

EXHIBIT 1

ORDINANCE NO. 2016-_____

AN ORDINANCE AMENDING THE SCHEDULE OF WATER RATES CONTAINED IN ORDINANCE NO. 2015-293 FOR WATER SERVICE RATES AND WATER RATES; AMENDING THE RESIDENTIAL WATER SERVICE RATE (SCHEDULE WR); AMENDING THE COMMERCIAL/INDUSTRIAL WATER SERVICE RATE (SCHEDULE WC); AMENDING THE METERED WATER FROM FIRE HYDRANT RATE (SCHEDULE WFH); AMENDING THE WHOLESALE TREATED WATER SERVICE RATE TO THE UPPER TRINITY REGIONAL WATER DISTRICT (SCHEDULE WW); AMENDING THE WHOLESALE RAW WATER SERVICE RATE TO UPPER TRINITY REGIONAL WATER DISTRICT (SCHEDULE WRW); AMENDING THE WHOLESALE RAW WATER PASS-THROUGH RATE TO UPPER TRINITY REGIONAL WATER DISTRICT FROM LAKE CHAPMAN INTO LAKE LEWISVILLE (SCHEDULE WCL); 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 Chapter 26 of the Code of Ordinances, are amended to read as follows:

WATER RATE SCHEDULES

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SCHEDULE WR
RESIDENTIAL WATER SERVICE
 (Effective 10/01/16)

APPLICATION

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

Applicable for single-family residential service, and individually-metered apartments, mobile homes, or multi-family facilities with less than four units 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 where the metered water is used for landscape irrigation purposes and is not returned to the wastewater system for collection and treatment. **(WRI)**

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. **(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	\$16.00
	1 inch Meter	\$20.80
	1-1/2 inch Meter	\$27.20
	2 inch Meter	\$34.40
(2)	Volume Charge	<u>Rate Per 1,000 Gallons</u>
<u>RATE BLOCK PER 30 DAYS</u>		
	<u>WINTER</u> Billing months of <u>NOV. through APRIL</u>	<u>SUMMER</u> Billing months of <u>MAY through OCT.</u>
	0-15,000 gals	\$4.15
	15,001-30,000 gals	\$5.90
	30,001-50,000 gals	\$8.15
	Over 50,000 gals	\$10.90

MONTHLY RATES (WRO) – WATER SERVICE OUTSIDE CORPORATE LIMITS

MONTHLY RATE

(1)	Facility Charge	<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 Per 1,000 Gallons</u>												
	<u>RATE BLOCK PER 30 DAYS</u>	<table><tr><td><u>WINTER</u></td><td><u>SUMMER</u></td></tr><tr><td>Billing months <u>NOV through APRIL</u></td><td>Billing months <u>MAY through OCT</u></td></tr><tr><td>0-15,000 gals</td><td>\$4.75</td></tr><tr><td>15,001-30,000 gals</td><td>\$6.80</td></tr><tr><td>30,001-50,000 gals</td><td>\$9.35</td></tr><tr><td>Over 50,000 gals</td><td>\$12.55</td></tr></table>	<u>WINTER</u>	<u>SUMMER</u>	Billing months <u>NOV through APRIL</u>	Billing months <u>MAY through OCT</u>	0-15,000 gals	\$4.75	15,001-30,000 gals	\$6.80	30,001-50,000 gals	\$9.35	Over 50,000 gals	\$12.55
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MONTHLY RATES (WRI) – METERED WATER SERVICE FOR IRRIGATION

MONTHLY RATE

(1)	Facility Charge	<u>Per Bill</u>										
	3/4 inch Meter	\$16.00										
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MONTHLY RATES (WRIO) – METERED WATER SERVICE FOR IRRIGATION

MONTHLY RATE

(1)	Facility Charge	<u>Per Bill</u>										
	3/4 inch Meter	\$18.40										
	1 inch Meter	\$23.90										
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Over 30,000 gals	\$12.55											

MINIMUM BILLING

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 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.

