

ORDINANCE NO. 242-_____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, ESTABLISHING THE RATES FOR WATER AND WATER SERVICE; [REPEALING ORDINANCE NO. 19-2523](#); PROVIDING FOR A REPEALER; PROVIDING FOR A SEVERABILITY CLAUSE; AND, PROVIDING FOR AN EFFECTIVE DATE.

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The Rate Schedules for water service as provided for in [Section 26-127 of](#) Chapter 26 of the Code of Ordinances [are](#) established as follows:

WATER RATE SCHEDULES

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SCHEDULE WR
RESIDENTIAL WATER SERVICE
(Effective 10/01/~~24~~22)

APPLICATION

Applicable for single-family residential service, and ~~individually metered~~ individually metered apartments, mobile homes, ~~or and~~ multi-family facilities with less than four units, with wastewater service and located within the corporate limits of the City of Denton, Texas. **(WR)**

Applicable for single-family residential service, and ~~individually metered~~ individually metered apartments, mobile homes, ~~or and~~ multi-family facilities with less than four units, with or without wastewater service and located outside the corporate limits of the City of Denton, Texas ~~with or without wastewater service~~. **(WRO)**

Applicable where the metered water is used for domestic purposes and is not returned to the wastewater system for collection and treatment. **(WRN)**

Applicable within the corporate limits of the City of Denton, Texas where the metered water is used for landscape irrigation purposes and is not returned to the wastewater system for collection and treatment. **(WRI)**

Applicable outside the corporate limits of the City of Denton, Texas where metered water is ~~outside the corporate limits of the City of Denton, Texas and is~~ used for landscape irrigation purposes and is not returned to the wastewater system for collection and treatment. **(WRIO)**

Not applicable to resale, temporary, standby, or supplementary service except in conjunction with applicable rider.

MONTHLY RATE (WR) – RESIDENTIAL WATER SERVICE;
AND MONTHLY RATE (WRN) – METERED WATER NOT RETURNED TO WASTEWATER
SYSTEM FOR COLLECTION AND TREATMENT

(1)	Facility Charge	<u>Per Bill</u>
	3/4 inch Meter	\$15.84
	1 inch Meter	\$20.59
	1-1/2 inch Meter	\$26.93
	2 inch Meter	\$34.06

(2) Volume Charge

<u>RATE BLOCK PER 30 DAYS</u>	<u>Rate Per 1,000 Gallons</u>
0-5,000 gals	\$3.63
5,001-7,000 gals	\$3.90
7,001-15,000 gals	\$4.05
15,001-30,000 gals	\$7.25

30,001-50,000 gals	\$9.68
Over 50,000 gals	\$12.04

MONTHLY RATES (WRO) – WATER SERVICE OUTSIDE CORPORATE LIMITS

MONTHLY RATE

(1)	<u>Facility Charge</u>	<u>Per Bill</u>
	3/4 inch Meter	\$18.40
	1 inch Meter	\$23.90
	1-1/2 inch Meter	\$31.30
	2 inch Meter	\$39.55
(2)	<u>Volume Charge</u>	
	<u>RATE BLOCK PER 30 DAYS</u>	<u>Rate Per 1,000 Gallons</u>
	0-5,000 gals	\$4.18
	5,001-7,000 gals	\$4.49
	7,001-15,000 gals	\$4.66
	15,001-30,000 gals	\$8.34
	30,001-50,000 gals	\$11.13
	Over 50,000 gals	\$13.85

MONTHLY RATES (WRI) – METERED WATER SERVICE FOR IRRIGATION

MONTHLY RATE

(1)	<u>Facility Charge</u>	<u>Per Bill</u>
	3/4 inch Meter	\$15.84
	1 inch Meter	\$20.59
	1-1/2 inch Meter	\$26.93
	2 inch Meter	\$34.06
(2)	<u>Volume Charge</u>	
	<u>RATE BLOCK PER 30 DAYS</u>	<u>Rate Per 1,000 Gallons</u>
	0-5,000 gals	\$3.63
	5,001-7,000 gals	\$3.90
	7,001-15,000 gals	\$4.05
	15,001-30,000 gals	\$7.25
	30,001-50,000 gals	\$9.68
	Over 50,000 gals	\$12.04

