

RESOLUTION

of the

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

regarding

SETTING A REVISED PRELIMINARY WASTEWATER AND POLLUTION CONTROL CHARGE SCHEDULE INCLUDING NEW FEES FOR ENVIRONMENTAL PROGRAM REINSPECTION AND A LATERAL INSTALLATION OR REPAIR; PROVIDING FOR AN AUTOMATIC ANNUAL RATE INCREASE; PROVIDING FOR A FIVE-YEAR RATE PLAN; PROVIDING FOR PERIODIC RATE REVIEW; PROVIDING FOR ANNUAL NOTICE TO CUSTOMERS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Resolution No. 2025-M-_____

WHEREAS, the Board of County Commissioners of Orange County (the “Board”) establishes and collects rates, fees and charges for its Wastewater 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 Wastewater and Pollution Control Charge Schedule on May 10, 2022, pursuant to Resolution 2022-M-23, in which the Board recognized the inequity between the effective commercial wastewater rate and the effective residential wastewater rate and established a five-year rate plan beginning in Fiscal Year 2023-24; and

WHEREAS, the Board recognizes the currently established five-year rate plan no longer provides adequate revenue to fund System requirements as a result of higher than normal increases in both operating and capital costs; and

WHEREAS, the Board wishes to address the revenue inadequacy by adopting a new five-year rate plan that better aligns revenues with both current and future System requirements and continues to address the inequity between the effective commercial wastewater rate and the effective residential wastewater rate; and

WHEREAS, the Orange County Comptroller audited the Utilities Department's Environmental Compliance Program and found that the currently established Environmental Charges did not cover program costs; and

WHEREAS, the Board recognizes that the current Environmental Charges are not sufficient to cover program costs and wishes to address this deficiency by setting new Environmental Charges; and

WHEREAS, the Utilities Department is requested at times to perform a lateral installation or repair by a resident or developer; and

WHEREAS, there is no fee that allows the Utilities Department to recover the cost of such lateral work from the requesting party; and

WHEREAS, the Board wishes to establish the Lateral Installation or Repair fee to recover the cost of providing this service; and

WHEREAS, the Utilities Department is required at times to perform a reinspection as part of its Environmental Compliance Program; and

WHEREAS, there is no fee that enables the Utilities Department to recover the cost of an additional Environmental Compliance inspection from a customer whose non-compliance prompted the need for a reinspection; and

WHEREAS, the Board wishes to establish the Environmental Program Reinspection Fee to recover the cost of conducting such reinspection; 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.

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 Wastewater and Pollution Control Charge Schedule.**
The Board hereby sets the revised Preliminary Wastewater and Pollution Control Charge Schedule

attached hereto and incorporated herein as Exhibit "A" (the "Schedule"). Upon final adoption of a resolution at a duly noticed public hearing, the attached Schedule shall supersede the presently existing Wastewater and Pollution Control Charge Schedule adopted on May 10, 2022, and such Resolution shall repeal Resolution No. 2022-M-23 in its entirety.

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 of the monthly rates, fees, and charges set forth in the Schedule; however, this automatic annual rate increase shall be suspended through 2030 for all rates, fees, and charges. Effective on October 1st of 2031 and each October 1st thereafter, an automatic annual increase shall be applied in an amount equivalent to three percent (3%) of all rates, fees, and charges contained in the then current Wastewater and Pollution Control 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 annual increase, the Schedule of Wastewater and Pollution Control Charges in effect immediately prior to the effective date of such increase shall be revised to include the three percent (3%) increase in the rates, fees, and charges, and that a copy of such revised Schedule shall be maintained for inspection by the Clerk of the Board of County Commissioners. The automatic annual rate increase shall not apply to the category of services on Exhibit "A" entitled "Specific Service Charges".

Section 4. Five-Year Rate Plan. In order to address the revenue inadequacy of the current established five-year rate plan and reduce the inequity between the effective commercial wastewater rate and the effective residential wastewater rate, the Board hereby sets a new five-year rate plan from Fiscal Year 2026-27 through and including Fiscal Year 2030-31. Effective October 1st of each year, 2026 through 2030, there will be an annual rate increase of five percent

(5%) for the services described on Exhibit “A” as “Fixed Monthly Charges”, “Flat Rate (Sewer Only) – Commercial Customers – Customer Charge per account”, and “Volume Charge – Residential Customers”, an eleven percent (11%) increase for the services described on Exhibit “A” as “Volume Charge – Commercial Customers”, “Flat Rate (Sewer Only) – Commercial Customers – Volume Charge”, “Other Charges – Lockheed-Martin Treatment Charge”, and “Other Charges – High Strength Surcharge”, and a three percent (3%) increase for the services described on Exhibit “A” as “Environmental Charges” (collectively, the “Five-Year Plan Increases”). The Five-Year Plan Increases shall be applied to the rates contained in the then current Wastewater and Pollution Control Charge Schedule in effect immediately prior to the effective date of such Five-Year Plan Increases. The Board further directs that on the effective date of each Five-Year Plan Increase, the Wastewater and Pollution Control Charge Schedule in effect immediately prior to the effective date of such increases shall be revised to include the Five-Year Plan Increases and that a copy of such revised Schedule shall be maintained for public inspection by the Clerk of the Board of County Commissioners.

Section 5. Periodic Rate Review. The Board shall periodically conduct a review of the rates, fees, and charges set forth in the Orange County Wastewater and Pollution Control 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 Wastewater System of the County’s monthly user rates, fees, and charges as set forth in the then current Orange County Wastewater and Pollution Control Charge Schedule.

