COUNCIL ITEM 8B
DATE 9/12/11

COUNCIL ITEM 10A
DATE 8/22/11

ORDINANCE 11 – 66

AN ORDINANCE OF THE PORT ST. LUCIE CITY CODE, AMENDING SECTION 61.05, WATER METER INSTALLATION CHARGE; AMENDING SECTION 61.06, METER TESTING; AMENDING SECTION 61.10, WASTEWATER INSTALLATION CHARGE; AMENDING SECTION 61.11, PROVIDING FOR WATER AND WASTEWATER TREATMENT CAPITAL CHARGES; AMENDING SECTION 61.15; GUARANTEED REVENUE FEE; ADOPTION; APPLICABILITY; CALCULATION; TIME OF PAYMENT; FORFEITURE; AMENDING SECTION 61.16, RECLAIMED WATER CONNETIONS; AMENDING SECTION 61.24, PROVIDING FOR WATER LINE AND WASTEWATER LINE CAPITAL CHARGES; AMENDING SECTION 61.25, HYDRANT METER PERMITS; AMENDING THE TITLE OF CHAPTER 62; WATER, WASTEWATER AND GAS UTILITY SERVICE RATE SCHEDULE; AMENDING THE APPENDIX TO CHAPTER 62 SETTING FORTH WATER, WASTEWATER RATE SCHEDULE; PROVIDING AN EFFECTIVE DATE.

THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. That Section 61.05, Port St. Lucie City Code, is hereby amended to read as follows:

Sec. 61.05. Water meter installation charge.

(a) Each applicant for water service shall be charged for the meter, meter service box and for installation of the water meter as follows:

Meter size (inch)	Service fee
5/8 × 3/4	~~$560.00~~ $577.00
1	~~$609.00~~ $627.00
1 1/2	~~$797.00~~ $821.00
2	~~$1,319.00~~ $1,359.00
3 or above	To be determined at time of application for service

(b) Service charges for connections requiring installation of a meter greater than two inches will be based on the actual cost of materials, labor, and overhead. A customer may elect to purchase, and have installed by a qualified contractor, his own meter if the required meter's size exceeds two inches; provided, however, that such meter must be approved by the city prior to installation.

(c) *Backflow preventer--commercial installation charge*. If the utility systems department determines that a backflow preventer is required to be installed on an existing water meter, ~~and at the customer's request~~, the city will, at the customer's request, install a backflow preventer and charge the customer a fee for said installation based on ~~for~~ the following installation charges:

Backflow Prevention Assembly	Charge
3/4" RPZ Backflow	~~$350.00~~ $361.00
1" RPZ Backflow	~~$355.00~~ $366.00
1" Pressure Vacuum Breaker	~~$302.00~~ $311.00
~~1""~~ 1½" RPZ Backflow	~~$539.00~~ $555.00
2" RPZ Backflow	~~$582.00~~ $599.00
Above 2"	Customer is responsible for purchase and installation

(d) Irrigation meters: Potable water meters connected solely to landscape irrigation systems are not ~~permitted~~ allowed.

Section 2. That Section 61.06, Port St. Lucie City Code, is hereby amended to read as follows:

Sec. 61.06. Meter testing.

Meter testing shall be done at the customer's request, and in accordance with the following guidelines and schedules:

(a) *Meter test request.* If any customer requests a test of the water meter, the city will require a deposit to defray the cost of testing; such deposit shall not exceed the following schedule of fees:

Meter size	Service deposit
5/8" × 3/4", 1", and 1½"	~~$73.00~~ $75.00
2" and over	Actual cost, plus overhead

(b) The fee is retained by the city only if the test shows that the meter is registering within the acceptable accuracy limits as established by the city. If the meter is determined by the city to be registering outside of the acceptable accuracy limits, the meter test service fee will be

refunded and an adjustment to the extent possible is made to the bill for the proper amount of water consumption.

(c) For tests of meters equal to or greater than two inches, the test will be based on actual costs incurred as determined by the city.

Section 3. That Section 61.10, Port St. Lucie City Code, is hereby amended to read as follows:

Sec. 61.10. Wastewater installation charge.

(1) Each applicant for wastewater service shall be charged the cost associated with the installation of a service and tapping into the wastewater main.

(2) When more than one grinder system is required to provide wastewater service to any single-family residence, all of the required grinders systems shall be provided by and installed by the City.

(3) Customers utilizing step or grinder systems for single-family residences shall be charged as follows:

	Per System
Step tank	~~$2,728.00~~ $2,810.00
Grinder system	~~$2,728.00~~ $2,810.00
Retrofit existing on-site systems to step or grinder systems, in addition to the above charges	~~482.00~~ $496.00

(4) If a service installation is required in order to provide the customer wastewater utility service, the cost of such installation, except for single-family residential customers utilizing step or grinder systems will be based on the actual cost of installation.

