ORDINANCE NO. 2023- ___

AN ORDINANCE RE-ESTABLISHING A SYSTEM INFRASTRUCTURE FEE AS A MONTHLY DEBT SERVICE SURCHARGE TO BE PAID BY WATER AND SEWER CUSTOMERS

WHEREAS, the City of Bryant, Arkansas owns and operates a sewer and water system, and has determined that extensions, betterments, and improvements to the System should be made in order that the City and its inhabitants may have adequate and proper sewer and water facilities; and

WHEREAS, Section 1 of Ordinance 2006-02 established a Debt Service Surcharge to be used solely for the retirement of an issue of sewer revenue bonds in the principal amount of $4,500,000 (the "Series 1998 Bonds"); and

WHEREAS, the Series 1998 Bonds have since been paid off; and

WHEREAS, the City Council of the city of Bryant, Arkansas believes it is in the City's best interest to resume collecting this fee to fund current and future bond and loan repayments relating to the water distribution system, wastewater treatment plant, and sanitary sewer collection system. ("the System")

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BRYANT, ARKANSAS THAT:

Section 1.

1. System Infrastructure Fee
    (a) All sewer customers of the System (including sewer customers who receive water from sources other than the System and occupants of mobile homes and apartments which have no separate water meter) shall be charged a monthly fee (the "System Infrastructure Fee") to be used solely for the repayment of sewer or water system bonds and loans. The System Infrastructure Fee will be paid by all sewer customers regardless of the amount of water used or waste water discharged. All revenues derived from the Fee shall be used solely for payment of debt service (principal, interest, and trustee fees and expenses) of sewer or water revenue bonds or loans.
    (b) The monthly System Infrastructure Fee for each mobile home, with or without a separate water meter, shall be $15.
    (c) The monthly System Infrastructure Fee for each apartment, residential dwelling unit, with or without a separate water meter, shall be $15.
    (d) The monthly System Infrastructure Fee for each new residential dwelling unit of any type, with or without a separate water meter, shall be $15.
    (e) The monthly System Infrastructure Fee for each health care facility shall be based on meter size.
    (f) The monthly System Infrastructure Fee for each State funded facility shall be based on meter size.

(g) The monthly System Infrastructure Fee for commercial establishments shall be based on meter size. Any additional unit without a separate water meter shall be $15.

(h) The monthly System Infrastructure Fee for all other sewer customers will be based on meter size.

(i) The System Infrastructure Fee for all other sewer customers shall be based on meter size as follows:

Meter Size	System Infrastructure Fee
⅝" & ¾"	$15.00
1"	$50.00
1 ½"	$100.00
2"	$160.00
3"	$320.00
4"	$505.00
6"	$1,010.00

(j) All meters will see a 5% increase in the City's System Infrastructure Fee per annum.

2. Annual Review and Notification

a) The City will continuously monitor the revenues of the System, including specifically the adequacy of its rates and fees, and will take appropriate steps to remedy delinquent billings or inadequacy of rates.

b) The City shall at all times fix, charge, and collect rates and charges for services furnished by the System, including increasing rates and charges as necessary, which shall provide revenues sufficient to at least: 1) pay the City's annual costs of OM&R; 2) pay annual debt service; and 3) provide the necessary bond coverage.

3. Effective Date

a) The System Infrastructure Fee shall be included on all billing statements mailed on and after Sep, 2023. It shall be billed and collected in addition to all other water and sewer rates and charges. In the case of mobile homes and apartments without a separate meter, the System Infrastructure Fee shall be included on the bills of the metered customer to whom existing sewer charges for the unmetered mobile home or apartment are sent.

PASSED AND APPROVED this _____day of August, 2023.

APPROVED: ATTEST:

_____ _____

Allen Scott, Mayor Mark Smith, City Clerk