Section 7. Severability. 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 invalid provisions or applications, and to this end the provisions of this Resolution are declared severable.

Section 8. **Effective Date.** This Resolution shall become effective upon adoption.

ADOPTED THIS _____ DAY OF _____, 2025.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

BY: _____
Jerry L. Demings,
Orange County Mayor

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

BY: _____
Deputy Clerk

EXHIBIT "A"

**ORANGE COUNTY
PRELIMINARY WASTEWATER AND POLLUTION CONTROL
CHARGE SCHEDULE**

FIXED MONTHLY CHARGES¹

<u>Water Meter Size</u>	<u>Monthly Charge</u>
5/8 by 3/4 inch meter	\$20.30
1 inch meter	\$45.15
1-1/2 inch meter	\$86.55
2 inch meter	\$136.26
3 inch meter	\$268.78
4 inch meter	\$417.89
6 inch meter	\$832.06
8 inch meter	\$1,329.06
10 inch meter	\$2,074.53

VOLUME CHARGE²

	<u>Charge per 1,000 gallons</u>
Residential Customers	\$4.61
Commercial Customers	\$6.48

FLAT RATE (SEWER ONLY)

<u>Residential Customers</u>	<u>Monthly Charge</u>
Single Family Home	\$66.44
Duplex (1 or 2 bedrooms)	\$55.27
Duplex (3 or more bedrooms)	\$66.44
Multi-Family (1 or 2 bedrooms)	\$55.27
Multi-Family (3 or more bedrooms)	\$66.44
Mobile Home (1 or 2 bedrooms)	\$44.27
Mobile Home (3 or more bedrooms)	\$55.27

Commercial Customers

Customer Charge per account	\$3.72 per month
Volume Charge	\$9.00 per 1,000 gallons
based upon Equivalent Residential Unit (ERU) factors	

OTHER CHARGES

Lockheed-Martin Treatment Charge	\$6.67 per 1,000 gallons
High Strength Surcharges	\$6.48 per 1,000 gallons

ENVIRONMENTAL CHARGES

BOD (biochemical oxygen demand)	\$78.14/100 lbs (for amounts in excess of 300 mg/L)
SS (suspended solids)	\$75.36/100 lbs (for amounts in excess of 300 mg/L)
Total Nitrogen	\$72.79/100 lbs (for amounts in excess of 40 mg/L)
Phosphorous	\$390.09/100 lbs (for amounts in excess of 10 mg/L)
Septage Disposal Charge	\$8.01 per hundred gallons

Oil and Grease Program

Application Fee	\$32.36
Monthly Maintenance Fee	\$35.65

SPECIFIC SERVICE CHARGES

Initiation of Service	
Regular Business Hours	\$16.00
Non-Business Hours	\$21.00
Unauthorized Connection	
Regular Business Hours	\$350.00
Non-Business Hours	\$361.00
Wastewater Construction/Acceptance for Maintenance Reinspection	
Base Charge	\$186.00
Per Line Segment	\$75.00
Dishonored Payment	\$25.00
Dishonored Credit Card Charge	\$18.00
Research Account Information	At Cost
Plans and Specifications	At Cost
Lateral Installation or Repair Fee	At Cost

Environmental Program Reinspection Fee (1-hour minimum)	\$48 per hour
Wastewater Service Restore Charge	At Cost
Late Payment Fee	1.5% on past due balance
Industrial Waste Charge	Rates and fees to be established upon application, subject to evaluation of quantity, quality character and treatability of wastes.
Wastewater Deposit - All Meters Sizes	2X estimated total monthly bill
Wastewater Pump Station SCADA Implementation Charge	
Duplex Pump Station	\$8,711.00
Triplex Pump Station	\$10,940.00

AUTOMATIC ANNUAL RATE INCREASE

Consistent with and pursuant to Section 153.11 of Florida Statutes, the Board of County Commissioners hereby sets annually, effective October 1st each year starting October 1, 2031 and each year thereafter, an automatic increase of three percent (3%) to all rates, fees and charges contained in this Preliminary Wastewater and Pollution Control Charge Schedule in effect immediately prior to the effective date of such annual increase. The automatic increase shall not apply to the Specific Service Charges.

FIVE-YEAR RATE PLAN

Consistent with and pursuant to Section 153.11 of Florida Statutes, and in order to address the revenue inadequacy of the current, established five-year rate plan and reduce the inequity between the effective commercial wastewater rate and the effective residential wastewater rate, the Board of County Commissioners hereby sets annually, effective October 1st of each year, 2026 through and including 2030, a five percent (5%) increase for the services described as "Fixed Monthly Charges", "Flat Rate (Sewer Only) – Commercial Customers – Customer Charge per account", and "Volume Charge – Residential Customers", an eleven percent (11%) increase for the services described as "Volume Charge – Commercial Customers", "Flat Rate (Sewer Only) – Commercial Customers – Volume Charge", "Other Charges – Lockheed-Martin Treatment Charge", and "Other Charges – High Strength Surcharge", and a three percent (3%) increase for the services described as "Environmental Charges".

FOOTNOTES

- (1) 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.

- (2) In addition to the Fixed Monthly Charge, all customers (other than those customers who pay flat rates or industrial customers paying other individually established volume charges) shall pay a Volume Charge based on metered water consumption. The following classes of customers shall not be charged a Volume Charge for sewage discharge (as measured by metered water consumption) in excess of the following gallon amounts:

Residential, Single Family	14,000 gallons per month
Multiple Residential, 2-4 Units	25,000 gallons per month
Mobile Home	14,000 gallons per month