(5) If a single-family residential customer requests that ~~their~~ the existing step or grinder systems be ~~moved~~ relocated by the City to a different ~~location~~ place on the customer's property ~~service address site~~, then all costs and expenses associated with the relocation shall be borne by the customer and shall be paid to the City in full prior to ~~the~~ said requested relocation. The initial charge to the customer shall be based on a cost estimate~~d cost~~ prepared by the utility systems department, and any actual costs incurred by the city on behalf of the customer for said relocation which exceed~~ings~~ the estimate shall be added to the customer's next monthly service bill as an additional charge that will be due and owing at the same time as the service bill.

Section 4. That Section 61.11, Port St. Lucie City Code, is hereby amended to read as follows:

Sec. 61.11. Water and wastewater capital charges; adoption; calculating application; time of payment.

(a) *Adoption.* The city hereby adopts and establishes pursuant to general law, ~~a~~ water ~~capital charge~~ and ~~a~~ wastewater capital charges, each of which shall consist of a plant capacity charge, the purpose of which will be to finance capital expenditures and the payment of city indebtedness associated with the expansion of the city's water supply, water treatment, wastewater treatment, and effluent disposal systems. Unless otherwise designated below, the water and wastewater capital charges imposed per ERC by the city shall be as follows: ~~$1,150.00 per ERC and the wastewater capital charge shall be $1,950.00 per ERC.~~

Plant Capacity Capital Charges	Amount per ERC
Water	$1,185.00
Wastewater	$2,009.00

(b) *Applicability.* The city may exempt any customer from the payment of all or a portion of the water and wastewater capital charges to the extent that the city accepts a permanent contribution in aid of construction related to the water supply, water treatment, wastewater treatment, or effluent disposal facilities having a value of not less than the portion of the water or wastewater capital charges being exempted.

(c) *Time of payment.* All water and wastewater capital charges shall be paid prior to connection of a structure or structures to be served by the city, or such other time as may be specifically provided by city resolution, ordinance, agreement, or permit; provided, however, that the city may ~~permit~~ allow the payment ~~installment payments~~ of any water or wastewater capital charges in monthly installments and upon any such terms and conditions ~~as~~ that the city deems appropriate.

(d) *Capacity Reserved to Real Property.* All water and wastewater plant capacity purchased for a real property in accordance with this section shall be reserved only to that ~~the~~ specific real property.

(e) *Non-Refundable Reserved Capacity.* Any water or wastewater capacities purchased or reserved in accordance with this section shall be non-refundable; provided however that the Utility Director may, at his/her sole discretion, authorize exceptions to this section to allow for the refunding of capacities on a case-by-case basis. The manner and timeframe by which the City refunds such capacities shall be at the Utility Director's sole discretion.

(~~d~~ f) *Determination of equivalent residential unit factors for water and wastewater services.*

(1) For purposes of calculating and imposing the water and/or wastewater capital charges provided for in this section, the ERC factor for any particular connection ~~shall~~ may be calculated and imposed in the manner provided as follows:

Establishment	*ERC Factor*
Residential:	
Single family per meter	1.000
Multi-family master metered:	
a. One bedroom or less than 750 square feet	0.5000
b. Two bedroom or more than 749 square feet	0.9000
Multi-family non-master metered (same as single family)	
Commercial:	
Airports, bus terminals, train stations, port and dock facilities:	
a. Per passenger	0.0188
b. Add per employee per eight hour shift	0.0706
Barber and beauty shops per service chair	0.3529
Bowling alley per lane	0.2353
Country club:	
a. Per resident	0.4706
b. Add per member or patron	0.1176
c. Add per employee per eight hour shift	0.0706
Doctor and dentist offices:	
a. Per practitioner	1.1765

b. Add per employee per eight hour shift 0.0706

Factories, exclusive of industrial wastes (gallons per employee per eight hour shift):

a. No showers provided 0.0706

b. Showers provided 0.1176

Flea market open three or less days per week:

a. Per nonfood service vendor space 0.0706

b. Add per food service establishment using single service articles only per 100 square feet 0.2353

c. Per limited food service establishment 0.1176

Flea market open more than three days per week (estimated flows shall be doubled)

Food operations:

a. Restaurant operating 16 hours or less per day per seat 0.1882

b. Restaurant operating more than 16 hours per day per seat 0.2824

c. Restaurant using single service articles only and operating 16 hours or less per day per seat 0.0941

d. Restaurant using single service articles only and operating more than 16 hours per day per seat 0.1647

e. Bar and cocktail lounge:

1. Per seat 0.0941

2. Add per pool table or video game 0.0706

f. Drive-in restaurant per car space 0.2353

g. Carry out only, including caterers:

1. Per 100 square feet of floor space 0.2353

2. Add per employee per eight hour shift 0.0706

h. Institutions per meal.....0.0235

i. Food outlets excluding delis, bakery or meat department per 100 square feet of floor space.....0.0471

