

ORDINANCE NO.
(Amend Henderson Municipal Code Section 14.18.045 - West Henderson
Phase 1 Water Backbone Infrastructure Rates)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HENDERSON,
NEVADA, TO AMEND SECTION 14.18.045 - WEST HENDERSON PHASE 1
WATER BACKBONE INFRASTRUCTURE RATES OF TITLE 14 - UTILITY
SERVICES OF THE HENDERSON MUNICIPAL CODE.

- WHEREAS, Article II, Section 2.280.1(b) of the Henderson City Charter gives the City of Henderson City Council (the "City Council") authority to provide for the construction of any facility necessary for the provision of water service; and
- WHEREAS, Article II, Section 2.280.1(c) of the Henderson City Charter gives the City Council authority to fix charges and rates to be paid for services, facilities or commodities furnished by the City's water utility; and
- WHEREAS, Henderson Municipal Code (HMC) Section 14.18.020 provides that the assessment and collection of all fees and charges shall be made in accordance with the established procedures of the City; and
- WHEREAS, on May 7, 2013, the City Council approved an agreement between the City and Carollo Engineers, Inc. for professional engineering services to provide strategic infrastructure planning support to determine the water backbone infrastructure required to provide water service to approximately 4,850 acres of land within West Henderson based on existing zoning; and
- WHEREAS, the boundaries of said 4,850 acres of land within West Henderson are depicted and legally described in the West Henderson Pressure Zone Areas attached as Exhibit A, consisting of three pages, ("WH PZ Boundary") which is incorporated by reference herein; and
- WHEREAS, the City's West Henderson 2630 Pressure Zone Water Service Area and the 2760 Pressure Zone Water Service Area ("WH 2630/2760 Pressure Zones") are located within the WH PZ Boundary; and
- WHEREAS, on September 6, 2016, the City Council ratified an agreement between the City and Carollo Engineers, Inc. for professional engineering services to assist with updating the water backbone infrastructure planning, which included a phasing strategy for funding and constructing the water infrastructure needs for West Henderson ("WH Infrastructure Phasing Strategy"); and
- WHEREAS, the results of the WH Infrastructure Phasing Strategy produced the City of Henderson, Nevada Technical Memorandum West Henderson Water Infrastructure Phasing Strategy Update dated November 2016 (revised December 14, 2016) attached as Exhibit B, consisting of 43 pages, ("WH Phasing TM") and incorporated by reference herein; and
- WHEREAS, the WH Phasing TM identified a two-phased strategy for designing, constructing, and funding the water backbone infrastructure needs within the WH PZ Boundary, with such phased strategy involving the City preparing the conceptual

Amend Henderson Municipal Code Section 14.18.045 -
West Henderson Phase 1 Water Backbone Infrastructure Rates

water backbone infrastructure master-planning for both phases, a conceptual plan for constructing the first phase, and advancing the funds for the first phase of that backbone infrastructure ("Phase 1"); and

WHEREAS, the WH Phasing TM identified an estimated total quantity of thirty-five thousand, six-hundred twelve (35,612) Equivalent Dwelling Units ("EDUs") within the WH 2630/2760 Pressure Zones; and

WHEREAS, on January 17, 2017, City Council adopted Ordinance No. 3383, which established HMC 14.18.045 - West Henderson Phase 1 Water Backbone Infrastructure Rates; and

WHEREAS, approximately 20 percent of the developable land within the WH 2630/2760 Pressure Zones has been developed, or is under development, and that development has been assessed the applicable rate in accordance with HMC 14.18.045; and

WHEREAS, the EDU assessment rate for the developed properties average 1.42 EDUs per acre, which is substantially lower than the original projection of 7.25 EDUs per acre that was utilized as the basis for establishing the rates in HMC 14.18.045; and

WHEREAS, based on the current EDU assessment rate and zoning designations, it is estimated a total quantity of twelve thousand seven hundred twenty (12,720) EDUs will be assessed within the WH 2630/2760 Pressure Zones; and

