

ORDINANCE NO. 2022-02-01

AN ORDINANCE OF THE CITY OF GREGORY, TEXAS ESTABLISHING AN AMENDED RATE SCHEDULE RELATED TO WATER SERVICE AND ESTABLISHING CHARGES FOR RESIDENTIAL, COMMERCIAL AND INDUSTRIAL CUSTOMERS BOTH INSIDE AND OUTSIDE THE CITY LIMITS OF THE CITY OF GREGORY, TEXAS

WHEREAS, pursuant to the Texas Local Government Code, chapter 552 the City owns and operates the Gregory Water system and seeks to ensure that water utility service is adequate and efficient for the customers of the City; and

WHEREAS, pursuant to the Texas Water Code section 13.042, the City of Gregory has exclusive jurisdiction over its water utility rates; and

WHEREAS, the City of Gregory City Council hereby finds and determines that the cost of water, equipment, repairs and supplies needed to operate the City's water system has steadily increased and the water rates must be increased to generate revenue sufficient to cover expenses; and

WHEREAS, the City Council finds that the Water Utility now services numerous commercial and industrial customers and consumers who utilize these services which increases maintenance and pumping costs; and

WHEREAS, the City Council desires to amend the rates for water service, based on a water rate study performed for such purpose, and

WHEREAS, the City Council finds the rates provided for here are reasonably necessary for the services provided; and

WHEREAS, the City Council of the City of Gregory hereby establishes the following Water Rate Schedule regulating rates for water service.

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

Section 1. Water Rates Established. The City Council hereby adopts the rates as shown on the exhibits attached hereto and incorporated for all purposes:

Exhibit A - Residential Water Rates Inside City Limits

Exhibit B - Water Rates Outside City Limits

Exhibit C - Commercial Rates - C-1 and C-2

Exhibit A

Water Inside City Limits

**Single family: standard
meter**

2,000 gallons minimum \$23.12
All gallons over 1,000 gallons \$5.75

**Multi-family households: standard
meter**

1,000 gallons minimum \$50.00
All gallons over 1,000 gallons \$6.00

C-1 Accounts with various size meters

1" meter 1,000 gallons minimum \$50.00; All gallons over 1,000 gallons \$6.00
2" meter 1,000 gallons minimum \$168.35; All gallons over 1,000 gallons \$6.00
3" meter 1,000 gallons minimum \$320.94; All gallons over,000 gallons \$6.00
4" meter 1,000 gallons minimum \$492.63; All gallons over 1,000 gallons \$6.00
6" meter 1,000 gallons minimum \$968.63; All gallons over 1,000 gallons \$6.00
8" meter 1,000 gallons minimum \$1412.13; All gallons over 1,000 gallons \$6.00
10" meter 1,000 gallons minimum \$2028.50; All gallons over 1,000 gallons \$6.00

Exhibit B

Water Outside City Limits

Single family:

Standard meter

2,000 gallons

minimum \$44.67

All gallons over 1,000 gallons \$5.83

Multi-family households

1,000 gallons minimum \$73.32

All gallons over 1,000 gallons \$6.25

Accounts with various size meters

1" meter 1,000 gallons minimum \$50.00; All gallons over 1,000 gallons \$6.00

2" meter 1,000 gallons minimum \$178.34; All gallons over 1,000 gallons \$6.00

3" meter 1,000 gallons minimum \$330.93; All gallons over 1,000 gallons \$6.00

4" meter 1,000 gallons minimum \$335.08; All gallons over 1,000 gallons \$6.00

6" meter 1,000 gallons minimum \$978.62; All gallons over 1,000 gallons \$6.00

8" meter 1,000 gallons minimum \$1,422.12; All gallons over 1,000 gallons \$6.00

10" meter 1,000 gallons minimum \$2,038.49; All gallons over 1,000 gallons \$6.00