1. Add for deli per 100 square feet of deli floor space...

.....0.1882

2. Add for bakery per 100 square feet of bakery floor space.....0.1882

3. Add for meat department per 100 square feet of meat department floor space.....0.3529

4. Add per water closet.....0.9412

Hotels and motels:

a. Regular per room.....0.4706

b. Resort hotels, camps, cottages, per room.....0.9412

c. Add for establishments with self service laundry facilities per machine 3.5294

Laundromat per washing machine.....1.0000

Mobile home park:

a. Per single wide mobile home space, less than four single wide spaces connected to a shared onsite system.....1.1765

b. Per single wide mobile home space four or more single wide spaces are connected to a shared onsite system ...1.0588

c. Per double wide mobile home space, less than four double wide mobile home spaces connected to a shared onsite system 1.4118

d. Per double wide mobile home space, four or more double wide mobile home spaces connected to a shared onsite system 1.2941

Office building:

Per employee per eight hour shift or per 100 square feet of floor space, whichever is greater 0.0706

Transient recreational vehicle park:

a. Recreational vehicle space for overnight stay, without water and sewer hookup per vehicle space 0.2353

b. Recreational vehicle space for overnight stay, with water and sewer hookup per vehicle space 0.3529

Service stations per water closet

a. Open 16 hours per day or less 1.1765

b. Open more than 16 hours per day 1.5294

Shopping centers without food or laundry_per square foot of floor space 0.0005

Stadiums, race tracks, ball parks per seat 0.0188

Stores, per bathroom..... 0.4706

Swimming and bathing facilities, public per person 0.0471

Theaters and auditoriums, per seat 0.0188

Veterinary clinic:

a. Per practitioner..... 1.1765

b. Add per employee per eight hour shift 0.0706

c. Add per kennel, stall or cage 0.0941

Warehouse:

a. Add per employees~~-~~ per eight hour shift..... 0.0706

b. Add per loading bay 0.4706

c. Self-storage, per unit 0.0047

Institutional:

Churches:

a. Per seat which includes kitchen flows unless meals prepared on a routine basis 0.0141

b. If meals served on a regular basis, add per meal prepared . 0.0235

Hospitals:

a. Per bed which does not include kitchen flows..... 0.9412

b. Add per meal prepared 0.0235

Nursing, rest homes, adult congregate living facilities:

a. Per bed which does not include kitchen flows..... 0.4706

b. Add per meal prepared 0.0235

Parks, public picnic:

a. With toilets only, per person 0.0188

b. With bathhouse, showers and toilets, per person ... 0.0471

Public institutions other than schools and hospitals:

a. Per person which does not include kitchen flows ... 0.4706

b. Add per meal prepared 0.0235

Schools, day cares, or other child care centers, per student:

a. Day-type 0.0471

b. Add for showers 0.0188

c. Add for cafeteria 0.0188

d. Add for day school workers 0.0706

e. Boarding type 0.3529

Work/construction camps, semi-permanent per worker 0.2353

(2) One equivalent residential unit (ERC) shall, for purposes of this section, have an assigned value of 1.00. ~~For wastewater service capacity, one ERC is hereby established and determined to be equal to a flow of 250 gallons of water per day, average annual basis (250 GPD), or such other value as may be later approved or determined by the Florida Department of Environmental Protection.~~

(3) For wastewater service capacity, one ERC is hereby established and determined to be equal to a flow of 250 gallons of water per day, average annual basis (250 GPD). ~~, or such other value as may be later approved or determined by the Florida Department of Environmental Protection.~~

(~~3~~ 4) For water service capacity, one ERC is hereby established and determined to be equal to a flow of 250 gallons per day, average annual basis (250 GPD).

(~~4~~ 5) The "total equivalent residential unit value" for an establishment ~~shall~~ may be calculated by multiplying the ERC factor listed above by the number of units, and shall be rounded up to the nearest 0.1 ERC factor.

(6) There shall not be less than one ERC reserved for any and all establishments, users or customers that will use metered water or wastewater services of the city.

(~~5~~ 7) For all establishments not listed above, the total wastewater equivalent residential unit (ERC) value for wastewater service capacity ~~shall~~ may be determined by multiplying the number of fixture units, as published in the Standard Plumbing Code, by 30, and then dividing that numerator by 250. For example:

W.W. = Wastewater

$$\text{Total W.W. ERC Value} = \frac{\text{Number of Fixture Units x 30}}{\text{250 GPD/ERC}}$$

~~The wastewater capital charge shall be determined by using the following formula:~~

~~Total ERC Value x $1,950 = wastewater capital charge~~

(~~6~~ 8) For all establishments not listed above, the total water equivalent residential unit (ERC) value for water service capacity shall be determined by multiplying the number of fixture units, as published in the Standard Plumbing Code, by 30, and then dividing that numerator by 250. For example:

$$\text{Total ERC Value} = \frac{\text{Number of Fixture Units x 30}}{\text{250 GPD/ERC}}$$

