

Copy to: MHB
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R. Freeman
J. Glover
Utilities

RESOLUTION NO. 07- 208

A RESOLUTION OF THE ST. LUCIE COUNTY BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA, AUTHORIZING THE ADJUSTMENT OF WASTEWATER AND RECLAIM WATER UTILITY RATES, FEES AND CHARGES FOR CUSTOMERS WITHIN THE ST. LUCIE COUNTY SOUTH HUTCHINSON ISLAND DISTRICT WASTEWATER UTILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the St. Lucie County Board of County Commissioners (“Board”) established a schedule fixing wastewater and reclaimed water utility rates, fees and charges for the utility services furnished or to be furnished to the customers of the St. Lucie County Utilities – South Hutchinson Island District (“District”) in the amended Resolution No. 97-128; and

WHEREAS, the Board provided written notice of the proposed Schedule of Rates, Fees and Charges for the St. Lucie County Utilities – South Hutchinson Island District to the utility customers within the District; the notice set forth the date, time and place of the meeting of the Board of County Commissioners at which such proposals would be considered and whereby interested parties had an opportunity to be heard concerning the 2008 and 2009 Rate Schedules.

WHEREAS, the Board held a public hearing on June 19, 2007, whereby the utility customers within the St. Lucie County Utilities – South Hutchinson Island District, had an opportunity to confer concerning the schedule fixing wastewater and reclaimed water rates, fees and charges; and

WHEREAS, the Board, after hearing from Utility Staff and comments from the public voted to continue the public hearing to June 26, 2007 and again continued to July 24, 2007; and

WHEREAS, the Board, on the advise and recommendation of its utility staff and technical advisors, and after hearing comments from the public, has established a schedule fixing wastewater and reclaimed water utility rates, fees and charges for customers within the District

and finds that such adjusted 2008 (Exhibit A) and 2009 (Exhibit B) Schedules of Rates, Fees and Charges just and equitable and in the public interest.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of St. Lucie County, Florida:

Section 1. ADOPTION OF THE 2008 and 2009 RATE SCHEDULES FOR THE DISTRICT. The attached 2008 and 2009 Rate Schedules, setting forth the rates, fees and charges for customers within the St. Lucie County Utilities – South Hutchinson Island District to be serviced by the District utility system is hereby adopted. The 2008 Rate Schedule shall be effective commencing with the first billing cycle on or after January 1, 2008 and the 2009 Rate Schedule with the first billing cycle on or after January 1, 2009.

Section 2. AUTOMATIC ADJUSTMENTS. The 2009 Rate Schedule shall be automatically adjusted on an annual basis without further action of the Board based upon the application of the Florida Public Service Commission utility price indices, as established from time to time by the Florida Public Service Commission pursuant to Florida Statute section 367.081(4)(a), as amended, (“Cost Adjustment”), to the then existing rates, fees and charges of the District. Prior to application of this automatic Cost Adjustment provision, the District Utility Director shall submit to the Board at a St. Lucie County Board of County Commissioners meeting a report detailing the amount of the adjustment and the new rates, fees and charges, as adjusted. In addition, the rates, fees and charges of the District shall be automatically increased without further action of the Board based upon the implementation of a rate increase to the District by any utility which provides utility service to the District, or upon implementation or increase of any taxes or assessments levied by a governmental authority against the District (“Cost Pass-through”). Prior to application of this Cost Pass-through provision, the District

Utility Director shall submit to the Board at a St. Lucie County Board of County Commissioners meeting a report detailing the amount of the adjustment and the new rates, fees and charges, as adjusted. Unless the Board votes to withhold an automatic Cost Adjustment or Cost Pass-through, the District's Schedule of rates, fees, and charges shall be adjusted pursuant to this section as required effective as of the first billing cycle after the Board's meeting. No public hearing shall be required for the automatic adjustments set forth in this section.

Section 3. SEVERABILITY. If any section, paragraph, sentence, clause, phrase, or word of their Resolution is for any reason held by a court to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of this Resolution.

