

RESOLUTION NO. 2022-M- 12

A RESOLUTION SETTING A REVISED PRELIMINARY WATER SYSTEM CHARGE SCHEDULE; PROVIDING FOR AN AUTOMATIC ANNUAL INCREASE; PROVIDING FOR A TEMPORARY, ADDITIONAL AUTOMATIC ANNUAL COMMERCIAL RATE INCREASE; SETTING A WATER METER CHARGE SCHEDULE; 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 (the "Board") establishes and collects rates, fees, and charges for its water system (the "System") pursuant to its home rule powers granted to the County by the Florida Constitution, the Orange County Charter, and Chapters 125 and 153 of Florida Statutes; and

WHEREAS, the Board last adopted a revised Water System Charge Schedule and a Water Meter Charge Schedule on September 22, 2020 pursuant to Resolution 2020-M-45; and

WHEREAS, the Board recognizes the inequity between the effective commercial water rate and the effective residential water rate created by the customer class usage profiles and by the rates in the current Water System Charge Schedule; and

WHEREAS, the Board wishes to address this inequity by making the commercial effective rate more equitable over time; and

WHEREAS, Chapter 153, Florida Statutes, requires the County to adopt a resolution setting forth the preliminary rate schedule prior to a public hearing, after which hearing such rates may be adopted and put into effect; and

WHEREAS, the Board now desires to adopt this resolution setting forth such preliminary rate schedules;

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

Section 1. Premises. The foregoing premises are true and correct and incorporated herein by reference.

Section 2. Revised Preliminary Water System Charge Schedule. The Board hereby adopts the revised Preliminary Water System Charge Schedule attached hereto and incorporated herein as Exhibit "A". Upon final adoption at a duly noticed public hearing, a Resolution adopting the attached Schedule shall supersede the presently existing Water System Charge Schedule adopted September 22, 2020 and upon the effective date of such Resolution, shall repeal Resolution No. 2020-M-45.

Section 3. 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 Water System 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 Water System 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 of the Board of County Commissioners. The automatic annual rate increase shall not apply to the Water Capital Charge, to the category of services on Exhibit "A" entitled "Specific Service Charges", or to the category of services described on Exhibit "B", the "Water Meter Charge Schedule".

Section 4. Temporary, Additional Automatic Annual Commercial Rate Increase. In order to reduce the inequity between the effective commercial water rate and the effective residential water rate, the Board hereby adopts a temporary, additional automatic annual rate increase only for the services described on Exhibit "A" as "Volume Charge – Commercial Customers". Effective on October 1st of each year, 2023 through 2027, the additional automatic annual increase shall be two percent (2%), and shall be applied in addition to the automatic annual rate increase listed in Section 3 herein to all commercial volume charges contained in the then current Water System Charge Schedule in effect immediately prior to the effective date of such additional automatic annual rate increase. The Board further directs that on the effective date of each additional automatic annual rate increase, the Water System Charge Schedule in effect immediately prior to the effective date of such increases shall be revised to include the additional two percent (2%) increase, and that a copy of such revised Schedule shall be maintained for public inspection by the Clerk of the Board of County Commissioners. The additional automatic annual rate increase shall not apply to the Fixed Monthly Charge, to the Residential or Conservation Charge Volume Charges, to Commercial customers with a 5/8-inch or 3/4-inch meter, to the Water Capital Charge, to the category of services on Exhibit "A" entitled "Specific Service Charges", or to the category of services described on Exhibit "B", the "Water Meter Charge Schedule". Should the automatic annual rate increase described in Section 3 herein be repealed by resolution of the Board in any given year, the additional automatic annual rate increase adopted under this Section 4 will nonetheless be implemented each year on October 1st of 2023 through 2027.

Section 5. Meter Charges and Meter Installation Charges; Time of Payment.

The Board hereby re-confirms and re-adopts the previously adopted Water Meter Charge Schedule attached to and incorporated herein as Exhibit "B", and such presently existing Water Meter Charge Schedule has not been changed

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 a 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 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 3 herein.

