

RESOLUTION 19-2009

RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PROVIDING FOR WATER AND SEWER UTILITY RATES, CHARGES AND FEES FOR THE FISCAL YEAR 2009-2010 PURSUANT TO MALABAR CODE, PROVIDING FOR CONFLICT; 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 All resolutions or parts of resolutions in conflict herewith are hereby repealed.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, 2009 billing.

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

Council Member Nancy Borton Aye

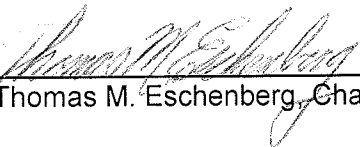
Council Member Brian Vail Aye

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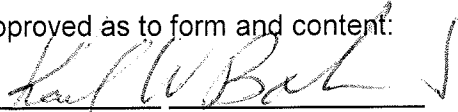
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Council Member Steven (Steve) Rivet	<u>Aye</u>
Council Member Jeffrey (Jeff) McKnight	<u>Aye</u>
Council Member Patricia (Pat) Dezman	<u>Aye</u>

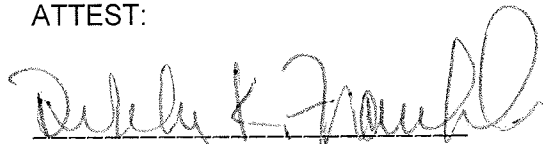
This Resolution was then declared duly passed and adopted this 5th day of October, 2009.

BY: 
Thomas M. Eschenberg, Chair

Approved as to form and content:


Karl W. Bohne, Jr., Town Attorney

ATTEST:


Debby K. Franklin
Town Clerk/Treasurer

(Seal)

EXHIBIT "A"

CITY OF PALM BAY

OUTSIDE CITY RATES

Water and Wastewater Rate Structure and Monthly Rates

FY 10 Annual Index Adjustment - Per Ordinance #2004-63; Effective 11/1/2004

All User Classes

Water Wastewater

Customer Service Charge \$3.10

Residential Single Family:

Base Facility Charge:

	(1) Monthly Usage Blocks (gallons)			
	Block 1	Block 2	Block 3	Block 4
5/8 X 3/4"	0-5,000	5,001-10,000	10,001-15,000	Above 15,000
1"	0-5,000	5,001-10,000	10,001-15,000	Above 15,000
1 1/2"	0-5,000	5,001-10,000	10,001-15,000	Above 15,000

Usage Rate (per 1000 gallon) (1)

First Block	\$3.61	\$5.26		
Second Block	\$4.72			
Third Block	\$5.80			
Fourth Block	\$7.25			

Comm./Multifamily/Institutional

Base Facility Charge

	Block 1	Block 2	Block 3	Block 4
5/8 X 3/4"	0-5,000	5,001-10,000	10,001-15,000	Above 15,000
1"	0-13,000	13,001-25,000	25,001-38,000	Above 38,000
1 1/2"	0-25,000	25,001-50,000	50,001-75,000	Above 75,000
2"	0-40,000	40,001-80,000	80,001-120,000	Above 120,000
3"	0-80,000	80,001-160,000	160,001-240,000	Above 240,000
4"	0-125,000	125,001-250,000	250,001-375,000	Above 375,000
6"	0-250,000	250,001-500,000	500,001-750,000	Above 750,000
8"	0-400,000	400,001-800,000	800,001-1,200,000	Above 1,200,000
10"	0-575,000	575,001-1,150,000	1,150,001-1,725,000	Above 1,725,000
12"	0-875,000	875,001-1,750,000	1,750,001-2,625,000	Above 2,625,000

Usage Charge (per 1000 gallon)

First Block	\$3.61	\$5.26		
Second Block	\$4.72			
Third Block	\$5.80			
Fourth Block	\$7.25			

**CITY OF PALM BAY - UTILITIES DEPARTMENT
CONNECTION CHARGES & FEES**

Water and Wastewater Capital Charges (Connection Fees)

Charges are based on a unit cost per ERC which represents 275 and 210 gpd of water and wastewater capacity respectively Rates phased in and adjusted by ENR Construction Cost Index for Atlantic Coast Region (9.2%)

PER ERC	Ord. #	Effective
Water \$2,041.71	2007-54	10/30/2007
Water w/R \$1,551.37	2007-54	10/30/2007
Wastewater \$3,034.20	2007-54	10/30/2007
Wastewater \$2,517.87	2007-54	10/30/2007
Reclaimed \$794.00	2007-54	10/30/2007

Prior to 10/30/2007 - Annual Rate

Water	\$750.00	92-32	12/03/1992
Wastewater	\$1,650.00	92-32	12/03/1992

Meter Installation Fees

Rates increased to capture cost for RF Meters (October 2007). Rates adjusted by PSC (2.55%).

