

ORDINANCE NO. 0412013-007

AN ORDINANCE OF THE CITY OF COTULLA, TEXAS (CITY) AMENDING ORDINANCE NO. _____; ADOPTING NEW UTILITY RATES FOR WATER AND SEWER, INCLUDING NEW GENERAL SERVICE, DEPOSIT, TAPPING, AND LINE EXTENSION; IMPLEMENTING A METER-SIZE BASED MINIMUM CHARGE STRUCTURE FOR WATER SERVICE; INCREASING MINIMUM CHARGES AND VOLUMETRIC RATES EACH YEAR FROM OCTOBER 2012 THROUGH OCTOBER 2016 AT THE LEVELS INDICATED IN THE RATE TABLES PROVIDED WITHIN THIS ORDINANCE, SAID RATE INCREASES TO AUTOMATICALLY GO INTO EFFECT ON OCTOBER 1, 2012 AND FOR EACH SUBSEQUENT YEAR THEREAFTER THROUGH OCTOBER 2016 UNLESS THE CITY COUNCIL TAKES ACTION TO REVISE THIS ORDINANCE; AUTHORIZING THE MAYOR TO ORDER THE IMPLEMENTATION OF THE AMENDED RATE SCHEDULE WITHIN AND WITHOUT THE CITY; DECLARING A PUBLIC PURPOSE; PROVIDING A REPEALER; PROVIDING FOR SEVERABILITY; AND SETTING AN EFFECTIVE DATE

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WHEREAS, the City of Cotulla wishes to amend its utility rate schedule as approved and implemented by Ordinance No. _____; and

WHEREAS, the governing body of the City has determined the rates for providing municipal utility services requires adjustment in order to reflect its actual costs and to assure the City's continued financial ability to provide these services; and

WHEREAS, the water and wastewater systems continue to grow at increased levels each year and the expansion, rehabilitation and improvement needs of existing infrastructure is critical; and;

WHEREAS, funding the water and wastewater system's capital expansion and improvement plans will require the issuance of revenue and other bonds, the repayment of which will come primarily from the revenues generated by the respective system's user fees and charges; now

BE IT ORDAINED BY THE CITY COUNCIL OF COTULLA, TEXAS THAT:

SECTION 1. AUTHORIZATION The utility rate schedule attached as Exhibit "A" (Exhibit) hereto is adopted and approved by the City Council. The Mayor is authorized to order the implementation of the amended rate schedule within and without the City of Cotulla as set forth in the Exhibit. Said Exhibit is approved and incorporated herein for all purposes as if fully copied and set forth at length.

SECTION 2. INCORPORATION OF RECITALS The City Council finds the recitals contained in the preamble to this ordinance are true and correct and incorporates them as findings of fact.

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this Ordinance. The City Council 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 or phrases be declared void; and that in lieu of each clause or provision of this Ordinance that is invalid, illegal, or unenforceable there be added by the Mayor as necessary with the approval of the City Attorney as to form, and as a part of the Ordinance a clause or provision as similar in terms to such invalid, illegal or unenforceable clause or provision as may be possible, legal, valid and enforceable.

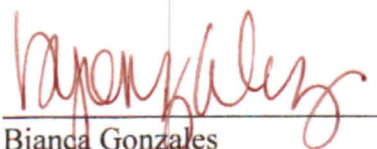
SECTION 5. EFFECTIVE DATE. The Ordinance shall be effective immediately upon the approval of the City Council.

PASSED, ORDERED AND APPROVED this 11th day of April, 2013.

By: _____


Hon. Jose Javier Garcia
Mayor

Attest: _____


Bianca Gonzales
Interim City Secretary

