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RESOLUTION
NUMBER 2012- 019

A RESOLUTION ADOPTING AND PUTTING INTO EFFECT A SCHEDULE FIXING WATER, SEWER, AND REUSE UTILITY RATES, FEES AND CHARGES, FOR CUSTOMERS WITHIN THE CHARLOTTE COUNTY WATER AND SEWER DISTRICTS NUMBER 1 AND 2; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, on September 12, 2006, in Resolution No. 2006-170, the Charlotte County Board of County Commissioners ("Board") last established a Schedule fixing water, sewer, and reuse utility rates, fees and charges for the utility services furnished by Charlotte County Utilities ("CCU") to the present and future customers of Charlotte County Water and Sewer Districts No. 1 and 2; and

WHEREAS, since September 12, 2006, the Board has amended Resolution No. 2006-170 four times: on October 23, 2007 through Resolution No. 2007-173 to increase Low Pressure Installation Charges and establish Unauthorized Use Charges, on July 27, 2010 through Resolution No. 2010-068 to correct a scrivener error in Miscellaneous Fees, on September 28, 2010 through Resolution 2010-086 to eliminate a scheduled 3% increase, and on October 26, 2010 through Resolution 2010-100 to correct a scrivener error in the Bulk Service rate; and

WHEREAS, the Board held a public meeting on March 27, 2012, whereby all the owners, tenants and occupants of property served or to be served by CCU and all other interested parties had an opportunity to be heard concerning proposed changes in connection fees and accrued guarantee revenue fees, and revisions to Table 6-4: Schedule of Daily Rated Gallonage, notice of which public meeting was properly and timely published in a newspaper published in the County; and

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WHEREAS, on the advice and recommendation of its technical advisors, and after hearing comments from the public, the Board now desires to establish a new Schedule fixing water, sewer, and reuse utility rates, fees and charges for CCU customers, reflecting such changes in connection fees and accrued guarantee revenue fees and update to Table 6-4 for future CCU customers, and finds the adoption of such rates, fees, and charges to be just and equitable and in the public interest.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Charlotte County, Florida:

1. The Schedule of Rates, Fees, and Charges for customers within Charlotte County Water and Sewer Districts No. 1 and 2, attached hereto as Exhibit "A" and incorporated herein by reference, is hereby adopted, to become effective with utility bills issued on or after April 1, 2012.

2. The rates, fees, and charges adopted under paragraph 1 above shall be automatically increased or decreased without hearing upon the implementation of an increase or decrease in the rates, charges, and fees charged to Charlotte County for water and/or sewer utility services, electric power, or the amount of ad valorem taxes assessed against Charlotte County's property, if any. The above approved rates, fees, and charges shall be automatically increased without hearing in the event that costs have been incurred for water quality testing required by regulatory agencies or that costs have been incurred as a result of the promulgation of regulations by other governmental agencies related to treatment procedures for water and sewage.

3. The rates, fees, and charges adopted pursuant to paragraph 1 above shall be further automatically increased or decreased annually as of the first day of the

fiscal year, without hearing, based upon an operating cost price index. The initial index shall be the price in effect at the effective date (the "index") determined by the Florida Public Service Commission, pursuant to Section 367.081(4)(a), Florida Statutes, and Rule 25-30.420, Florida Administrative Code, as amended from time to time.

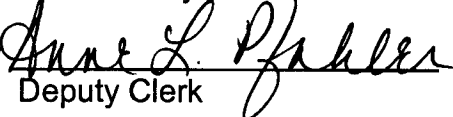
4. This Resolution shall become effective on April 1, 2012.

PASSED AND DULY ADOPTED this 27th day of March, 2012.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By 
Christopher G. Constance, Chairman

ATTEST:
Barbara T. Scott, Clerk of Circuit
Court and ex-officio Clerk to the
Board of County Commissioners

By 
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

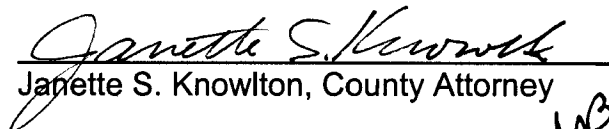

Janette S. Knowlton, County Attorney
MB

EXHIBIT "A"

SCHEDULE OF RATES, FEES AND CHARGES (EFFECTIVE WITH BILLS RENDERED 4/1/2012) CHARLOTTE COUNTY UTILITIES - DISTRICTS NO. 1 AND 2

I. DEFINITIONS.

Accrued Guaranteed Revenues: The re-payment of the carrying costs of facilities built or acquired in excess of those needed to serve current customers and held for future use by future customers.

