

RESOLUTION NO.

RESOLUTION OF THE BOARD OF DIRECTORS OF THE BAREFOOT BAY WATER AND SEWER DISTRICT AMENDING RESOLUTION NO. 13-002 AS TO RATES, FEES AND CHARGES WITHIN THE BAREFOOT BAY UTILITY SYSTEM LOCATED IN BREVARD COUNTY, FLORIDA; AMENDING WATER AND SEWER RATES; PROVIDING FOR INDEXING OF THE RATES PURSUANT TO THE CONSUMER PRICE INDEX SEWER AND WATER MAINTENANCE INDEX (SWMI)(U); AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Chapter 153.56, Laws of Florida, 2001, prescribes the procedure for the fixing of a schedule of rates, fees and charges for the use of the services provided by the Barefoot Bay Water and Sewer District; and

WHEREAS, on December 17, 2013, the Brevard County Board of County Commissioners adopted, in regular session, Resolution 13-002; and

WHEREAS, on May 27, 2021 the Brevard County Board of County Commissioners adopted Resolution 21-01, amending Resolution 13-002; and

WHEREAS, the Brevard County Board of County Commissioners now desires to further amend the schedule of rates, fees and charges for the use of the services provided by the Barefoot Bay Water and Sewer District as contained in this Resolution and in the attached Exhibits A and B; and

WHEREAS, on November 9, 2021, the Board directed that notice be published setting forth the proposed rates, fees and charges and such notice was published on January 13, 2022, in the FLORIDA TODAY Newspaper, published in Brevard County, Florida; and

WHEREAS, a public hearing was held on February 8, 2022 at the Government Center Board Meeting Room, 2725 Judge Fran Jamieson Way, Melbourne, Florida, for the purpose of amending the schedule of rates, fees, and charges.

NOW, THEREFORE BE IT RESOLVED, BY THE BOARD OF DIRECTORS OF THE BAREFOOT BAY WATER AND SEWER DISTRICT as follows:

1. Resolution No. 13-002 is hereby amended as provided 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 and reclaimed water systems maintained by the Barefoot Bay Utility System.
2. Said schedule of rates, fees, and charges shall be established and fixed for said water, sewer and reclaimed water systems and any additional water, sewer and reclaimed water systems acquired by the Barefoot Bay Water and Sewer District and any future additions or extensions of any water, sewer and reclaimed water systems owned by the District.
3. The rates, fees and charges in Exhibit B shall be indexed and shall change annually as follows:
 - a. The water and sewer user rates will be indexed as follows effective each year:
 - 2022 – 10.0%
 - 2023 – 13.0%
 - 2024 – 13.0%
 - 2025 – 13.0%

Beginning and in all subsequent years 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 from the previous 12 months (November to November).

- b. Effective 2022, and in subsequent years all fees and charges, excluding the water and sewer user rates, 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 average of the index from the previous 12 months (November to November).
 - c. If in any year the any of the rates Described in Exhibit B are indexed utilizing the Consumer Price Index Sewer and Water Maintenance Index (S W M I)(U) and such the annual rate increase exceeds 3.4%, the proposed increase shall be brought before the Board of County Commissioners at the next available meeting for discussion.
- 4. Exhibit A to this resolution includes all the rates, fees and charges collected by this department that are anticipated to remain unchanged.
 - 5. Exhibit B lists all the rates, fees and charges that are indexed and will change annually.
 - 6. 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 8th day of February,
2022.

ATTEST:

BOARD OF DIRECTORS
OF THE BAREFOOT BAY
WATER & SEWER DISTRICT

Rachel M. Sadoff, Clerk of the Court

BY: _____
Kristine Zonka, Chair

As Approved by the Board on _____

EXHIBIT A:
Brevard County Barefoot Bay Water and Sewer District
Water and Sewer Rate Schedule

