



Meeting Date: May 2, 2012
Agenda Item: # 11

Mission Statement
To provide our growing dynamic community excellent municipal services to make Fernley a great place to live, work, and play.
Together, we enhance the desirability, safety, friendliness, aesthetics and quality of life in our city.

CITY OF FERNLEY CITY COUNCIL MEETING STAFF REPORT

REPORT TO: Mayor & City Council

REPORT THRU: Fred Turnier, Interim City Manager *FT* REVIEWED BY: *BJ*

REPORT FROM: Kathy Bennett, Technical Specialist II *KB*

AGENDA ITEM: DISCUSSION AND POSSIBLE ACTION TO ADOPT BILL #174 AS AN ORDINANCE MODIFYING TITLE 9 (PUBLIC WORKS), CHAPTER 3, SECTION 30 BY THE ADDITION OF SUBSECTION (J) THE WATER BILLING RATE STRUCTURE, SUBSECTION (K) WATER BOND DEBT FEE AND OTHER MATTERS PROPERLY RELATING THERETO.

ACTION REQUESTED: Consent Ordinance Resolution Motion Receive/File

POLICY ISSUE

By the modification of Title 9, it allows for City Staff to adopt fee and/or a Water Bond Debt Fee (if passed at a later date under a separate vote) by a resolution. This is a clarification of the Municipal Code. The Municipal Code should set the rules and regulations that govern the City. Fees can be adopted by Resolutions and in this case are NOT part of the Municipal Code. Tonight we are establishing the foundation of our organization; and at future meeting we will add the specifics.

RECOMMENDED ACTION BY CITY COUNCIL

Adopt Bill #174 as an Ordinance modifying Title 9 (Public Works), Chapter 3, Section 30 by the addition of subsection (J) the Water Bill Rate Structure (Outline), Subsection (K) Water Bond Debt Fee (Outline)

POLICY ALTERNATIVE(S)

- To take no action
- Request further information
- Deny this item all together

STRATEGIC PLAN RELEVANCE:

Economic Vitality:	Yes
Accountable/Efficient Gov't:	Yes
Enhance Gov't Partnerships:	Yes
Quality of Life:	Yes

STRATEGIC PLAN SYNOPSIS:
Strategic Goal 3:
Preserve and maintain quality of life and enhance maintenance and reconstruction of City infrastructure with emphasis on sustainability.

POLICY REFERENCE

Nevada Statutes: NRS 268.730 and 268.738

Fernley Municipal Code: Title 9, Chapter 3

Policies & Procedure Manual: N/A

Community Assessment: N/A

Other: N/A

SUMMARY

This item has been prepared as a cleanup item. This would establish the Water Bond Debt Fee, as well as allow for future changes to water, sewer and other utility user fees to be adopted by Resolution. Use of a Resolution rather than an Ordinance will assist staff in making the implementation process shorter. Ordinances establish how we shall charge and the Resolutions will establish how much we will charge.

FINANCIAL INFORMATION

FISCAL IMPACT:

- | | |
|------------------------------|-----|
| 1. Is There A Fiscal Impact? | Yes |
| 2. Is it Currently Budgeted? | No |
| 3. Which General Ledger? | n/a |

FISCAL SYNOPSIS:

Adoption of the Rules and Regulations alone creates no fiscal obligation, once we begin implementation then we will realize to total magnitude.

PRIOR COUNCIL ACTION/REVIEW

BACKGROUND INFORMATION

Council heard the introduction of Bill #174 on April 18, 2012, and voted for the Bill to be introduced and proceed with publication.

Bill # 174

**City of Fernley
Ordinance #2012-_____**

AN ORDINANCE MODIFYING TITLE 9 (PUBLIC WORKS), CHAPTER 3, SECTION 30 BY THE ADDITION OF THE BILL RATE STRUCTURE, WATER BOND DEBT FEE AND OTHER MATTERS PROPERLY RELATING THERETO.

THE CITY COUCIL OF THE CITY OF FERNLEY DO ORDAIN:

9.03.30: BILLING AND FEES:

- (A) BILLING PERIOD: The regular billing period will be monthly.
- (B) METER READING: Meters will be read as nearly as possible on the same day of each month.
- (C) PARTIAL BILLING PERIOD: Service for less than the normal billing period shall be billed for not less than a one month minimum charge.
- (D) PAYMENT: Water charges are due and payable at the office of the Utility on or before the 20th day of the month and are delinquent if not paid before the next month's bill is issued.
- (E) RENTALS: Property owners shall be responsible for water bills for rental properties if the renter fails to pay the bills. Water service is subject to discontinuance to customers who are twenty (20) days in arrears.
- (F) LENGTH OF SERVICE: Water service begins at the date of application for service, or at a later date approved by the Utility. The water charge begins when a service connection is installed and the meter is set, unless the water is ordered to be left shut off when the service connection is installed. To discontinue service, the customer must notify the Utility at least twenty four hours prior to vacating the premises. The customer shall continue to be liable for the charges whether or not the water is used, unless discontinuance of service is ordered or a new customer takes over the service.
- (G) WATER USED WITHOUT REGULATION APPLICATION: A customer taking possession of premises and using water from an active service connection without having made application to the Utility for water service shall be held liable for the water delivered from the date of the last recorded meter reading, and if the meter is found inoperative, the quantity consumed will be estimated.

(H) ADMINISTRATIVE CHARGES: The Utility may establish, with the Council's approval, reasonable charges for late fees, bank charges for returned checks, service reestablishment charges, and other administrative charges.

(I) PENALTY ON UNPAID BALANCE: Rates and charges which are not paid on or before the next regular water service billing date may be subject to a late penalty in accordance with the Rate Schedule.

(J) RATE STRUCTURE

The City Council shall fix the following by resolution:

- 1) Water User Fees
- 2) Sewer User Fees
- 3) Utility Miscellaneous Fees

(I) WATER BOND DEBT FEE:

Each property owner with a connection to the municipal water system; will be charged a fee equal to that of their meter size capacity. Should a property only have a will-serve commitment letter and no meter installed, said property will be charged the base rate until such time as a meter is installed. All water bond debt fees shall be collected through the property tax bills issued by and collected through the Lyon County Assessor.

Each property will be audited on an annual basis for changes in the meter size capacity. All changes will be reflected in the next fiscal years property tax statement.