

RESOLUTION NO. XX-2019 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, PROVIDING FOR WATER SYSTEM RATES AND CHARGES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL ALL RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lake Worth Beach, Florida is authorized and required to fix uniform and adequate rates for its services; and

WHEREAS, an evaluation of the water system rates establishes a need to revise the rates and charges as set forth herein in order to meet the several objectives identified by the evaluation; and

WHEREAS, the City Commission finds the rates established herein are fair and equitable and serve a valid public purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION TO THE CITY OF LAKE WORTH BEACH, FLORIDA, that:

Section 1: For the purpose of this Resolution, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural in the present tense include the future, words in the plural include the singular, and words in the singular include the plural.

"Shall" is always mandatory and not merely directory,

"Phase I water shortage", "Phase II water shortage", "Phase III water shortage", and "Phase IV water shortage", shall refer to the phases of water shortage that may be declared by the South Florida Water Management District pursuant to the Florida Administrative Code Chapter 40E-21.

"ERU" shall stand for "Equivalent Residential Unit" and shall mean the average amount of potable water used by a residential facility in terms of the reserved capacity needed to serve that facility. One (1) ERU is, by definition, equal to one (1) single family residence. Each residential unit in a multi-family complex or mobile home park unit is equivalent to 66% of one ERU, or as calculated in accordance with Chapter 18, Article VI, Code of Ordinances of the City of Lake Worth Beach.

Section 2: The following schedules shall be the rate charged by the City of Lake Worth Beach for all water sold by the City of Lake Worth Beach for all purposes, to wit:

GENERAL SERVICE – SCHEDULE NO. 1

Designation: General Service

Applicable: For commercial, industrial, and governmental use within the territory served by the Water Distribution System of the City of Lake Worth Beach, as available and at the option of the City.

Monthly Rates: **Customer Charge**, effective as of the dates listed:

| | | |
|-----------------|-----------|--|
| Effective Date: | 10/1/2019 | |
| Charge: | \$5.31 | |

A fixed charge based on the cost of preparing and delivering a bill which will be applied to each water account receiving a bill.

Base Facility Charge, effective as of the dates listed:

| | | |
|------------------|------------|--|
| Effective Date: | 10/1/2019 | |
| 5/8 X 3/4" Meter | \$15.83 | |
| 1" Meter | \$39.61 | |
| 1-1/2" Meter | \$79.19 | |
| 2" Meter | \$126.73 | |
| 3" Meter | \$253.47 | |
| 4" Meter | \$396.02 | |
| 6" Meter | \$792.06 | |
| 8" Meter | \$1,230.06 | |

For meter sizes larger than those shown in the table, the Director shall determine the charge on a case by case basis.

A fixed charge designed to recover a portion of the fixed costs of the water system shall be applied to each meter based upon the size of the meter.

Volume Charge: Rates for each hundred gallons of metered water consumption effective as of the dates listed:

| | | |
|-----------------|-----------|--|
| Effective Date: | 10/1/2019 | |
| Block 1 | \$0.341 | |
| Block 2 | \$0.525 | |
| Block 3 | \$0.711 | |
| Block 4 | \$1.244 | |
| Block 5 | \$1.561 | |

The amount of water consumption in each block subject to the rates in the table above is based upon meter size and is as follows (in hundreds of gallons):

| Meter Size | Block 1 | | Block 2 | | Block 3 | | Block 4 | | Block 5 | |
|-------------|---------|-------|---------|-------|---------|-------|---------|--------|---------|-----|
| | Min | Max | Min | Max | Min | Max | Min | Max | Min | Max |
| 5/8" X 3/4" | 1 | 40 | 41 | 80 | 81 | 120 | 121 | 200 | 201 | ∞ |
| 1" | 1 | 100 | 101 | 200 | 201 | 300 | 301 | 500 | 501 | ∞ |
| 1-1/2" | 1 | 200 | 201 | 400 | 401 | 600 | 601 | 1,000 | 1,001 | ∞ |
| 2" | 1 | 320 | 321 | 640 | 641 | 960 | 961 | 1,600 | 1,601 | ∞ |
| 3" | 1 | 640 | 640 | 1,280 | 1,281 | 1,920 | 1,921 | 3,200 | 3,201 | ∞ |
| 4" | 1 | 1,000 | 1,001 | 2,000 | 2,001 | 3,000 | 3,001 | 5,000 | 5,001 | ∞ |
| 6" | 1 | 2,000 | 2,001 | 4,000 | 4,001 | 6,000 | 6,001 | 10,000 | 10,001 | ∞ |
| 8" | 1 | 4,000 | 4,001 | 6,000 | 6,001 | 8,000 | 8,001 | 12,000 | 12,001 | ∞ |

Meter Deposit: Reference City of Lake Worth Resolution No. 18-2008 or latest revision thereof.

RESIDENTIAL – SCHEDULE NO. 2

Designation: Residential

Applicable: For individually metered single-family customers, master-metered single-family residential units, individually metered multi-family customers, master-metered multi-family residential units, cottages, apartments, trailers or mobile home parks use within the territory served by the Water Distribution System of the City of Lake Worth Beach, as available and at the option of the City.

Monthly Rates: **Customer Charge**, effective as of the dates listed:

| | | |
|-----------------|-----------|--|
| Effective Date: | 10/1/2019 | |
| Charge: | \$5.31 | |

A fixed charge based on the cost of preparing and delivering a bill which will be applied to each water account receiving a bill.

Base Facility Charge, effective as of the dates listed:

| | | |
|-----------------|-----------|--|
| Effective Date: | 10/1/2019 | |
| Charge: | \$15.83 | per ERU |
| Charge: | \$10.45 | Per multi-family residential unit or mobile home unit (66% of 1 ERU) |

A fixed charge designed to recover a portion of the fixed costs of the water system shall be applied to each ERU served, as defined above.

Volume Charge: Rates for each hundred gallons of metered water consumption effective as of the dates listed:

| | | |
|-----------------|-----------|--|
| Effective Date: | 10/1/2019 | |
| Block 1 | \$0.341 | |
| Block 2 | \$0.525 | |

| | | |
|---------|---------|--|
| Block 3 | \$0.711 | |
| Block 4 | \$1.244 | |
| Block 5 | \$1.561 | |

The amount of water consumption in each block subject to the rates in the table above is for each meter served per month, as defined above, and is as follows (in hundreds of gallons):

| Water Use Per Meter Per Month | Single-Unit Accounts | | Multi-Unit Accounts | |
|-------------------------------|----------------------|---------|---------------------|---------|
| | Minimum | Maximum | Minimum | Maximum |
| Block 1 | 1 | 40 | 1 | 20 |
| Block 2 | 41 | 80 | 21 | 40 |
| Block 3 | 81 | 120 | 41 | 60 |
| Block 4 | 121 | 200 | 61 | 100 |
| Block 5 | 201 | ∞ | 101 | ∞ |

Meter Deposit: Reference City of Lake Worth Resolution No. 48-2005 or latest revision thereof.

UNMETERED FIRE LINE – SCHEDULE NO. 3

Designation: Fire Service

Applicable: All buildings requiring this service.

Monthly Rate: Rates effective as of dates listed:

| | | |
|-----------------|-----------|--|
| Effective Date: | 10/1/2019 | |
| 2" Connection | \$30.35 | |
| 4" Connection | \$78.39 | |
| 6" Connection | \$156.89 | |
| 8" Connection | \$254.71 | |
| 10" Connection | \$391.74 | |
| 12" Connection | \$666.10 | |

TEMPORARY HYDRANT METER Charge effective as of dates listed:

| | |
|-------------------------------------|-----------------|
| | 10/1/2019 |
| Meter Deposit: | <u>\$525.00</u> |
| Activation Fee: | <u>\$35.00</u> |
| Application Fee: | <u>\$17.00</u> |
| Fee to move a hydrant meter: | <u>\$30.00</u> |
| Minimum Charge per month: | <u>\$253.47</u> |

IRRIGATION SERVICE – SCHEDULE NO. 4

Designation: Irrigation Service

Applicable: For any customer with a second meter for irrigation use within the territory served by the Water Distribution System of the City of Lake Worth Beach, as available and at the option of the City.

Monthly Rates: **Customer Charge**, effective as of the dates listed:

| | | |
|-----------------|-----------|--|
| Effective Date: | 10/1/2019 | |
| Charge: | \$5.31 | |

A fixed charge based on the cost of preparing and delivering a bill which will be applied to each water account receiving a bill.

Base Facility Charge, effective as of the dates listed:

| | | |
|------------------|-----------|--|
| Effective Date: | 10/1/2019 | |
| 5/8 X 3/4" Meter | \$15.83 | |
| 1" Meter | \$39.61 | |
| 1-1/2" Meter | \$79.19 | |
| 2" Meter | \$126.73 | |
| 3" Meter | \$253.47 | |
| 4" Meter | \$396.02 | |
| 6" Meter | \$792.06 | |

A fixed charge designed to recover a portion of the fixed costs of the water system shall be applied to each meter based upon the size of the meter.

Volume Charge: Rates for each hundred gallons of metered water consumption effective as of the dates listed:

| | | |
|-----------------|-----------|--|
| Effective Date: | 10/1/2019 | |
| Block 1 | \$0.711 | |
| Block 2 | \$1.244 | |
| Block 3 | \$1.561 | |

The amount of water consumption in each block subject to the rates in the table above is based upon meter size and is as follows (in hundreds of gallons):

| Meter Size | Block 1 | | Block 2 | | Block 3 | |
|-------------|---------|-------|---------|-------|---------|---------|
| | Min | Max | Min | Max | Min | Ma x |
| 5/8" X 3/4" | 1 | 100 | 101 | 200 | 201 | ∞ |
| 1" | 1 | 250 | 251 | 500 | 501 | ∞ |
| 1-1/2" | 1 | 500 | 501 | 1,000 | 1,001 | ∞ |
| 2" | 1 | 800 | 801 | 1,600 | 1,601 | ∞ |
| 3" | 1 | 1,600 | 1,601 | 3,200 | 3,201 | ∞ |
| 4" | 1 | 2,500 | 2,501 | 5,000 | 5,001 | ∞ |

| | | | | | | |
|----|---|-------|-------|--------|--------|---|
| 6" | 1 | 5,000 | 5,001 | 10,000 | 10,001 | ∞ |
|----|---|-------|-------|--------|--------|---|

Meter Deposit: Reference City of Lake Worth Resolution No. 18-2008 or latest revision thereof.

Section 4: It is the City's intention to maintain Phase I (3 days per week) water restrictions within the City's service area. However, In the event that a Phase III or IV mandatory water restriction is declared by the South Florida Water Management District or other authority having jurisdiction upon the City to reduce water production, the Volume Charge listed in Section 2 above will be adjusted upwards by fifteen percent (15%). The application of the water restriction surcharge is to maintain net revenue margins of the utility system, which may be eroded due to reduced sales resulting from the imposed water restrictions, to meet debt service covenants on any outstanding indebtedness allocable to utility system and to promote water conservation. The water consumption rates will be adjusted and will be applicable to all water use above the first consumption block usage range as referenced in Section 1 – General Service – Schedule No. 1 for the commercial, industrial and governmental use and Section 2 – Residential – Schedule No. 2 for individually metered single-family and multiple-family residential, as well as master metered multiple-family residential use.

The water restriction surcharge will not be applied to the base facility charge, unmetered fire line charge or the wastewater rates for service. The water restriction surcharge shall be applied by the City beginning with the first billing cycle following the declared mandatory Phase IV water restrictions as imposed by the South Florida Water Management District or other authority having jurisdiction.

The mandatory water restriction surcharge shall be discontinued by the City beginning at the first billing cycle following the removal or lifting of the Phase IV water restrictions by the South Florida Water Management District or other authority having jurisdiction.

Section 5: Average Billing Calculation: The average billing process will establish a monthly bill which will be based on the average water bill for the preceding 12 calendar months. If the residence or apartment has been occupied for the last 12 months and the customer can qualify as an existing customer, the previous tenant's or owner's bill may be used to estimate the average monthly billing.

The average billing calculation will be reviewed and adjustments made to correct for changes in rates, usage, or other factors to be implemented on the bills issued during June and December of each year.

Section 6: With respect to any premises or users situated outside the corporate limits of the City of Lake Worth Beach, which premises or users now or hereafter have active connections with the water system of the City, there shall be charged a rate equal to the charges established for service to residents of the City, plus a surcharge equal to twenty-five percent (25%) of such charge. The foregoing surcharge shall not apply to users with

whom the City has now or shall hereafter contract for services at charges established in such contracts unless the contract provides for surcharge.

Section 7: If any provision of this Resolution, or the application thereof any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Resolution, which can be given effect without the invalid provision or applications, and to this end the provisions of this Resolution are declared severable.

Section 8: All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Section 9: This Resolution shall be in effect for billings issued on or after the 1st day of October 2019.

The passage of this Resolution was moved by Commissioner _____, seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

- Mayor Pam Triolo
- Vice Mayor Andy Amoroso
- Commissioner Scott Maxwell
- Commissioner Omari Hardy
- Commissioner Herman Robinson

The Mayor thereupon declared this Resolution duly passed and adopted this 24th day of September, 2019.

ATTEST:

LAKE WORTH BEACH CITY COMMISSION

Deborah M. Andrea, City Clerk

By: _____
Pam Triolo, Mayor