

RESOLUTION 36-2008

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, RELATING TO WATER AND SEWER UTILITY RATES; PROVIDING FOR AN INCREASE IN WATER AND SEWER UTILITIES RATE IN THE TOWN; RAISING THE SERVICE CHARGE CHARGED TO CUSTOMERS; PROVIDING FOR REPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Malabar entered into a wholesale water and waste water service agreement with the City of Palm Bay on May 5, 1993; and

WHEREAS, the agreement provided that the customers that have connected to the Town's facilities shall pay the Town's rates, fees, charges, and deposits approved by the Town Council for such water and waste water service capacity; and

WHEREAS, the Town of Malabar adopted Resolution 01-2001 providing Malabar Utility Customers shall pay rates equal to Palm Bay's after an equity study had been performed by the City of Palm Bay; and

WHEREAS, the Town of Malabar adopted Resolution 12-2006 providing Malabar Utility Customers shall pay rates 15% above the Palm Bay rates in order to generate sufficient revenues to meet increased expenses; and

WHEREAS, the City of Palm Bay has imposed the rate increases upon the Town more particularly described in **EXHIBIT A** to this Resolution; and

WHEREAS, the Town has determined that in order to meet increased expenses, the Town must continue to impose an additional fifteen percent (15%) rate increase above and beyond the rate increase imposed by the City of Palm Bay.

NOW, THEREFORE, be it resolved by the Town Council of the Town of Malabar, Brevard County, Florida that:

SECTION 1. The Town of Malabar hereby adopts the rate schedule attached hereto as **EXHIBIT B** and made a part hereof.

SECTION 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION 3. This resolution shall take effect with the October, 2008 billing.

This Resolution was moved for adoption by Council Member McClelland and was seconded by Council Member Borton and, upon being put to a vote, the vote was as follows:

Council Member Nancy Borton

Aye

Council Member Brian Vail	<u>Aye</u>
Council Member Charles (Chuck McClelland)	<u>Aye</u>
Council Member Jeffrey (Jeff) McKnight	<u>Aye</u>
Council Member Patricia D. Dezman	<u>Aye</u>

This Resolution was then declared duly passed and adopted this 22nd day of September, 2008.

BY: Thomas Eschenberg
Thomas Eschenberg, Chair

Approved as to form and content:

Karl Bohne
Karl W. Bohne, Jr., Town Attorney

ATTEST:

Debby Franklin
Debby K. Franklin
Town Clerk/Treasurer

(Seal)

EXHIBIT "A"**PALM BAY UTILITY COMMISSION
OUTSIDE CITY LIMITS WATER RATES****RESIDENTIAL FEES**

Water:

Base Fee \$10.36
 _____ gallons x \$0.003520 = _____ (0 - 5000)
 _____ gallons x \$0.004600 = _____ (5,001 - 10,000)
 _____ gallons x \$0.005650 = _____ (10,001 - 15,000)
 _____ gallons x \$0.007070 = _____ (above 15,000)

Sewer:

Base Fee \$17.76
 _____ gallons x \$0.00005140 = _____ (No Maximum)

Service Charge: \$3.03

Late Fees: \$0.00 to \$100.00 = \$5.54
 \$100.00 & above = 5% of balance

COMMERCIAL FEES

Water:

Base Fee \$11.39 (5/8 x 3/4" meter size)
 _____ gallons x \$0.003520 = _____ (0 - 5000)
 _____ gallons x \$0.004460 = _____ (5001 - 10000)
 _____ gallons x \$0.005650 = _____ (10001 - 15000)
 _____ gallons x \$0.007070 = _____ (above 15000)

Sewer:

Base Fee \$19.53 (5/8 x 3/4 meter size)
 _____ gallons x \$0.005140 = _____ (No Maximum)

Water:

Base Fee \$91.17 (2" meter size)
 _____ gallons x \$0.003520 = _____ (0 - 5000)
 _____ gallons x \$0.004600 = _____ (5001 - 10000)
 _____ gallons x \$0.005650 = _____ (10001 - 15000)
 _____ gallons x \$0.007070 = _____ (above 15000)