WHEREAS, based on actual water usage of developments within the WH 2630/2760 Pressure Zones, the City has determined the EDU calculation factors need to be applied to the Commercial and Industrial Meter Equivalency Chart in a manner consistent with how the EDU calculation factors are applied in the Southern Nevada Water Authority (the "SNWA") Regional Connection Charge (which charge is set out in HMC 14.18.050); and

WHEREAS, when applying the revised EDU calculation factors, the estimated total quantity of EDUs within the WH 2630/2760 Pressure Zones increases from 12,720 EDUs to fourteen thousand seven hundred seventy-one (14,771) EDUs; and

WHEREAS, based upon the current development trends within the WH 2630/2760 Pressure Zones, updated water demand projections show a significant reduction in comparison to the original water demand projections; and

WHEREAS, on November 19, 2020, SNWA Board of Directors approved the 2020 Amended Major Construction and Capital Plan that included the addition of the Horizon Lateral project that, once completed, will help ensure future reliability of the Southern Nevada Water System and provide additional water system capacity for the WH 2630/2760 Pressure Zones; and

- WHEREAS, on March 28, 2022, the City entered into a professional services agreement with Carollo Engineers, Inc. to provide an updated technical memorandum that documents the modifications to the backbone water infrastructure planning for West Henderson and updates the estimated costs for such infrastructure, and Carollo Engineers, Inc. produced the City of Henderson, Nevada Technical Memorandum West Henderson Water Infrastructure Phasing Strategy 2022 Update dated August 2022, attached as Exhibit C, consisting of 61 pages, ("WH 2022 Update TM") and incorporated herein by reference; and
- WHEREAS, the projected lower water demands, together with the approval to proceed with the Horizon Lateral project, have resulted in modified backbone water infrastructure planned for West Henderson, and that infrastructure is depicted generally on Figure 1 of the WH 2022 Update TM; and
- WHEREAS, the WH Phasing TM identified the engineer's opinion of probable cost in 2016 dollars for Phase 1 and Phase 2 (described in the WH Phasing TM) to be approximately Eighty-Seven Million dollars (\$87,000,000.00) and One Hundred Nine Million dollars (\$109,000,000.00), respectively; and
- WHEREAS, the City, based upon an assumed inflation of 1.5% per year through the construction timeframe for the Phase 1 water backbone infrastructure and financing at 2% over a 20-year period, estimated in 2016 that it would cost Eighty-Nine Million Eight Hundred Thousand dollars (\$89,800,000.00) for the portion of Phase 1 that directly benefits projects served by the Phase 1 water backbone infrastructure within the WH PZ Boundary; and
- WHEREAS, the City, based upon an assumed inflation of 1.5% per year through the construction timeframe for the Phase 2 water backbone infrastructure, estimated in 2016 that it would cost a total of One Hundred Fifty-One Million dollars (\$151,000,000.00), with Seventy Million Two Hundred Thousand dollars (\$70,200,000.00) of that amount being attributable to projects served by the Phase 2 water backbone infrastructure; and
- WHEREAS, the total financial responsibility of developers within the WH 2630/2760 Pressure Zones for the Phase 1 and Phase 2 water backbone infrastructure was estimated to be One Hundred Sixty Million Dollars (\$160,000,000.00) in 2016; and
- WHEREAS, as described within the WH 2022 Update TM, the WH Revised Infrastructure includes construction of the backbone infrastructure in a single phase, with the City proposing to advance the funds for the design and construction of the WH Revised Infrastructure and secure reimbursement from developers benefitting from the same, where the total cost in 2022 dollars is estimated to be One Hundred Seventeen Million Eight Hundred Thousand Dollars (\$117,800,000.00), and that cost breakdown is shown in Table 6 in the WH 2022 Update TM; and
- WHEREAS, while West Henderson projects will benefit from the WH Revised Infrastructure, a portion of that infrastructure (approximately Forty-Nine Million Nine Hundred