Meter Size	Cost
5/8 X 3/4"	\$428.96
5/8 X 3/4" (residential only)	\$489.77
1"	\$477.26
*1 1/2"	\$630.13
2"	\$862.54
3" and Larger Overhead	

*Owner provided backflow requirements may apply.

Fire Protection Services

Capacity cost recovery charge assessed annually to customers which have fire lines or standpipes located within the premises of the building or privately owned fire hydrants. Rates adjusted by PSC (2.55%).

Annual Rate Per Meter Size	Ord. #	Adopted
2"	92-32	12/03/1992
4"	92-32	12/03/1992
6"	92-32	12/03/1992
8"	92-32	12/03/1992
10"	92-32	12/03/1992
12"	94-55	11/16/1994

**CITY OF PALM BAY
MISCELLANEOUS CHARGES**

NAME OF CHARGE	COST
Admin Fee	\$17.04
After Hours Charge	\$22.72
Disconnection Charge	\$34.08
Insufficient Bank Draft	\$22.72
Late Fee	\$5.68
Non Sufficient Funds (NSF) Reconnect	\$34.08
Return Check Charge	\$22.72
Temp Turn On/Off Fee	\$17.04
Residential Water Deposit (5/8 X 3/4" or 1")	\$100.00
Residential Sewer Deposit (5/8 X 3/4" or 1")	\$100.00
Residential Water Deposit (1 1/2")	\$135.00
Resident Sewer Deposit (1 1/2")	\$165.00
Residential Water Deposit (2")	\$225.00
Residential Sewer Deposit (2")	\$265.00
Commercial Water Deposit (5/8 X 3/4")	\$100.00
Commercial Sewer Deposit (5/8 X 3/4")	\$100.00
Commercial Water Deposit (1")	\$190.00
Commercial Sewer Deposit (1")	\$260.00
Commercial Water Deposit (1 1/2")	\$310.00
Commercial Sewer Deposit (1 1/2")	\$430.00
Commercial Water Deposit (2")	\$500.00
Commercial Sewer Deposit (2")	\$700.00

**SEE ATTACHED SHEET SHOWING METER CHARGES
SEE ATTACHED SHEET SHOWING FIRE PROTECTION SERVICES**

EXHIBIT "B"

TOWN OF MALABAR 09/10 FY WATER UTILITY RATES (Includes 15% increase over Palm Bay's Rates)

All User Classes	Water	Wastewater	(1) Monthly Usage Blocks (gallons)			
Customer Service Charge	\$3.57					
Residential Single Family:						
Base Facility Charge:			Block 1	Block 2	Block 3	Block 4
5/8 X 3/4"	\$12.22	\$20.94	0-5,000	5,001-10,000	10,001-15,000	Above 15,000
1"	\$30.56		0-5,000	5,001-10,000	10,001-15,000	Above 15,000
1 1/2"	\$61.09		0-5,000	5,001-10,000	10,001-15,000	Above 15,000
Usage Rate (per 1000 gallon) (1)						
First Block	\$4.15	\$6.05				
Second Block	\$5.43					
Third Block	\$6.67					
Fourth Block	\$8.34					
Comm./Multifamily/Institutional						
Base Facility Charge			Block 1	Block 2	Block 3	Block 4
5/8 X 3/4"	\$13.42	\$23.03	0-5,000	5,001-10,000	10,001-15,000	Above 15,000
1"	\$33.60	\$57.59	0-13,000	13,001-25,000	25,001-38,000	Above 38,000
1 1/2"	\$67.21	\$115.15	0-25,000	25,001-50,000	50,001-75,000	Above 75,000
2"	\$107.51	\$184.03	0-40,000	40,001-80,000	80,001-120,000	Above 120,000
3"	\$215.03	\$368.47	0-80,000	80,001-160,000	160,001-240,000	Above 240,000
4"	\$335.98	\$575.76	0-125,000	125,001-250,000	250,001-375,000	Above 375,000
6"	\$671.97	\$1,151.52	0-250,000	250,001-500,000	500,001-750,000	Above 750,000
8"	\$1,075.14	\$1,842.43	0-400,000	400,001-800,000	800,001-1,200,000	Above 1,200,000
10"	\$1,544.80	\$2,648.35	0-575,000	575,001-1,150,000	1,150,001-1,725,000	Above 1,725,000
12"	\$2,350.76	\$4,030.11	0-875,000	875,001-1,750,000	1,750,001-2,625,000	Above 2,625,000
Usage Charge (per 1000 gallon)						
First Block	\$4.15	\$6.05				
Second Block	\$5.43					
Third Block	\$6.67					
Fourth Block	\$8.34					

