

RESOLUTION 2010-7

BY THE BOARD OF DIRECTORS OF BENBROOK WATER AUTHORITY SUPERSEDING RESOLUTION 2009-7, AS AMENDED, THEREBY ESTABLISHING A POLICY WITH REFERENCE TO CHARGES FOR DEPOSITS ON AND INSTALLATION OF METERS; IMPLEMENTING WATER AND SEWER RATES; SETTING CONNECTION FEES FOR NEW WATER AND SEWER SERVICES; DETERMINING RATES FOR SPRINKLER SYSTEMS, FIRE HYDRANT FEES AND DEPOSITS, FOR FIRE PROTECTION; FEES AND PERMITS ASSOCIATED WITH BACKFLOW AND IRRIGATION SYSTEMS; AND PROVIDING A POLICY FOR HANDLING DELINQUENT AND UNPAID WATER AND SEWER SERVICE ACCOUNTS.

WHEREAS, the Board of Directors of Benbrook Water Authority desires to review and amend its policy with regard to the Authority’s charges and procedures for providing water/sewer services and facilities thereof;

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF BENBROOK WATER AUTHORITY AS FOLLOWS:

1. That there are hereby fixed and established for water furnished by the water system of Benbrook Water Authority the following monthly rates for its residential customers, other than apartment dwellers:

(a) Minimum rate per month for which the Authority’s customers are entitled to an amount of 400 cubic feet of water or fraction thereof.	\$16.63
(b) For each cubic foot of water in excess of 400 cubic feet of water but not to exceed 1,000 cubic feet of water used for one month.	0.0271
(c) For each cubic foot of water in excess of 1,000 cubic feet of water but not to exceed 2,000 cubic feet of water used for one month.	0.0284
(d) For each cubic foot of water in excess of 2,000 cubic feet of water but not to exceed 3,000 cubic feet of water used for one month.	0.0299
(e) For each cubic foot of water in excess of 3,000 cubic feet of water but not to exceed 4,000 cubic feet of water used for one month.	0.0314
(f) For each cubic foot of water in excess of 4,000 cubic feet of water but not to exceed 5,000 cubic feet of water used for one month.	0.0329
(g) For each cubic foot of water in excess of 5,000 cubic feet of water but not to exceed 6,000 cubic feet of water used for one month.	0.0349
(h) For each cubic foot of water in excess of 6,000 cubic feet of water but not to exceed 7,000 cubic feet of water used for one month.	0.0358
(i) For each cubic foot of water in excess of 7,000 cubic feet of water used for one month.	0.0375

2. That there are hereby fixed and established for water furnished by the water system of Benbrook Water Authority the following monthly rates for all its customers other than residential and apartment dwellers:

(a) Minimum rate per month for which the Authority's customers are entitled to an amount of 400 cubic feet of water or fraction thereof.	\$27.26
(b) For each cubic foot of water in excess of 400 cubic feet of water but not to exceed 1,000 cubic feet of water used for one month.	0.0285
(c) For each cubic foot of water in excess of 1,000 cubic feet of water but not to exceed 2,000 cubic feet of water used for one month.	0.0305
(d) For each cubic foot of water in excess of 2,000 cubic feet of water but not to exceed 3,000 cubic feet of water used for one month.	0.0314
(e) For each cubic foot of water in excess of 3,000 cubic feet of water but not to exceed 4,000 cubic feet of water used for one month.	0.0329
(f) For each cubic foot of water in excess of 4,000 cubic feet of water but not to exceed 5,000 cubic feet of water used for one month.	0.0344
(g) For each cubic foot of water in excess of 5,000 cubic feet of water but not to exceed 6,000 cubic feet of water used for one month.	0.0362
(h) For each cubic foot of water in excess of 6,000 cubic feet of water but not to exceed 7,000 cubic feet of water used for one month.	0.0375
(i) For each cubic foot of water in excess of 7,000 cubic feet of water used for one month.	0.0386
(j) Rate per month for fire sprinkler systems per inch diameter of service main.	6.15/inc h

3. That there are hereby fixed and established for water furnished by the water system of Benbrook Water Authority the following monthly rates for all multiple dwelling (apartment) complexes once 51% occupancy is reached. Prior to this time, non-residential rates will apply:

(a) Monthly connection charge for each compound meter.	\$14.00
(b) Monthly meter charge for each non-compound meter.	\$30.00
(c) Minimum rate per month for which each unit is entitled to an amount of 400 cubic feet of water or fraction thereof.	\$20.27
(d) For each cubic foot of water in excess of 400 cubic feet of water but not to exceed 1,000 cubic feet of water used for each unit for one month. This amount to be determined by dividing the total amount of water metered each month by the total number of units in the complex.	0.0271
(e) For each cubic foot of water in excess of 1,000 cubic feet of water but not to exceed 2,000 cubic feet of water used for each unit for one month. This amount to be determined by dividing the total amount of water metered each month by the total number of units in the complex.	0.0284

(f) For each cubic foot of water in excess of 2,000 cubic feet of water but not to exceed 3,000 cubic feet of water used for each unit for one month. This amount to be determined by dividing the total amount of water metered each month by the total number of units in the complex.	0.0299
(g) For each cubic foot of water in excess of 3,000 cubic feet of water but not to exceed 4,000 cubic feet of water used for each unit for one month. This amount to be determined by dividing the total amount of water metered each month by the total number of units in the complex.	0.0314
(h) For each cubic foot of water in excess of 4,000 cubic feet of water but not to exceed 5,000 cubic feet of water used for each unit for one month. This amount to be determined by dividing the total amount of water metered each month by the total number of units in the complex.	0.0329
(i) For each cubic foot of water in excess of 5,000 cubic feet of water but not to exceed 6,000 cubic feet of water used for each unit for one month. This amount to be determined by dividing the total amount of water metered each month by the total number of units in the complex.	0.0349
(j) For each cubic foot of water in excess of 6,000 cubic feet of water but not to exceed 7,000 cubic feet of water used for each unit for one month. This amount to be determined by dividing the total amount of water metered each month by the total number of units in the complex.	0.0358
(k) For each cubic foot of water in excess of 7,000 cubic feet of water used for each unit for one month. This amount to be determined by dividing the total amount of water metered each month by the total number of units in the complex.	0.0375

4. All wastewater rates will be adjusted at least annually to reflect any increase or decrease assessed to the Authority by the City of Fort Worth, which treats all wastewater from the Authority. These rate adjustments will be effective February 1 of each year. The rate adjustment will be made based on volume of 1,000 gallons, and per pounds of TSS and BOD figures as well as costs due to maintenance and operation of the BWA's sanitary sewer system.
5. That there are hereby fixed and established the following monthly rates for sewer service furnished by Benbrook Water Authority for its customers other than apartment complexes, which rates shall be based on water consumption and be applicable whether service is to be furnished by the Authority's own sewer system or the City of Fort Worth pursuant to a contract between the Authority and said City:

(a) Minimum rate per month for which residential customers are entitled 400 cubic feet of water consumption.	\$14.90
(b) Minimum rate per month for which non-residential customers are entitled 400 cubic feet of water consumption	\$19.96
(c) Volume charge to all residential customers for each cubic foot of water in excess of 400 cubic feet consumed but not to exceed a total volume charge of \$47.68 per month.	0.0298

(d)	Volume charge to all non-residential customers for each cubic foot of water in excess of 400 cubic feet consumed. Non-residential customers may upon appeal and justification based upon definitive and acceptable proof approved by the Board of Directors, be charged in proportion to the direct contribution to the sewage system, but not less than \$0.0464 per cubic foot of water consumed in excess of 400 cubic feet per month.	0.0464
(e)	Flat volume charge for all normal use customers connected to the sanitary sewer system, having a private water supply, and not served water by the Authority. High use customers (such as washaterias) will have special rates established based on similar metered facilities.	\$47.68
(f)	A monitored group class of customers may be established by the manager consisting of those customers whose wastewater strength is abnormally high; and charges to customers in this classification shall be computed as follows:	
[1]	Basic monthly connections and volume charges the same as non-residential customers.	
[2]	Extra strength charges of \$0.3187 per pound of B.O.D. and \$0.2224 per pound of total suspended solids.	
[3]	Administration and laboratory costs plus 30%	

6. That there are hereby fixed and established the following monthly rates for sewer service furnished by Benbrook Water Authority to all multiple dwelling (apartment) complexes once 51% occupancy is reached. Prior to this time non-residential rates will apply, all which rates shall be based on water consumption and be applicable whether service is to be furnished by the Authority's own sewer system or the City of Fort Worth pursuant to a contract between the Authority and said City:

Monthly connection charge for complex.	\$10.52
Minimum rate per month for each unit for which each unit is entitled to 400 cubic feet of water consumption.	\$14.90
Volume charge for each unit for each cubic foot of water in excess of 400 cubic feet consumed but not to exceed a volume charge of \$47.68 per month per unit. This amount to be determined by dividing the total amount of water metered each month by the total number of units in the complex.	0.0298

