



Legislation Text

File #: K-0304-57 AMD #1, **Version:** 1

AMENDMENT NO. ONE TO CONTRACT K-0304-57: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY, HIGHWAY 9 LAND COMPANY, L.L.C., AND BELLATONA DEVELOPMENT, L.L.C., (FORMERLY MSDC PROPERTIES, L.L.C.) MODIFYING THE EXISTING LIFT STATION OPERATION, MAINTENANCE AND REPLACEMENT FEE AND REVISING THE SERVICE AREA DESCRIPTION FOR THE SUMMIT VALLEY LIFT STATION.

BACKGROUND: In 2003, general policy was modified to allow installation of new lift stations if long-term operation, maintenance and capital equipment replacement costs (OM&R) were borne by the users of the new lift station (LS). An administrative Lift Station Fee collected through utility billing and applicable to each lot or customer in the new development was implemented through a contractual agreement.

To date, the Norman Utilities Authority (NUA) has approved nine lift station agreements as follows:

1. Summit Lakes Addition (K-0304-51 approved 10/14/03);
2. Summit Valley Addition (K-0304-57 approved 10/14/03);
3. Eagle Cliff South Addition (K-0304-58 approved 10/14/03);
4. Cobblestone West Addition (K-0405-119 approved 02/22/05);
5. Alameda Park Addition (K-0506-30 approved 07/12/05);
6. Red Rock Canyon Addition and Park Hill Addition (K-0506-139 approved 05/09/06);
7. Siena Springs Addition (K-0607-70 approved 10/10/06); and
8. Links at Norman PUD (K-0809-115 approved 04/14/09)
9. Stone Lake Addition (K-1415-130 approved 04/28/15).

DISCUSSION: As noted above, the Summit Valley LS agreement was approved on October 14, 2003. Since that time, the ownership of the development has changed and service area for the LS was modified with the platting of Bellatona Addition; which is slightly more dense than the previously approved Summit Valley Addition.

Amendment No. 1 has been executed by the developer of both the Summit Valley and Bellatona developments. Exhibit A (revised) indicates the estimated population served and resulting wastewater flow, utilizes the actual cost of the LS improvements bid in 2004, calculates the adjusted LS fee, and updates the LS fee to reflect inflationary cost increases through June 30, 2018. Exhibits C and D reflect the approved preliminary plats for Summit Valley Addition and Bellatona Addition, respectively. The revised monthly LS fee for the Summit Valley LS is \$1.78 per household or \$0.70 per person. Originally, the LS fee was \$1.51 per household or \$0.59 per person

Amendment No. 1 does not modify the original requirements of the contract which is attached. Generally, the contract provides the following:

- 1) The LS fee will be filed of record as a restrictive covenant with any final plat of Summit Valley or Bellatona Additions, as well as any other new areas that ultimately obtain sewer service from the LS.
- 2) The LS fee will be adjusted annually to account for inflation and may otherwise be adjusted if changes to the lift station service area necessitate an adjustment.
- 3) In the event a lift station is taken out of service and its wastewater flows by gravity to a wastewater treatment facility site, the LS fee would be discontinued.
- 4) The LS fee will be collected monthly from each dwelling unit or non-residential entity contributing flow to the lift station through the City's Utility billing system.

RECOMMENDATION: Staff recommends approval of Amendment No. 1 to Contract K-0304-57 revising the service area description and the LS fee for the Summit Valley Lift Station.