MONTHLY RATES (WRIO) – METERED WATER SERVICE FOR IRRIGATION

MONTHLY RATE

(1)	<u>Facility Charge</u>	<u>Per Bill</u>
	3/4 inch Meter	\$18.40
	1 inch Meter	\$23.90
	1-1/2 inch Meter	\$31.30
	2 inch Meter	\$39.55

(2) Volume Charge

<u>RATE BLOCK PER 30 DAYS</u>	<u>Rate Per 1,000 Gallons</u>
0-5,000 gals	\$4.18
5,001-7,000 gals	\$4.49
7,001-15,000 gals	\$4.66
15,001-30,000 gals	\$8.34
30,001-50,000 gals	\$11.13
Over 50,000 gals	\$13.85

MINIMUM BILLING

The minimum amount that may be billed shall be in the amount of the applicable Facility Charge.

PAYMENT

Bills are due when rendered, and become past due if not paid within fifteen (15) calendar days from date of issuance.

SPECIAL FACILITIES

All services which require special facilities in order to meet a ~~E~~customer's service requirements shall be provided; subject to the Special Facilities Rider.

VOLUME CHARGE

Billing for ~~the~~ water consumption shall be based on the gallon consumption during the billing period.

Formula:

$$\frac{\text{Gallons in rate block}}{1,000 \text{ gallons}} \times \text{rate per 1,000 gal. in rate block}$$

RETAIL WATER RATES UNDER DROUGHT CONTINGENCY PLAN CONDITIONS –
~~ORDINANCE NO. 2014-109. PURSUANT TO THE CURRENT CITY OF DENTON~~
DROUGHT CONTINGENCY PLAN

Under Stage 2 drought conditions, residential customers shall be charged a 10% rate increase for water usage greater than 15,000 gallons per account per thirty (30) days.

Under Stage 3 drought conditions, residential customers shall be charged a 20% rate increase for water usage greater than 15,000 gallons per account per thirty (30) days.

SCHEDULE WC

COMMERCIAL/INDUSTRIAL WATER SERVICE RATE (Effective 10/01/~~21~~22)

APPLICATION

Applicable ~~to~~for all commercial and industrial users, or other water users not otherwise classified under this ordinance, for all water provided at one point of delivery and measured through one meter. **(WC)**

Applicable for all commercial and industrial users or other users not otherwise classified under this ordinance outside of the corporate limits of the City of Denton for all water service provided at one point of delivery and measured through one meter, with or without wastewater service. **(WCO)**

Applicable where the metered water is used for commercial purposes and is not returned to the wastewater system for collection and treatment. **(WCN)**

Applicable where metered water is used for landscape irrigation purposes and is not returned to the wastewater system for collection and treatment. **(WCI)**

Applicable where metered water is outside the corporate limits of the City of Denton, Texas and is used for landscape irrigation purposes and is not returned to the wastewater system for collection and treatment. **(WCIO)**

Not applicable to resale service in any event, nor to temporary, standby, or supplementary service except in conjunction with applicable rider.

MONTHLY RATE (WC) and (WCN)

(1)	<u>Facility Charge</u>	<u>Per Bill</u>
	3/4 inch Meter	\$22.37
	1 inch Meter	\$31.68
	1 - 1/2 inch Meter	\$38.31
	2 inch Meter	\$50.99
	3 inch Meter	\$109.30
	4 inch Meter	\$216.71
	6 inch Meter	\$296.21
	8 inch Meter	\$415.01
	10 inch Meter	\$594.00
(2)	Volume Charge	\$4.34 per 1,000 gallons

MONTHLY RATE (WCO) – OUTSIDE CORPORATE LIMITS

(1)	<u>Facility Charge</u>	<u>Per Bill</u>
	3/4 inch Meter	\$26.00
	1 inch Meter	\$36.80
	1-1/2 inch Meter	\$44.50
	2 inch Meter	\$59.25
	3 inch Meter	\$126.95
	4 inch Meter	\$251.75
	6 inch Meter	\$344.10
	8 inch Meter	\$482.10
	10 inch Meter	\$690.00
(2)	Volume Charge	\$5.10 per 1,000 gallons