7. That each person, firm, or corporation making application for a connection to either the water or sewer system of the Authority, or both, shall make a security deposit to guarantee payment of charges rendered by the Authority, with said deposit being determined as follows:

<u>Type of Meter</u>	<u>Property Owner</u>	<u>Renter/Lessee</u>
Up to 1"	\$200.00 without letter of credit. \$100.00 with an acceptable letter of credit from previous water utility company within the 12 months	Same as Property Owner plus copy of lease agreement
Over 1"	\$200.00 per inch without letter of credit. \$100.00 per inch with an acceptable letter of credit from previous water utility company within the 12 months	Same as Property Owner plus copy of lease agreement
Each unit of multi-family, apartment, or commercial building served by a single meter, regardless of size.	\$100.00	\$100.00
Each commercial irrigation sprinkler system	\$300.00 per inch without letter credit. \$150.00 per inch with an acceptable letter of credit from previous water utility company within the 12 months	Same as Property Owner

An acceptable letter of credit must be written on company letterhead with a signature and be provided within 15 days of starting service. If the letter of credit is provided within 15 days and considered acceptable, the deposit will be reduced as if the letter of credit was provided at the time of requested service. In addition, it must contain the following:

1. No more than two (2) late payments in the past 12 month period.
2. No disconnection of service due to non payment in the past 12 month period.
3. It must be printed on company letter head and with a signature and contact information.

Fire Hydrant Meter In Service Area - \$1,800.00 per meter, with \$600.00 being non refundable, charging commercial rates for water used inside the City limits of Benbrook.
Out of Service Area – \$1,800.00 per meter, with \$1000.00 being non refundable, Charging 1.5 times commercial rates for water used outside the City limits of Benbrook.

Because the Authority is a non-profit, tax exempt entity no interest shall be paid by the Authority on such security deposits, whether thereafter or heretofore made, but such deposit will be refunded in full upon discontinuance of service and payment of all charges for service heretofore rendered. All monthly billings shall be sent to either the service address or other designated address, and both the owner and occupant(s) of the service address shall be jointly and severally liable for payment for the same.

8. That water connection/reconnection/tapping fees are hereby fixed and established as follows:

- (a) Whenever a customer connects to an existing water service installed under the supervision of the Authority, to the approval of the Authority, and at no expense to the Authority, such customer shall pay the Authority a service charge of \$350.00 for up to a 1" meter connection. If a meter larger than 1" is required, the charge to the customer will be actual cost of installation plus 30% of cost to cover administration and contingencies.
- (b) Whenever a water service is off (for any reason other than non-payment) in excess of thirty (30) days, a charge of \$10.00 per month will be made until normal water service is restored.
- (c) Whenever a restoration or reconnection of water service (for other than a new account) is requested or required, a \$35.00 charge will be made. If repeat service calls are necessary because water is running in the house, additional \$35.00 charges will be levied for each service call, regardless of the reason for restoration or reconnection.
- (d) Whenever there is no existing water service to a property, involving the necessity of both tapping the Authority's water main or lateral and installation of service, curb stop, and meter box, the charge to the customer will be actual cost of installation plus 30% of cost for administration and contingencies, plus the cost of the meter as provided in paragraph 7 (a) above.
- (e) Whenever a non-irrigation meter larger than 1" is installed, and said meter is not a compound meter, a \$30.00 per month service charge will be made to cover low-flow loss in revenue to the Authority.
- (f) Whenever fire protection sprinkler systems are installed, the fee will be \$50.00 per inch diameter of service line, at time of meter installation.

- (g) Whenever a customer has a returned check, a \$30.00 charge will be made. If a customer has two different checks returned for insufficient funds, no more checks will be accepted for that account for a period of one year from date of second check.
- (h) Whenever an account appears on the list for non-payment disconnection, the following charges will be applied:
 - [1] \$50.00 the first time during a twelve month period; \$50.00 for a second time during a twelve month period, plus an additional deposit of the current resolution deposit requirement for the account. If said account appears on the list for non-payment disconnection for a third time during a twelve month period, a \$100.00 charge will apply, plus an additional deposit of the current resolution deposit requirement for the account. These charges will apply whether or not service is interrupted.

All additional deposits collected will be held until the account is paid by the said due date for a period of twelve consecutive months. At the end of the consecutive twelve month period, the customer may at that time request in writing to have the additional monies refunded. This will be at the discretion of the Benbrook Water Authority.

- [2] \$250.00 for a cut lock;
- [3] \$50.00 if a meter must be pulled;
- [4] \$50.00 to reinstall a pulled meter.

- (i) Non-emergency customer requested turn-off charge: \$35.00
- (j) There will be no charge made for turning off a service resulting from an emergency.
- (k) A \$35.00 inspection/re-inspection fee will apply for any lawn sprinkler connection made.

9. That sewer connection/tapping fees to either Authority main or a sewer main of the City of Fort Worth pursuant to the Authority's contract with said City are hereby fixed and established as follows:

- (a) Whenever a customer connects to an existing sewer service installed under the supervision of the Authority, to the approval of the Authority, and at no expense to the Authority, such customer shall pay the Authority \$500.00, if the connection is made by the Authority. No charge shall be made if the connection is made by a licensed plumber.
- (b) Whenever there is no existing sewer service to a property involving the necessity of both tapping the Authority's sewer main or lateral and installation of an individual service, the charge to the customer will be the cost of installation plus 30% of cost for administration and contingencies. No charge will be made if the connection is made by a licensed plumber.
- (c) A \$50.00 inspection/re-inspection fee will apply for any sewer connection/tap made where a BWA representative makes the inspection.

10. That all connections from the Authority's water meter box and/or sewer service line to and throughout the

structure/facility to be served are to be made at the expense of the customer in accordance with established Policies and Procedures of the Authority, and subject to the inspection of the Authority.

11. That no free service shall be allowed.
 - (a) The Authority's agents, servants, or employees who make use of the services or facilities of the Authority's water and sewer system shall pay as herein prescribed.
 - (b) If during any billing period, a meter stops or becomes defective, thereby failing to accurately register water consumption during that period, the following procedure will be followed in order to provide a reasonable and just billing:
 - [1] The two previous month's consumptions will be added to the consumption for the previous year's billing for the month in question.
 - [2] The resulting total will be averaged, and that figure will be used as the consumption for the billing period in question.
 - [3] If the account in question has no billing history, a minimum billing (identified as an estimated bill) will be sent, and
 - [a] Consumption for the next three months will be averaged.
 - [b] The original estimated bill will be adjusted so as to not be less than the three month average, and if the adjustment is larger than a minimum bill, the customer will be billed the difference.
12. That meters of water customers shall be read monthly. Monthly billings for both water and sewer services shall be rendered promptly thereafter and shall become delinquent ten days from date of billing. If said charges are not paid on or before twenty (20) days from date of billing, a service charge of 10% per month on the unpaid amount will be added to the bill. If said charges are not paid on or before twenty-five (25) days from date of billing, both water and sewer services shall be discontinued and neither such service shall be resumed until all said charges, plus the applicable reconnection charges for resumption of water service, are paid in full. If sewer-only service must be physically disconnected, the cost of labor and equipment plus 30% for resumption of service will be charged to the customer.
13. So as to simplify and clarify the fees associated with Cross-connections and add them to the rate resolution so that the majority of the fees are contained under one resolution
 - (a) A permit is required for all installations, or replacements of backflow prevention assemblies and irrigation systems.
 - (b) A permit fee of \$35.00 will be charged to residential customers and businesses for the installation of, or replacement of, backflow prevention assemblies. The permit may only be issued to homeowners,

licensed plumbers, certified irrigation installers, fire line contractors, on the Benbrook Water Authority's approved list.

[1] Homeowners can install, repair, or replace their backflow preventors and irrigation systems. All new installations of Backflow Preventors must be inspected by BWA or their agent.

(c) A survey inspection fee of \$35.00 shall be charged to businesses for BWA to inspect the premises for cross-connections and to determine if a backflow device is required at the premises.

(d) A testing fee of \$20.40 for residential and \$40.04 per inch valve size for businesses will be charged for each backflow assembly if the test is made by BWA. Private contractors that are approved by the BWA may be used to test backflow assemblies.

(e) Test report forms must comply with the TCEQ Test and Maintenance Report. 290.47 (f)

(f) A registration fee of \$50.00 will be charged for the initial registration of a certified tester. A renewal fee of \$25.00 will be charged annually thereafter.

14. That the provisions of this Resolution shall have no effect on, or otherwise conflict with the provisions of Resolution 2007-7 (or any subsequent resolutions) establishing a Water Facility Capital Improvement Share Charge. All fees and charges established by this Resolution are in addition to said Water Facility Capital Improvement Share Charge.

15. That this Resolution shall be in effect not later than February 1, 2011 and all prior Resolutions or parts thereof in conflict herewith are hereby repealed.

APPROVED AND ADOPTED this 21st day of December 2010.

President, Board of Directors.

Secretary, Board of Directors