Base Facility Charge: This is the monthly cost of having the system in place and prepared to serve the customer. This charge is designed to recover those capital expenses that are fixed, do not vary with consumption and are not recovered from separate charges.

Bulk Service: For service for all purposes in bulk customers served by a master meter.

Customer Charge: The cost of meter reading, billing and collection. Charged monthly to each metered account or sewer only account.

Gallonge Charge: This is the cost of providing the water, and/or collecting, treating and disposing of sewage, such as chemicals, electricity, labor and other related costs. This cost is variable and depends on consumption, billed in one-thousand gallon increments.

General Service: Service for all purposes for customers who do not qualify for residential or multi-family services. Any commercial, industrial, and institutional enterprise including but not limited to domiciliary houses, resident schools, hotels, motels and all other uses. The term commercial as used herein shall mean an establishment dealing in wholesale or retail trades or services, including, but not limited to, hotels, motels, offices, stores, restaurants, churches, schools and other facilities which hold themselves out to the public as a place of business.

Interest: Interest will be paid on those deposits retained by the Utility. The interest shall be applied yearly, each September, as a credit against the customer account.

Irrigation Meter: A meter set on a property served by water and wastewater, which measures potable water used solely for the purpose of irrigation.

Low Pressure Installation: The calculated costs incurred to install a low pressure sewer tank.

Meter Installation: The calculated costs incurred to install a water meter.

Mobile Home Residential Service: Water and/or Wastewater service for all purposes in mobile home residences located in mobile home parks or mobile home subdivisions that are served by an individual meter, which are rated at 82% of an equivalent single-family residential unit for water and 97% of an equivalent single-family residential unit for wastewater.

I. DEFINITIONS (continued)

Multi-family Residential Service: Water and/or Wastewater service for all purposes in multi-family residences served by a master meter, which are rated at 70% of an equivalent single-family residential unit for water and 80% of an equivalent single-family residential unit for wastewater.

Residential Service: Water and / or Wastewater service for all purposes in single-family homes, and individually metered multi-family units.

Reuse: The provision of reclaimed water for irrigation or other permitted uses.

System Development Charges (Connection Fees) - Wastewater: An equitable and proportionate charge made at the time wastewater service is newly requested to cover the growth related capital cost of construction for master pumping stations, master force mains, treatment and effluent disposal facilities and collection system required to provide service to new connections to the sewer system by new users.

System Development Charges (Connection Fees) - Water: An equitable and proportionate charge made at the time water service is newly requested to cover the growth related capital cost of construction for raw water supply, transmission mains, ground storage facilities, pumping facilities, treatment facilities, and distribution system required to provide service to new connections to the water system by new users.

Water Shortage Rates - Emergency – Water Rates: The rates will be implemented upon direction by the Board of County Commissioners that the water shortage warrants the implementation of the Emergency Water Usage Rates.

II. SYSTEM DEVELOPMENT CHARGES.

A. CONNECTION FEES,

	<u>WATER SUPPLY AND TREATMENT</u>	<u>WASTEWATER TREATMENT AND EFFLUENT DISPOSAL</u>
Plant Capacity	\$ 910.00	\$ 1,110.00
Transmission Capacity	\$ 380.00	\$ 500.00
Distribution	\$ 490.00	N/A
Collection	<u>N/A</u>	<u>\$ 740.00</u>
ERC CONNECTION FEE	<u>\$ 1,780.00</u>	<u>\$ 2,350.00</u>
Low Pressure Installation		
Residential	N/A	\$ 2,800.00
Non-Residential	N/A	Actual Cost

B. Table 6-4: Schedule of daily rated gallonage for various occupancies based upon Charlotte County Code, Sect. 3-8-46.

The following usages shall be deemed to be applicable for the purpose of calculating connection fees for all new connections to the system. Commercial, Institutional and other units not identified herein shall conform to the department of health and rehabilitative services section 64E-6.008.

