

ORDINANCE NO. 041, 2017
 OF THE COUNCIL OF THE CITY OF FORT COLLINS
 ESTABLISHING RENTAL RATES AND DELIVERY CHARGES
 FOR USE OF THE CITY'S RAW WATER FOR 2017

WHEREAS, pursuant to Article XII, Section 4 of the City Charter, if at any time the water supply is greater than the immediate needs of the City and its inhabitants, the City Council may authorize the City Manager to permit the use of such surplus water by consumers outside the City at such rates as the City Council may prescribe, provided that no vested right shall accrue under such permits; and

WHEREAS, pursuant to Article XII, Section 6 of the City Charter, the City Council shall by ordinance from time to time fix, establish, maintain, and provide for the collection of such rates, fees, or charges for water furnished by the City as will produce revenues sufficient to pay the cost of operation and maintenance of the City's utilities in good repair and working order and to provide and maintain an adequate working capital fund for the day-to-day business operations of the utilities; and

WHEREAS, the Water Board discussed the rental program and the rates on February 16, 2017, and recommended that the rental rates and delivery charges set forth herein be prescribed; and

WHEREAS, City staff and the Water Board have made a recommendation to City Council regarding rental rates of surplus raw water for 2017, as set forth in the following table, to be made available to persons outside the City or persons who have not been deemed to have satisfied the City's raw water requirements:

RATES FOR RENTALS OF SURPLUS RAW WATER	
Type of Water	Rate Per Acre Foot
North Poudre Irrigation Company (NPIC): Early Agricultural Use Water	\$15.00 per acre foot
NPIC: Seasonal Agricultural Use and Multiple Use Water	(Annual Assessment for 2017 / (Sum of Allocation of Seasonal Agricultural Use and Multiple Use Water per share)) + \$2.00 per acre foot
Colorado-Big Thompson Water from the Northern Colorado Water Conservancy District (NCWCD)	Rate for NPIC: Seasonal Agricultural Use and Multiple Use Water + any NCWCD transfer fees calculated at the time of transfer
Reusable / Other "Fully Consumable" Sources	\$600.00 per acre foot
Type of Water	Rate Per Share
Water Supply and Storage Company	Annual Assessment for 2017 + \$1,000.00 share

; and

WHEREAS, City staff and the Water Board have made a recommendation to City Council regarding raw water delivery charges for 2017, as set forth in the following table, to be made available to persons deemed to have satisfied the City's raw water requirements:

RAW WATER DELIVERY CHARGES	
Type of Water	Rate Per Share
Arthur Irrigation Company	110% of Annual Assessment for 2017
Larimer County Canal No. 2 Irrigating Company	110% of Annual Assessment for 2017
New Mercer Ditch Company	110% of Annual Assessment for 2017
Pleasant Valley and Lake Canal Company	110% of Annual Assessment for 2017
Warren Lake Reservoir Company	110% of Annual Assessment for 2017
Sherwood Reservoir Company	110% of Annual Assessment for 2017
Sherwood Irrigation Company	110% of Annual Assessment for 2017
Type of Water	Rate Per Acre Foot
Reusable Other "Fully Consumable" Sources	\$120.00 per acre foot

; and

WHEREAS, the rental rates and delivery charges will be rounded up to the nearest dollar, when necessary; and

WHEREAS, the rental rates and delivery charges will be adjusted by City staff, as necessary, to reflect the remaining yield or the prevalent market price of the water or shares being rented in order to prevent undue economic loss to the City; and

WHEREAS, City Council finds that the rates set forth herein are appropriate and will provide revenues sufficient to pay the cost of operation and maintenance of the City's utilities in good repair and working order and to provide and maintain an adequate working capital fund for the day-to-day business operations of the utilities.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the rental rates and delivery charges set forth above are hereby approved as the City's rental rates and delivery charges for 2017.

Section 3. The City Manager and the Utilities Executive Director are authorized to rent or deliver such raw water at the rental rates and delivery charges set forth above, provided that the rental rates and delivery charges set forth above may be adjusted by the Utilities Executive Director as he determines necessary to reflect the remaining yield for the prevalent market price of the water or shares being rented in order to prevent undue economic loss to the City.

Introduced, considered favorably on first reading, and ordered published this 7th day of March, A.D. 2017, and to be presented for final passage on the 21st day of March, A.D. 2017.

ATTEST:



W Winkelman
City Clerk

[Signature]
Mayor

Passed and adopted on final reading on the 21th day of March, A.D. 2017.

ATTEST:



W Winkelman
City Clerk

[Signature]
Mayor