**TOWN OF MALABAR - UTILITIES DEPARTMENT
CONNECTION CHARGES & FEES**

Water and Wastewater Capital Charges (Connection Fees)

Charges are based on a unit cost per ERC which represents 275 and 210 gpd of water and wastewater capacity respectively Rates phased in and adjusted by ENR Construction Cost Index for Atlantic Coast Region (9.2%)

	PER ERC	Reso. #	Effective
Water	\$2,347.97	18-2009	10/01/2009
Wastewater	\$3,499.68	18-2009	10/01/2009

Prior to 10/30/2007 - Annual Rate per ERC

Water	\$750.00
Wastewater	\$1,650.00

Meter Installation Fees

Rates increased to capture cost for RF Meters (October 2007). Rates adjusted by PSC (2.55%).

Meter Size	
5/8 X 3/4"	\$493.30
5/8 X 3/4" w/double cheek (residential only)	\$563.24
1"	\$548.85
*1 1/2"	\$724.65
2"	\$991.92
3" and Larger	Cost + Overhead

*Owner provided backflow requirements may apply.

**TOWN OF MALABAR - UTILITIES DEPARTMENT
CONNECTION CHARGES & FEES**

Fire Protection Services

Capacity cost recovery charge assessed annually to customers which have fire lines or standpipes located within the premises of the building or privately owned fire hydrants. Rates adjusted by PSC (2.55%).

Annual Rate Per Meter Size	Reso. #	Adopted
2"	18-2009	09/21/2009
4"	18-2009	09/21/2009
6"	18-2009	09/21/2009
8"	18-2009	09/21/2009
10"	18-2009	09/21/2009
12"	18-2009	09/21/2009

\$156.79

\$503.08

\$999.61

\$1,600.69

\$2,299.77

\$3,136.05

**TOWN OF MALABAR
MISCELLANEOUS CHARGES**

NAME OF CHARGE	COST
Admin Fee	\$19.60
After Hours Charge	\$26.13
Disconnection Charge	\$39.19
Insufficient Bank Draft	\$26.13
Late Fee	\$5.68
Non Sufficient Funds (NSF) Reconnect	\$39.19
Return Check Charge	\$26.13
Temp Turn On/Off Fee	\$19.60
Residential Water Deposit (5/8 X 3/4" or 1")	\$115.00
Residential Sewer Deposit (5/8 X 3/4" or 1")	\$115.00
Residential Water Deposit (1 1/2")	\$155.25
Resident Sewer Deposit (1 1/2")	\$189.75
Residential Water Deposit (2")	\$258.75
Residential Sewer Deposit (2")	\$304.75
Commercial Water Deposit (5/8 X 3/4")	\$115.00
Commercial Sewer Deposit (5/8 X 3/4")	\$115.00
Commercial Water Deposit (1")	\$218.50
Commercial Sewer Deposit (1")	\$299.00
Commercial Water Deposit (1 1/2")	\$356.50
Commercial Sewer Deposit (1 1/2")	\$494.50
Commercial Water Deposit (2")	\$575.00
Commercial Sewer Deposit (2")	\$805.00

**SEE ATTACHED SHEET SHOWING METER CHARGES
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