Definitions

- a. **Account Set-Up Charge:**
A charge levied for service initiation at a location where service did not exist previously, or for transfer of service to a new customer account at a previously served location.
- b. **After Hours Service Activation Charge:**
A charge levied to activate water service outside of normal business hours
- c. **Re-Activation Charge:**
A charge for re-activation of service, after de-activation at the customer's request.
- d. **Equivalent Residential Unit (E R C)** is the assumed consumption for a single-family dwelling unit. Consumption is calculated per day or per month.
- e. **Monthly Base Charge:** A monthly charge that covers a building unit's portion of the operation and maintenance of the treatment plant. Base Charges are calculated based on the number of E R Cs stated for the building, using a single-family dwelling unit as the basis of comparison.
- f. **Capacity Reservation Charge:** A charge to reserve wastewater treatment plant capacity for future building units. The charge is calculated at twelve months of base charges for the estimated E R Cs for the building unit. The reservation can be continued into future years by payment of an annual charge each year. The payment of this Charge prevents another building unit from using this portion of the remaining plant capacity.
- g. **Delinquent Charge:**
A charge levied after water account becomes delinquent
- h. **Hydrant Meter Charge:** A charge for the use of a portable hydrant meter for special circumstances, for use on a short-term limited basis at a specific location. A deposit and a one-time charge are collected when the meter is issued. Water usage is billed monthly at the commercial rate.
- i. **Meter Replacement/Test Charge:** A charge levied upon the replacement of a meter at the customer's request.

SECTION 1.

CONNECTION CHARGES FOR WATER SERVICE:

Residential \$275.00 per ERC (150 GPD)

All others \$1.85 per gallon per day

All new applications for service at a new location shall pay, in advance, a plant capacity charge of \$275.00 per residential customer. A non-residential customer shall pay \$1.85 per gallon per day, based upon the customer's average daily water usage of the highest three (3) consecutive months of the year, or some other acceptable standard, but not less than \$275.00. An E R C for this system is defined as 150 G P D.

To determine the estimated daily flow for non-residential customers, the utility will use historical flow data of like establishments. In the absence of historical information, the utility shall use the amount provided by F A C Chapter 64E-6.

Unless otherwise determined by the utility, historical flow data shall be used in lieu of estimated flow data.

CONNECTION FEE EXEMPTIONS

For the purposes of determining connection fees as described above, a "new application for service" shall not include owners residing in existing mobile home or manufactured home residences where:

- 1) the owner or their predecessor-in-interest has already paid a service connection charge, impact fee or other similar charge to a private utility company; and
- 2) the private utility company to whom the service connection charge, impact fee or other similar charge was paid has been acquired by or merged with the District; and
- 3) the owner's property is part of a subdivision that has, in its entirety, been interconnected with District water and sewer facilities.

Owners qualifying under the criteria set forth above shall be exempt from paying both the water and sewer connection charges provided for in Resolution 05-002 or any successor resolution.

WATER SERVICE RATE SCHEDULE

Initial application for water/sewer service for new units being constructed must be made through the Brevard County building permitting process. Applications for service for existing residences, facilities or buildings should be made through the Barefoot Bay Water and Sewer District office. All capacity charges and connection fees shall be collected in advance of service, or prior to issue of C.O.

Meter Installation Charge

An initial meter installation fee shall be charged, based upon meter size as indicated below. The actual cost of the meter will be the responsibility of the applicant for service.

METER SIZE	METER INSTALLATION FEE
$\frac{3}{4}$ inch	\$200.00
1 inch	\$250.00

The meter installation fee for meters larger than one inch will be determined by the Utility Services Department based upon the cost incurred in such meter installation.

Deposit for Water Service:

METER SIZE	DEPOSIT
$\frac{3}{4}$ inch	\$50.00
1 inch	\$80.00
1 $\frac{1}{2}$ inch	\$165.00
2 inch	\$260.00
3 inch	\$500.00
4 inch	\$835.00
6 inch	\$1,670.00
8 inch	\$2,500.00

Refund of deposits – After a residential customer has had continuous service for a period of 12 months, the District shall refund the customer's deposit provided the customer has not in the preceding 12 months:

- (a) made more than one late payment,
- (b) paid with a check refused by a bank,
- (c) been disconnected for non-payment, or
- (d) tampered with the meter or used service in a fraudulent or unauthorized manner.

If a customer does not provide payment by the delinquent date, the outstanding balance, delinquent charge, and a new deposit will be required.

Terms of Payment

Bills are due and payable when rendered and become past due if not paid before the next billing cycle. Service may be discontinued when the bill becomes delinquent.