~~The water capital charge shall be determined by using the following formula:~~

~~Total ERC Value x $1,150 = Water capital charge~~

(~~7~~ 9) Historical Flows: The city may accept, for other than single-family residences, metered water use data from similar establishments in lieu of flow estimates based on the ERC factors set forth in subsections 61.11 (d)(1), (5), or (6) above. Historical water use data from the City's own billing records will supersede any data submitted from another water or wastewater utility provider. The use of this flow calculation method shall require:

a. Submittal of copies of the most recent twelve consecutive months of water bills from ~~comparison~~ comparable servicing utilities for a minimum of six separate similar establishments.

i. Similar establishments shall be considered those that are alike or similar in size, located in a similar geographic environment, and that operate a

similar number of days per week and hours per day.

ii. Similar establishment metered flow values may not be considered reliable indicators of typical water use where one or more of the establishments utilized in the sample has exceeded the monthly flow average for all six establishments by more than 25 percent or where the different establishments demonstrate wide variations in monthly flow totals.

b. Food operations electing to utilize this method shall require submittal of copies of the most recent twenty-four months of water bills from ~~comparison~~ comparable servicing utilities for a minimum of six separate similar establishments.

c. When metered water use data is excepted by the city in lieu of flow estimates based on the ERC factors set forth in subsections 61.11 (d)(1), (5), or (6) above, the highest flow that occurred in any month for any of the six similar establishment shall be used for system sizing and plant capacity reservation and line charges if line charges are applicable to the subject property.

(~~8~~ 10) The above ERC Schedule applies to establishments being connected to the city water and wastewater.

(~~9~~ 11) Notwithstanding the foregoing, the city reserves the right to review and monitor actual flows, as compared to flows expected to be generated by the calculated ERC value, and upon which capital charges were calculated and paid to the city. For purposes of an accurate review, such monitoring will cover flows generated during three consecutive peak months occurring during the previous ~~12-month~~ 6-month period. If actual flows exceed expected flows by 10% or more, the customer shall promptly pay such additional capital charges for such excess flow as shall be required by the city.

(~~e~~ g) *Capital improvement funds; establishment; expenditure guidelines; application and pledge to revenue bonds.*

(1) The water capital charges collected pursuant to this chapter shall be deposited into a fund called the Port St. Lucie Water System Capital Improvement Fund and the wastewater capital charges shall likewise be deposited into a fund called the Port St.

Lucie Wastewater System Capital Improvement Fund. The water capital charges so deposited shall be used only for capital expenditures and the payment of city indebtedness associated with the expansion of the city's water supply, and water treatment systems and all components thereof and additions thereto, in order to provide additional water treatment capacity or water service capacity to those new customers who connect to the city's water system. The wastewater capital charges so deposited in the above-mentioned fund shall be used only for capital expenditures and the payment of city indebtedness associated with the expansion of the city's wastewater treatment systems, wastewater pumping facilities, effluent disposal facilities, and all components thereof and additions thereto, in order to provide additional sewage treatment capacity, effluent disposal capacity, or wastewater service capacity to those new customers who connect to the city's wastewater system.

(2) The city may by resolution provide for the application of some or all of the water and/or wastewater capital charges to the payment or security for the payment of revenue bonds issued in whole or in part for the purpose set out in subsection (e)(1) of this section, provided that the amount of water and/or wastewater capital charges applied to the payment of such bonds shall not exceed the amount of bond proceeds actually expended for such purpose with interest at the average rate borne by said bonds. Such application or pledge may be made directly in the proceedings authorizing such bonds or in an agreement with an insurer of bonds to assure such insurer of additional security therefore.

(~~f~~ h) *Application; allocation of water and/or wastewater service capacity.* No water and/or wastewater service capacity shall be sold pursuant to the water and/or wastewater ~~permit~~ agreement, nor shall any such ~~permit~~ agreement be issued until application therefore is received by the city. The city may require ~~all~~ any information on said application that it deems reasonable and necessary, and may reject applications it determines are incomplete. Any application for ~~a~~ water and/or ~~a~~ wastewater service or an ~~permit~~ agreement shall contain a legal description of the land constituting the service area for which the said ~~permit~~ service is to be ~~issued~~ provided. The legal description shall include only those lands owned by the applicant for which the water and/or wastewater ~~permit is to~~ shall serve. If any such person described hereinabove fails to apply for and purchase water and/or wastewater service capacity under these rules, the city may consider said failure in determining whether or not to grant or deny any development or construction permit or approval or rezoning application filed by said person. The city ~~shall by separate ordinance establish rules for the~~

~~allocation of water and/or wastewater service capacity, and~~ may by resolution establish a fee for application review payable by applicants.

Section 5. That Section 61.15, Port St. Lucie City Code, is hereby amended to read as follows:

Section 61.15. Guaranteed revenue fee; adoption; applicability; calculation; time of payment; forfeiture.