Types of Buildings:	Usage:
Apartments	157.5 Gpd
Arcades/Slot-machine seating (no food service) *other facilities/services calculated according to appropriate occupancies	3 Gpd/seat
Restaurants, Bars, Cocktail Lounges, Fast Food	20 Gpd/seat
Bars, Cocktail Lounges or Pubs not serving or preparing food	12 Gpd/seat
Beauty Salons/Barber Shops operating < 8 hours/day	50 Gpd per chair
Beauty Salons/Barber shops operating > or equal to 8 hours/day	75 Gpd per chair
Boarding Schools (Student and Staff)	75 Gpcd
Bowling Alleys (Toilet Wastes Only, per Lane)	50 Gpd + 20 Gpd per bar and restaurant seat
Construction, Manufacturing or Industrial Equipment Operations *other occupancies may apply, subject to reclaimed water applicability	Based on equipment supplier or Engineer's design analysis data
Country Clubs (Per member)	5 Gpd + 20 Gpd per bar and restaurant seat
Day Schools (Students and Staff)	6 Gpcd + 4 Gpcd if shower + 4 Gpcd if cafeteria
Factories (With Showers)	30 Gpcd
Factories (Without Showers)	10 Gpd/100 Sq. Ft.
Gas Stations without food outlets, per restroom	225 Gpd
Car Wash	Based on equipment supplier data
Hospitals (in-patient services only, with or without Laundry) *out-patient labs, medical center operations and other facilities calculated according to appropriate occupancies	200 Gpd/bed
Hotels and Motels	125 Gpd/room or Unit + 20 Gpd per restaurant and bar seat
Laundromats	225 Gpd/washer
Mobile Home Park	185 Gpd/trailer
Movie Theaters, Auditoriums, Churches (Per Seat)	3 Gpd
Churches	3 Gpd per Seat or per Capita if no Seat
Nursing Homes	100 Gpd/bed
Office Buildings (excludes Medical Offices, Dental Offices, refer to FAC 64E-6.008 for these occupancies)	10 Gpd/100 Sq. Ft.
Public Institutions (Other than those listed herein)	75 Gpcd
Single-Family Residence with (1) 5/8" x 3/4" meter *Assumes a 3-bedroom residence. For residences with more than 3 bedrooms or that	

require a larger meter refer to FAC 64E-6.008	
Water	225 Gpd
Sewer	190 Gpd
Townhouse Residences	225 Gpd
Stadiums, Frontons, Ballparks, Etc. (Per Seat)	3 Gpd
Stores/Retail operations (Without Kitchen Wastes) *other occupancies may apply	5 Gpd/100Sq.Ft.
Speculative Buildings	30 Gpd + 10 Gpd/100 Sq. Ft
Warehouses (each unit) *other occupancies may apply. See FAC 64E-6.008 for self-storage units	30 Gpd + 10 Gpd/1000 Sq. Ft

Gpd=Gallon Per Day; Gpcd=Gallon per Capita Per Day

C: **ACCRUED GUARANTEED REVENUE FEES.**

The County declares that each Developer is responsible to provide its pro rata share of the economic support required to cover the fixed and nonvariable costs of maintaining treatment plant capacities reserved for the Developer. Therefore, these fees are based on a 5/8" x 3/4" meter and are proportionately increased depending on the size of meter serving the property, as defined in the Uniform Extension Policy.

Water

The District requires the accrual of general revenues on all properties it proposes to serve in the future. Fees accrued to water guaranteed revenues will be set at \$1,117.00 as of April 1, 2012. This fee will remain fixed and capped until such time as any new capacity is calculated into that fee, which will result in a revised AGRF schedule.

Wastewater

The District requires the accrual of general revenues on all properties it proposes to serve in the future. Fees accrued to wastewater guaranteed revenues will be set at \$641.00 as of April 1, 2012. This fee will remain fixed and capped until such time as any new capacity is calculated into that fee, which will result in a revised AGRF schedule.