Thousand dollars (\$49,900,000.00)) provides additional reservoir storage capacity, water transmission capacity, and flow control facilities that increases the reliability of and benefits the greater City public water system; and

WHEREAS, the funding required to construct the WH Revised Infrastructure needs to factor in the escalating rate of inflation, and with that added, the estimated cost for the WH Revised Infrastructure is One Hundred Thirty-Eight Million Six Hundred Thousand Dollars (\$138,600,000.00); and

WHEREAS the projected financing charges associated with the City's advancement of funds need to be adjusted to align with the 4% financing cost associated with the City's bond issuance that was authorized by City Council on April 21, 2020, to fund the WH Revised Infrastructure; and

WHEREAS, the estimated cost for the WH Revised Infrastructure with the adjusted financing charges totals Two Hundred Four Million Dollars (\$204,000,000.00); and

WHEREAS, in order for the City to recover the costs it has incurred and will incur to plan, design, construct, and finance the WH Revised Infrastructure, the City shall assess projects that benefit from the WH Revised Infrastructure, per EDU, using (a) through December 31, 2022, the current and applicable phase 1A 2630 PZ water infrastructure rate and the current and applicable phase 1A 2760 PZ water infrastructure rate and (b) on and after January 1, 2023, using the then-current and applicable West Henderson 2630/2760 PZ Water Backbone Infrastructure Rate; and

WHEREAS, beginning on January 1, 2023, the initial rate shall be \$3,527.00 per EDU for the 2630 Pressure Zone (referred to as the WH 2630 PZ water infrastructure rate in the amended HMC 14.18.045) and \$5,660.00 per EDU for the 2760 Pressure Zone (referred to as the WH 2760 PZ water infrastructure rate in the amended HMC 14.18.045) and may be increased; and

WHEREAS, the City notified interested persons, including trade associations or owners and officers of businesses that are likely to be affected, of the proposed changes to HMC 14.18.045 by publishing a public notice in the Las Vegas Review-Journal and by posting information on the City's website to enable the City to collect comments; and

WHEREAS, City staff collected and addressed the comments in the Business Impact Statement for the West Henderson 2630/2760 PZ Water Backbone Infrastructure Rates; and

NOW, THEREFORE, the City Council of the City of Henderson, Nevada, does ordain:

SECTION 1. The WH Revised Infrastructure is hereby adopted as the current strategy for constructing the water backbone infrastructure for the WH 2630/2760 Pressure Zones.

Amend Henderson Municipal Code Section 14.18.045 -
West Henderson Phase 1 Water Backbone Infrastructure Rates

SECTION 2. The increases to rates/fees in HMC 14.18.045 are not prohibited by law, those rate/fee increases are necessary for the continuation or expansion of the Water Enterprise Fund, and the rates/fees that are deposited in this enterprise fund are used solely for the purposes for which the rates/fees are collected.

SECTION 3. Section 14.18.045 - West Henderson Phase 1 Water Backbone Infrastructure Rates is hereby amended in its entirety to read as follows:

14.18.045 - West Henderson 2630/2760 PZ Water Backbone Infrastructure Rates

A. Planning and design of water backbone infrastructure for the West Henderson 2630 Pressure Zone and the West Henderson 2760 Pressure Zone, construction of that infrastructure, and financing of that construction are required to support water service to existing and future developments in the West Henderson area. The director has the right to determine the size and capacity of the water backbone infrastructure, timing of construction of the water backbone infrastructure, and method of financing the construction, taking into account projected service needs of the West Henderson area served and the need for the orderly and efficient development of the city's public infrastructure system. The West Henderson 2630 Pressure Zone ("2630 PZ") and the West Henderson 2760 Pressure Zone ("2760 PZ") are located in West Henderson. A depiction of the 2630 PZ and the 2760 PZ is available on the city's website.