(a) *Adoption.* The city council hereby adopts, pursuant to general law, a guaranteed revenue fee which shall be paid annually, in advance, for each water and/or wastewater ERC, as purchased and reserved in any utility service agreement executed with the city. Each utility service agreement shall be deemed to provide by its terms, as if fully set forth therein, for the payment of such guaranteed revenue.

(b) *Calculation and time of payment.* The guaranteed revenue fee shall be due and payable upon execution of any utility service agreement, based upon the number of full months remaining until the end of the calendar year, commencing with the month following the month the agreement is issued by the city to the applicant. Guaranteed revenue shall be due and payable again ~~upon~~ within thirty days of receipt of an annual invoice for each calendar year thereafter for any agreement reserving water and/or wastewater capacity, to the extent that there are any reserved, but unconnected ERCs, and the fee shall be based on the base facility charge of the city. If any ERCs are connected during a calendar year for which guaranteed revenue was paid, a credit will be issued for those ERCs on the next scheduled annual invoice date.

(c) *Forfeiture.* The continued reservation of ~~equivalent residential connections~~ ERCs for the water and/or wastewater systems that run with the real property shall be dependent upon the timely payment of guaranteed revenue fees as set forth above. If any payment of guaranteed revenue fees is more than thirty days late, the city shall send a notice of delinquency to the last known address kept on file with the city for its mailing of any notices, billings or invoices to the applicant concerning the provision of utility services to the applicant's real property. The utility service agreement shall ~~further~~ be deemed to provide that, ~~—~~failure to submit the required full payment of guaranteed revenue fees to the city within thirty days of receipt of ~~after 30 days'~~ the written notice of delinquency, shall be a default in the payment of, or renewal of, guaranteed revenue fees. Said default shall be considered a default by the the applicant and its successors or assigns and shall result in the forfeiture of any and all remaining reserved capacity and any associated fees paid for such capacity.

Section 6. That Section 61.16, Port St. Lucie City Code, is hereby amended to read as follows:

Section 61.16. Reclaimed water connections.

(a) *Reclaimed unit (RU) definition:* A factor used to convert a given daily flow to an equivalent numerical unit. For this purpose, an RU is deemed to be 500 gallons.

(b) *Reclaimed system connection fee:* The city hereby adopts and establishes pursuant to general law, a reclaimed system connection fee, the purpose of which is to defray the cost of the reclaimed water system. The reclaimed system connection fees imposed by the city shall be calculated as set forth as follows:

~~77¢~~ 79¢ per gallon × 500 gallons = ~~$385.00~~ $395.00 per RU

(c) *Industrial reclaimed water customer:* An industrial reclaimed water customer shall reserve not less than 1.0 million gallons of water per day and shall commit to a continuous usage 24-hours per day, 365-days per year, equal to the customer's plant capacity reservation.

(d) *Reclaimed Capacity Reserved to Real Property.* All reclaimed unit capacity purchased for a real property in accordance with this section shall be reserved only to that ~~the~~ specific real property.

(e) *Non-Refundable Reserved Capacity.* Any reclaimed water unit capacities purchased or reserved in accordance with this section shall be non-refundable; provided however that the Utility Director may, at his/her sole discretion, authorize exceptions to this section to allow for the refunding of capacities on a case-by-case basis. The manner and timeframe by which the City refunds such capacities shall be at the Utility Director's sole discretion.

Section 7. That Section 61.24, Port St. Lucie City Code, is hereby amended to read as follows:

Sec. 61.24. Water line and wastewater line capital charges; adoption; applicability; time of payment.

(a) *Adoption.* The city hereby adopts and establishes pursuant to general law, a water line capital charge and a wastewater line capital charge, the purpose of which ~~will~~ shall be to finance capital expenditures and the payment of city indebtedness associated with the expansion of the city's water transmission and wastewater collection systems. Unless otherwise designated below, the water line and wastewater line capital

charge per ERC imposed by the city shall be: ~~$490.00 per ERC, the wastewater line capital charge shall be $180.00 per ERC.~~

Line Capital Charges	Amount per ERC
Water	$505.00
Wastewater	$185.00

(b) *Applicability.* Water line and wastewater line capital charges shall not apply to any property located within the boundaries of the following Special Assessment Districts or Utility Service Areas:

Special Assessment Districts (SAD) and Utility Service Areas (USA)	
SAD 1–Phase 1	East Lake Village SAD
SAD 1–Phase 2	Glassman SAD / aka Portofino Isles
USA 3 & 4	River Point SAD / aka Tesoro Preserve
USA 5, 6, & 7-A	Tesoro SAD
USA 9 Units 4, 6, and 8 (exempt from wastewater only)	USA 9 Viking's Lookout and Bay St. Lucie (exempt from water only)
St. Lucie Land Holdings SAD (only the first 5,300 ERCs are exempt)	

With the approval of the City's Council, the City may add to or delete SADs or USAs from the above table.

