

JUL 23 2009 NP/BS

RESOLUTION NO. 2009-M-29

A RESOLUTION ADOPTING A REVISED RECLAIMED WATER CHARGE SCHEDULE; PROVIDING FOR AN AUTOMATIC ANNUAL INCREASE; ADOPTING A REVISED RECLAIMED WATER METER CHARGE SCHEDULE; PROVIDING FOR AN EXEMPTION FOR RIGHT-OF-WAY LANDSCAPING; PROVIDING FOR PERIODIC REVIEW; PROVIDING FOR ANNUAL NOTICE TO CUSTOMERS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Orange County establishes and collects rates, fees and charges for its Wastewater System pursuant to its home rule powers granted to the County by the Florida Constitution, the Orange County Charter, Chapter 125 of Florida Statutes and any other applicable statutory authority; and

WHEREAS, the Board of County Commissioners adopted a Reclaimed Water Charge Schedule and a Reclaimed Water Meter Charge Schedule on January 15, 2002; and

WHEREAS, the Board of County Commissioners has analyzed and caused to be prepared a report on the County's reclaimed water system rates, fees and charges; and

WHEREAS, as a result, the Board now declares the need to adopt the recommendations of that report by revising the County's reclaimed water system rates, fees and charges;

THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

Section 1. Revised Reclaimed Water Charge Schedule. The Board of County Commissioners (the "Board") hereby adopts the revised Reclaimed Water Charge Schedule attached to and incorporated herein as Exhibit "A". This Resolution and the attached Schedule supersede the presently existing Reclaimed Water Charge Schedule adopted January 15, 2002, and, upon the effective date of this Resolution, hereby

repeals Resolution No. 2002-M-03 in its entirety.

For those customers receiving reclaimed water before January 1, 2002, under written contract, the contract shall prevail if and to the extent there is any inconsistency between the provisions of this resolution and its exhibits and the provisions of the contract.

Section 2. Automatic Annual Rate Increase. The Board previously adopted by Resolution and hereby re-confirms and re-adopts the provision for an automatic annual rate increase for the services described on Exhibit "A" as "Fixed Monthly Charge" and "Volume Charge". Effective on October 1st of each year hereafter, an automatic annual increase shall be three percent (3%) of all rates, fees and charges contained in the then current Reclaimed Water Charge Schedule in effect immediately prior to the effective date of such automatic annual rate increase. The Board further directs that on the effective date of each automatic annual rate increase, the Reclaimed Water Charge Schedule in effect immediately prior to the effective date of such increases shall be revised to include the three percent (3%) increase, and that a copy of such revised Schedule shall be maintained for public inspection by the Clerk to the Board of County Commissioners. The automatic annual rate increase shall not apply to the category of services described on Exhibit "B", the "Reclaimed Water Meter Charge Schedule".

Section 3. Revised Meter Charges and Meter Installation Charges; Time of Payment. The Board hereby adopts the revised Reclaimed Water Meter Charge Schedule attached to and incorporated herein as Exhibit "B". This Resolution and the attached Schedule supersede the presently existing Reclaimed Water Meter Charge Schedule adopted January 15, 2002.

The Board hereby re-confirms that all meter charges and meter installation charges shall be paid prior to the issuance of the first building permit for a structure or structures in the project to be served by the County's overall Water System, unless superseded by other County Ordinances or Resolutions. Said charges shall be determined pursuant to the revised Reclaimed Water Meter Charge Schedule, attached hereto as Exhibit "B". Meter Charges and Meter Installation Charges shall not be subject to automatic annual rate increases provided for in Section 2 herein.

Section 4. Exemption for Right-of-Way Landscaping. To encourage investment in the beautification of public streets, an incorporated homeowners' association may use reclaimed water with no monthly user charge in irrigation systems installed, connected, owned, operated, and maintained by the association to irrigate landscaping in the rights-of-way classified by the County as arterial and collector roads. Such use of reclaimed water requires that the association apply in advance, and be approved for service through the Orange County Utilities Department.

Section 5. Periodic Rate Review. The Board shall periodically conduct a review of the rates, fees and charges set forth in the Orange County Reclaimed Water Charge Schedule.

Section 6. Annual Notice to Customers. Each year, the Orange County Utilities Department shall send annual written notification to all customers of the Orange County Reclaimed Water System of the County's monthly user rates, fees and charges as set forth in the then current Orange County Reclaimed Water Charge Schedule.

Section 7. Review of Resolution. The Board hereby finds that all conditions precedent to adoption of this Resolution, pursuant to Section 30-2 of the Orange County

Code, have been fulfilled.

Section 8. Severability and Provisions. If any provisions of this Resolution or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this resolution which can be given effect without the invalid provisions or applications, and to this end the provisions of this Resolution are declared severable.

Section 9. Effective Date. This Resolution shall become effective on October 1, 2009.

