RESOLUTION NO. UA 2023-10

A RESOLUTION AMENDING, SUPERSEDING, AND RESCINDING THE SCHEDULE OF RATES AND CHARGES FOR WATER SERVICES FURNISHED BY FORT PIERCE UTILITIES AUTHORITY, FORT PIERCE, FLORIDA, IN RESOLUTION NO. UA 2022-08, IN ACCORDANCE WITH THE CHARTER OF THE CITY OF FORT PIERCE, FLORIDA, ARTICLE XII; PROVIDING FOR A 7.07% INCREASE IN THE CUSTOMER AND VOLUME CHARGES, BASED ON THE 2023 FLORIDA PUBLIC SERVICE COMMISSION ANNUAL PRICE INDEX; AND PROVIDING FOR ANNUAL INDEXING PROVISION, ADMINISTRATIVE ACTION, SCRIVENER'S ERRORS, REPEAL, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Fort Pierce Utilities Authority ("FPUA") was created and established by the City Commission of the City of Fort Pierce, Florida ("City Commission"), through a referendum election held in said City on May 30, 1972;

WHEREAS, the Charter of the City of Fort Pierce, Florida, Article XII, grants to the FPUA the power and duty to fix rates to be charged for gas, electricity, water, wastewater (sanitary sewer), and other Utility Services sold and services rendered by the FPUA;

WHEREAS, in order to ensure that FPUA utility rates are sufficient to pay all operating and maintenance expenses, capital outlay, bond interest and redemption costs, and all other costs of the water system operation, the City Commission previously approved an annual adjustment of the rates and charges of the water system based on the Florida Public Service Commission annual price index upon approval of the FPUA Board; and

WHEREAS, the Florida Public Service Commission annual price index is calculated using a comparison of the U.S. Department of Commerce's average Gross Domestic Product Implicit Price Deflator Index for the preceding two years.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Fort Pierce Utilities Authority:

SECTION I. RECITALS. The recitals stated above are true and correct and are hereby incorporated as if fully set forth herein.

SECTION II: WATER SERVICE RATE SCHEDULE - The schedule of rates and charges to be imposed for the commodity and facilities furnished by the water system of FPUA shall be subject to revision from time to time as may be necessary. Unless the context otherwise requires, the terms defined in this Resolution shall have the meanings specified in the Resolution entitled General Rules and Regulations Governing the Provision of Utility Service. The schedule thereof, which shall be applicable to all water service within the territory served by FPUA, with the exception of certain authorized contracts, shall be implemented as follows:

A. MONTHLY RATE: Monthly charges for water service are as follows:

TABLE NO. W-1 JANUARY 1, 2024					
	Included in Minimum Charge				
Meter Size	(a.) Customer Charge	Volume in Gallons	(b.) Volume Charge	(c.) Minimum Charge	(d.) Unmetered Fire Protection
5/8 x 3/4 inch	$ 19.53	3,000	$ 15.03	$ 34.56	NA
1 inch	48.49	6,000	30.06	78.55	$ 4.20
1 1/2 inch	97.06	12,000	60.12	157.18	6.69
2 inch	155.20	18,000	90.18	245.38	9.46
3 inch	310.52	38,000	190.38	500.90	18.67
4 inch	484.93	52,000	260.52	745.45	27.86
6 inch	969.87	105,000	526.05	1,495.92	58.42
8 inch	1,551.82	180,000	901.80	2,453.62	94.62
10 inch	2,230.69	240,000	1,202.40	3,433.09	133.57

1. Customer (Readiness-to-Serve) Charge, as shown in Table No. W-1:

a. Active Account: The flat monthly charge based on the serving water Meter size.

b. Inactive Account: An active account becomes inactive when a Customer elects to voluntarily disconnect Utility Services. Voluntary disconnection includes services disconnected for nonpayment, and Meter(s) removed due to tampering. This charge would not be billed if the Meter has been removed from a structure which has been demolished. This charge is also referred to as the Customer Charge for Active Accounts, and will be billed to the owner of the property based on the serving water Meter size.

c. Fire Flow Meters: The Customer Charge for Fire Flow Meters will be the Customer Charge for the required equivalent domestic Meter size, excluding fire flow. When Fire Flow Meters are replaced, the Customer Charge will remain the same if the replacement Meter is equivalent in flow characteristics to the original Meter.

2. Volume Charge: For Residential and Commercial Customers, all additional water usage in excess of the gallon volume quantities listed in Table No. W-1 will be charged on the basis of monthly metered water usage at the rate of $5.01 per 1,000 gallons beginning on January 1, 2024. [See Conservation Charge (Section II.A.5.a.) for further explanation.]

3. Minimum Charge: As shown in Table No. W-1, the Minimum Charge is the Customer Charge plus the Volume Charge; the Volume Charge is based on a minimum number of gallons determined by the serving water Meter size.

