



**Background Paper for Proposed  
Resolution**

**COUNCIL MEETING DATE:**                   **May 9, 2022**

TO:                   President Heather Graham and Members of City Council  
CC:                   Nicholas A. Gradisar, Mayor  
VIA:                  Marisa Stoller, City Clerk  
FROM                Andra Ahrens, Interim Director of Wastewater  
SUBJECT:   AN RESOLUTION AUTHORIZING THE CITY OF PUEBLO TO REFUND  
                  SANITARY SEWER FEES OF \$793.35 TO LARRY ZERFAS

**SUMMARY:**

From May of 2021 to February of 2022, charges for sanitary sewer fees were erroneously charged to Larry Zerfas, whose property is setup on a septic tank.

**PREVIOUS COUNCIL ACTION:**

None.

**BACKGROUND:**

The Wastewater Department recently received a written request from Larry Zerfas who is the owner of the property located at 139 Bridle Trail. Mr. Zerfas is seeking a refund of his sewer bill. The residence at 139 Bridle Trail is on a septic tank and should never have been charged sanitary sewer fees.

Pursuant to City Ordinance 16-6-25, refunds based upon sewer user charges appearing on billings issued more than ninety (90) days prior to receipt of a written request can only be authorized by City Council and are limited to a maximum period of two years. Mr. Zerfas is requesting the refund of wastewater fees in the amount of \$793.35 for the charges from May 2021 to February 2022.

**FINANCIAL IMPLICATIONS:**

The refund of \$793.35 will be paid from the Claim Settlement Fund, Account number 037689-106274. Funds are available and have been appropriated.

**BOARD/COMMISSION RECOMMENDATION:**

None.

**STAKEHOLDER PROCESS:**

None.

**ALTERNATIVES:**

**Alternative No. 1 – No Action**

The property at 139 Bridle Trail will not receive compensation for sanitary sewer fees.

**RECOMMENDATION:**

Approval of the Resolution.

**Attachments:**

Request for Refund

Amounts paid for Sewer Fees on Bridle Trail

RESOLUTION NO. 14872

A RESOLUTION AUTHORIZING THE CITY OF PUEBLO TO  
REFUND SANITARY SEWER FEES OF \$793.35 TO  
LARRY ZERFAS

WHEREAS, the City's Wastewater Department has been notified that Larry Zervas was erroneously charged sanitary sewer fees; and

WHEREAS, pursuant to Section 16-6-23 of the Pueblo Municipal Code, the Director of Wastewater has determined that grounds exist for a refund pursuant to Section 16-6-24 of the code; and

WHEREAS, a refund for the paid amount can only be authorized by Pueblo City Council; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF PUEBLO, that:

SECTION 1.

The City shall refund Larry Zervas the sum of \$793.35 for the erroneous collection of fees charged for 139 Bridle Trail during the period of May 2021 through February 2022.

SECTION 2.

Such refund shall be paid through the Claim Settlement Fund, Account Number 037689-106274 in the amount of \$793.35.

SECTION 3.

This Resolution shall become effective immediately upon passage and approval.

INTRODUCED May 9, 2022

BY: Larry Atencio  
MEMBER OF CITY COUNCIL

APPROVED:   
PRESIDENT OF CITY COUNCIL

ATTESTED BY:   
CITY CLERK