

CITY OF AUSTIN, LONOKE COUNTY, ARKANSAS

ORDINANCE No. 02-2011

WHEREAS, the City of Austin, Arkansas (the "City") has entered into a Water Purchase Agreement with Lonoke White Public Water Authority ("LWPWA") for the purchase of wholesale water to supplement, and eventually replace, City water supplies and provide long-term, reliable water service to its customers; and

WHEREAS, pursuant to the Agreement with LWPWA, the City, along with the other participating entities of LWPWA, agreed to the payment of fixed monthly monies in an amount based upon meter counts; and

WHEREAS, the fixed monthly fee is established at a rate of \$3.00 per meter per month; and

WHEREAS, this fixed monthly money obligation to LWPWA commences sixty (60) days after an initial notice of payment issued by LWPWA; and

WHEREAS, LWPWA has received funding approval for this project and is in hopes of initiating construction within the next year; and

WHEREAS, LWPWA will issue a notice of payment at, or near, the time construction begins; and

WHEREAS, the City must provide for the payment, in the form of a pass-through to its water customers, of these fixed monthly fees to LWPWA, and the City Council now desires to establish and impose this pass-through herein.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUSTIN, ARKANSAS, DOES ORDAIN AS FOLLOWS:

SECTION 1: The City Council finds and determines that the foregoing Recitals are true and correct and incorporates the Recitals herein.

SECTION 2: The City Council hereby authorizes the imposition of meter fees upon its water customers as a result of the LWPWA pass-through. The LWPWA fee will be displayed as a separate line item on the regular billing statements, and will apply to all residential and commercial accounts.

SECTION 3: Effective _____ the LWPWA pass-through is established and imposed at the rate of \$3.00 per meter per month, and said fee shall be assessed on the regular billing statements of the City's water customers.

SECTION 4: Whereas, this Ordinance being necessary for the immediate protection of the public health and safety, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage.

PASSED and ADOPTED this 19 day of December, 2011

Passed:

Date:

Approved:



Mayor Bernie Chamberlain

Approved as to Form:

Greg Crumpton, City Attorney



Attest: Mary Ann Davis, City Clerk