4. Unmetered Fire Protection: As shown in Table No. W-1, Unmetered Fire Protection is the readiness-to-serve charge for private hydrants, sprinkler systems, hose cabinets, standpipes, or any other device used exclusively for fire protection.

5. Exceptions: The following volume charges differ from those listed in Table No. W-1.

TABLE NO. W-2 JANUARY 1, 2024		
Gallons Per Month	**(a.) 5/8 x 3/4 Inch Conservation Charge**	**(b.) Irrigation Volume Charge**
Up to 10,000 *	$5.01	$5.01
10,001 - 15,000	6.27	6.27
Over 15,000	7.52	10.58

* This row is not an Exception, but is provided as a reference for clarity.

a. Conservation Charge for 5/8 x 3/4 Inch Meters: For the purpose of promoting water usage conservation, a Conservation Charge for all Residential and Commercial Customers served by 5/8 x 3/4 inch water Meters is shown in Table W-2. The Conservation Charge shall be 1.25 times the Volume Charge for water usage from 10,001 to 15,000 gallons per month, and 1.5 times the Volume Charge for water usage over 15,000 gallons per month.

b. Irrigation Volume Charge: As shown in Table No. W-2, all additional usage in excess of the gallons included in the Minimum Charge will be billed on the basis of monthly metered water usage at the rates listed.

B. BULK WATER RATES: Bulk water rates were established through an interlocal agreement with St. Lucie County, Florida for the provision of bulk water, wastewater and reclaimed water services and enacted through St. Lucie County Ordinance No. 04-023. Amendment 1 to that bulk service agreement allows for revisions to bulk water and wastewater rates at such time and in the same percentage as the FPUA revisions to residential customer rates. The usage charge for bulk water will be charged on the basis of monthly metered usage at the rate of $6.02, which became effective on October 1, 2022.

C. FIRE HYDRANT METERS: When Water is delivered through a fire hydrant Meter on a temporary basis, the temporary Water billing rate will be at the 5/8 x 3/4 inch Meter rate unless, as determined by FPUA staff, demand and/or usage warrant a different rate.

D. ANNUAL INDEXING PROVISION: Pursuant to City Commission approval on May 16, 2022, in order to ensure that FPUA utility rates shall be sufficient to pay all operating and maintenance expenses, capital outlay, bond interest and redemption costs, and all other costs of each respective utility operation, the FPUA Board may adjust the monthly rates and charges of the water system based on the Florida Public Service Commission annual price index without further action by the City Commission of the City of Fort Pierce. The price index is established by March 31 of each year and is calculated using a comparison of the U.S. Department of Commerce's average Gross Domestic Product Implicit Price Deflator Index for the preceding two years. Such new rates shall be submitted to the FPUA Board for approval and become effective following FPUA Board approval. If in any year the FPUA Board does not apply the price index to the current rates and charges of the water system, such adjustment shall not carry forward to future years.

E. TAX ADJUSTMENT: The amount computed at the above Monthly Rate shall be subject to taxes and assessments imposed by any governmental authority which are assessed on the basis of Meters or Customers or the price of or revenues from water service sold or volume of water purchased for sale or sold. Accordingly, Unmetered Fire Protection service charges are not subject to Utility Tax or Surcharge.

A utility tax of 10% shall be added to all rate schedules for service inside the city limits of the City of Fort Pierce, Florida. The amount will not exceed the limitation established by section 166.231, Florida Statutes.

F. SURCHARGE: A surcharge of 25% shall be added to all rate schedules for service provided outside the city limits of the City of Fort Pierce, Florida. The amount will not exceed the limitation established by section 180.191, Florida Statutes.

SECTION III. ADMINISTRATIVE ACTION. The Board directs the FPUA Director of Utilities or his designee(s) to take any necessary administrative action to implement the modifications set forth herein.

SECTION IV. SCRIVENER'S ERRORS. If there are any typographical, administrative, or scrivener's errors contained herein that do not change the tone, tenor, or purpose of this Resolution, such errors may be corrected with no further action by the Board.

SECTION V. REPEAL. All prior inconsistent resolutions adopted by the FPUA Board are hereby expressly repealed to the extent of the conflict.

SECTION VI. SEVERABILITY. If any section, clause, phrase, word or provision of this Resolution is for any reason held invalid or unconstitutional by a court of competent jurisdiction, whether for substantive or procedural reasons, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Resolution which shall remain in full force and effect.

SECTION VII. EFFECTIVE DATE. This Resolution shall take effect on January 1, 2024.

PASSED AND DULY ADOPTED this the 7th day of November, 2023 A.D.

ATTEST:

Secretary

Chair

Approved as to form and correctness:

Fort Pierce Utilities Authority Attorney