Additional Clauses - Water and sewer charges are billed concurrently and payment for sewer service only is not acceptable to the District without concurrent or simultaneous payment of the water charge. Non-receipt of total charges may result in discontinuance of service.

Miscellaneous Service Charges

Account Set-Up Charge	\$15.00
After Hours Service Activation Charge	\$50.00
Re-Activation Charge	\$15.00
Delinquent Charge	\$30.00
Meter Replacement Charge	If requested by the customer: \$300.00 If meter is obsolete or defective: NO CHARGE
Hydrant Meter Charge	\$750 Deposit PLUS \$75.00

Fire- Line Rates:

Meter Size	Annual Charges
2-4 inch	\$80.00
6 inch	\$100.00
8 inch	\$150.00
10 inch	\$300.00
12 inch	\$400.00

Charges for water usage will be metered through by-pass meter at rate of \$4.00 per 1,000 gallons. Water used in firefighting is exempt from charges.

Reconnection of Service for the Same Customer

Service will be discontinued at customer's request. Where service is to be restored at the same premises to the same customer, the customer will pay to the utility a sum

equal to 100% of the minimum bill for each billing period during which service was discontinued, plus a \$15.00 re-activation charge. All prior indebtedness must be paid before service will be restored.

SECTION 2.

SEWER CONNECTION CHARGE:

Residential \$1,400.00 per ERC (150 GPD)

All others \$9.33 per gallon per day.

All new applications for service at a new location shall pay, in advance, a plant capacity charge of \$1,400.00 per residential customer. A nonresidential customer shall pay \$9.33 per gallon per day, based upon the customer's average daily water usage of the highest three (3) consecutive months of the year, but not less than \$1,400.00. An ERC for this system is defined as 150 GPD.

To determine the estimated daily flow for non-residential customers, the utility will use historical flow data of like establishments. In the absence of historical information, the utility shall use the amount provided by FAC Chapter 64E-6.

Unless otherwise determined by the utility, historical flow data shall be used in lieu of estimated flow data.

CUSTOMER CONNECTION TAP-IN CHARGE

\$ 40.00 per customer

CONNECTION FEE EXEMPTIONS

For the purposes of determining connection fees as described above, a "new application for service" shall not include owners residing in existing mobile home or manufactured home residences where:

- 1) the owner or their predecessor-in-interest has already paid a service connection charge, impact fee or other similar charge to a private utility company; and
- 2) the private utility company to whom the service connection charge, impact fee or other similar charge was paid has been acquired by or merged with the District; and
- 3) the owner's property is part of a subdivision that has, in its entirety, been interconnected with District water and sewer facilities.

Owners qualifying under the criteria set forth above shall be exempt from paying both the water and sewer connection charges provided for in Resolution 05-002 or any successor resolution.

SEWER SERVICE RATE SCHEDULE

Deposit for Sewer Service:

METER SIZE	DEPOSIT
¾ inch or 1 inch	\$100.00
1 ½ inch	\$230.00
2 inch	\$350.00
3 inch	\$870.00
4 inch	\$1,450.00
5 inch	\$3,500.00
6 inch	\$4,500.00
8 inch	\$5,800.00

Refund of deposits – After a residential customer has had continuous service for a period of 12 months, BCUSD shall refund the customer's deposit provided the customer has not in the preceding 12 months:

- (a) made more than one late payment
- (b) paid with a check refused by a bank
- (c) been disconnected for non-payment, or
- (d) tampered with the meter or used service in a fraudulent or unauthorized manner.

If a customer is disconnected for non-payment, the outstanding balance, delinquent charge, and a new deposit must be paid prior to service re-activation.

Terms of Payment

Bills are due and payable when rendered and become past due if not paid before the next billing cycle. Service may be discontinued when the bill becomes delinquent.

Additional Clauses – Water and sewer charges are billed concurrently and payment for sewer service only is not acceptable to the District without concurrent or simultaneous payment of the water charge. Non-receipt of total charges may result in discontinuance of service.

Miscellaneous Service Charges for Customers Not on Water:

Account Set-Up Charge	\$15.00
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Delinquent Charge	\$30.00
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Reconnection of Service for the Same Customer

Service will be discontinued at customer's request. Where service is to be restored at the same premises to the same customer, the customer will pay to the utility a sum equal to 100% of the minimum bill for each billing period during which service was discontinued, plus a \$15.00 re-activation charge. All prior indebtedness must be paid before service will be restored.

