

**DRAFT
RESOLUTION NO. 21-**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
BREVARD COUNTY FLORIDA, AMENDING RESOLUTION NO. 10-249,
INCREASING THE SCHEDULE OF RATES, FEES AND CHARGES FOR
WATER SERVICE AT THE SAN SEBASTIAN WOODS WATER SYSTEM;
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, 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 system of Brevard County and for revising said schedule of rates, fees and charges; and

WHEREAS, on November 10, 2010 the Brevard County Board of County Commissioners, as Receiver in Case No. 05-2010-CA-038775-XXXX-XX, adopted Resolution 10-249 providing for an increase in water rates for the San Sebastian Water, LLC Water System; and

WHEREAS, on October 30, 2015, Brevard County, a political subdivision of the State of Florida, acquired the San Sebastian Woods Water System by Quit Claim Deed pursuant to the Court's Order in Case No. 05-2010-CA-038775-XXXX-XX; and

WHEREAS, the Brevard County Board of County Commissioners now desires to further amend the schedule of rates, fees and charges for water service at the San Sebastian Water Woods Water System, 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 COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, as follows:

1. Resolution No. 10-249 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 San Sebastian Woods Water System maintained by Brevard County.
2. Said schedule of rates, fees, and charges shall be established for said water system and any future additions or extensions to the San Sebastian Woods Water System of any water system owned by Brevard County.
3. The rates, fees and charges in Exhibit A shall remain unchanged.
4. The rates, fees and charges in Exhibit B shall be indexed and shall change annually as follows:

Effective 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).

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.

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 _____, 2021.

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF
BREVARD COUNTY, FLORIDA

Rachel M. Sadoff, Clerk of the Court

BY: _____
Rita Pritchett, Chair

As Approved by the Board on _____