B. Through December 31, 2022, the rate charged to projects that the city determines will receive a benefit from the water backbone infrastructure planned, designed, constructed, and/or financed for (1) a portion of the 2630 PZ is referred to as the "phase 1A 2630 PZ water infrastructure rate" and (2) a portion of the 2760 PZ is referred to as the "phase 1A 2760 PZ water infrastructure rate." These rates are addressed in this section 14.18.045. The amount charged for the phase 1A 2630 PZ water infrastructure rate and phase 1A 2760 PZ water infrastructure rate (collectively, "phase 1A 2630/2760 PZ rates") shall be in addition to system development, regional connection, and other applicable charges for water service.

C. Effective January 1, 2023, the rate charged to projects that the city determines will receive a benefit from the water backbone infrastructure planned, designed, constructed, and/or financed for (1) a portion of the 2630 PZ is referred to as the "WH 2630 PZ water infrastructure rate" and (2) a portion of the 2760 PZ is referred to as the "WH 2760 PZ water infrastructure rate." These rates are addressed in this section 14.18.045. The amount charged for the WH 2630 PZ water infrastructure rate and WH 2760 PZ water infrastructure rate (collectively, "WH 2630/2760 PZ rates") shall be in addition to system development, regional connection, and other applicable charges for water service.

D. Effective January 1, 2023, all new projects that the city determines will receive a benefit from existing or future water backbone infrastructure planned,

designed, constructed, and/or financed for the 2630 PZ or for the 2760 PZ shall be charged and pay the WH 2630 PZ water infrastructure rate and/or the WH 2760 PZ water infrastructure rate, as the city determines is appropriate. The amount(s) charged shall be based upon the total EDUs proposed for the project, as reflected in the civil improvement plans for the project approved by the city, and the rate(s) used will be the one(s) in effect on the date the city processes the building permit for the project or, if a project is not required to obtain a building permit from the city, at the rate in effect on the date the city approves the civil improvement plans for the project.

E. Any project that was initiated at the city before January 1, 2023, and either was required to pay the rate(s) established (or other amount charged by the city) for existing or future water backbone infrastructure planned, designed, constructed, and/or financed for the 2630 PZ or for the 2760 PZ or whose approval was conditioned on the city being paid such rate(s) shall be charged and pay, as the city determines is appropriate, (1) if the building permit is issued prior to January 1, 2023, the phase 1A 2630 PZ water infrastructure rate and/or the phase 1A 2760 PZ water infrastructure rate or (2) if the building permit is issued on or after January 1, 2023, the WH 2630 PZ water infrastructure rate and/or the WH 2760 PZ water infrastructure rate. The amount(s) charged shall be based upon the total EDUs proposed for the project, as reflected in the civil improvement plans for the project approved by the city, and the rate(s) used will be the one(s) in effect on the date the city processes the building permit for the project or, if a project is not required to obtain a building permit from the city, at the rate in effect on the date the city approves the civil improvement plans for the project.

F. All projects that proceed with additional improvements to a property that result in an increase in water usage above the usage previously proposed – as reflected in the civil improvement plans approved by the city, in the building permit issued by the city, or by other means of receiving official city approval for such additional improvements (each, a “City Approval”) – and that the department determines will receive a benefit from existing or future water backbone infrastructure planned, designed, constructed, and/or financed for the 2630 PZ or for the 2760 PZ shall be charged and pay, as the department determines is appropriate, (1) if the City Approval is issued prior to January 1, 2023, the phase 1A 2630 PZ water infrastructure rate, and/or phase 1A 2760 PZ water infrastructure rate and (2) if the City Approval is issued on or after January 1, 2023, the WH 2630 PZ water infrastructure rate and/or the WH 2760 PZ water infrastructure rate. Whether there is an increase in water usage shall be determined by the director in their sole discretion. The rate(s) charged shall be based upon the increase in total additional EDUs associated with the property improvements and at the rate in effect on the date the city processes the building permit for the proposed improvements or, if a project is not required to obtain a building permit from the city, at the rate in effect on the date the city approves the civil improvement plans for the proposed improvements or provides its approval of the additional improvements by other means.