(c) *Exemptions.* The city may exempt any customer from the payment of all or a portion of the water line capital charges and wastewater line capital charges to the extent that the city accepts a permanent contribution in aid of construction related to the water transmission facilities or the wastewater transmission facilities having a value of not less than the portion of the water line or wastewater line capital charges being exempted.

(d) *Time of payment.* All water line and wastewater line capital charges shall be paid prior to connection of a structure or structures to be served by the city, or such other time as may be specifically provided by city resolution, ordinance, agreement, or permit; provided, however, that the city may ~~permit~~ allow the payment ~~installment payments~~ of any water line or wastewater line capital charges in monthly installments and upon such terms and conditions ~~as~~ that the city deems appropriate.

(e) *Line Capacity Reserved to Real Property.* All water and wastewater line capacity purchased for a real property in accordance with this section shall be reserved only to that ~~the~~ specific real property

(f) *Non-Refundable Reserved Line Capacity.* Any water or wastewater line capacities purchased or reserved in accordance with this section shall be non-refundable; provided however that the Utility Director may, at his/her sole discretion, authorize exceptions to this section to allow for the refunding of water and/or wastewater line charges on a case-by-case basis. The manner and timeframe by which the City refunds such line charges shall be at the Utility Director's sole discretion.

Section 8. That Section 61.25, Port St. Lucie City Code, is hereby amended to read as follows:

Sec. 61.25. ~~Hydrant~~ Temporary Meter Permits

(a) *Signed application and agreement required.* Before rendering temporary water service ~~from a City owned hydrant~~, the City shall require a signed permit application and agreement for ~~such~~ service. Said ~~A~~ application shall be made on forms furnished by the City~~,~~ and shall constitute an agreement by the customers to abide by the utility's rules and policies for such service, and shall be tendered only by the duly authorized agents of the firm, partnership, association or corporation requesting service.

(b) *Permit period.* Each permit shall allow for temporary metered water usage ~~from a specific City owned hydrant~~ for up to 180 consecutive days. Permits may be extended in 180-day increments at the sole discretion of the City.

(c) *Permit Fees.* Any applicant requesting ~~hydrant-supplied~~ temporary water service for up to 180 days shall be required to pay fees based on the size of the meter as follows:~~. that the applicant requests to be affixed to a specific hydrant.~~

Meter Size	Refundable Deposit	Installation Fees	Collected at Time of Application for Service
5/8 × ¾"	~~$191.00~~ $197.00	~~$233.00~~ $240.00	~~$424.00~~ $437.00
1"	~~$265.00~~ $273.00	~~$239.00~~ $246.00	~~$504.00~~ $519.00
2"	~~$690.00~~ $710.00	~~$281.00~~ $290.00	~~$971.00~~ $1,000.00
3"	~~$4,244.00~~ $4,371.00	~~$637.00~~ $656.00	~~$4,881.00~~ $5,027.00
Rates for meters above 3" are to be determined at time of application for service.			

(d) ~~*Hydrant*~~ *Temporary Meter Relocation Fees.* Permittees may request the relocation of a specific permitted ~~hydrant~~ temporary meter if it is to be relocated ~~to another hydrant located~~ within the boundaries of the ~~development~~ property for which it originally provided service. A ~~$54.00~~ $56.00 fee shall be charged for the relocation of each ~~hydrant~~ temporary meter.

(e) *Permit Time Extensions.* Permittees are responsible for monitoring their permit's expiration date. A permittee may request permit time extension in 180-day increments. If a time extension is not requested, the City will remove the permitted ~~hydrant~~ temporary meter assemblies on the 181st day after the original date of installation (the permit date).

(f) *Termination of service.* ~~Hydrant~~ Temporary meter permittees who no longer need service from a permitted ~~hydrant~~ temporary meter are responsible for contacting City to request that the assembly be removed. Upon termination of the ~~hydrant~~ temporary meter assembly's use, the City will evaluate the assembly's condition. Damage resulting from a permittee's negligent use or misuse of any assembly will result in the City retaining the full amount of the permittee's deposit.

(g) *Monthly billings required.* The City shall perform monthly temporary meter readings. The following rates and fees shall apply to the monthly usage billings for temporary meters.

Temporary/~~Construction~~ Meter Size	BFC
5/8" × 3/4"	~~$7.60~~ $6.29
1"	~~$16.74~~ $15.73
2"	~~$50.26~~ $50.32
3"	~~$91.96~~ $93.17
4"	~~$142.91~~ $145.65
6"	~~$284.44~~ $291.43
8"	~~$454.34~~ $466.43
10"	~~$917.78~~ $943.77

Plus gallonage rate per 1,000 gallons according to the Block 1 rates then in effect.

(h) In the event of loss, theft or vandalism, the refundable deposit is forfeited.