Section 6. Revised Conservation Charges. The Board previously adopted conservation charges to promote water usage conservation. The Board hereby re-confirms the conservation charges and adopts the revised conservation charges, which shall be as set forth in the Preliminary Water System Charge Schedule attached hereto as Exhibit "A" and shall be subject to the automatic annual rate increase provided for in Section 3 herein.

Section 7. Periodic Rate Review. The Board shall periodically conduct a review of the rates, fees and charges set forth in the Orange County Water System Charge Schedule.

Section 8. Annual Notice to Customers. Each year, the Orange County Utilities Department shall send annual written notification to all customers of the Orange County Water System of the County's monthly user rates, fees and charges

as set forth in the then current Orange County Water System Charge Schedule.

Section 9. Severability of Provision. If any provision 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 valid provision or application and to this end the provisions of this Resolution are declared severable.

Section 10. Effective Date. This Resolution shall become effective upon approval.

ADOPTED THIS 5th DAY OF April, 2022.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

BY: Jerry L. Demings

for Jerry L. Demings,
Orange County Mayor

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

BY: Phil Diamond
Deputy Clerk

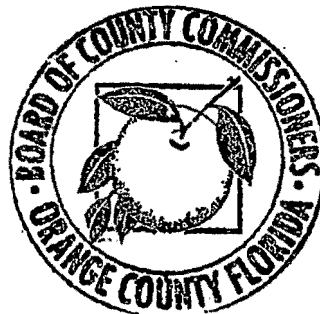


EXHIBIT "A"

**ORANGE COUNTY
PRELIMINARY WATER SYSTEM CHARGE SCHEDULE**

FIXED MONTHLY CHARGE^{1, 2}

<u>Water Meter Size</u>	<u>Monthly Charge</u>
- 5/8 by 3/4 inch meter	\$8.02
- 1 inch meter	\$14.28
- 1-1/2 inch meter	\$24.66
- 2 inch meter	\$37.12
- 3 inch meter	\$70.39
- 4 inch meter	\$107.79
- 6 inch meter	\$211.68
- 8 inch meter	\$336.35
- 10 inch meter	\$523.35

VOLUME CHARGE

Residential Customers

- 0 - 3,000	\$1.27 per 1,000 gallons
- 4,000 and above	\$1.76 per 1,000 gallons

Commercial Customers

- All Consumption	\$1.76 per 1,000 gallons
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Conservation Charges (For all 5/8-inch by 3/4-inch water meter customers and all individually metered residential customers regardless of meter size.)

Conservation Rate:

- 11,000 - 20,000	\$3.50 per 1,000 gallons
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Conservation Charge:

- 21,000 - 30,000	\$6.99 per 1,000 gallons
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Conservation Surcharge:

- 31,000 and above	\$13.95 per 1,000 gallons
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BILLING PERIOD

Monthly: Single-family residential, duplex, condominium, and other type dwelling units individually metered; multi-family residential apartment, mobile home, travel-trailer, and other type dwelling units collectively metered and all other commercial, institutional, industrial or other accounts (e.g. large consumers), regardless of meter size, shall be billed for the amount of water used each month as measured by each of their respective meters. (The above rates shall apply to each meter, regardless of the number of meters.)

FIRE SYSTEM AND HYDRANT CHARGES

-	Private Fire Hydrants Hydrant Installation Charge	Actual Cost
-	Private Fire Line/Sprinkler System Installation Costs	Actual Cost

SPECIFIC SERVICE CHARGES

-	Initiation of Service Regular Business Hour	\$16.00
	Non-Business Hours	\$21.00
-	Temporary Service Turn-Ons / Offs Regular Business Hours	\$12.00
	Non-Business Hours	\$17.00
-	Meter Removal/Service Tampering	\$41.00
-	Unauthorized Connection Regular Business Hours	\$350.00
	Non-Business Hours	\$361.00
-	Covered, Obscured or Inaccessible Meters	\$37.00
-	Reading or Picking Up a Hydrant Meter For Non-Payment	\$32.00
-	Re-read for Customer Convenience	\$9.00
-	Late Charge for Non-Submission of Hydrant Meter and/or Card for Reading	\$5.00
-	Reading of Specialty Meters	\$30.00
-	Dishonored Payment	\$25.00

