

RESOLUTION NO. 10-09

A RESOLUTION REVISING RATE SCHEDULES FOR ALL CLASSES OF CUSTOMERS UTILIZING THE RECLAIMED/ REUSE WATER SYSTEM OF THE UTILITIES COMMISSION, CITY OF NEW SMYRNA BEACH, FLORIDA; RESCINDING ALL RESOLUTIONS OR PORTIONS THEREOF IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Utilities Commission, City of New Smyrna Beach, Florida, is obligated and authorized pursuant to the laws of the State of Florida, particularly Chapter 67-1754, Laws of Florida, as amended by and restated in Chapter 85-503, Laws of Florida, to establish and maintain rate schedules for the use of the reclaimed water system, and to make such other changes in such amounts as are necessary and sufficient to pay the expenses of operating and maintaining such facilities, to provide debt service, funds for necessary improvements, and to honor all requirements of the Utilities Commission, and;

WHEREAS, after examination of the revenues to be received from the operation of the reclaimed water system and the projected expenditures for operation and maintenance of such system and the funds required for renewal and replacement, and to amortize revenue certificates heretofore issued or to be issued by the Utilities Commission, it is found and determined that it is desirable to revise the reclaimed water system rate schedules which are currently in full force and effect, and;

WHEREAS, the Utilities Commission have presented proposed changes in such monthly charges to the customers of the Utilities Commission and to other parties of interest at a preliminary public hearing held on September 21, 2009, and at a final public hearing held on October 19, 2009, which hearings were duly noticed and advertised, and;

NOW, THEREFORE, BE IT RESOLVED BY THE UTILITIES COMMISSION, CITY OF NEW SMYRNA BEACH, FLORIDA, AS FOLLOWS:

SECTION 1: The rates and charges set forth in the attached Schedule "A", Schedule "B" and Schedule "C" shall be effective for all bills rendered by the Utilities Commission commencing with the first billing cycle in November, 2009, and thereafter until changed or modified.

SECTION 2: If any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 3: U. C. Resolution No. 10-04 is hereby rescinded, and all other Resolutions in conflict herewith or portions thereof are hereby rescinded and superseded.

THE ABOVE AND FOREGOING RESOLUTION was introduced at a regular meeting of the Utilities Commission, City of New Smyrna Beach, Florida, held on October 19, 2009, by Commissioner Diesen, who moved its adoption, which motion was seconded by Commissioner Reynolds, and upon roll call vote of the Commission was as follows:

CHAIRMAN	<u>Walter Allen III</u>	<u>yes</u>
VICE CHAIRMAN	<u>William Hall</u>	<u>Absent</u>
SECY-TREAS.	<u>Walter Reynolds</u>	<u>yes</u>
ASST. SECY-TREAS.	<u>Debra Belle</u>	<u>yes</u>
COMMISSIONER	<u>James H. Moran</u>	<u>yes</u>

APPROVED:
Walter Allen III
CHAIRMAN

ATTEST:
Walter Reynolds
SECRETARY-TREASURER

SEAL

APPROVED AS TO FORM AND
CORRECTNESS:
William B. L.
Utilities Commission Attorney

SCHEDULE "A"

RECLAIMED WATER RATE SCHEDULE

The charges for the use of the reclaimed water system are as follows:

PRIMARY TIER RATE

<u>Meter Size</u>	<u>Minimum Monthly Charge</u>	<u>Included Gallonage (Per KG) in Minimum Monthly Charge</u>	<u>Gallonage Charge Per KG Over Monthly Maximum</u>
Service			
3/4"	\$10.00	15 (0-15,000)	\$2.00 (15,001 and Above)
1"	\$25.00	45 (0-45,000)	\$2.00 (45,001 and Above)
1-1/2"	\$50.00	100 (1-100,000)	\$2.00 (100,001 and Above)
Meter		<u>Flow Charge Per KG</u>	
2"	\$ 75.00	\$0.30	
3"	\$ 75.00	\$0.30	
4"	\$ 75.00	\$0.30	
6"	\$ 75.00	\$0.30	

Definitions and requirements are as follows:

1. All user services must be metered.
2. Meter sizes 3/4" to 1 1/2" will be given the highest priority on availability of reclaimed water at all times.
3. Major user must provide a minimum of three (3) days of wet weather storage for the minimum flow rate of 1,900 gallons/ acre/day on an annual average. Major users are defined as reclaimed water customers whose anticipated capacity exceeds 100,000 gallons per day (gpd) and/or requiring a 2" meter and above.

SECONDARY TIER RATE

The secondary tier rate structure will apply to major users at \$16.29 /acre/month.

Qualifications for this rate are as follows:

1. All user services must be metered.
2. Major user must provide a minimum of three (3) days of wet weather storage for the minimum flow rate of 1,900 gallons/ acre/day on an annual average. Major users are defined as reclaimed water customers whose anticipated capacity exceeds 100,000 gallons per day (gpd) and/or requiring a 2" meter and above.

Restrictions for this rate are as follows:

1. The Commission will deliver reclaimed water flow to the primary tier rate users and reduce the flow to secondary tier rate users during times of limited availability of reclaimed water.
2. The user must accept the minimum flow rate stipulated under the secondary tier rate qualifications, adjusted for availability, or the account will automatically be converted to the primary tier rate schedule. The user must then meet the requirements of this level of service and may not convert back to the second tier level of service unless approval is granted by the Commission.

SCHEDULE "B"**RECLAIMED WATER RATE SERVICE OR METER SETTING CHARGES**

<u>METER Size - Inches</u>	<u>Charges</u>
3/4"	\$ 400.00*
1"	\$ 450.00*
1-1/2"	\$ 850.00*
2"	\$ 950.00*
3"	\$ 6,000.00*
4"	\$ 7,000.00*

*or current applicable charge –
As of 10-2009 in UC Res. No. 8-04

NOTES:

- (1) All reclaimed water meter setting installation charges 1 1/2" or larger that requires a street crossing or long service (long side service) will be determined by the Utilities Commission's Engineering Department and based on the recovery of cost of such installation. Reclaimed water meter setting installation charges for all connections over 4" will be determined by the Utilities Commission's Engineering Department and based on the recovery cost of such installation.

SCHEDULE "C"**RECLAIMED WATER DEPOSITS, CUT-IN FEES AND BACKFLOW PREVENTION CHARGES****I. Customer Deposits (1)**

METER <u>Size -Inches</u>	<u>Fee</u>
3/4"	\$ 10.00*
1"	\$ 25.00*
1-1/2"	\$ 50.00*
2"	\$ 80.00*
3"	\$160.00*
4"	\$250.00*
6"	\$500.00*

*or current applicable charge –
(As of 10-2009, in UC Res. No. 1-08)

(1) For reclaimed water service only. Existing Utilities Commission customers exempted.

II. Cut-In Fee

Regular Working Hours (2) – \$35.00 or current applicable cut-in fee**
(**As of 10-2009, in UC Res. No. 6-09)

(2) For reclaimed water service only or separate trip specifically for cut-ins.

III. Backflow Prevention

Installation charges for residential and commercial customers requiring a dual check valve are included in the above rates.

Backflow prevention charges for other than dual check valves will be determined by the Utilities Commission's Engineering Department and based on the recovery of the cost of such installation.