

RESOLUTION NO. ~~26-~~

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY FLORIDA, AMENDING RESOLUTION NO. ~~22-0122-008~~ ADJUSTING THE INCREASING THE USER FEES AND CHARGES FOR WATER, SEWER AND RECLAIMED WATER, FROM 2026 THRU 2030 AND TO SUNSET THE EXISTENCE OF THE BAREFOOT BAY WATER AND SEWER DISTRICT BY 2030 FOR THE BAREFOOT BAY UTILITY SYSTEM LOCATED IN BREVARD COUNTY, FLORIDA. INCLUDING SYSTEMS LOCATED IN THE SOUTH BEACHES, MERRITT ISLAND, NORTH BREVARD, PORT ST. JOHN AND THE SOUTH CENTRAL MAINLAND SERVICE AREA

WHEREAS, Section 180.136, Florida Statutes, and Chapter 67-1145, Laws of Florida prescribe the procedure for the fixing of a schedule of rates, fees and charges for the use of the services provided by the water, sewer utility service, ~~sewer, septage,~~ and reclaimed water system of Brevard County and for revising said schedule of rates, fees and charges; and

WHEREAS, on March 23, 1999 ~~Month-Day, Year~~ February 8, 2022, the Brevard County Board of County Commissioners adopted, in regular session, Resolution-Ordinance No. 97-17XX-XXX22-008 creating the Barefoot Bay Water and Sewer District as a dependent district to Brevard County Board of County Commissioners; and

WHEREAS, the Brevard County Board of County Commissioners now desires to amend the water and sewer user fees ~~service rates and monthly charges for sanitary sewer service for the Barefoot Bay Water & Sewer District and charges for the use of the services provided by water, sewer, septic, and reclaimed water system~~, as contained in ~~this Resolution and~~ in the attached Exhibits ~~A and~~ B; and

WHEREAS, the Barefoot Bay Water and Sewer District havehas two remaining debt services, Revenue Bond Series 2009A and Utility Refunding Revenue Note, Series 2018 with their last payment being December 1, 2029 and October 1, 2029, respectively; and

WHEREAS, the Brevard County Board of County Commissioners now desires to sunset the Barefoot Bay Water and Sewer District by 2030 and in 2030 to transfers the rate resolution ~~(Resolution No. 22-01)~~ that governeds the Barefoot Bay Water and Sewer District to the rate resolution (Resolution No. 22-008XX-XX, or subsequent resolutions) that governed the Utility Services Countywide system rate resolution would supersede; and

WHEREAS, the revenue requirement of the Barefoot Bay Water and Sewer District have been revised from the Barefoot Bay Water and Sewer District operating from perpetuity to the desired sunset in 2030, that the user rates established in the attached Exhibit A and B, shall remaining unchanged through the desired sunset of the Barefoot Bay Water and Sewer District in 2030; and

WHEREAS, on XXXXXX XX, 2026, the Board directed that notice be published setting forth the proposed rates, fees and charges, and such notice was published on XXXXXXXX xx, 2026, in the FLORIDA TODAY Newspaper, published in Brevard County, Florida; and

WHEREAS, a public hearing was held on _____, 2026 at the Government Center Board Meeting Room, 2725 Judge Fran Jamieson Way, Melbourne, Florida, for the purpose of amending the fees, and charges.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, as follows:

1. Resolution No. 22-008 is hereby amended as provided herein and as contained in the schedule attached as Exhibit ~~"A" and Exhibit~~ "B" hereto, and is hereby adopted as the schedule of rates, fees, and charges for the water, sewer, septage and reclaimed water systems maintained by Brevard County within the Barefoot Bay Utility System, including said systems located in the South Beaches, Merritt Island, North Brevard, Port St. John, and the South Central Mainland Service Area of Brevard County.
2. ~~Said schedule of rates, fees, and charges shall be established for said water, sewer, septage, and reclaimed water systems and any additional water, sewer, and reclaimed water systems acquired by Brevard County and any future additions or extensions of any water, sewer, and reclaimed water systems owned by Brevard County.~~
3. Exhibit "A" shall remain unchanged as adopted by the Board of County Commissioners on February 8, 2022 when Resolution No. 22-01. The fees and charges in Exhibit A shall be adjusted as shown with no index applied.

4. The rates, fees and charges in Exhibit B shall be indexed and shall change annually as contained in Exhibit B excluding the water service rates and monthly charges for sanitary sewer:

~~Beginning January 1, 2027, and in all subsequent years on January 1, the water and sewer user rates shall automatically increase based on the actual change in the Consumer Price Index Sewer and Water Maintenance Index (S W M I)(U) based on the average of the index on November of the previous year of which the index is applied~~

- a. ~~Effective January 1, 2027, on January 1; all water and sewer rates, fees and charges, shall be indexed automatically based on the actual change in Consumer Price Index Sewer and Water Maintenance Index (S W M I)(U) based on the index on November of the previous year of which the index is applied.~~
- b. ~~If in any year the Board of County Commissioners requests to increase any of the rates described in Exhibit B that are indexed utilizing the Consumer Price Index Sewer and Water Maintenance Index (S W M I)(U), requires a Public Hearing and Board approval for an amendment to this Resolution.~~

4. Barefoot Bay Water and Sewer District by 2030, and in 2030, to transfer the rate resolution that governs the Barefoot Bay Water and Sewer District to the rate resolution that governs the Utility Services Countywide system rate resolution.

5. A copy of said schedule of rates, fees, and charges shall be kept on file in the Office of the Clerk to the Board and shall be open for public inspection.

DONE, ORDERED AND ADOPTED, in regular session, this ____ day of _____,
2026.

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF
BREVARD COUNTY, FLORIDA

Rachel M. Sadoff, Clerk of the Court BY: _____

Thad Altman, Chair

As Approved by the Board on _____