Sewer:

Base Fee \$156.24 (2" meter size)
 _____ gallons x \$0.005140 = _____ (No Maximum)

Service Charge: \$3.03

Late Fees: \$0.00 to \$100.00 = \$5.54
 \$100.00 & above = 5% of balance

PALM BAY - MISCELLANEOUS CHARGES

After Hours Charges	\$ 22.16
Disconnection Charge	\$ 33.24
Insufficient Bank Draft	\$ 22.18
Late Fee	\$ 5.54
Non Sufficient Funds (NSF) Reconnect	\$ 33.24
Return Check Charge	\$ 22.16
Residential Water Deposit	\$100.00
Residential Sewer Deposit	\$100.00
Commercial Water Deposit (5/8x3/4" meter size)	\$100.00
Commercial Sewer Deposit (5/8x3/4" meter size)	\$100.00
Commercial Water Deposit (2" meter size)	\$500.00
Commercial Sewer Deposit (2" meter size)	\$700.00
Meter Installation Fees (5/8x 3/4" meter size)	\$418.29
Meter Installation Fees (2" meter size)	\$841.09

EXHIBIT "B"

**MALABAR WATER RATESCHEDULE
(15% Rate Increase Above Palm Bay Rates)**

RESIDENTIAL FEES

Water:
 Base Fee \$11.91
 _____ gallons x \$0.004050 = _____ (0 - 5000)
 _____ gallons x \$0.005290 = _____ (5,001 - 10,000)
 _____ gallons x \$0.006500 = _____ (10,001 - 15,000)
 _____ gallons x \$0.008130 = _____ (above 15,000)

Sewer:
 Base Fee \$20.42
 _____ gallons x \$0.00005910 = _____ (No Maximum)

Service Charge: \$3.48

Late Fees: \$0.00 to \$100.00 = \$6.37
 \$100.00 & above = 5% of balance

COMMERCIAL FEES

Water:
 Base Fee \$13.10 (5/8 x 3/4" meter size)
 _____ gallons x \$0.004050 = _____ (0 - 5000)
 _____ gallons x \$0.005290 = _____ (5001 - 10000)
 _____ gallons x \$0.006500 = _____ (10001 - 15000)
 _____ gallons x \$0.007070 = _____ (above 15000)

Sewer:
 Base Fee \$22.46 (5/8 x 3/4 meter size)
 _____ gallons x \$0.005910 = _____ (No Maximum)

Water:
 Base Fee \$104.85 (2" meter size)
 _____ gallons x \$0.004050 = _____ (0 - 5000)
 _____ gallons x \$0.005290 = _____ (5001 - 10000)
 _____ gallons x \$0.006500 = _____ (10001 - 15000)
 _____ gallons x \$0.007070 = _____ (above 15000)

Sewer:
 Base Fee \$179.68 (2" meter size)
 _____ gallons x \$005910 = _____ (No Maximum)

Service Charge: \$3.48

Late Fees: \$0.00 to \$100.00 = \$6.37
 \$100.00 & above = 5% of balance

TOWN OF MALABAR - MISCELLANEOUS CHARGES

After Hours Charges	\$ 25.48
Disconnection Charge	\$ 38.23
Insufficient Bank Draft	\$ 25.51
Late Fee	\$ 6.37
Non Sufficient Funds (NSF) Reconnect	\$ 38.23
Return Check Charge	\$ 25.48
Residential Water Deposit	\$115.00
Residential Sewer Deposit	\$115.00
Commercial Water Deposit (5/8x3/4" meter size)	\$115.00
Commercial Sewer Deposit (5/8x3/4" meter size)	\$115.00
Commercial Water Deposit (2" meter size)	\$575.00
Commercial Sewer Deposit (2" meter size)	\$805.00
Meter Installation Fees (5/8x 3/4" meter size)	\$481.03
Meter Installation Fees (2" meter size)	\$967.25