G. As provided in this title, Equivalent Dwelling Unit (EDU) is defined as “a measure of water demand equivalent to the amount of water used annually by an average single-family residential dwelling unit. One EDU is equivalent to 0.55 acre-feet of water per year.” For the purpose of calculating the total EDUs attributable to each project being assessed a rate under this section 14.18.045, the EDU Calculation Table in subsection 14.18.045.L shall apply. However, where it is determined by the director that the “EDU Calculation Factor” or “EDU %” reflected in that table does not adequately reflect the water demands placed upon the city’s water system by a proposed project, then the city shall not use that table and instead shall use an alternate method in order to determine the appropriate amount to charge that project for its equitable share of the water backbone infrastructure planned, designed, constructed, and/or financed for 2630/2760 PZ. Final determination of such alternate method shall be made by the director.

H. The phase 1A 2630 PZ water infrastructure rate shall be \$3,067 per EDU, and the phase 1A 2760 PZ water infrastructure rate shall be \$5,145 per EDU. The initial WH 2630 PZ water infrastructure rate shall be \$3,527 per EDU, and the initial WH 2760 PZ water infrastructure rate shall be \$5,660 per EDU. These rates are based upon actual and estimated costs for the city to fund the planning, design, construction, and/or financing of the water infrastructure for the 2630 PZ and the 2760 PZ. The city manager may adjust the WH 2630 PZ water infrastructure rate and/or the WH 2760 PZ water infrastructure rate once each calendar year by an amount that (1) for the WH 2630 PZ water infrastructure rate, is no more than fifteen percent (15%) of the WH 2630 PZ water infrastructure rate in effect in the immediately preceding period; and (2) for the WH 2760 PZ water infrastructure rate, is no more than ten percent (10%) of the WH 2760 PZ water infrastructure rate in effect in the immediately preceding period. The city will identify the phase 1A 2630 PZ water infrastructure rate, the phase 1A 2760 PZ water infrastructure rate, the then-current WH 2630 PZ water infrastructure rate, and the then-current WH 2760 PZ water infrastructure rate in the department service rules. Unless otherwise approved in writing by the director in their sole discretion, the rate(s) assessed shall be paid to the city when the city issues a building permit, prior to issuance of a certificate of occupancy, or prior to commencement of temporary or permanent water service, whichever date is earliest.

I. For five (5) years after a certificate of occupancy is issued for a project or an improvement is made to a project, the city has the right to audit that project to confirm that the project’s average annual water usage is substantially the same as the total EDUs proposed for the project or project improvement. If the city determines the project is using more EDUs than proposed, the city may require the original developer of the project or project improvement, as applicable, to pay the difference between the total EDUs charged the project and total EDUs actually used at the property at the phase 1A 2630 PZ water infrastructure rate, phase 1A 2760 PZ water infrastructure rate, WH 2630 PZ water infrastructure

rate, and/or WH 2760 PZ water infrastructure rate, as appropriate, in effect on the date the city prepares a bill for the additional payment.

J. If the phase 1A 2630 PZ water infrastructure rate, phase 1A 2760 PZ water infrastructure rate, WH 2630 PZ water infrastructure rate, or the WH 2760 PZ water infrastructure rate is adjusted after the city receives a payment, the city is not obligated to true-up the payment received or to refund/collect any difference.

K. If a customer requests to design, construct, and pay for all or a portion of the WH water backbone water infrastructure for the 2630 PZ and/or for the 2760 PZ, the city may enter into a special refunding agreement acceptable to the city and in accordance with applicable provisions in section 14.16.050 that provides for repayment of a portion of those costs from WH rates collected, or to be collected, by the city from customers that will receive a benefit from existing or future water backbone infrastructure planned, designed, constructed, and/or financed for the 2630 PZ or for the 2760 PZ.