Section 4. EFFECTIVE DATE. This Resolution shall become effective upon adoption (the "Effective Date").

Section 5. ADOPTION. After motion and second, the vote on this Resolution was as follows:

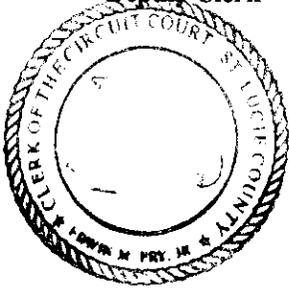
Chairman Chris Craft	XXX
Vice Chairman Joseph Smith	XXX
Commissioner Doug Coward	XXX
Commissioner Paula A. Lewis	XXX
Commissioner Charles Grande	XXX

PASSED AND DULY ENACTED this 24th day of July, 2007.

**BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLORIDA**

ATTEST:

Melissa D. [Signature] **BY:** *[Signature]*
Deputy Clerk Chairman



**APPROVED AS TO FORM AND
CORRECTNESS:**

BY: *[Signature]*
County Attorney

EXHIBIT "A"

JANUARY 2008 RATE SCHEDULE

ST. LUCIE COUNTY UTILITIES SOUTH HUTCHINSON ISLAND DISTRICT

WASTEWATER RATES: \$26.93 per month per EDU to be billed monthly starting January 1, 2008.

Accrued Guaranteed Revenue (AGR) - a non-refundable guaranteed revenue charge paid by each new customer at a rate of \$1,312.80 per EDU. Payment shall be due prior to the issuance of a building permit by St. Lucie County.

CUSTOMER ACCOUNT CHARGE: \$2.05 per metered connection

WASTEWATER DEPOSIT: \$ 75.00 per unit (refundable)
(The District will require a deposit for each single family home or individual multifamily unit connecting to the District's system.)

RECLAIMED WATER RATE: \$ 2.62 per thousand gallons.
(The reclaimed water rate will apply to any developer/future customer who receives reclaimed water prior to connecting to the District's system for wastewater treatment and disposal.)

RECLAIMED WATER DEPOSIT: \$ 250.00 (refundable)

LATE CHARGE: The greater of \$5.00 or 1.5% of full amount of late notice

NORMAL RECONNECTION OF SERVICE \$30.00 (normal hours)
\$45.00 (after hours)

PREMISE'S VISIT (in lieu of disconnect): \$30.00 (normal hours)
\$45.00 (after hours)

LATERAL FEES - SHORT & LONG: Actual cost

EXHIBIT "B"

JANUARY 2009 RATE SCHEDULE

**ST. LUCIE COUNTY UTILITIES
SOUTH HUTCHINSON ISLAND DISTRICT**

WASTEWATER RATES: \$30.23 per month per EDU to be billed monthly starting January 1, 2009.

Accrued Guaranteed Revenue (AGR) - a non-refundable guaranteed revenue charge paid by each new customer at a rate of \$1,476.60 per EDU. Payment shall be due prior to the issuance of a building permit by St. Lucie County.

CUSTOMER ACCOUNT CHARGE: \$2.30 per metered connection

WASTEWATER DEPOSIT: \$ 75.00 per unit (refundable)
(The District will require a deposit for each single family home or individual multifamily unit connecting to the District's system.)

RECLAIMED WATER RATE: \$ 2.96 per thousand gallons.
(The reclaimed water rate will apply to any developer/future customer who receives reclaimed water prior to connecting to the District's system for wastewater treatment and disposal.)

RECLAIMED WATER DEPOSIT: \$ 250.00 (refundable)

LATE CHARGE: The greater of \$5.00 or 1.5% of full amount of late notice

NORMAL RECONNECTION
OF SERVICE \$30.00 (normal hours)
\$45.00 (after hours)

PREMISE'S VISIT (in lieu of disconnect): \$30.00 (normal hours)
\$45.00 (after hours)

LATERAL FEES - SHORT & LONG: Actual cost