III. RATES.

Rates listed herein may be subject to change should Pass Through/Indexing adjustments be appropriate.

A. WATER.

1. RESIDENTIAL SERVICE

Base Facility Charge (no gallonage allowance):

<u>Meter Size</u>	
5/8" x 3/4"	\$ 18.27
1	\$ 45.67
1 1/2"	\$ 91.33
2"	\$ 146.12
3"	\$ 292.25
4"	\$ 456.63

Gallonage charge per 1,000 gallons:

	<u>Regular</u>	<u>Emergency</u>
0-5,999 gallons	\$ 4.67	\$ 4.67
6,000-10,999 gallons	\$ 5.37	\$ 6.44
11,000-15,999 gallons	\$ 6.77	\$ 8.80
16,000-25,999 gallons	\$ 7.70	\$ 10.78
26,000 gallons and above	\$ 8.87	\$ 13.31

Customer charge

added to each monthly bill: \$ 3.50

2. MOBILE HOME RESIDENTIAL SERVICE

Base Facility Charge (no gallonage allowance):

5/8" x 3/4"	\$ 14.98
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Gallonage charge per 1,000 gallons:

	<u>Regular</u>	<u>Emergency</u>
0-5,999 gallons	\$ 4.67	\$ 4.67
6,000-10,999 gallons	\$ 5.37	\$ 6.44
11,000-15,999 gallons	\$ 6.77	\$ 8.80
16,000-25,999 gallons	\$ 7.70	\$ 10.78
26,000 gallons and above	\$ 8.87	\$ 13.31

Customer charge

added to each monthly bill: \$ 3.50

A. WATER (continued)

3. MULTI-FAMILY RESIDENTIAL SERVICE

Base Facility Charge times number of units
(no gallonage allowance):

All Meter Sizes: \$ 12.78

Gallonage charge per 1,000 gallons:

	<u>Regular</u>	<u>Emergency</u>
0-3,999 gallons	\$ 4.67	\$ 4.67
4,000-7,999 gallons	\$ 5.37	\$ 6.44
8,000-11,999 gallons	\$ 6.77	\$ 8.80
12,000-15,999 gallons	\$ 7.70	\$ 10.78
16,000 gallons and above	\$ 8.87	\$ 13.31

Customer charge

added to each monthly bill: \$ 3.50

4. BULK SERVICE

Base Facility times number of units
(no gallonage allowance):

All Meter Sizes: \$ 8.59

Gallonage charge per 1,000 gallons \$ 3.30

Customer charge

added to each monthly bill: \$ 3.50

5. GENERAL SERVICE

Base Facility Charge (no gallonage allowance):

Meter Size

5/8" x 3/4"	\$ 18.27
1"	\$ 45.67
1 1/2"	\$ 91.33
2"	\$ 146.12
3"	\$ 292.25
4"	\$ 456.63
6"	\$ 913.26
8"	\$ 1,461.22

Gallonage charge per 1,000 gallons \$ 4.67

Customer charge

added to each monthly bill: \$ 3.50

A. WATER (continued)

6. IRRIGATION SERVICE

Base Facility Charge (no gallonage allowance):

Meter Size

5/8" x 3/4"	\$	18.27
1"	\$	45.67
1 1/2"	\$	91.33
2"	\$	146.12
3"	\$	292.25
4"	\$	456.63
6"	\$	913.26
8"	\$	1,461.22

Gallonage charge per 1,000 gallons:

	<u>Regular</u>	<u>Emergency</u>
0 - 15,999 gallons	\$ 6.77	\$ 8.81
16,000 gallons and above	\$ 7.70	\$ 10.77

Customer charge

added to each monthly bill: \$ 3.50

B. WASTEWATER.

1. RESIDENTIAL SERVICE

Base Facility Charge (no gallonage allowance):

All Meter Sizes: \$ 27.70

Gallonage charge per 1,000 gallons
(10,000 gallon maximum): \$ 3.86

Customer charge added to each sewer
only account \$ 3.50

2. MOBILE HOME RESIDENTIAL SERVICE

Base Facility Charge (no gallonage allowance):

All Meter Sizes: \$ 26.86

Gallonage charge per 1,000 gallons
(10,000 gallon maximum): \$ 3.86

Customer charge added to each sewer
only account \$ 3.50

3. MULTI-FAMILY RESIDENTIAL SERVICE

Base Facility Charge times number of units
(no gallonage allowance):

All Meter Sizes: \$ 22.16

Gallonage charge per 1,000 gallons: \$ 3.86

Customer charge added to each
Sewer only account \$ 3.50

4. BULK SERVICE

Base Facility Charge times number of units
(no gallonage allowance):

All Meter Sizes: \$ 18.43

Gallonage charge per 1,000 gallons: \$ 3.15

Customer charge added to each sewer
only account: \$ 3.50

B. WASTEWATER (continued)

5. GENERAL SERVICE

Base Facility Charge (no gallonage allowance):

Meter Size

5/8" x 3/4"	\$ 27.70
1"	\$ 69.25
1 1/2"	\$ 138.51
2"	\$ 221.62
3"	\$ 443.25
4"	\$ 692.57
6"	\$ 1,385.16
8"	\$ 2,216.24

Gallonage charge per 1,000 gallons: \$ 3.86

Customer charge added to each sewer
only account: \$ 3.50

6. WASTEWATER ONLY CUSTOMERS

a. Individual Residences

Based on maximum usage:

Monthly Flat Rate of: \$ 66.30

Customer charge added to each sewer
only account: \$ 3.50

b. Multi-family

Based on maximum usage:

Monthly Flat Rate per unit of: \$ 53.04

Customer charge added to each sewer
only account: \$ 3.50

c. Bulk

Monthly Flat Rate per unit of: \$ 49.93

Customer charge added to each sewer
only account: \$ 3.50

B. WASTEWATER, 6. WASTEWATER ONLY CUSTOMERS (continued)

d. General Services

Based on maximum usage per schedule of daily rated gallonage for various occupancies pursuant to the Utility Uniform Extension Policy.

Base Facility Charge \$ 69.25

Gallonage charge per 1,000 gallons: \$ 3.86

Customer charge added to each sewer only account: \$ 3.50

7. WASTEWATER ONLY CUSTOMERS, WATER SERVED BY ANOTHER UTILITY

a. RESIDENTIAL SERVICE

Base Facility Charge (no gallonage allowance):

All Meter Sizes: \$ 27.70

Gallonage charge per 1,000 gallons (10,000 gallon maximum) \$ 3.86

Customer charge added to each sewer only account \$ 3.50

b. MULTI-FAMILY RESIDENTIAL SERVICE

Base Facility Charge times number of units (no gallonage allowance):

All Meter Sizes: \$ 22.16

Gallonage charge per 1,000 gallons: \$ 3.86

Customer charge added to each sewer only account \$ 3.50

c. BULK SERVICE

Base Facility Charge times number of units (no gallonage allowance):

All Meter Sizes: \$ 18.43

Gallonage charge per 1,000 gallons \$ 3.15

Customer charge added to each sewer only account: \$ 3.50

B. SEWER, 7. WASTEWATER ONLY CUSTOMERS, WATER SERVED BY ANOTHER UTILITY (continued)

d. GENERAL SERVICE

Base Facility Charge (no gallonage allowance):

Meter Size

5/8" x 3/4"	\$ 27.70
1"	\$ 69.25
1 1/2"	\$ 138.51
2"	\$ 221.62
3"	\$ 443.25
4"	\$ 692.57
6"	\$ 1,385.16
8"	\$ 2,216.24