Installation Charge for Reclaimed Water Service

An initial service installation fee of \$200.00 shall be charged to provide reclaimed water service to the property.

EXHIBIT B:
Brevard County Barefoot Bay Water and Sewer District
Indexed Fees, Charges and Rates

Definitions:

- a. **Account Set-Up Charge:**
A charge levied for service initiation at a location where service did not exist previously, or for transfer of service to a new customer account at a previously served location.
- b. **After Hours Service Activation Charge:**
A charge levied to activate water service outside of normal business hours
- c. **Equivalent Residential Unit (E R C)** is the assumed consumption for a single-family dwelling unit. Consumption is calculated per day or per month.
- d. **Monthly Base Charge:** A monthly charge that covers a building unit's portion of the operation and maintenance of the treatment plant. Base Charges are calculated based on the number of E R Cs stated for the building, using a single-family dwelling unit as the basis of comparison. Base charges for water service and wastewater service will be billed separately.
- e. **Re-Activation Charge:** A charge for re-activation of service, after de-activation at the customer's request.
- f. **Capacity Reservation Charge:** A charge to reserve wastewater treatment plant capacity for future building units. The charge is calculated at twelve months of base charges for the estimated E R Cs for the building unit. The reservation can be continued into future years by payment of an annual charge each year. The payment of this Charge prevents another building unit from using this portion of the remaining plant capacity.
- g. **Delinquent Charge:** A charge levied after water account becomes delinquent
- h. **Hydrant Meter Charge:** A charge for the use of a portable hydrant meter for special circumstances, for use on a short-term limited basis at a specific location. A deposit and a one-time charge are collected when the meter is issued. Water usage is billed monthly at the commercial rate.
- i. **Meter Replacement/Test Charge:** A charge levied upon the replacement of a meter at the customer's request.

The following rates will be increased each January by the November to November annualized change of the Consumer Price Index Sewer and Water Maintenance Index (S W M I) (U).

Initial application for water/sewer service for new units being constructed must be made through the Brevard County building permitting process. Applications for service for existing residences, facilities or buildings should be made through the Barefoot Bay Water and Sewer District office. All capacity charges and connection fees shall be collected in advance of service, or prior to issue of a Certificate of Occupancy (C. O.).

ANNUAL CHARGES FOR SEWER CAPACITY RESERVATION:

Charges are increased each January based on the actual change in the Consumer Price Index Sewer and Water Maintenance Index (S W M I)(U).

Residential A:

Residential single-family dwelling units including mobile homes and duplexes:

Annual Charge	\$150.00
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Residential B:

Multi-family residential units (excluding duplexes):

Annual Charge	\$129.00
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Commercial:

All other users of the sewer system not classified as Residential A or Residential B:

Annual Charge	\$150.00 per Equivalent Residential Connection
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The initial annual charge shall be payable at the time application for sewer service is made. Subsequent charges shall be payable annually on the date of the initial payment, for the entire period that the sewer capacity is to be reserved, as provided in applicable Brevard County regulations.

A one-time application fee of \$100.00 is payable at the time application for sewer service is made.

MONTHLY CHARGES FOR WATER SERVICE:

Charges are increased each January based on the actual change in the Consumer Price Index Sewer and Water Maintenance Index (S W M I)(U).

RESIDENTIAL SERVICE

Availability - Water service in accordance with this rate schedule is available throughout the Barefoot Bay Water and Sewer District's service area in Brevard County, Florida.

Applicability - This rate schedule is applicable to individual family residences. Water service is also available under this schedule to multiple-family structures, state-licensed mobile home parks and mobile home subdivisions where a separate service connection and meter is installed for each family unit supplied with water service. Each such family will be separately billed.

Each Residential water customer shall pay a Base Facility Charge each month based on the size of the meter. Water usage shall be charged monthly at the current usage rate.

GENERAL SERVICE

Availability - Water service in accordance with this rate schedule is available throughout the District's service area in Brevard County, Florida.

Applicability - This rate schedule is applicable to any customer for which no other rate schedule applies.

