

AN ORDINANCE

96793

APPROVING A SCHEDULE OF CHARGES FOR CHILLED WATER AND STEAM SERVICE AT KELLYUSA; AMENDING CHAPTER 34 OF THE CITY CODE TO INCORPORATE SUCH SCHEDULE OF CHARGES; AND AUTHORIZING THE IMPLEMENTATION OF SUCH SCHEDULE OF CHARGES FOR CHILLED WATER AND STEAM SERVICES AT KELLYUSA BEGINNING ON DECEMBER 1, 2002.

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WHEREAS, the Chilled Water and Steam plant at KellyUSA was initially operated under a reimbursement contract and was subsequently placed with the San Antonio Water System in 2000 through the military divestiture process; and

WHEREAS, the terms of the contract called for initial rates based upon estimates, as historical costs of operation and metered consumption were not available; and

WHEREAS, sufficient data is now available to evaluate and set rates; and

WHEREAS, the City Council of the City of San Antonio is empowered to approve and adopt such schedule of changes; and

WHEREAS, it is in the best interest of the City to adopt such schedule of charges for chilled water and steam service at KellyUSA in order to continue to maintain its covenants and obligations established pursuant to City Ordinance No. 75686 adopted April 30, 1992; and

WHEREAS, pursuant to Board Resolution No. 02-281, the Board has recommended to the City Council to approve and adopt such schedule of charges for KellyUSA; NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

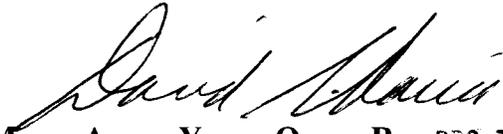
SECTION 1. The City Council hereby adopts the schedule of charges for chilled water and steam service for KellyUSA. Such schedule of charges, attached hereto and incorporated herein as Attachment I, are on file with the Office of the City Clerk and the President/Chief Executive Officer of the San Antonio Water System. Such revisions shall further be incorporated into Chapter 34 of the City Code.

SECTION 2. The schedule of charges in chilled water and steam service for KellyUSA adopted pursuant to this Ordinance, shall become effective at 12:01 a.m. on the 1st day of December 2002 and shall be applied to all applicable San Antonio Water System billings upon completion of one complete monthly billing period, which will be on or about January 1, 2003.

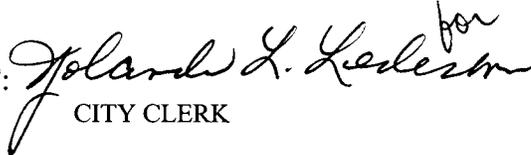
SECTION 3. Should any Article, Part, Paragraph, Sentence, Phrase, Clause, Word of the Ordinance, for any reason, be held illegal, inoperative, or invalid, or if any exception to our limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

SECTION 4. This ordinance shall be effective on the tenth (10th) day after passage.

PASSED AND APPROVED this 21st day of November, 2002.


M A Y O R PRO TEM

for EDWARD D. GARZA

ATTEST: 
CITY CLERK

APPROVED AS TO FORM: 
for City Attorney