-	Distribution Trip Charge	
	Regular Business Hours	\$34.00
	Non-Business Hours	\$51.00
-	Dishonored Credit Card Charge	\$18.00
-	Fire Flow Test	
	OCU Performed	\$64.00
	OCU Monitored	\$33.00
-	Research Account Information	At Cost
-	Meter Inspection and Testing	At Cost
-	Non-residential Backflow Prevention Device Testing	At Cost
-	Plans and Specifications	At Cost
-	Service Removal / Reconnect	At Cost
-	Late Payment Fee	1.5% on past due balance
-	Water Deposits – All Meter Sizes	2X estimated total monthly bill
-	Portable Hydrant Meter Deposit	2X replacement cost of meter
-	Residential Cross Connection Control Program Fee	\$3.00 per month

AUTOMATIC ANNUAL RATE INCREASE

Consistent with and pursuant to Section 153.11 of Florida Statutes, the Board of County Commissioners hereby adopts annually, effective October 1st of each year hereafter, an automatic increase of three percent (3%) to all rates, fees and charges contained in this Water System Charge Schedule in effect immediately prior to the effective date of such annual increase. The automatic increase shall not apply to the Water Capital Charge, Specific Service Charges, or the charges described on Exhibit “B” of the attached Resolution.

TEMPORARY, ADDITIONAL AUTOMATIC ANNUAL RATE INCREASE

Consistent with and pursuant to Section 153.11 of Florida Statutes, and in order to reduce the inequity between the effective commercial water rate and the effective residential water rate, the Board of County Commissioners hereby adopts annually, effective on October 1st of each year, 2023 through 2027, an additional automatic increase of two percent (2%), which shall be applied in addition to the automatic annual rate increase listed above only to the Commercial Volume Charge contained in this Water System Charge Schedule in effect immediately prior to the effective date of such additional annual increase. The additional automatic increase shall not apply to the Fixed Monthly Charge, to the Residential or Conservation Charge Volume Charges,

to Commercial customers with a 5/8-inch or 3/4-inch meter, to the Water Capital Charge, to the Specific Service Charges, or to the charges described on Exhibit "B" of the attached Resolution.

FOOTNOTES

- (1) The Orange County Utilities Department (OCUD) shall determine the appropriate meter size for use by all its customers.
- (2) The Fixed Monthly Charge for a compound meter set shall be based on the smaller size of the two meters that compose the compound meter set.

EXHIBIT "B"

**ORANGE COUNTY
WATER METER CHARGE SCHEDULE¹**

Meter & Meter Service²	Installation Cost³
- 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
- 4" Fire Line Master Meter - Above Ground	At Cost
- 6" Fire Line Master Meter - Above Ground	At Cost
- 8" Fire Line Master Meter - Above Ground	At Cost
- 10" Fire Line Master Meter - Above Ground	At Cost
- 1" Service (Short)	At Cost
- 1" Service (Long)	At Cost
- 2" Service (Short)	At Cost
- 2" Service (Long)	At Cost

FOOTNOTES

- (1) Following satisfactory completion of the water supply and distribution system, and upon receipt of the applicable meter/connection fee, the Orange County Utilities Department (OCUD) shall furnish and install the necessary fittings, meter, and meter box at the property line. The owner or developer of the property desiring service shall bear the expense of the service lateral pipe of the required size, from and including its connection with a corporation stop at the water distribution main in the right-of-way to and including a curb stop at the property line. Service piping from the meter to the building is to be installed by and/or at the expense of the property owner or builder.
- (2) The OCUD shall determine the appropriate meter size for use by all its customers.
- (3) Does not include any cost associated with construction of a water lateral from the meter to the 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.