

RESOLUTION

WHEREAS, the City of Lubbock has heretofore established a municipal drainage utility pursuant to Chapter 552 of the Texas Local Government Code; and

WHEREAS, the City Council of the City of Lubbock has heretofore established a schedule of drainage charges for such utility; and

WHEREAS, the City Council deems it to be in the best interest of the health, safety and welfare of the citizens of the City of Lubbock to amend such schedule of drainage charges to accommodate improvements to be made to the City's drainage system; and

WHEREAS, a public hearing and requisite notice have been provided with regard to such revised charges as required by law; NOW THEREFORE:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LUBBOCK:

(1) The following formula and schedule of municipal drainage charges is hereby adopted to be effective January 1, 2015:

SCHEDULE OF STORMWATER CHARGES:

Residential Property Rates:

Tier 1: Impervious area less than or equal to 2780 square feet	\$8.80 per month
Tier 2: Impervious area greater than 2780 square feet and less than or equal to 3680 square feet	\$13.48 per month
Tier 3: Impervious area greater than 3680 square feet and less than or equal to 4770 square feet	\$17.05 per month
Tier 4: Impervious area greater than 4770 square feet	\$25.58 per month

Non-Residential Property Rate:

\$25.58 per Equivalent Residential Unit ("ERU") per month, to be billed in whole units

(2) The following provisions shall apply in assessing the Schedule of Stormwater Charges as set forth above:

(a) Equivalent Residential Unit (ERU) shall be defined as five thousand seven hundred (5700) square feet of impervious area of a single property.

(b) Residential Property, defined in Section 22.07.001(4)(a) of the City of Lubbock Code of Ordinances, shall be assessed the Residential rate on a per-residential-unit basis.

(c) Non-Residential Property, defined in Section 22.07.001(4)(b) of the City of Lubbock Code of Ordinances, shall be assessed the Non-Residential rate on a per-property basis.

(d) Stormwater utility charges shall be made to the person or persons whose names and addresses are currently shown on utility records for the subject property.

(e) Assessed charges for Non-Residential Property shall not in any case exceed that amount charged to a Non-Residential property having one hundred fifty thousand (150,000) square feet of impervious area.

(3) Property owned by the following entities shall be exempt from Stormwater utility charges:

- (a) Public School Districts;
- (b) Lubbock County;
- (c) State of Texas; and
- (d) City of Lubbock.

(4) THAT such charges are hereby approved and adopted and shall be billed to the users of such benefitted properties along with the bill for other utility services provided to the property.

(5) THAT such charges shall remain in full force and effect until such time as said fees shall be further revised by action of the City Council of the City of Lubbock.

(6) THAT the City Secretary is hereby authorized and directed to cause publication of the descriptive caption of this Resolution as an alternative method of publication as provided by law.

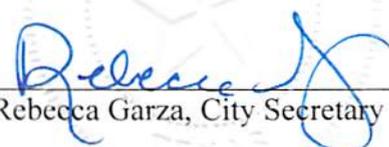
(7) THAT should any section, paragraph, sentence, clause, phrase or word of this Resolution be declared unconstitutional or invalid for any reason, the remainder shall not be affected thereby.

Passed by the City Council this 23rd day of October, 2014.



GLEN C. ROBERTSON, MAYOR

ATTEST:



Rebecca Garza, City Secretary

APPROVED AS TO CONTENT:



L. Wood Franklin, P.E., City Engineer



Michael G. Keenum, P.E., Stormwater Engineer

APPROVED AS TO FORM:



Mitchell Satterwhite, First Assistant City Attorney

RES.Stormwater Fee Schedule 12.16.14