

**DRAFT  
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 \_\_\_\_\_, 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 rate, 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 \_\_\_\_\_, 2021, the Board directed that notice be published setting forth the proposed rates, fees and charges and such notice was published on \_\_\_\_\_, 2021, in the FLORIDA TODAY Newspaper, published in Brevard County, Florida; and

**WHEREAS**, a public hearing was held on \_\_\_\_\_, 2021 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 \_\_\_\_\_ day of  
\_\_\_\_\_, 2021.

ATTEST:

BOARD OF DIRECTORS  
OF THE BAREFOOT BAY  
WATER & SEWER DISTRICT

\_\_\_\_\_  
Rachel M. Sadoff, Clerk of the Court

BY: \_\_\_\_\_  
Rita Pritchett, Chair

As Approved by the Board on \_\_\_\_\_