MONTHLY RATE (WCI) - IRRIGATION

(1)	<u>Facility Charge</u>	<u>Per Bill</u>
	3/4 inch Meter	\$22.37
	1 inch Meter	\$31.68
	1-1/2 inch Meter	\$38.31
	2 inch Meter	\$50.99
	3 inch Meter	\$109.30
	4 inch Meter	\$216.71
	6 inch Meter	\$296.21
	8 inch Meter	\$415.01
	10 inch Meter	\$594.00
(2)	Volume Charge	<u>Rate Per 1,000 Gallons</u> \$5.75

MONTHLY RATE (WCIO) - IRRIGATION

(1)	<u>Facility Charge</u>	<u>Per Bill</u>
	3/4 inch Meter	\$26.00
	1 inch Meter	\$36.80
	1-1/2 inch Meter	\$44.50
	2 inch Meter	\$59.25
	3 inch Meter	\$126.95
	4 inch Meter	\$251.75
	6 inch Meter	\$344.10
	8 inch Meter	\$482.10
	10 inch Meter	\$690.00
(2)	Volume Charge	<u>Rate Per 1,000 Gallons</u> 6.61

MINIMUM BILLING

The minimum amount that may be billed shall be in the amount of the applicable Facility Charge.

PAYMENT

Bills are due when rendered and become past due if not paid within fifteen (15) calendar days from date of issuance.

SPECIAL FACILITIES

All services which require special facilities in order to meet a cCustomer's service requirements shall be provided, subject to the Special Facilities Rider.

VOLUME CHARGE

Billing for the water consumption shall be based on the consumption during the billing period.

Formula:

$$\frac{\text{Gallons consumption}}{1,000} \times \text{Rate per 1,000 gallons}$$

COMMERCIAL/INDUSTRIAL WATER RATES UNDER DROUGHT CONTINGENCY PLAN CONDITIONS – ORDINANCE NO. 2014-109.

Under Stage 2 drought conditions, Commercial/Industrial customers shall be charged a 10% surcharge penalty for water usage above 80% of prior billing volumes per account per thirty (30) days.

Under Stage 3 drought conditions, Commercial/Industrial customers shall be charged a 20% surcharge penalty for water usage above 70% of prior billing volumes per account per thirty (30) days.

SCHEDULE WFH

METERED WATER FROM FIRE HYDRANT (Effective 10/01/~~21~~**22**)

APPLICATION

Applicable for all water taken through a fire hydrant or other direct distribution line source at one location for private or commercial use not associated with firefighting. Customers must complete, sign, and agree to all terms and conditions stated in the “Fire Hydrant Meter Use Agreement.”

DEPOSIT \$1,100 per meter

User shall place a deposit each time a City's hydrant meter(s) is requested. The deposit will be returned when meter is returned and final bill is paid.

NET RATE

Volume Charge \$5.07 per 1,000 gallons

Monthly volume shall be computed by subtracting the beginning meter reading from the ending meter reading divided by 1,000, and multiplied times the volume charge, upon the monthly return of the meter to the Water Department for reading. Per the “Fire Hydrant Meter Use Agreement”, failure by the Customer to return the meter to water utilities by the 3rd day of each month for reading, results in acceptance by the Customer to pay a monthly billing equal to 100,000 gallons of water usage for the month.

Facility Charge \$110.63 per bill

PAYMENT

Bills are due when rendered, and become past due if not paid within fifteen (15) calendar days from date of issuance.

COMMERCIAL/INDUSTRIAL WATER RATES UNDER DROUGHT CONTINGENCY PLAN CONDITIONS – ORDINANCE NO. 2014-109.

Under Stage 2 and Stage 3 drought conditions, use of water from fire hydrants limited to fire fighting, essential distribution system maintenance, and related activities. All other water use from fire hydrants will be by special permit only.

SCHEDULE WW

WHOLESALE TREATED WATER SERVICE TO UPPER TRINITY REGIONAL WATER DISTRICT (Effective 10/01/~~21~~22)

APPLICATION

Applicable to all wholesale treated water sales from the City of Denton, Texas to the Upper Trinity Regional Water District (UTRWD)

Not applicable for temporary, standby, or supplementary service.

MONTHLY CHARGES

The monthly charge for service shall be expressed as a facility charge, a volume price per 1,000 gallons and a demand price per million gallons per day (MGD) of demand.

