
- (D) 5% of the estimate for Option 2 (Developers and Non-City Managed Construction)

3. Monthly fee per LUE during stage 1 of water conservation: \$5.00

4. Consumption Report Fee: \$20.00

5. **Inside City** Residential (base rate plus volumetric rate (actual usage) by customer class). Effective: New rate effective with water sold beginning January 1, 2020, billed February 29, 2020 and bills due March 15, 2020:

- (A) Base rate: \$36.52.
- (B) Volumetric rate:
 - (i) 0–2,000 gallons: \$0.00.
 - (ii) 2,001–5,000 gallons: \$5.25 per 1,000 gallons.
 - (iii) 5,001–10,000 gallons: \$6.50 per 1,000 gallons.
 - (iv) 10,001–15,000 gallons: \$8.50 per 1,000 gallons.
 - (v) 15,001–25,000 gallons: \$11.00 per 1,000 gallons.
 - (vi) 25,001–50,000 gallons: \$14.00 per 1,000 gallons.
 - (vii) 50,001–above: \$17.50 per 1,000 gallons.

6. **Inside City** Commercial (base rate plus volumetric rate (actual usage) by customer class). Effective: New rate effective with water sold beginning January 1, 2020, billed February 29, 2020 and bills due March 15, 2020:

- (A) Base rate: \$36.52.
- (B) Volumetric rate:
 - (i) 0–2,000 gallons: \$3.95 per 1,000 gallons.
 - (ii) 2,001–5,000 gallons: \$5.77 per 1,000 gallons.
 - (iii) 5,001–10,000 gallons: \$7.15 per 1,000 gallons.
 - (iv) 10,001–15,000 gallons: \$9.35 per 1,000 gallons.
 - (v) 15,001–25,000 gallons: \$11.87 per 1,000 gallons.

- (vi) 25,001–50,000 gallons: \$15.17 per 1,000 gallons.
- (vii) 50,001–above: \$19.02 per 1,000 gallons.

7. **Inside City** Water irrigation rates (base fee plus volumetric rate (actual usage) by customer class). Effective: New rate effective with water sold beginning January 1, 2020, billed February 29, 2020 and bills due March 15, 2020:

- (A) Base rate: \$36.52.
- (B) Volumetric rate:
 - (i) 0–2,000 gallons: \$6.11 per 1,000 gallons.
 - (ii) 2,001–5,000 gallons: \$7.64 per 1,000 gallons.
 - (iii) 5,001–10,000 gallons: \$9.55 per 1,000 gallons.
 - (iv) 10,001–15,000 gallons: \$11.94 per 1,000 gallons.
 - (v) 15,001–25,000 gallons: \$14.93 per 1,000 gallons.
 - (vi) 25,001–50,000 gallons: \$18.66 per 1,000 gallons.
 - (vii) 50,001–above: \$23.32 per 1,000 gallons.

8. **Inside City** Industrial water rates (base fee plus volumetric rate (actual usage) by customer class). Effective: New rate effective with water sold beginning January 1, 2020, billed February 29, 2020 and bills due March 15, 2020:

- (A) Base rate: \$36.52.
- (B) Flat volumetric rate: \$4.17 per 1,000 gallons.

9. **Outside City Residential**

- (A) Base rate: \$41.51.
- (B) Volumetric rate:
 - (i) 0–2,000 gallons: \$0.00.
 - (ii) 2,001–5,000 gallons: \$6.55 per 1,000 gallons.
 - (iii) 5,001–10,000 gallons: \$7.80 per 1,000 gallons.
 - (iv) 10,001–15,000 gallons: \$9.80 per 1,000 gallons.
 - (v) 15,001–25,000 gallons: \$11.00 per 1,000 gallons.
 - (vi) 25,001–50,000 gallons: \$14.00 per 1,000 gallons.
 - (vii) 50,001–above: \$17.50 per 1,000 gallons.

10. **Outside City Commercial**

- (A) Base rate: \$41.51.
- (B) Volumetric rate:
 - (i) 0–2,000 gallons: \$3.95.
 - (ii) 2,001–5,000 gallons: \$5.77 per 1,000 gallons.
 - (iii) 5,001–10,000 gallons: \$7.15 per 1,000 gallons.
 - (iv) 10,001–15,000 gallons: \$9.35 per 1,000 gallons.
 - (v) 15,001–25,000 gallons: \$11.87 per 1,000 gallons.
 - (vi) 25,001–50,000 gallons: \$15.17 per 1,000 gallons.
 - (vii) 50,001–above: \$19.02 per 1,000 gallons.

