

ORDINANCE NO. 939

AN ORDINANCE ESTABLISHING NEW RATES FOR SEWER SERVICE FOR THE CITIZENS OF THE CITY OF LOWELL WHO ARE CUSTOMERS OF THE SPRINGDALE SEWER SYSTEM, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES

WHEREAS, in 2005, the City of Lowell, Arkansas, and the City of Springdale Arkansas have entered into an Interlocal Sewer Agreement (Agreement) in order to address the sewer service and capacity issues facing the City of Lowell, and at that time set rates in order to service debt which was taken in order to upgrade and expand the sanitary sewer system within Lowell, and;

WHEREAS, the rates and charges which were adopted have met debt service up to this time, but have now proven inadequate to service the existing debt for the sewer expansion, and;

WHEREAS, per the terms of the Agreement, and in order to continue to service its sewer related debt, the City of Lowell hereby sets forth updated, additional rates to be charged to the citizens of the City of Lowell who are customers of the City of Springdale's sanitary sewer system.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF LOWELL, ARKANSAS:

Section 1. The City of Lowell hereby adopts Ordinance No. 3038 of the City of Springdale entitled "An Ordinance Establishing and Setting Rates for Sanitary Sewer Service; Repealing ordinance 2455, and Pertaining to other Matters Relating Thereto." A copy of this Ordinance is attached hereto.

Section 2. Every Article of Ordinance No. 3038 of the City of Springdale, Arkansas is valid and enforceable for the citizens of the City of Lowell, Arkansas who are customers of the Springdale sanitary sewer system.

Section 3. Every article of Ordinance No. 3038 of the City of Springdale subsequently amended from time to time shall be effective as of the time of such subsequent amendment.

Section 4. Additional Sewer User Charges. Lowell agrees, as soon as practicable after the passage of this ordinance, that Springdale shall increase the existing sewer user charge to \$9.50 per month, which shall be added to the minimum bill and increase the existing consumption charge to 75¢ per thousand gallons per month, both of which shall to be collected by Springdale, from those users within Lowell, in addition to the normal monthly outside city usage charges.

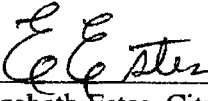
Section 5. That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of the conflict.

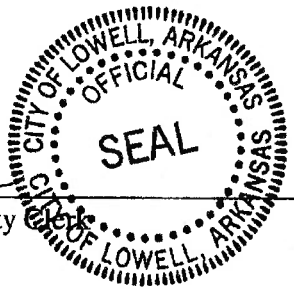
Section 6. In order to meet and stay current on the debt which was taken to finance the sewer service expansion in the City of Lowell, it is necessary that this ordinance go into effect immediately, and an emergency is declared to exist.

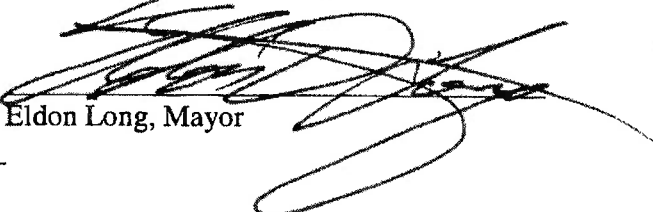
PASSED AND APPROVED THIS 15th day of October, 2013.

APPROVED:

ATTEST:


Elizabeth Estes, City Clerk




Eldon Long, Mayor

RESOLUTION NO. 14-13

WHEREAS, a certain contract dated October 11, 2005 exists between the City of Springdale, Arkansas acting through its Water and Sewer Commission, and the City of Lowell, Arkansas, and

WHEREAS, Section 4 of said inter-municipal contract stipulates that adequate funding be maintained to satisfy bond debt service requirements for the Series 2006 Lowell Bond, and

WHEREAS, an increase in Lowell's Sewer User Charge collections are necessary to meet the debt service requirement from the City of Lowell, and

WHEREAS, the City of Lowell has requested that the Springdale Water and Sewer Commission immediately effectuate an increase in the Lowell Sewer User Charge affecting only Lowell customers as authorized by the passage of Lowell Ordinance No. 939 dated October 15, 2013.

NOW, THEREFORE BE IT RESOLVED by the Water and Sewer Commission of the City of Springdale, Arkansas that its billing department shall increase and bill monthly the Lowell Sewer User Charge rates, effective November 1, 2013, as follows:

- a) The minimum Lowell Sewer User Charge shall be increased to \$9.50 per month, and
- b) Its consumption charge shall be increased to \$0.75 per thousand gallons per month.

A copy of the City of Lowell's Ordinance is incorporated and hereby made part of this resolution by this reference.

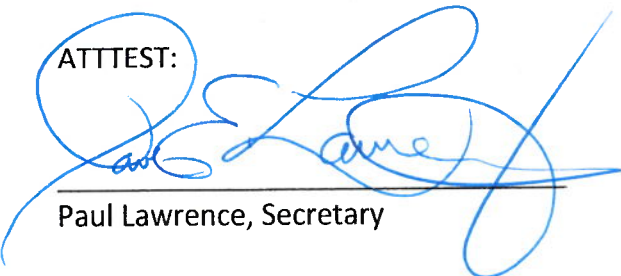
PASSED AND APPROVED THIS 23 DAY OF OCTOBER, 2013.

SPRINGDALE WATER AND SEWER COMMISSION



Chris G. Weiser, Chair

ATTEST:



Paul Lawrence, Secretary