Exhibit C

Commercial Rates – C-1

C-1 Accounts with various size meters

1" meter 1,000 gallons minimum \$50.00; All gallons over 1,000 gallons \$6.00
2" meter 1,000 gallons minimum \$168.35; All gallons over 1,000 gallons \$6.00
3" meter 1,000 gallons minimum \$320.94; All gallons over,000 gallons \$6.00
4" meter 1,000 gallons minimum \$492.63; All gallons over 1,000 gallons \$6.00
6" meter 1,000 gallons minimum \$968.63; All gallons over 1,000 gallons \$6.00
8" meter 1,000 gallons minimum \$1412.13; All gallons over 1,000 gallons
\$6.00
10" meter 1,000 gallons minimum \$2028.50; All gallons over 1,000 gallons \$6.00

Commercial Rates – C-2

C-2 Accounts

\$1,500.00 1,000 gallons minimum all gallons over 1,000 gallons \$6.00

Section 2. Every utility customer of the City now or hereafter existing shall pay a monthly Capital Improvements Charge for the purpose of paying the principal, interest and other amounts owed on the "City of Gregory, Texas Combination Tax and Revenue Certificates of Obligation, Series 2011 " (the Certificate of Obligation), in accordance with the following schedule:

Residential customers	\$15.00
Multi-Family	\$50.00
Commercial – C-1	
To include School, Church, Hotel	\$60.00
Commercial –C-2	
Other than School, Church, Hotel	\$200.00

- A. The Capital Improvements Charge will be separately stated on each monthly utility bill and will be collected and enforced in the same manner as other charges imposed.
- B. The Capital Improvements Charge shall be effective immediately upon the passage and shall be stated on utility bills issued on or after January 1, 2014. The Capital Improvement Charge shall remain in effect until the Certificate of Obligation has been paid in full or otherwise satisfied or canceled, unless the Charge is earlier modified by action of the City Council.
- C. All Capital Improvements Charges collected shall be deposited into an account dedicated for the purpose of making payments on the Certificate of Obligation. After the Certificate of has been paid in full or otherwise satisfied or canceled, any Capital Improvements Charges remaining in that account or thereafter collected shall be transferred to the City's General Fund and be available for use for any City purpose, unless otherwise determined by the City Council.
- D. In the event a utility customer pays less than the full amount due on any utility bill, the amount paid shall be first applied to any unpaid Capital Improvements Charge and then any balance of the payment shall be applied to payment of the utility fees.

Section 3. Findings. The City Council finds the above recitations to be true and correct and adopts said findings as if set forth in full herein.

Section 4. Incorporation of Ordinance. All provisions of this article pertaining to the Ordinance shall be deemed to be incorporated in every contract between the City of Gregory and its customers, and each customer shall be charged with the knowledge of such provisions, and, by applying for and accepting water from City of Gregory, to have assented to the provisions hereof.

Section 5. Repealer. That all ordinances or provisions of ordinances in conflict herewith are hereby repealed. That all provisions of the other ordinances of the City of Gregory not herein amended or repealed shall remain in full force and effect.

Section 6. Savings Clause. The repeal or amendment of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering a penalty accruing or to accrue or as affecting any rights of the City of Gregory under any section or provisions of any ordinances in effect at the time of passage of this ordinance.

Section 7. Cumulative. The provisions of this ordinance shall be cumulative of all ordinances not repealed by this ordinance and ordinances governing or regulating the same subject matter as that covered herein. This ordinance shall not be construed to require or allow any act which is prohibited by any other ordinance.

Section 8. Severability. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance shall be declared invalid by judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance and the remainder of this ordinance shall be enforced as written.

Section 9. Proper Notice and Meeting. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to public 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. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.


Section 10. Effective Date. This Ordinance shall become effective from and after its passage and any publication requirements as provided by law.

PASSED AND APPROVED, this the 21st day of February 2022.



Jeronimo B. Garcia, Mayor

ATTEST:



Norma Garcia, City Secretary