Section 9. That the title of Chapter 62, Port St. Lucie City Code, WATER, WASTEWATER AND GAS UTILITY SERVICE RATE SCHEDULE, is hereby amended to read as follows:

WATER, WASTEWATER AND ~~GAS UTILITY SERVICE~~ RECLAMED WATER UTILITY SERVICE RATE SCHEDULE

Section 10. That the Appendix to Chapter 62, Port St. Lucie City Code, WATER, WASTEWATER, AND RECLAIMED WATER RATE SCHEDULE, is hereby amended to read as follows:

APPENDIX: WATER, WASTEWATER RATE SCHEDULE

(a) *Base Facility Charges.* ~~A monthly~~ "R~~r~~eadiness to serve" fee~~:~~; ~~aka~~ A monthly Base Facility Charge (BFC) or "readiness to serve" fee, shall be applied to each customer's water, wastewater or reclaimed water bill regardless of whether there is any usage recorded for that month.

(b) Lien of service charges. The City of Port St. Lucie has issued revenue bonds for the acquisition, construction, and expansion of the city's water, wastewater, and reclaimed water facilities pursuant to Chapter 159, Florida Statutes. The City shall have a lien against all lands or premises served by any water (potable and reclaimed), or sewer system for all service charges for such facilities until paid. Such liens shall be prior to all other liens on such lands or premises except the lien of state, county and municipal taxes and shall be on a parity with the lien of such state, county and municipal taxes pursuant to section 159.17, Florida Statutes.

(c) Monthly water and wastewater charges and rates.

(1) *Billing Charge for all customer classes*: A charge totaling $2.71 per month shall be added to all bills. ~~Residential single-family base facility charge (BFC):~~

(~~1~~ 2) *Residential single-family base facility charge (BFC)*: ~~Residential multi-family BFC individually metered (includes condominiums and townhomes:~~

Meter size	Water BFC	Wastewater BFC
$^5/_8$" X $^3/_4$"	~~7.60~~ 6.29	~~14.16~~ 13.44
1"	~~16.74~~ 15.73	~~32.74~~ 33.60
$1^1/_2$"	~~31.98~~ 31.45	~~64.40~~ 67.20
2"	~~50.26~~ 50.32	~~102.39~~ 107.52

Plus gallonage rate per 1,000 gallons as follows:

	Water rate	Wastewater rate	Water gallons	Wastewater cap (gal)
Block 1	~~3.46~~ 3.57	~~6.79~~ 7.00	0--5000	8,000
Block 2	~~4.14~~ 4.65	n/a	5,001—12,000	n/a
Block 3	~~4.80~~ 5.72	n/a	12,001 and above	n/a

(~~2~~ 3) *Residential multi-family BFC individually metered (includes condominiums and townhomes*:

	Water BFC	Wastewater BFC
Per dwelling unit: (when master metered)	~~4.34~~ 4.47 per unit	~~12.21~~ 12.64 per unit
~~Billing charge per meter~~	~~1.50~~	~~1.12~~

Plus gallonage rate per 1,000 gallons as follows:

	Water rate	Wastewater rate	Water gallons	Wastewater cap (gal)
Block 1	~~3.46~~ 3.57	~~6.79~~ 7.00	0—3,600	Up to 6,000 gal/mo/unit
Block 2	~~4.14~~ 4.65	n/a	3,601—8,500	N/a
Block 3	~~4.80~~ 5.72	n/a	8,501 and above	n/a

(~~3~~ 4) *Nonresidential BFC (includes, but is not limited to, commercially leased residential properties such as apartment complexes)*:

ERCs	Water BFC rate per ERCs Reserved	Wastewater BFC Rate per ERCs Reserved
Calculations shall be based upon the number of ERCs reserved.	~~6.10~~ 6.29	~~13.04~~ 13.44

~~All metered water and wastewater accounts shall have reserved no less than 1 ERC.~~

~~Billing Charge per Meter~~	~~1.50~~	~~1.12~~

Plus gallonage rate per 1,000 gallons as follows:

	Water Rate	Wastewater Rate
Block 1	~~3.46~~ 3.57	~~6.79~~ 7.00
Block 2	~~4.14~~ 4.65	n/a
Block 3	~~4.80~~ 5.72	n/a

There shall be no wastewater cap for this class of users and customers. Monthly water and wastewater block gallonage shall be based upon the number of ERCs reserved. The block thresholds for each commercial water or wastewater meter shall be calculated by multiplying the number of ERCs reserved for that meter times the number of gallons shown in the following table:

Block 1 Threshold	Block 2 Threshold	Block 3 Threshold
Usage up to 5,000 gallons ~~times~~ multiplied by the number of ERCs reserved shall be billed at the Block 1 rate	Usage greater than 5,000 up to 12,000 gallons ~~times~~ multiplied by the number of ERCs reserved shall be billed at the Block 2 rate	Usage greater than 12,000 gallons ~~times~~ multiplied by the number of ERCs reserved and above shall be billed at the Block 3 rate