ADOPTED THIS _____ DAY OF JUL 23 2009, 2009.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

BY: Richard T. Crotty
Richard T. Crotty, Mayor

ATTEST: Martha O. Haynie, County Comptroller
As Clerk to the Board of County Commissioners

BY: Martha O. Haynie
Deputy Clerk



EXHIBIT "A"

**ORANGE COUNTY
RECLAIMED WATER CHARGE SCHEDULE**

Retail Rates:

<u>Meter Size</u>	<u>Fixed Monthly Charge</u>	<u>Allowed Monthly Usage (Gallons)</u>	<u>Volume Charge for Usage above allowance</u>
5/8 by 3/4 inch	\$3.23	4,000	\$0.87 per 1,000 Gallons
3/4 inch	\$3.23	4,000	\$0.87 per 1,000 Gallons
1 inch	\$8.10	10,000	\$0.87 per 1,000 Gallons
1-1/2 inch	\$16.19	19,000	\$0.87 per 1,000 Gallons
2 inch	\$25.89	31,000	\$0.87 per 1,000 Gallons
3 inch	\$48.56	57,000	\$0.87 per 1,000 Gallons

Wholesale Rates:

Priority User

<u>Meter Size</u>	<u>Fixed Monthly Charge</u>	<u>Allowed Monthly Usage (Gallons)</u>	<u>Volume Charge for Usage above allowance</u>
4 inch	\$156.97	218,000	\$0.72 per 1,000 Gallons
6 inch	\$359.10	499,000	\$0.72 per 1,000 Gallons
8 inch	\$561.22	780,000	\$0.72 per 1,000 Gallons
10 inch	\$853.61	1,185,000	\$0.72 per 1,000 Gallons
12 inch	\$1,302.31	1,808,000	\$0.72 per 1,000 Gallons
16 inch	\$2,582.39	3,584,000	\$0.72 per 1,000 Gallons

Interruptible – No On Site Storage

<u>Meter Size</u>	<u>Fixed Monthly Charge</u>	<u>Allowed Monthly Usage (Gallons)</u>	<u>Volume Charge for Usage above allowance</u>
4 inch	\$94.18	218,000	\$0.43 per 1,000 Gallons
6 inch	\$215.46	499,000	\$0.43 per 1,000 Gallons
8 inch	\$336.73	780,000	\$0.43 per 1,000 Gallons
10 inch	\$512.17	1,185,000	\$0.43 per 1,000 Gallons
12 inch	\$781.39	1,808,000	\$0.43 per 1,000 Gallons
16 inch	\$1,549.43	3,584,000	\$0.43 per 1,000 Gallons

Interruptible – With On Site Storage

<u>Meter Size</u>	<u>Fixed Monthly Charge</u>	<u>Allowed Monthly Usage (Gallons)</u>	<u>Volume Charge for Usage above allowance</u>
4 inch	\$62.79	218,000	\$0.29 per 1,000 Gallons
6 inch	\$143.64	499,000	\$0.29 per 1,000 Gallons
8 inch	\$224.49	780,000	\$0.29 per 1,000 Gallons
10 inch	\$341.45	1,185,000	\$0.29 per 1,000 Gallons
12 inch	\$520.92	1,808,000	\$0.29 per 1,000 Gallons
16 inch	\$1,032.96	3,584,000	\$0.29 per 1,000 Gallons

AUTOMATIC ANNUAL RATE INCREASE

The Board of County Commissioners adopts annually, effective October 1st of each year hereafter an automatic increase each year of three percent (3%) to all rates, fees and charges contained in this Reclaimed Water Charge Schedule as they are in effect immediately prior to the effective date of such annual increase.

EXHIBIT "B"

**ORANGE COUNTY
RECLAIMED WATER METER CHARGE SCHEDULE**

Meter & Meter Service (Footnote 1)	Installation Cost (Footnote 2)
- 5/8" Meter	\$140.00
- 5/8" Domestic & Reclaimed Water Irrigation Meter	\$305.00
- 5/8" Meter - Retrofit	\$285.00
- 3/4" Reclaimed Water Irrigation Meter – Retrofit	\$165.00
- 1" Domestic Meter	\$570.00
- 1" Reclaimed Meter	\$180.00
- 1-1/2" Domestic Meter	At Cost
- 1-1/2" Reclaimed Meter	At Cost
- 1-1/2" Above Ground Dual Meter	At Cost
- 2" Domestic Meter	At Cost
- 2" Reclaimed Meter	At Cost
- 2" Above Ground Dual Meter	At Cost
- 1" Service (Short)	At Cost
- 1" Service (Long)	At Cost
- 2" Service (Short)	At Cost
- 2" Service (Long)	At Cost
- 4" RW Master Meter Assembly	At Cost
- 6" RW Master Meter Assembly	At Cost
- 8" RW Master Meter Assembly	At Cost
- 10" RW Master Meter Assembly	At Cost

FOOTNOTES

- (1) The OCUD shall determine the appropriate meter size for use by all its customers.
- (2) Does not include any cost associated with the construction of a reclaimed water lateral from the meter to the reclaimed water main providing service; in the majority of cases, the developer constructs the lateral. In situations where the OCUD would be responsible for the lateral, the cost of the lateral would be charged to the customer on a time, materials and pro rata overhead cost basis.