(WW2/WW3)	(1) Facility Charge	\$288.72 per bill
	(2) Water Volume Rate	\$0.61 per 1,000 gallons
(WD2/WD3)	(3) Subscribed Demand Rate	<u>\$667,879 per MGD (Annual)</u> 12 (Paid Monthly)

*Full Payment of Annual Water Demand Adjustments:

As determined in the last month of each fiscal year (September), if any outstanding or unpaid annual water demand adjustment charges exist, they shall be included in their entirety on the monthly billing for the following month of October. Water demand adjustment charges shall be billed and payable in full, in accordance with the bill payment delinquency provisions provided for below.

MINIMUM BILLING

The minimum monthly billing amount shall be the sum of the monthly facility charge plus the monthly subscribed demand rate charge.

WATER DEMAND

The demand will be billed on a monthly basis at the Water Demand Rate for the subscribed MGD water demand level. If at anytime during the fiscal year the actual peak demand required, as established by the highest rate of flow controller setting for any one day during the fiscal year, is greater than the peak demand subscribed during the fiscal year. Annual water demand charges will be retroactively adjusted up beginning in June for each water year, ~~if anytime during the fiscal year the actual peak demand~~

~~required, as established by the highest rate of flow controller setting for any one day during the fiscal year, is greater than the peak demand subscribed during the fiscal year.~~

BILL PAYMENT DELINQUENCY

Bills shall be due and payable when rendered. Bills are considered delinquent if not paid within twenty (20) calendar days of the date a bill for service is rendered. There shall be a ten (10%) percent per annum interest charge on the amount due, from the date when due until paid, if not paid within twenty (20) calendar days of the date a bill for service is rendered.

SCHEDULE WRW

WHOLESALE RAW WATER SERVICE TO UPPER TRINITY REGIONAL WATER DISTRICT (Effective 10/01/~~21~~22)

APPLICATION

Applicable to all raw water sales from the City of Denton, Texas to the Upper Trinity Regional Water District (UTRWD), per the Interim Sale of Wholesale Raw Water Contract

MONTHLY CHARGES

The monthly charge for service shall be expressed as a volume price per 1,000 gallons.

Volume Charge: \$**7578** per 1,000 gallons

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PAYMENT

Denton shall [endeavor to](#) render bills by the tenth (10th) day of each month. Bills shall be due and payable within twenty (20) calendar days of the date a bill is rendered.

BILL PAYMENT DELINQUENCY

Bills shall be due and payable when rendered. Bills are considered delinquent if not paid within twenty (20) calendar days of the date a bill for service is rendered. There shall be a ten (10%) percent per annum interest charge on the amount due, from the date when due until paid, if not paid within twenty (20) calendar days of the date a bill for service is rendered.

SCHEDULE WCL

WHOLESALE RAW WATER PASS-THROUGH TO UPPER TRINITY REGIONAL WATER DISTRICT FROM LAKE CHAPMAN INTO LAKE LEWISVILLE (Effective 10/01/~~24~~22)

APPLICATION

Applicable to all pass-through raw water sent from Lake Chapman into Lake Lewisville by the Upper Trinity Regional Water District (UTRWD) per the Cooper Reservoir Project Contract, as well as, all Lake Chapman water reclaimed for reuse if discharged into and subsequently withdrawn from Lewisville Lake by UTRWD or Lewisville pursuant to a reuse permit or other appropriate regulatory authorization.

MONTHLY CHARGES

The monthly charge for service shall be expressed as a volume price per 1,000 gallons.

Volume Charge: \$0.0285 per 1,000 gallons

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PAYMENT

Denton shall render bills monthly. Bills shall be due and payable within twenty (20) calendar days of the date a bill for service is rendered.

BILL PAYMENT DELINQUENCY

Bills shall be due and payable when rendered. Bills are considered delinquent if not paid within twenty (20) calendar days of the date a bill for service is rendered. There shall be a ten (10%) percent per annum interest charge on the amount due, from the date when due until paid, if not paid within twenty (20) calendar days of the date a bill for service is rendered.

WATER TAP AND METER FEES

(Effective 10/01/~~21~~22)

APPLICATION

This schedule applies to the installation, removal, or relocation of water taps and meters by the City of Denton Utility Department at the request of a person, firm, association or corporation.

