

RESOLUTION NO. 028 (2024/2025)**A RESOLUTION AUTHORIZING PAYMENT OF USER INCREASE IN
WASTEWATER COST FROM GENERAL RESERVES**

WHEREAS the City constructed a new wastewater treatment plant to align with IDNR's Nutrient Reduction Strategy requirements and Burke Marketing Corporation ("Burke") capacity and load requests; and

WHEREAS, the City borrowed funds by issuing indebtedness through the State Revolving Fund ("SRF") in order to finance the construction, furnishing and equipping of the new Treatment Plant; and

WHEREAS the City and Burke have been in negotiations to reach a wastewater agreement for their capacity and load request since the plant was designed in 2019;

WHEREAS on November 27, 2023 the City passed and approved Ordinance No. 1047 (2023/2024) to amend code §99.06(3), increasing the monthly construction fee from \$8.00 to \$53.00 to begin with the July 2024 customer billing to demonstrate that rates were in place to repay the SRF loans; and

WHEREAS it was intended that the City would reach an agreement with Burke for wastewater treatment and have a new ordinance in place to decrease the construction fee prior to July 1, 2024; and

WHEREAS as an agreement has not been reached, Burke agreed to pay the increase of the construction fee for the month of July 2024 instead of applying it all customers, pursuant to the agreement approved via Resolution No. 098 (2023/2024); and

WHEREAS Burke agreed to pay a second increase of the construction fee for the month of September, 2024 instead of applying it all customers, pursuant to the agreement approved via Resolution No. 015 (2024/2025); and

WHEREAS as the City and Burke continue to negotiate an agreement for wastewater treatment, the City Council believes it to be in the best interest of the City and its residents to pay the increase of the construction fee from general reserves for the month of October, 2024 instead of applying it all customers.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Nevada, Iowa, as follows:

1. The increase of the construction fee for the month of October, 2024 will be paid by the City from general reserves instead of applying it to all customers.
2. The City Clerk is hereby authorized and directed to make any transfer of funds deemed necessary to effectuate this Resolution.

Passed and Approved this 9th day of September, 2024.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk