



# TOWN OF JACKSON TOWN COUNCIL AGENDA DOCUMENTATION

**PREPARATION DATE:** August 1, 2018  
**MEETING DATE:** August 6, 2018

**SUBMITTING DEPARTMENT:** Engineering  
**DEPARTMENT DIRECTOR:** Johnny Ziem, Interim  
**PRESENTER:** Brian Lenz

**SUBJECT:** Water Meter and Appurtenances Fees; ToJ Code 13.12.020 Procurement of Water Meters

## STATEMENT/PURPOSE

The purpose of this item is to present Ordinance N for first reading to revise the Town of Jackson Municipal Code ("JMC") § 13.12.020 pertaining to the Procurement of Water Meters. The intent of the changes is to provide a means for the Town to recover the full costs of water meters and appurtenances in perpetuity.

## BACKGROUND/ALTERNATIVES

JMC § 13.12.020 states that, "[a]ll water meters that are installed or used in connection with the Town water and sewer systems shall be procured from the Town" and was last updated in 2011. The table in this section documenting the Water Meter Provision Fees associated with meter and accessory procurement are the fees that the Town is able to collect for meters that it issues. There are two problems associated with having a static table for the cost of meters and accessories in the Code:

1. The first issue is that due to the date of the last update the cost to the Town for the meters and accessories is significantly higher than the amount of revenue it receives from the fee set forth in the table.
2. The second issue is that the cost of the meters and accessories changes regularly, but the Town is unable to adjust the table timely to reflect the increased cost because it requires an ordinance to update the fees.

Staff therefore recommends amending the Code with the proposed Ordinance N, which keys the fees for meters and accessories to the price actually paid for them by the Town. This change will remove the need to update the Code with every cost increase.

For example, the Town's current cost for a 1-inch meter and accessories, the most common meter the Town issues, is \$691.53 and the Town's fee is \$351.50, a difference of \$340.03. The Town does not issue larger meters that often, but if it was to issue one today the cost for a 4-inch compound meter would be \$3,550.77 and the fee is \$2925.75, a difference of \$625.02. This net difference needs to be adjusted so that the actual cost of the meters and accessories is recovered.

## ALIGNMENT WITH COUNCIL'S STRATEGIC INTENT

The proposed ordinance is in line with the Town's fiduciary responsibility to recover its costs of the meters and accessories from the consumer.

## ATTACHMENTS

Ordinance N is attached.

## FISCAL IMPACT

The fiscal impact is positive as the Town will be able to recover its full costs for meters and appurtenances.

## STAFF IMPACT

Staff impact is minimal and will require updated pricing as meters are purchased, without having to revise the pricing through an Ordinance or Resolution.

## LEGAL REVIEW

Legal has helped prepare this ordinance and their review is complete.

## RECOMMENDATION

The staff recommends that the Town Council approve Ordinance N to revise § 13.12.020 of the Town Municipal Code allowing for the Town to recover the full cost of meters and appurtenances distributed to customers of the Town.

## SUGGESTED MOTION

I move to approve Ordinance N at first reading.

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### Synopsis for PowerPoint (120 words max):

An ordinance revising Town of Jackson Municipal Code § 13.12.020 pertaining to the Procurement of Water Meters to provide a means for the Town to recover the full costs of water meters and appurtenances in perpetuity.

### Purpose:

The purpose of this item is to provide a means for the Town to recover its full costs of water meters and appurtenances in perpetuity.

### Background:

The existing ordinance has not been updated since 2011 and does not reflect the current prices of meters and appurtenances.

### Fiscal Impact:

The fiscal impact is positive as the Town will be able to recover its full costs for meters and appurtenances.

## ORDINANCE N

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 993, 937 AND 868, SECTION 2 OF TOWN OF JACKSON ORDINANCE NOS. 754 AND 746, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 685, SECTION 2 (PART) OF TOWN OF JACKSON ORDINANCE NO. 374 AND SECTION 13.12.020 OF THE MUNICIPAL CODE OF THE TOWN OF JACKSON REGARDING PROCUREMENT OF WATER METERS; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT:

### **SECTION I.**

Section 1 of Town of Jackson Ordinance Nos. 993, 937, and 868, Section 2 of Town of Jackson Ordinance Nos. 754 and 746, Section 1 of Town of Jackson Ordinance No. 685, Section 2 (part) of Town of Jackson Ordinance No. 374, and Section 13.12.020 Procurement of Water Meters of the Municipal Code of the Town of Jackson are hereby amended and reenacted to read as follows:

#### **13.12.020      Procurement of Water Meters**

- A. All water meters and necessary appurtenances thereto installed or used in connection with the Town water and sewer systems shall be procured from the Town.
- B. The charge for water meters and appurtenances procured from the Town is the cost paid by the Town for that meter and its appurtenances.

(Ord. \_\_\_\_; Ord. 993 § 1, 2011; Ord. 937 §1, 2009; Ord. 868 § 1, July 2008; Ord. 754 § 2 ,2004; Ord. 746 §2, 2003; Ord. 685 § 1, 2001; Ord. 374 § 2(part), 1988.)

### **SECTION II.**

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

### **SECTION III.**

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

### **SECTION IV.**

This Ordinance shall become effective after its passage, approval and publication.

PASSED 1ST READING THE \_\_\_\_ DAY OF \_\_\_\_\_, 2018.

PASSED 2ND READING THE \_\_\_\_ DAY OF \_\_\_\_\_, 2018.  
PASSED AND APPROVED THE \_\_\_\_ DAY OF \_\_\_\_\_, 2018.

TOWN OF JACKSON

BY: \_\_\_\_\_  
Pete Muldoon, Mayor

ATTEST:

BY: \_\_\_\_\_  
Sandra P. Birdyshaw, Town Clerk

ATTESTATION OF TOWN CLERK

STATE OF WYOMING      )  
                            )  
                            ) ss.  
COUNTY OF TETON        )

I hereby certify that the foregoing Ordinance No. \_\_\_\_\_ was duly published in the Jackson Hole News and Guide, a newspaper of general circulation published in the Town of Jackson, Wyoming, on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

I further certify that the foregoing Ordinance was duly recorded on page \_\_\_\_\_ of Book \_\_\_\_\_ of Ordinances of the Town of Jackson, Wyoming.

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Sandra P. Birdyshaw  
Town Clerk