TAP AND METER FEES

Any person, association of persons, or corporation that requests that a water main tap, water meter or water meter loop, be removed, installed, or relocated by the Utility Department shall pay in advance to the Utility Department the following applicable fees:

WATER TAPS WITH METER

All taps and meters listed in this section include the installation of a water main tap, a service line from the main to the water meter, the meter box, and water meter. Water impact fees are not included. For situations where portions of this installation requires a pavement cut and repair or the water service line must be bored under the street, the Paved Street fee shall apply. For installations that require a full concrete panel section of pavement to be removed and replaced, or that require a meter larger than 2 inches, the Water Utility Department will provide a special price quotation (see “fees for installations not listed” section).

<u>Tap</u>	<u>Meter</u>	<u>Paved Street</u>	<u>Unpaved Street</u>
1 inch	5/8 inch x 3/4 inch	\$2,405.00	\$1,605.00
1 inch	3/4 inch x 3/4 inch	\$2,445.00	\$1,645.00
1 inch	1 inch	\$2,475.00	\$1,675.00
2 inch	1-1/2 inch	\$3,070.00	\$2,070.00
2 inch	2 inch	\$3,080.00	\$2,080.00

WATER METER FEES

This section applies where there is an existing water tap and service line of sufficient size to install a water meter. Situations include water meter installations for new developments and existing properties requesting a larger water meter with an existing adequately sized water tap and service line. Fees include installation and setup of a new water meter and a new water meter box (if required). Water impact fees are not included. For a meter larger than 2 inches, the Water Utility Department will provide a special price quotation (see “fees for installations not listed” section).

Size of Meter

5/8 inch x 3/4 inch	\$305.00
3/4 inch x 3/4 inch	\$345.00
1 inch	\$375.00

1-1/2 inch	\$670.00
2 inch	\$680.00

WATER METER RELOCATIONS

This section applies for relocations for existing water meters to remove them from conflicts with driveways, sidewalks and other surface obstructions. This standard fee covers relocation of the meter box and water meter and water service line up to 10 feet and does not include pavement removal or replacement. For distances longer than 10 feet, the Water Utility Department will provide a special price quotation in increments of 10 feet (see “fees for installations not listed” section).

Size of Meter Relocation of 10 Feet or Less

3/4 inch	\$285.00
1 inch	\$285.00
1-1/2 inch	\$340.00
<u>2 inch</u>	<u>\$390.00</u>

WATER LINE TAPS

This section applies to the installation of all water main taps for extension of water mains, larger than 2 inch diameter service lines, and fire lines, including, but not limited to, fire sprinkler lines. The fees include the tapping sleeve and isolation gate valve, the installation of the tap, and the removal and restoration of the pavement for the water tap installation only. The contractor is responsible for installing the mainline extensions, service lines, and fire lines from the tapping sleeve isolation valve.

For tap installations impacting concrete pavement that require a full concrete panel section to be removed and replaced, the Water Utility Department will provide a special price quotation. If requested, the Water Utility Department can offer to make a short extension of the main or service line to the back side of the adjacent street curb line or street right of way line based upon a special price quotation (see “fees for installations not listed” section).

<u>Size of Tap</u>	<u>Paved Street</u>	<u>Unpaved Street</u>
4 inch	\$3,600.00	\$2,100.00
6 inch	\$3,800.00	\$2,200.00
8 inch	\$4,800.00	\$3,100.00
12 inch	\$5,500.00	\$4,000.00

FEES FOR INSTALLATIONS NOT LISTED

For the installation of a tap, loop or meter for which a fee is not specified, the requestor shall pay in advance based upon the estimated cost of such installation, or similar work, plus an administrative charge of 20%.

FIRE HYDRANT INSTALLATION

(Effective 10/01/~~21~~22)

APPLICATION

This schedule applies to the installation, removal, or relocation of fire hydrants by the City of Denton Utility Department at the request of a person, firm, association or corporation.

FIRE HYDRANT INSTALLATION FEES

Any person, association of persons, or corporation that requests that a fire hydrant be removed, installed, or relocated by the Utility Department shall pay in advance to the Utility Department the following applicable fees:

<u>Fire Hydrant Installation</u>	<u>Paved Street</u>	<u>Unpaved Street</u>
Installation Fee	\$6,200.00	\$4,300.00

FEES FOR INSTALLATIONS NOT LISTED

For the installation of a fire hydrant for which a fee is not specified, the requestor shall pay in advance a 50% deposit based upon the estimated cost of such installation, or similar work, plus an administrative charge of 20%. Upon completion of the installation, the applicant shall be billed at actual cost, as determined by the Utility Department, plus a 20% administrative fee.