11. **Outside City Irrigation/Fire Hydrant**

- (A) Base rate: \$41.51.
- (B) Volumetric rate:
 - (i) 0–2,000 gallons: \$9.60.
 - (ii) 2,001–5,000 gallons: \$12.00 per 1,000 gallons.
 - (iii) 5,001–10,000 gallons: \$15.00 per 1,000 gallons.
 - (iv) 10,001–15,000 gallons: \$18.75 per 1,000 gallons.

- (v) 15,001–25,000 gallons: \$23.44 per 1,000 gallons.
- (vi) 25,001–50,000 gallons: \$29.30 per 1,000 gallons.
- (vii) 50,001–above: \$36.62 per 1,000 gallons.

- (b) Temporary water turn-on for inspections and cleaning (up to 3,000 gallons): \$55.00.
- (c) Wastewater (sewer) service (base rate plus volumetric rate). Effective: New rate effective with bills due May 15, 2018:
 - 1. Inside City Residential (volumetric rate will be determined by “winter averaging” a residential customer’s water usage for the months of November 2019; January and February 2020):
 - (A) Base rate: \$19.00.
 - (B) Volumetric rate: \$10.75 per 1,000 gallons.
 - 2. Inside City Commercial/industrial (volumetric rate will be determined based on water usage):
 - (A) Base rate: \$19.00.
 - (B) Volumetric rate: \$10.75 per 1,000 gallons.
 - 3. Inside City Sewer only or limited history, citywide average takes into account all water usage for the months of November, January and February. New rate effective with bills due May 15, 2018. Rates are the citywide average.
 - 4. Inside City Time of use sewer rate for nonprofit organizations:
 - (A) 1 to 2 days facility use per week: \$32.33.
 - (B) 3,000+ gallons: \$3.80 per 1,000 gallons.
 - (C) 3 to 4 days facility use per week: \$39.30.
 - (D) 3,000+ gallons: \$3.80 per 1,000 gallons.
 - (E) 5 to 7 days facility use per week: \$46.25.
 - (F) 3,000+ gallons: \$3.80 per 1,000 gallons.
 - 5. Rainwater system ONLY customers: For those wastewater customers who are not attached to the city water, a private well, or another public water system and who rely solely on stored rainwater to supply their non-potable needs, their wastewater will be billed at one-half (1/2) of the citywide average for wastewater services for the months of November, January and February. To qualify for the reduced rate, the customer must make application to the city utility department and provide proof that their service qualifies for this reduced rate. Current application rates will be based upon existing winter averaging rate and then will be updated on May 15, 2018.
 - 6. Outside City Sewer (Residential volumetric rate will be determined by “winter averaging” a residential customer’s water usage for the months of November, January and February. Commercial volumetric rate will be determined based on water usage.)
 - (A) Base rate: \$27.34.
 - (B) Volumetric rate: \$10.75 per 1,000 gallons.

(d) Reclaimed Water Rates

- 1. The Type II Reclaimed Water standard rate shall be one half the volumetric rate per 1,000 gallons established for residential sale of potable water between 2,001 and 5,000 gallons.

2. Any Type II Reclaimed Water nonstandard, or wholesale, rates will be determined via a separate agreement as approved by the City Council.

(e) Sanitation service:

1. Base trash and recycling (includes one trash cart and one recycling cart): \$21.98. Rates take effect October 1, 2017, with bills being sent out October 30th and due November 15, 2017.
2. Additional trash and/or recycling carts: \$9.24 each plus tax.

(f) Deposits:

1. Security deposit: \$130.00.
2. Residential water and sewer deposit (without trash): \$100.00.
3. Commercial water deposit: \$300.00.
4. Sanitation deposit: \$30.00.

(g) Late payment penalty: \$15.00.

(h) Disconnection and reconnection fee: \$50.00.

(i) Disconnection/reconnection fee for nonpayment: \$50.00.

(j) RPZ inspection fee: \$50.00, plus the cost of repairs.

(k) Damage or injury to waterworks utility system: \$50.00.

(l) Illegal Water/Wastewater Connection or Diversion Fee: \$750 per occurrence plus cost of water used as estimate by the City.