

ORDINANCE NO. 6937

AN ORDINANCE AMENDING SECTION 50.34(1), SECTION 50.35(G), AND SECTION 50.61(A) OF CHAPTER 50, "UTILITY RATES AND FEES" OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS, RELATING TO FEES FOR WATER, SEWER, AND STORMWATER SERVICES PROVIDED BY THE CITY; PROVIDING A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS:

Section 1

That Sec. 50.34(1) of Chapter 50, "Utility Rates and Fees," of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"(1) Residential, commercial and industrial rates.

(a) Residential.

Volume Charge

First 3,000 gallons or less (per thousand)	\$4.77
Next 12,000 gallons (per thousand)	\$5.89
All over 15,000 gallons (per thousand)	\$9.22

(b) Commercial and industrial.

Volume charge per 1,000 gallons	\$6.17
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(c) Customer charge per month for residential, commercial and industrial customers will be based on meter size:

<u>Meter</u>	<u>Rate</u>
5/8 inch	\$20.05
3/4 inch	\$26.80
1 inch	\$28.30
1-1/2 inch	\$31.30
2 inch	\$41.50

3 inch	\$108.20
4 inch	\$133.55
6 inch	\$191.45
8 inch	\$258.30
10 inch	\$333.75"

Section 2

That Sec. 50.35(G) of Chapter 50, "Utility Rates and Fees," of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"(G) Customer cities and major commercial/industrial users, specific wastewater treatment; surcharge; review procedures. The wastewater treatment charges for customer cities shall be as follows:

<u>Customer</u>	<u>Rate Per 1,000 Gallons</u>
Dallas	\$2.96
Richardson	\$2.58
Rowlett	\$2.67
Sachse	\$2.73
Sunnyvale	\$2.81

These charges will be based on 100% of the metered volume of actual wastewater discharged into the city. These rates do not abrogate any provisions under existing contracts between the city and the individual customer cities, but are supplemental to said contracts.

And further, the wastewater treatment rates for the individual industrial subclasses are to be:

<u>Customer</u>	<u>Rate Per 1,000 Gallons</u>
Kraft Foods	\$11.22
Sherwin-Williams	\$6.03

General Dynamics	\$5.00
Raytheon	\$5.00
Baylor Medical Center	\$5.00
Carroll Company	\$10.72
Economics Lab	\$10.99
Valspar Chemical Corp.	\$5.21
Texas Precision	\$5.00
L3 Communications	\$5.00
Daisy Brand	\$12.13
Ona Polymers	\$23.22
IFS	\$26.52
Quality Star Products	\$9.00

This sewerage effluent will be based on 80% of the water volume unless the customer has installed a city-approved flow-measuring device, in which case the total flow will be used.

A commercial/industrial surcharge will be applied if a user exceeds the quality loading data (weighted average biochemical oxygen demand (BOD) and weighted average total suspended solids (TSS)) used in the development of its user charge by 50%. When this excess is encountered, a surcharge will be computed which will be the actual cost of additional treatment. This surcharge will be computed by the following formula:

BOD and TSS Surcharge Calculation (mg/l)

$$S1 = V \times (BOD - C) * A$$

$$S2 = V \times (TSS - D) * B$$

Where:

S1 = BOD Surcharge

S2 = TSS Surcharge

V = Total water consumption in thousands of gallons during the billing period

A = Unit charge in dollars per liter for BOD

B = Unit charge in dollars per liter for TSS

C = Normal BOD strength allowance defined as 200 mg/l

D = Normal TSS strength allowance defined as 200 mg/l

BOD = Average 3-month biochemical oxygen demand concentration in mg/l

TSS = Average 3-month total suspended solids concentration in mg/l

In the event a customer places pretreatment equipment in the business process or for any other reason improves the quality of effluent, a review process may be requested by the industrial customer. To obtain this review, all of the following steps must be taken:

- (1) The customer must make a formal written request to the city council through the city secretary for this rate to be examined.
- (2) Formal assurances must be supplied that a change in the effluent due to sewerage pretreatment, product manufacturing change, or any other reason must be expected to remain in effect for at least 12 months or until the next scheduled rate review and change.
- (3) The customer must agree that the cost of sampling by city staff (or an independent party at the city's election) to determine the new loading factors, plus the cost of 2 more samples to be taken at the city's own discretion, will be prepaid by the customer. In the event the city elects not to take additional samples or if the next samples are part of the regularly scheduled sampling plan, the cost of the prepaid samples will be refunded by the city to the customer. The cost of samplings will be \$75.00 each, for a total of \$225.00.

The city shall have 45 days from the date the written request is received by the city secretary to take action. This will be in the form of a resolution acted upon by the city council. The effective

date of the credit shall be the regular bill to the customer subsequent to the approved resolution by the council. A rate credit may be in order to be approved by the city council. The credit shall remain in effect until the next regular rate schedule has been put into effect by the city council unless the user's effluent increases significantly, in which case the provisions set forth above concerning surcharges shall apply. Should the customer be deemed entitled to a rate reduction, the maximum amount of the reduction to be allowed would be the variable costs associated with the new effluent loadings. This credit will be computed in the same manner as the surcharge as defined above. The city council may take any action it deems equitable with respect to the customer's rate, but until such action is taken, the customer's obligation to pay rates previously established shall not be relieved unless this subsection is amended by proper council action.

Prior to the implementation of the proposed rates for each budget year, each customer will have the right to an administrative review of the cost allocations. Computer calculations, work papers and sampling data shall be available for public review during normal business hours.

Nothing in this subsection shall be construed to supersede or abolish the industrial waste ordinance controlling allowable discharges (codified herein as section 22.140 et seq.) and associated penalties."

Section 3

That Sec. 50.61(A) of Chapter 50, "Utility Rates and Fees," of the Code of Ordinances of the City of Garland, Texas, is hereby amended to read as follows:

"(A) The following schedule of drainage charges is hereby established:

(1) Each single-family residential dwelling unit:

(a) On small lots (average of 3,750 square feet used for rate):
\$1.64 per month.

(b) On medium lots (average of 7,500 square feet used for rate):
\$3.23 per month.

(c) On large lots (average of 11,500 square feet used for rate): \$4.82 per month.

(2) All other developed property feet of impervious area: \$0.082 per 100 square feet.

For the purposes of this subsection, "impervious area" means any area not able to absorb rainfall, thereby creating stormwater runoff. In addition to any mandatory exemption provided by law, school districts, and property owned by a religious organization that is exempt from taxation pursuant to section 11.20 of the Texas Tax Code, shall be exempt from the charges established by this section."

Section 4

That Chapter 50, "Utility Rates and Fees," of the Code of Ordinances of the City of Garland, as amended, shall be and remain in full force and effect save and except as amended by this ordinance.

Section 5

That the terms and provisions of this Ordinance are severable and are governed by Section 10.06 of the Code of Ordinances of the City of Garland, Texas.

Section 6

That this Ordinance shall be and become effective immediately upon and after its passage and approval.

PASSED AND APPROVED on this the 19th day of September, 2017.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary