

ORDINANCE NO. 2022-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CUERO, TEXAS, AMENDING CHAPTER 12 “UTILITIES”, ARTICLE 12.06 “WATER SYSTEM”, DIVISION 3 “RATES AND CHARGES; BILLING”; SECTION 12.06.061 “MONTHLY RATES; CONNECTION CHARGES”, BY ADDING SECTION 12.06.061(G) ENTITLED BULK WATER RATE; AND AMENDING APPENDIX A “FEE SCHEDULE”, ARTICLE A6.000 “UTILITY RATES AND CHARGES”, DIVISION 5 “WATER SERVICE”, SECTION A6.121 “MONTHLY RATES, THAT PROVIDE FEES FOR BULK WATER CUSTOMERS IN THE CITY OF CUERO CODE OF ORDINANCES, BY INCREASING RATE FROM \$13.50 PER 1,000 GALLONS TO \$14 PER 1,000 GALLONS AND INCREASING BULK METER CHARGE TO \$140.00 PER 10,000 GALLONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR A SEVERABILITY CLAUSE; AND PRESCRIBING AN EFFECTIVE DATE.

WHEREAS, the City of Cuero sells bulk water to customers at a charge that includes per gallonage of use; and

WHEREAS, the City of Cuero desires to amend Chapter 12 “Utilities”, Article 12.06 “Water System”, Division 3 “Rates and Charges; Billing”, Section 12.06.061 “Monthly Rates; Connection Charges” of the City Code of Ordinances by adding Section 12.06.061(g) to provide as follows:

12.06.061(g)

(g) Bulk Water Rate

A. For bulk water sold through the City bulk water meter:

Gallonage Charge per 1,000 gallons will be as set out in the fee schedule in Appendix A of this Code.

B. Bulk Water Monthly Meter Service Charge- So long as the Customer has a meter in their name, Customer shall automatically be charged a minimum fee per month as set out in the fee schedule in Appendix A of this Code and thereafter shall be billed for water in excess of 10,000 gallons as the rate in paragraph above. As stated, this monthly charge shall apply as long as the Meter is in the name of the Customer, whether purchasing bulk water or not.

WHEREAS, the City Council of the City of Cuero, after careful deliberation approves to above referenced amendment to Section 12.06.061, by adding a new Section 12.06.061(g); and

WHEREAS, as per the above-referenced amendment to Section 12.06.061(g), Appendix A “Fee Schedule”, Article A6.000, “Utility Rates and Charges”, Division 5 “Water Service”, Section A6.121(a) and (b) are hereby amended;

WHEREAS, that reference to Bulk Customers, 0-99,999,999 / \$13.50 is removed from the rates table referenced in Section A6.121, (a) Inside city limits; and

WHEREAS, that reference to Bulk Customers, 0-99,999,999 / \$13.50 is removed from the rates table referenced in Section A6.121, (b) Outside city limits; and

WHEREAS, a new Section A6.121(c) entitled Bulk Water Rate shall be added as follows:

Section A6.121 (c)

(c) Bulk Water Rate

**A. For bulk water sold through the City bulk water meter:
Gallage Charge per 1,000 gallons--\$14.00; and**

**B. Bulk Water Monthly Meter Service Charge---\$140.00 per month
(Shall apply as long as City Meter in the name of Customer, whether
purchasing bulk water or not.)”**

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CUERO, TEXAS:

SECTION ONE: FINDINGS OF FACT. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION TWO: AMENDMENT: That Chapter 12, Utilities, Division 3. Rates and Charges, Billing, Section 12.06.061(g) is added to the Code of Ordinances of the City of Cuero, Texas, be and the same is hereby amended to read as follows:

(g) Bulk Water Rate

**A. For bulk water sold through the City bulk water meter:
Gallage Charge per 1,000 gallons will be as set out in the
fee schedule in Appendix A of this Code.**

B. Bulk Water Monthly Meter Service Charge- So long as the Customer has a meter in their name, Customer shall automatically be charged a minimum fee per month as set out in the fee schedule in Appendix A of this Code and thereafter shall be billed for water in

excess of 10,000 gallons as the rate in paragraph above. As stated, this monthly charge shall apply as long as the Meter is in the name of the Customer, whether purchasing bulk water or not.

SECTION THREE. AMENDMENT. That Appendix A. “Fee Schedule”, Article A6.000 “Utility Rates and Charges”, Division 5 “Water Service”, Section A6.121(a) and (b) are hereby amended to provide that the reference to Bulk Customers be removed from the rates table referenced in Section A6.121 (a) Inside city limits; Bulk Customers, 0-99,999,999 / \$13.50 and, (b) Outside city limits Bulk Customers, 0-99,999,999 / \$13.77, and a new Section A6.121(c) entitled Bulk Water Rate shall be added as follows:

Section A6.121 (c)

(c) Bulk Water Rate

**A. For bulk water sold through the City bulk water meter:
Gallage Charge per 1,000 gallons--\$14.00; and**

**B. Bulk Water Monthly Meter Service Charge---\$140.00 per month
(Shall apply as long as City Meter in the name of Customer, whether
purchasing bulk water or not.)”**

SECTION FOUR: REPEALER. All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

SECTION FIVE: SEVERABILITY. Should any part, sentence or phase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected.

SECTION SIX: PROPER NOTICE AND MEETING. The meeting at which this Ordinance was adopted was open to the public and 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.

SECTION SEVEN: EFFECTIVE DATE: This ordinance shall take effect immediately from and after a passage after the required two (2) readings and the publications of the caption as the law in such cases provides, if at all.

**UPON MOTION OF COUNCILMEMBER _____, SECONDED BY
COUNCILMEMBER _____, THAT THE ORDINANCE BE
ADOPTED ON FIRST READING THIS _____ DAY OF _____ 2022.**

AYES:___ NAYES: _____ MOTION CARRIED.

**UPON MOTION OF COUNCILMEMBER _____, SECONDED BY
COUNCILMEMBER _____, THAT THE ORDINANCE BE
ADOPTED ON SECOND AND FINAL READING THIS DAY OF _____
2022.**

AYES:___ NAYES: _____ MOTION CARRIED.

**APPROVED AND EFFECTIVE ON THIS THE _____ DAY OF _____,
2022.**

**SARA POST MEYER
MAYOR**

ATTEST:

**JENNIFER ZUFELT
CITY SECRETARY**

APPROVED AS TO LEGALITY:

**JAMES K. CRAIN, III
CITY ATTORNEY**