(~~4~~ 5) *Wastewater only*:

a. Single family flat rate: ~~$54.90~~ $55.44 ~~($14.16 BFC + $6.79 per gallon x 6,000 gallons)~~ (based on $13.44 BFC + $7.00 per gallon x 6,000 gallons)

b. Multi-family flat rate: ~~$54.07~~ $54.64 per unit ~~($12.21 BFC + $1.12 billing charge + $6.79 per gallon x 6,000 gallons)~~ (based on $12.64 BFC + $7.00 per gallon x 6,000 gallons)

c. Non-residential: ~~$13.04~~ $13.44 BFC x ERCs reserved ~~Plus~~

~~$1.12 Billing Charge~~

Plus

~~$54.32 ($6.79 x 8,000 gallons)~~

$56.00 (based on $7.00 per gallon x 8,000 gallons)

(~~5~~ 6) *Reclaimed Water Usage Rates*:

Monthly Consumption Rates:

Monthly billings shall be handled as provided in Section 61.04.

	Rate
Base Facility Charge (BFC):	~~$1.29~~ $1.33 per RU
Plus	
Per 1,000 gallons of metered use	~~14¢~~ 15¢

Industrial reclaimed water customer rates:

Per 1,000 gallons of metered use	~~21¢~~ 22¢

(b) Guaranteed revenue fee. The rate per ERC shall be equal to the BFC for the standard residential meter as set forth above, and the calculation shall be based upon the number of ERC's reserved in a service agreement.

Section 11. This ordinance shall become effective ten (10) days after its final adoption, and the effective date of the rate and fee changes shall be October 1, 2011.

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida, this _____ day of_____, 2011.

CITY COUNCIL
CITY OF PORT ST. LUCIE

ATTEST:

_____
Karen A. Phillips, City Clerk

By:_____
JoAnn M. Faiella, Mayor

APPROVED AS TO FORM

By:_____
Roger G. Orr, City Attorney

INTEROFFICE MEMORANDUM

TO: Jerry A. Bentrott, City Manager

FROM: Jesus A. Merejo, Utility Systems Director

SUBJECT: Utility Rate Increase Ordinance

DATE: August 16, 2011

Attached is an ordinance reflecting increases proposed to become effective October 1, 2011 for most utility fees and charges. The increases are in accordance with the City of Port St. Lucie Utility System Refunding Revenue Bond, Series 2009.

For the most part, the ordinance reflects a 3% increase to rates, fees, and charges; however, adjustments to Block 2 and Block 3 water billing increments are included that will promote water conservation.

The ordinance also addresses proposed changes to monthly billing charges. The current water billing charge is $1.50 and the current wastewater billing charge is $1.12. The nearly 45,000 customers who have both water and wastewater service incur a combined billing charge of $2.62. They subsidize the nearly 20,000 customers who only have water service who have just a $1.50 billing charge. Billing charges cover approximately 1/3 of the costs associated with meter reading, customer service, accounting, bill preparation, mailing, payment processing, etc. All customers benefit equally from those services and should be charged the same amount. The ordinances addresses the adoption of a single billing charge for all classes of customers that reflects a 3% increase above the current $2.62 combined water/wastewater billing charges.

Most fees were rounded to the nearest whole dollar, but in keeping with past practice, monthly usage rates do reflect full dollars and cents.

It is important to note that in keeping with the ongoing in-house "regulatory rethink" no increases have been recommended for fees and charges generally associated with land and commercial property development. That means, deposit fees, plan review fees, and inspection fees are not proposed to be increased.

As required by Florida State Statute 180.136, customers have been notified by a bill message that the City Council is going to meet August 22, 2011 and again on September 12, 2011 to consider utility rate increases. It is critical that the 1st reading of the ordinance occur August 22nd and the 2nd reading must take place during the September 12th meeting.

RECEIVED

AUG 17 2011

City Manager's Office

The ordinance has been reviewed and approved as to form and sufficiency by Assistant City Attorney, Azlina Goldstein Seigel. Therefore, it is respectfully requested that it be placed on the City Council's agenda for consideration at the August 22nd and September 12th meetings.

Should you have questions about any of the rates outlined in the ordinance, I will be happy to address them at your convenience.

/dr

Attachment

c: Roger G. Orr, City Attorney
Azlina Goldstein Siegel, Assistant City Attorney
Marcia Dedert, Finance Director / City Treasurer
Karen A. Phillips, City Clerk
Bradley E. Macek, Assistant Utility Systems Director
Daniel M. Segui, Deputy Utility Systems Director
Laney C. Southerly, P.E., Utility Engineering Mgr.
Denise Peters, Customer Service Mgr.
Donna M. Rhoden, Utility Safety & Public Affairs Mgr.
Jeanette E. Thompson, Utility Budget & Procurement Mgr.