L. EDU Calculation Table

<u>EDU Calculation Table</u>	
<u>Type of Development</u>	<u>EDU Calculation Factor</u>
<u>Low Density Single-Family: RS-4, RS-6, RS-8, and RMH</u>	<u>1.0 EDU/lot</u>
<u>Medium-Density Residential: RM-10 and RM16</u>	<u>0.81 EDU/unit</u>
<u>Medium-Density Residential and High-Density Multifamily Residential: RH-24 and RH-36</u>	<u>0.51 EDU/unit</u>
<u>Commercial and Industrial⁽¹⁾</u>	<u>See Commercial and Industrial Meter Equivalency Chart (Potable Water)⁽²⁾</u>
<u>⁽¹⁾ Commercial and Industrial includes all non-residential, mixed-use, and special-purpose districts, including, but not limited to, schools, churches, public facilities, recreational vehicle parks, convalescent/assisted living facilities, etc.</u>	
<u>⁽²⁾ The EDU calculation factor shall be based on meter size as reflected in the Commercial and Industrial Meter Equivalency Chart (Potable Water).</u>	

<u>Commercial and Industrial Meter Equivalency Chart</u> <u>(Potable Water)</u> <u>Applicable Through 12/31/2022</u>			
<u>Meter Size (inch)^(a)</u>	<u>EDU</u>	<u>phase 1A 2630 PZ (per meter)^(b)</u>	<u>phase 1A 2760 PZ (per meter)^(b)</u>
<u>3/4"</u>	<u>1.00</u>	<u>\$3,067</u>	<u>\$5,145</u>
<u>1"</u>	<u>1.67</u>	<u>\$5,121</u>	<u>\$8,593</u>
<u>1-1/2"</u>	<u>3.33</u>	<u>\$10,212</u>	<u>\$17,134</u>
<u>2"</u>	<u>5.33</u>	<u>\$16,345</u>	<u>\$27,425</u>
<u>3"</u>	<u>11.67</u>	<u>\$35,787</u>	<u>\$60,047</u>
<u>4"</u>	<u>21.00</u>	<u>\$64,398</u>	<u>\$108,054</u>
<u>6"</u>	<u>46.67</u>	<u>\$143,118</u>	<u>\$240,138</u>
<u>8"</u>	<u>80.00</u>	<u>\$245,327</u>	<u>\$411,636</u>
<u>10"</u>	<u>126.67</u>	<u>\$388,445</u>	<u>\$651,774</u>
<u>12"</u>	<u>166.67</u>	<u>\$511,108</u>	<u>\$857,592</u>
<u>^(a) When a combination fire and domestic system is utilized, the charges shall be based on the size of the meter that would be required to accommodate all non-fire flow demands. Said meter sizing shall be based on the American Water Works Association standards for sizing meters or other nationally recognized method as approved by the director.</u>			
<u>^(b) Based upon the phase 1A 2630 PZ water infrastructure rate of \$3,067 per EDU, and phase 1A 2760 PZ water infrastructure rate of \$5,145 per EDU.</u>			

<u>Commercial and Industrial Meter Equivalency Chart</u> <u>(Potable Water)</u> <u>Applicable On and After 1/1/2023</u>			
<u>Meter Size (inch)^(a)</u>	<u>EDU</u>	<u>2630 PZ 2023 Charge (per meter)^(b)</u>	<u>2760 PZ 2023 Charge (per meter)^(b)</u>
<u>3/4"</u>	<u>1.00</u>	<u>\$3,527</u>	<u>\$5,660</u>
<u>1"</u>	<u>1.97</u>	<u>\$6,948</u>	<u>\$11,150</u>
<u>1-1/2"</u>	<u>3.94</u>	<u>\$13,897</u>	<u>\$22,300</u>
<u>2"</u>	<u>13.20</u>	<u>\$46,556</u>	<u>\$74,712</u>
<u>3"</u>	<u>48.85</u>	<u>\$172,294</u>	<u>\$276,491</u>
<u>4"</u>	<u>72.51</u>	<u>\$255,743</u>	<u>\$410,407</u>
<u>6"</u>	<u>BASED UPON ANNUAL</u>	<u>SEE NOTE (2) BELOW</u>	<u>SEE NOTE (2) BELOW</u>
<u>8"</u>			
<u>10"</u>			

