

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING RATES FOR WASTEWATER CUSTOMERS OF ALL DISTRICTS IDENTIFIED HEREIN; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City has executed Agreements for the provision of wastewater treatment for customers of all Kelly Lane Water Control and Improvement Districts, Lakeside Water Control and Improvement Districts and Lakeside Municipal Utility District (“Districts”); and

WHEREAS, the executed Agreements set out a flat rate of \$40.00 per Living Unit Equivalent (LUE) for the City’s treatment of wastewater for the District; and

WHEREAS, the City has performed a comprehensive analysis of the costs associated with providing wholesale wastewater treatment services to the Districts (“Rate Analysis”) for the City’s fiscal year 2023; and

WHEREAS, the Rate Analysis sets out the need to increase the wholesale wastewater rate in order to cover the costs to the City for providing this service to the District; and

WHEREAS, the City Council finds the Districts’ wholesale wastewater rates should be amended to reflect recommendations as determined by the Rate Analysis; and

WHEREAS, the City Council finds the rates provided in this Ordinance should take effect January 1, 2023 and continue until modified by Ordinance.

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

Section 1. Findings

The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

Section 2. District Customer Wastewater Rates.

Effective January 1, 2023, the City will charge the Districts a rate of \$41.67 per served LUE for wholesale wastewater treatment, which rate will be incorporated into the City’s approved Master Fee Schedule.

Section 7. Severability.

If any provision of this Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of this Ordinance will not be affected and, in lieu of each illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable provision as is possible and is legal, valid, and enforceable will be added to this Ordinance.

Section 8. Conflicting Ordinances.

All prior ordinances of the City dealing with or applicable to this Ordinance are hereby amended to the extent of any conflict herewith, and all ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this Ordinance and any other ordinance of the City, the terms and provisions of this Ordinance shall govern.

Section 9. Effective Date.

This Ordinance shall be effective on November 29, 2022, and services will be billed based on the rates contained herein as provided herein.

PASSED AND APPROVED THIS 29th DAY OF November 2022.

CITY OF PFLUGERVILLE, TEXAS

By: _____
Victor Gonzales, Mayor

ATTEST:

Trista Evans, City Secretary

APPROVED AS TO FORM:

Charles E. Zech, City Attorney
Denton Navarro Rocha Bernal & Zech PC