

**ORDINANCE NO. 2019-004**

AN ORDINANCE OF WYLIE NORTHEAST SPECIAL UTILITY DISTRICT, COLLIN COUNTY, TEXAS (DISTRICT), REPEALING ORDINANCE NO. 2017-003; AMENDING AND RESTATING SECTION 7.07 OF THE RATE ORDER TO INCREASE THE WATER GALLONAGE AND LEAK ADJUSTMENT RATES AND THE MONTHLY BASE RATE FOR SEWER SERVICE; PROVIDING FOR A SAVINGS/REPEALING CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Wylie Northeast Special Utility District (the "District") is a political subdivision of the State of Texas created under the authority of Section 59, Article XVI, Texas Constitution, and operating pursuant to Chapters 49 and 65, Texas Water Code;

WHEREAS, the Board of Directors of the District adopted a comprehensively revised and restated Rate Order pursuant to Ordinance No. 2015-004 establishing service policies and rates for water and sewer services provided by the District to the public;

WHEREAS, the District entered into a wholesale supply contract with the North Texas Municipal Water District ("NTMWD") for the District's entire water supply;

WHEREAS, the Board adopted Ordinance No. 2017-003 amending and restating Section 7.07 of the District's Rate Order to increase gallonage rates and the leak adjustment rate in response to a wholesale water rate increase imposed by the NTMWD for fiscal year 2017-2018;

WHEREAS, the NTMWD has imposed a wholesale rate increase on the District's water supply for fiscal year 2019-2020 and the Board finds it to be fiscally prudent and necessary to amend the water and sewer gallonage rates and the leak adjustment rate set forth in Section 7.07 of the Rate Order respectively in response to the aforementioned rate increase.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF WYLIE NORTHEAST SPECIAL UTILITY DISTRICT THAT:

SECTION 1.     Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance by reference for all purposes.

SECTION 2.     Repealing Ordinances. Ordinance No. 2017-003 is hereby repealed.

SECTION 3.     Amending and Restating Section 7.07 of the Rate Order. Section 7.07 of the Rate Order is hereby amended and restated in its entirety to read as follows:

**7.07    *Monthly Service Charges.***

(a)     Water Service. *The District shall assess monthly charges for water*

service at the following rates:

(1) *Base Rate.* The base rate is that portion of a customer's monthly bill which is paid for the opportunity of receiving utility service, excluding standby fees which does not vary due to changes in service consumption. The standard service unit is a 5/8" x 3/4" meter (as per AWWA maximum continuous flow specifications), which is used as a base multiplier for the monthly base rate amount. Therefore, a customer's water service base rate charge is based on the number of 5/8" x 3/4" meters equivalent to the size of that customer's meter. The district's monthly base rates for water service and meter size equivalents are as follows:

METER SIZE	5/8" x 3/4" METER EQUIVALENTS	MONTHLY RATE
5/8" x 3/4"	1.0	\$ 30.00
3/4" x 3/4"	1.5	45.00
1"	2.5	75.00
1 1/2"	5.0	150.00
2"	8.0	240.00
3" DISP.	9.0	270.00
3" CMPD.	16.0	480.00
3" TURB.	17.5	525.00
4" CMPD.	25.0	750.00
4" TURB.	30.0	900.00
6" CMPD.	50.0	1,500.00
6" TURB.	62.5	1,875.00
8" CMPD.	80.0	2,400.00

(2) *Gallonge Rate.* In addition to the base rate, customers shall be assessed a gallonge charge at the following rates for water metered during a single billing period:

0 to 5,000 gallons . . . . .	\$6.61 per 1,000 gallons
5,001 to 10,000 gallons . . . . .	\$7.47 per 1,000 gallons
10,001 to 15,000 gallons . . . . .	\$8.47 per 1,000 gallons
15,001 to 20,000 gallons . . . . .	\$9.41 per 1,000 gallons
>20,000 gallons . . . . .	\$10.34 per 1,000 gallons

(3) *Leak Adjustment Rate.* Leak adjustments under Section 5.23 will be billed at the rate of \$3.65 per 1,000 gallons.

(b) Wastewater Service. The District shall assess monthly charges for wastewater service at the following rates:

(1) *Base Rate.* The district's monthly base rate for wastewater service is \$36.00. Similar to Section 7.07(a)(1) above, a customer's wastewater service base rate charge is based on the number of standard service units equivalent to the size of that customer's particular meter. [Example: George W. Bush Elementary has a 3" meter, which is equivalent to 9 standard 5/8" x 3/4" meters, so the monthly sewer service base rate for George W. Bush Elementary is calculated as follows:  $\$36 \times 9 = \$324$  per month]

(2) *Gallonge Rate.* In addition to the base rate, customers shall be assessed a gallonge charge for wastewater service at the following rate for water meter during a single billing period: \$2.00 per 1,000 gallons.

(c) *Regulatory Assessment.* In accordance with TCEQ regulations, the district shall collect from each customer a regulatory assessment equal to 0.5% of the monthly charges collected by the district for water and sewer service. [See 16 TAC § 24.76 and Water Code § 5.701(n)]. State agencies, wholesale customers and purchasers of non-potable water are exempt from the regulatory assessment. [See TCEQ Publ. RG-199].

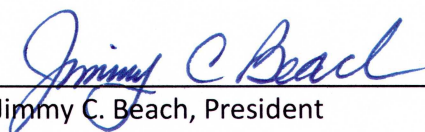
SECTION 4. Savings/Conflicts. Ordinance No. 2015-004 shall remain in full force and effect save and except as amended by this Ordinance or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed and any remaining portions of such ordinance shall remain in full force and effect.

SECTION 5. Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The District hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

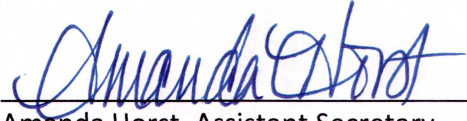
SECTION 6. Effective Date. This Ordinance shall become effective from and after its adoption by the Board.

ADOPTED on the 10<sup>th</sup> day of September, 2019, by the Board of Directors of Wylie Northeast Special Utility District.



  
Jimmy C. Beach, President

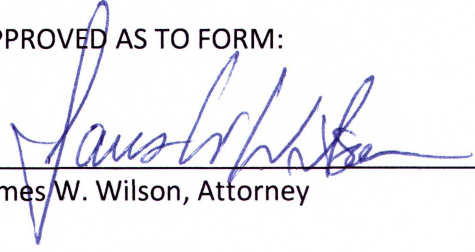
ATTEST:



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Amanda Horst, Assistant Secretary

APPROVED AS TO FORM:



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James W. Wilson, Attorney