RESOLUTION NO. UA 2023-11

A RESOLUTION AMENDING, SUPERSEDING, AND RESCINDING THE SCHEDULE OF RATES AND CHARGES FOR WASTEWATER SERVICES FURNISHED BY FORT PIERCE UTILITIES AUTHORITY, FORT PIERCE, FLORIDA, IN RESOLUTION NO. UA 2022-09, IN ACCORDANCE WITH THE CHARTER OF THE CITY OF FORT PIERCE, FLORIDA, ARTICLE XII; PROVIDING FOR A 7.07% INCREASE IN THE CUSTOMER AND USAGE 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 wastewater system operation, the City Commission previously approved an annual adjustment of the rates and charges of the wastewater gas 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. WASTEWATER SERVICE RATE SCHEDULE. The schedule of rates and charges to be imposed for the services and facilities furnished by the wastewater 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 wastewater service within the territory served by FPUA, shall be implemented as follows:

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

TABLE NO. WW-1	
Meter Size	**Customer Charge January 1, 2024**
5/8 x 3/4 inch	$ 21.03
1 inch	52.67
1 1/2 inch	105.29
2 inch	168.55
3 inch	337.09
4 inch	526.66
6 inch	1,053.28
8 inch	1,685.34
10 inch	2,422.66

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

TABLE NO. WW-2
Usage Charge Per 1,000 Gallons January 1, 2024
$7.54

2. Usage Charge: Usage Charges are based on the quantity of wastewater discharged to FPUA's wastewater system. All wastewater service will be charged on the basis of monthly-metered water usage at the rate shown in Table No. WW-2.

a. Standard: Single family Residential wastewater usage (individual metered water usage) up to 10,000 gallons per month shall be billed the wastewater Usage Charge. Standard Commercial wastewater usage per month shall be billed the wastewater Usage Charge based on 100 percent of the monthly metered water usage.

b. Non-Standard: If a large percentage of water entering a Commercial establishment will not be discharged to FPUA's wastewater system, a separate water service and Meter may, with the approval of the Director of Utilities or his or her authorized representative, be installed to serve that portion of the establishment. In cases where 100% of the flow from the separate Meter will not be discharged to sewer, the Meter will be utilized as a deduct Meter. In cases where a portion of the flow from the separate Meter is discharged to sewer, a percentage of the flow from the separate Meter will be deducted from the master Meter flow. The specific methodology for establishing the percentage is described below.

The Customer must satisfy the following requirements for FPUA to determine approval or disapproval of a separate water service and Meter for the purpose of billing the Non-Standard Usage Charge.

i. Provide a signed and sealed letter from a registered professional engineer describing water use and wastewater generation volumes for the processes or flow streams to be considered for the Non-Standard Usage Charge, including any relevant process information or documentation to substantiate the estimated flows.

ii. Provide signed and sealed facility drawings, including piping arrangements, flow schematics, and desired water metering locations.

iii. If wastewater flows from the facility involve industrial processes (including cooling tower discharges), the Customer must submit an application to FPUA for an Industrial Pretreatment Permit.

Upon approval, the Customer shall develop the percentage of monthly-metered water usage that will be applied to the wastewater Usage Charge, using a method acceptable to FPUA. Customer Charges for both water and wastewater will be billed on the account set up for Non-Standard wastewater billing. The percentage adjustment does not apply to Customer Charges.

At the discretion of FPUA, all Commercial accounts with the Non-Standard Usage Charge are subject to periodic review and subsequent adjustment to determine that the percentage accurately reflects the wastewater generation volume to be used for billing. To comply with this clause, Customers shall provide updates of the information required in Section II(A)(2)(b) above.

3. Maximum Residential Charge: The maximum monthly wastewater charge for individually metered (water Meter) single-family Residential accounts in any month shall not exceed an amount computed as the Customer Charge plus the Usage Charge, up to and including 10,000 gallons of required monthly service. Any water Meter serving more than one single-family Residential unit shall be billed on total monthly metered water usage for wastewater service.

B. METERED WASTEWATER: Wastewater charges are based on the quantity of wastewater discharged to FPUA's wastewater system. In some cases the Customer may receive its water supply from a source other than FPUA. In these cases, FPUA may allow utilization of a sewer flow Meter or installation of a water Meter that meters the alternate source of water supply for wastewater billing purposes. Wastewater metering is not a preferred method, and will be reviewed on a case by case basis prior to allowing its implementation.

C. BULK WASTEWATER RATES: Bulk wastewater 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 charge for bulk wastewater will be billed on the basis of monthly metered water usage at the rate of $6.34 per 1,000 gallons , which became effective on October 1, 2022.

D. OTHER FACILITIES (FLAT RATE SEWER): Any facility using the wastewater system not included in the above categories shall be charged an amount to be determined by the Director of Utilities or his or her authorized representative. This charge will be billed monthly.

E. PRIVATE SEPTAGE: FPUA's treatment facilities for treatment and disposal are not designed to directly accept private septage; therefore, FPUA shall accordingly refuse to accept private septage into its system unless it has been processed through a FPUA approved pretreatment facility.

F. 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 wastewater 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 wastewater system, such adjustment shall not carry forward to future years.

G. 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 wastewater service sold.

H. 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