WATER LABORATORY TESTING FEES

(Effective 10/01/~~24~~22)

APPLICATION

Applicable to all customers and entities requesting testing and analysis services from the City of Denton Water/Wastewater Laboratory

RATE

<u>Fee Description</u>	<u>Fee Per Test</u>
Colilert (P/A), (Total Coliform, E. coli)	\$20.00
Colilert Quantitray (MPN), (Total Coliform, E. coli)	\$25.00
Colilert Quantitray (MPN), (Fecal Coliform)	\$25.00
Heterotrophic Plate Counts (HPC)	\$25.00
Records Search – per hour	\$25.00/hour

The testing and analysis fees are established to recover the cost of testing water and wastewater samples.

MINIMUM BILLING

The minimum amount that may be billed shall be as follows:

\$20.00 - Testing

\$25.00 - Records Search

PAYMENT

Bills are due when rendered, and become past due if not paid within fifteen (15) calendar days from date of issuance.

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SPECIAL FACILITIES RIDER

(Effective 10/01/~~24~~22)

- (1) All service shall be offered from available facilities. If a Customer service request for a special or unusual service not otherwise provided for by the water rate ordinance, and/or requires facilities or devices which are not normally and readily available at the location at which the Customer requests the service, then the City shall provide the service subject to the requirements of paragraphs 2 and 3 of this Rider.
- (2) The total cost of all facilities required to meet the Customer's special or unusual requirements, which are incurred by the City in connection with rendering the service shall be subject to a contract entered into between the City and the Customer. This contract shall be signed by both parties prior to the City providing the requested service to the Customer.
- (3) Any contract under this rider is subject to the following approvals:
 - (a) If the total value of the contract is less than \$100,000, the contract may be approved by the City Manager, or his designee. If a contract under this subsection is not approved by the City Manager, or his designee, then it must be recommended for approval by the Public Utilities Board and approved by the City Council.
 - (b) If the total value of the contract is equal to or greater than \$100,000, the contract must be recommended for approval by the Public Utilities Board and approved by the City Council.

SECTION 2. Ordinance 21-2112 is hereby repealed as of the effective date of this ordinance.

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SECTION 23. All ordinances or parts of ordinances in force when the provisions of this ordinance became effective which are inconsistent or in conflict with the terms of provisions contained in the amended schedule of rates hereby enacted by this ordinance, are hereby repealed to the extent of any such conflict.

SECTION 34. If any section, subsection, paragraph, sentence, clause, phrase or word in this ordinance, or application thereof to any person or circumstances is held invalid by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance, and the City Council of the City of Denton, Texas, hereby declares it would have enacted such remaining portions despite any such invalidity.

SECTION 45. The Schedule of Rates herein adopted shall be effective, charged and applied to all water consumption occurring on and after October 1, ~~2024~~2022; and a copy of said rates, fees, and charges shall be maintained on file in the Office of the City Secretary of Denton, Texas.

The motion to approve this Ordinance was made by _____ and seconded by _____; the Ordinance was passed and approved by the following vote [____ - ____]:

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Gerard Hudspeth, Mayor:	_____	_____	_____	_____
Vicki Byrd, District 1:	_____	_____	_____	_____
Brian Beck, District 2:	_____	_____	_____	_____
Jesse Davis, District 3:	_____	_____	_____	_____
Alison Maguire, District 4:	_____	_____	_____	_____
Deb Arminter Brandon Chase McGee, At Large Place 5:	_____	_____	_____	_____

Paul Meltzer Chris Watts, At Large Place 6:	_____	_____	_____	_____

PASSED AND APPROVED this the ____ day of _____ ~~2021~~2022.

GERARD HUDSPETH, MAYOR

ATTEST:
ROSA RIOS, CITY SECRETARY

By: _____

APPROVED AS TO LEGAL FORM:

| ~~CATHERINE CLIFTON~~ MACK REINWAND, ~~INTERIM~~ CITY ATTORNEY

By: _____