<u>12"</u>	<u>WATER USE</u>		
<u>(a) When a combination fire and domestic system is utilized, the charges shall be based on the size of the meter that would be required to accommodate all non-fire flow demands. Said meter sizing shall be based on the American Water Works Association standards for sizing meters or other nationally recognized method as approved by the director.</u>			
<u>(b) Based upon the 2630 PZ water infrastructure rate of \$3,527 per EDU and 2760 PZ water infrastructure rate of \$5,660 per EDU.</u>			
<u>Notes:</u> <u>(1) Commercial and Industrial includes all non-residential, mixed-use, and special-purpose districts, including, but not limited to, schools, churches, public facilities, recreational vehicle parks, convalescent/assisted living facilities, etc.</u> <u>(2) EDU calculation factor for Commercial and Industrial that installs a meter greater than or equal to a 6" meter shall be based upon the total estimated annual water usage for the project, in gallons per year, based upon the formula of 1 EDU = 0.55 acre-feet per year. See example below</u> <u>Example: Project A</u> <u>Annual water use = 50,000,000 gallons</u> <u>1 EDU = 0.55 acre-feet per year = 325,851 x 0.55 = 179,218 gallons per year</u> <u>Total EDUs = (50,000,000 gallons) x (1 EDU/179,218 gallons per year) = 279.0 EDUs</u>			

- SECTION 4. Each project must pay the City that project's equitable share of the water backbone infrastructure planned, designed, constructed, and/or financed for the 2630 PZ and/or 2760 PZ in accordance with the applicable procedure in HMC Chapter 14.18 and/or through a development agreement.
- SECTION 5. If any section, subsection, sentence, clause, phrase, provision, or portion of this Ordinance, or the application thereof to any person or circumstances, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions or provisions of this Ordinance or their applicability to distinguishable situations or circumstances.
- SECTION 6. All ordinances, or parts of ordinances, sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Henderson, Nevada, in conflict herewith are repealed and replaced as appropriate.
- SECTION 7. A copy of this Ordinance shall be filed with the office of the City Clerk and notice of such filing shall be published once by title in the Las Vegas Review-Journal, a newspaper having general circulation in the City of Henderson, at least ten (10) days prior to the adoption of said Ordinance (Initial Publication). Following adoption by the City Council, this Ordinance shall be published by title together

Ordinance No. _____

Page 11

Amend Henderson Municipal Code Section 14.18.045 -
West Henderson Phase 1 Water Backbone Infrastructure Rates

with the names of the Council members voting for or against passage (Final Publication). This Ordinance is scheduled for Final Publication on October 21, 2022, in the Las Vegas Review-Journal, at which time it will become effective.

END OF ORDINANCE

Ordinance No. _____

Page 12

Amend Henderson Municipal Code Section 14.18.045 -

West Henderson Phase 1 Water Backbone Infrastructure Rates

Exhibit A

West Henderson Pressure Zone Areas

[Attached]

Ordinance No. _____

Page 13

Amend Henderson Municipal Code Section 14.18.045 -
West Henderson Phase 1 Water Backbone Infrastructure Rates

Exhibit B

City of Henderson, Nevada
Technical Memorandum
West Henderson Water Infrastructure
Phasing Strategy Update
dated November 2016 (revised December 14, 2016)

[Attached]

Ordinance No. _____

Page 14

Amend Henderson Municipal Code Section 14.18.045 -
West Henderson Phase 1 Water Backbone Infrastructure Rates

Exhibit C

City of Henderson, Nevada
Technical Memorandum
West Henderson Water Infrastructure
Phasing Strategy 2022 Update
dated August 2022

[Attached]