Each General Service water customer shall pay a Base Facility Charge each month based on the size of the meter. Water usage shall be charged monthly at the current usage rate.

Water rates are the same for residential and general service customers.

Water Service 2021 RATE

METER SIZE	BASE FACILITY CHARGE
5/8 inch X 3/4 inch	\$15.10
3/4 inch	\$22.65
1 inch	\$37.74
1 - 1/2 inch	\$75.47
2 inch	\$120.76
3 inch	\$241.49
4 inch	\$377.34
6 inch	\$754.69
8 inch	\$1510.15
CONSUMPTION CHARGE: PER 1,000 GALLONS	\$3.72

NO MAXIMUM BILLING

MONTHLY CHARGES FOR SANITARY SEWER SERVICE:

Monthly base and commodity charges are increased each January based on the actual change in the Consumer Price Index Sewer and Water Maintenance Index (S W M I)(U).

RESIDENTIAL SERVICE

Residential A:

Residential single-family dwelling units, including mobile homes and duplexes, for each family living unit. Charge is based on gallons used up to a maximum of 12,000 gallons per month.

Residential B:

Multi-family residential dwelling units (exclusive of duplexes) and mobile home parks with common water meter for all units. Charge is based on gallons used. There is no maximum charge.

GENERAL SERVICE

Availability - Sewer service in accordance with this rate schedule is available throughout the District's service area in Brevard County, Florida in accordance with capacity concurrency requirements.

Applicability - This rate schedule is applicable to any customer for which no other rate schedule applies.

Commercial:

All other users of the sewer system which are not classified as Residential as defined above, shall be classified as commercial users.

NOTE: Equivalent Residential Connection shall be ascertained by dividing the actual or estimated daily flows by the established residential equivalent of 150 gallons per day.

MONTHLY CHARGES FOR SANITARY SEWER SERVICE:

Charges are increased each January based on the actual change in the Consumer Price Index Sewer and Water Maintenance Index (S W M I)(U).

RESIDENTIAL:

2021 RATE

MONTHLY BASE CHARGES	\$32.52
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CONSUMPTION CHARGE	\$7.51
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GENERAL SERVICE:

METER SIZE	BASE FACILITY CHARGE
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5/8 inch X 3/4 inch	\$32.52
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3/4 inch	\$48.75
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1 inch	\$81.28
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1 - 1/2 inch	\$162.54
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2 inch	\$260.07
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3 inch	\$520.19
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4 inch	\$812.78
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6 inch	\$1,625.54
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8 inch	\$3,067.07
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COMMODITY CHARGE	\$9.03
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NO MAXIMUM BILLING

Sanitary Sewer Rates for Customers Not on Water Service

Monthly base and commodity charges are increased each January based on the actual change in the Consumer Price Index Sewer and Water Maintenance Index (S W M I)(U).

Single family and duplex units will be charged the current rate for similar units with metered water service that consume 5,000 gallons per month.

All other commercial or residential users not presently served from an approved metered water unit shall be billed at the applicable rate based upon the following flow estimated for each unit. The total flow for the commercial or residential user shall be the following estimated monthly flow for each unit times the total number of units of such user:

Multi-family Units	4,000 gallons per unit
Trailer Parks	5,000 gallons per unit
Motel Units	2,500 gallons per unit
Motel Apartment Units	3,750 gallons per unit

FY 21 Rate

RESIDENTIAL	\$ 65.68
GENERAL	\$72.28

MONTHLY RECLAIMED WATER RATES:

Charges are increased each January based on the actual change in the Consumer Price Index Sewer and Water Maintenance Index (S W M I)(U):

SMALL USERS (1 ACRE MAX.)

Single Family/Duplex	\$6.00/Month (per unit)
Multi Family	\$1.20 Per 1000 Sq.Ft. Irrigated Area (\$6/Month - Minimum)

MEDIUM USERS (GREATER THAN 1 ACRE, NON - "MAJOR USERS")

Multi Family, Commercial, Recreational, Landscape, Agricultural, and other uses.
\$20 Per Acre, \$10.00 Per Additional 1/2 Acre.

“MAJOR USER” PER 17-610 III, F.A.C. (GREATER THAN 100,000 GPD)

All major users of Brevard County Reclaimed Water shall be governed by individual Reclaimed Water Agreements.