Gallonage charge per 1,000 gallons: \$ 3.86

Customer charge added to each sewer only account: \$ 3.50

e. PER CONTRACT

Consumption Charge only - Bulk

**Gallonage charge per 1,000 gallons
\$ 3.15**

C. RECLAIMED WATER (REUSE).

1. a. RESIDENTIAL

Base Facility Charge \$ 2.53

Gallage Charge per 1,000 gallons \$ 2.53

Customer charge added to each reuse
only account: \$ 3.50

b. RESIDENTIAL - PER CONTRACT

Customer charge added to each reuse
only account: \$ 3.50

2. BULK

Gallage Charge per 1,000 gallons
\$.31

Customer charge added to each reuse
only account: \$ 3.50

IV. MISCELLANEOUS FEES AND CHARGES.

A. Annual Fire Protection Charges.

Less than 4"	\$ 400.00
4"	\$ 800.00
6"	\$ 1,600.00
8"	\$ 2,570.00
10"	\$ 3,690.00
12"	\$ 6,900.00

B. Meter Installation Drop in Charges.

5/8" x 3/4"	\$ 375.00
1"	\$ 615.00
1 1/2"	\$ 990.00
2"	\$ 1,515.00
3" and above	Actual Cost

C. Meter Installation Drop-in Charges plus Short Service. (Less than 3 hours of labor)

5/8" x 3/4"	\$ 1,045.00
1"	\$ 1,080.00
1 1/2"	\$ 1,450.00
2"	\$ 1,565.00
3" and above	Actual Cost

D. Meter Installation Drop-in Charges plus Long Service. (Between 3 and 6 hours of labor)

5/8" x 3/4"	\$ 1,795.00
1"	\$ 1,830.00
1 1/2"	\$ 2,215.00
2"	\$ 2,340.00
3" and above	Actual Cost

E. Bench Test Meter.

5/8" x 3/4"	\$ 105.00
1"	\$ 135.00
Over 1"	Actual Cost

IV. MISCELLANEOUS FEES AND CHARGES (continued)

F. Field Test Meter.

First – (same location)	N/C
5/8" x 3/4"	\$ 75.00
1"	\$ 85.00
1 1/2"	\$ 105.00
2" and above	Actual Cost
Commercial	Actual Cost

G. Reconnect Charges.

	Regular Hours	Overtime Hours
Water Turn-on Normal	\$ 45.00	\$ 55.00
Violation	\$ 55.00	\$ 75.00
Premise Visit	\$ 45.00	\$ 55.00
Seasonal	N/C	N/C

H. Meter Re-Read.

First - each six months	N/C
5/8" x 3/4"	\$ 45.00

I. Returned Check Charges.

\$25.00 if the face value of the instrument does not exceed \$50.00;
 \$30.00 if the face value of the instrument exceeds \$50.00 but does not exceed \$300.00;
 \$40.00 if the face value of the instrument exceeds \$300.00; or 5% of the instrument, whichever is greater; per Resolution 980180A0, as may be amended or superceded from time to time.

J. Late Payment Charges.

3.0%

K. Annual Courtesy Charge.

\$15.00

L. Meter Tampering / Unauthorized Connection Charge.

	Regular Hours	Overtime Hours
First occurrence*	\$ 200.00	\$ 295.00
Second occurrence*	\$ 400.00	\$ 590.00
Third occurrence and above*	\$ 600.00	\$ 890.00

* Plus damages to CCU property as may be determined.

IV. MISCELLANEOUS FEES AND CHARGES (continued)

M. Unauthorized Use Charges.

First offense	Written warning
Second offense	\$250.00
Third offense	\$500.00

V. CUSTOMER DEPOSITS.

	<u>Water</u>	<u>Sewer</u>
A. <u>Residential</u>		
5/8" x 3/4"	\$ 120.00	\$ 120.00
1"	\$ 190.00	\$ 330.00
1 1/2"	\$ 300.00	\$ 465.00
2"	\$ 510.00	\$ 1,010.00
B. <u>Multi-Family</u>		
Per Unit	\$ 84.00	\$ 96.00
C. <u>General Service</u>		
5/8" x 3/4"	\$ 120.00	\$ 120.00
1"	\$ 250.00	\$ 445.00
1 1/2"	\$ 460.00	\$ 2,000.00
2"	\$ 1,200.00	\$ 2,250.00
3"	\$ 1,550.00	\$ 2,700.00
4" and over	2 month bill	2 month bill

Note: Non-residential customer deposits are non-refundable until service is terminated.
The interest rate paid on the retained deposits will be 1.25%