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 10/01/16)

APPLICATION

Applicable to 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)	Facility Charge	<u>Per Bill</u>
	3/4 inch Meter	\$22.60
	1 inch Meter	\$32.00
	1 - 1/2 inch Meter	\$38.70
	2 inch Meter	\$51.50
	3 inch Meter	\$110.40
	4 inch Meter	\$218.90
	6 inch Meter	\$299.20
	8 inch Meter	\$419.20
	10 inch Meter	\$600.00
(2)	Volume Charge	\$4.45 per 1,000 gallons

MONTHLY RATE (WCO) – OUTSIDE CORPORATE LIMITS

(1)	Facility Charge	<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)	Facility Charge	<u>Per Bill</u>	
	3/4 inch Meter	\$22.60	
	1 inch Meter	\$32.00	
	1 -1/2 inch Meter	\$38.70	
	2 inch Meter	\$51.50	
	3 inch Meter	\$110.40	
	4 inch Meter	\$218.90	
	6 inch Meter	\$299.20	
	8 inch Meter	\$419.20	
	10 inch Meter	\$600.00	
(2)	Volume Charge	<u>Rate Per 1,000 Gallons</u>	
		<u>WINTER</u>	<u>SUMMER</u>
		Billing months of <u>NOV. through APRIL</u>	Billing months of <u>MAY through OCT.</u>
		\$4.45	6.15

MONTHLY RATE (WCIO) - IRRIGATION

(1)	Facility Charge	<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

Rate Per 1,000 Gallons

WINTER

SUMMER

Billing months of
NOV. through APRIL

Billing months of
MAY through OCT.

\$5.10

\$7.10

MINIMUM BILLING

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 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 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 10/01/16)

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 fire fighting. 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 \$5.20 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 \$111.75 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 10/01/16)

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	\$272.15 per bill
	(2) Water Volume Rate	\$0.57 per 1,000 gallons
(WD2/WD3)	(3) Subscribed Demand Rate	<u>\$629,540 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 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. 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 10/01/16)

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: \$0.7752 per 1,000 gallons

PAYMENT

Denton shall 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 10/01/16)

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: \$0.0262 per 1,000 gallons

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 10/01/16)

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

<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

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

Size of Meter Relocation of 10 Feet or Less

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

WATER LINE TAPS

<u>Size of Tap</u>	<u>Paved Street</u>	<u>Unpaved Street</u>
1 inch	\$2,100.00	\$1,300.00
2 inch	\$2,400.00	\$1,400.00
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 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 charge.

The installation charges may be waived by the Utility Department for a request to install taps exclusively dedicated to fire sprinkler systems.

FIRE HYDRANT INSTALLATION

(Effective 10/01/16)

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 10/01/16)

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

\$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.

SPECIAL FACILITIES RIDER

(Effective 10/01/16)

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 paragraph 2 of this Rider.

The total cost of all facilities required to meet the Customer's special requirements, which are incurred by the City in connection with rendering the service shall be subject to a special contract entered into between the Water Utility Department and the Customer. This contract shall be signed by both parties prior to the City providing the requested service to the Customer.

SPECIAL CONDITIONS RIDER

(Effective 10/01/16)

If a special condition or circumstance exists not otherwise provided for by the water rate ordinance, then the City shall have the authority to provide for the special condition subject to the requirements of paragraph 2 of this Rider.

Any billing adjustments in connection with any special condition or circumstance shall be at the discretion of the Director of Water Utilities or his designee.

SECTION 2. 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 3. 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 4. The Schedule of Rates herein adopted shall be effective, charged and applied to all water consumption occurring on and after October 1,2016; and a copy of said rates, fees, and charges shall be maintained on file in the Office of the City Secretary of Denton, Texas.

PASSED AND APPROVED this the ____ day of _____2016.

CHRIS WATTS, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

By: _____

APPROVED AS TO LEGAL FORM:
ANITA BURGESS, CITY ATTORNEY

By: _____