ORDINANCE NO. 25-09

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, RELATING TO EQUIVALENT RESIDENTIAL CONNECTION(S) IN AND/OR FOR EVALUATING CAPITAL FACILITY NEEDS IN PROVIDING POTABLE WATER UTILITY SERVICE(S); AMENDING SECTIONS 54-3 AND 54-8 OF THE CODE OF ORDINANCES OF THE TOWN OF DUNDEE, FLORIDA; AMENDING ARTICLE 9 OF THE TOWN OF DUNDEE LAND DEVELOPMENT CODE; AND UPDATING AND AMENDING APPLICABLE CROSS-REFERENCES; PROVIDING FOR THE INCORPORATION OF FACTUAL RECITALS; PROVIDING FOR AUTHORITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR CODIFICATION; PROVIDING FOR A BUSINESS IMPACT ESTIMATE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Dundee (the "Town") is a Florida municipal corporation vested with home rule authority pursuant to the *Municipal Home Rule Powers Act* (F.S. Chapter 166) and *Article VIII, §2 of the Florida Constitution*; and

WHEREAS, pursuant to *Section 2(b), Article VIII of the Florida Constitution* and *Chapter 166, Florida Statutes*, the Town is vested with governmental, corporate, and proprietary powers to enable it to conduct municipal government, perform municipal functions, and render municipal services, including the general exercise of any power for municipal purposes; and

WHEREAS, the Florida Legislature has enacted the *Local Government Comprehensive Planning and Land Development Regulation Act* (F.S. Ch. 163, Part II) which mandates the preparation of comprehensive plans and land development codes for all units of local government; and

WHEREAS, *Sections 163.3161–163.3215, Florida Statutes*, the *Community Planning Act*, empowers and mandates the Town to plan for future development, growth, and adopt and/or amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the Town; and

WHEREAS, *Section 163.3177(6)(c), Florida Statutes (2025)*, requires local governments, except where specifically exempted, to identify alternative water supply projects and traditional water supply projects and conservation and reuse necessary to

meet the water needs within the local government's jurisdiction, and include a work plan for building public, private, and regional water supply facilities, including development of alternative water supplies, necessary to serve existing and new development; and

WHEREAS, pursuant to *Section(s) 163.3184* and *166.041, Florida Statutes (2025)*, the *Town of Dundee Planning and Zoning Board* (the "Board"), serving as the Local Planning Agency designated by the Town, and the Town Commission have held duly noticed public meeting(s) and hearing(s) on the proposed amendments (the "Amendments") to the *Code of Ordinances of the Town of Dundee, Florida* and *Land Development Code of the Town of Dundee, Florida* (collectively referred to as the "Code"); and

WHEREAS, the Amendments are attached hereto as **Composite Exhibit "A"** and made a part hereof by reference; and

WHEREAS, on May 14, 2024, at a duly noticed public hearing, the Town Commission of the Town of Dundee, Florida (the "Town Commission"), passed and adopted *Town of Dundee Ordinance No. 23-10* which amended the *Town of Dundee 2030 Comprehensive Plan* (the "TOD Plan") and the Town's adopted *levels of service* (LOS) for potable water from 140 GPD to 115 GPD; and

WHEREAS, on June 24, 2025, at a duly noticed public meeting, the Town Commission passed and adopted *Town of Dundee Resolution No. 25-21* (the "Resolution"); and

WHEREAS, a copy of the Resolution is attached hereto as **Composite Exhibit "B"** and incorporated herein by reference; and

WHEREAS, the Resolution authorized, directed, and supported any necessary amendment(s) to the TOD Plan, *Code of Ordinances of the Town of Dundee, Florida* and/or *Land Development Code of Dundee* in order for the Town to adopt an LOS standard of 250 GPD and 200 GPD respectively attributable to an *equivalent residential connection* (ERC) for purposes of evaluating the capital facility needs in providing potable water and wastewater utility service(s); and

WHEREAS, the Resolution (see **Composite Exhibit "B"**) authorized the Town Manager to take any and all necessary further action(s) to effectuate the intent of the Resolution which included, but was not to be limited to, executing the applicable and approved form entitled *Town of Dundee Certification of Sufficient Potable Water Capacity* on behalf of the Town; and

WHEREAS, pursuant to applicable Florida law which includes, but is not limited to, *Section(s) 163.3184 and 166.041, Florida Statutes*, the public meeting(s) and hearing(s) of the Board and Town Commission on and/or for the Amendments (see

Composite Exhibit "A") were advertised and held with due public notice in order to obtain public comment, consider any written comments, and/or consider any oral comments received during the public hearing(s); and

WHEREAS, pursuant to applicable Florida law, all statutory, substantive, and procedural requirements have been satisfied for the adoption of this **Ordinance No. 25-09** by the Town Commission; and

WHEREAS, in the exercise of its legislative authority, the Town Commission has determined it is in the best interests of the health, safety and welfare of the citizens and residents of the Town of Dundee, Florida, and consistent and in accordance with applicable Florida law to amend the Code in order for the Town to adopt an LOS standard of 250 GPD and 200 GDP respectively attributable to an ERC for purposes of evaluating the capital facility needs in providing potable water and wastewater utility service(s); and

WHEREAS, on June 26, 2025, CS/CS/SB 180 (the "Bill") was signed into law by the Governor and codified in *Chapter 2025-190, Laws of Florida*; and

WHEREAS, the Bill provides, in pertinent part, that each county listed in the Federal Disaster Declaration for *Hurricane Debby (DR-4806), Hurricane Helene (DR-4828),* or *Hurricane Milton (DR-4834)*, and each municipality within one (1) of those counties, **may not** propose or adopt **before October 1, 2027**, any moratorium on construction, reconstruction, or redevelopment of any property damaged by such hurricanes; more restrictive or burdensome amendments to its comprehensive plan or land development regulations; and/or more restrictive or burdensome procedures concerning review, approval, or issuance of a *site plan*, *development permit*, or *development order*, to the extent that those terms are defined by *Section 163.3164, Florida Statutes*; and

WHEREAS, on **December 9, 2026**, at a duly noticed public meeting, the Town Commission determined and found that the Amendments (see **Composite Exhibit "A"**) and/or provisions of this **Ordinance No. 25-09**, which are required in order to effectively and strategically plan for the unprecedented residential growth and development of land within the corporate limits of the Town of Dundee, Florida, **do not** impose *more restrictive* and/or *more burdensome* regulation(s) or procedure(s) on construction, reconstruction, or redevelopment of property; and

WHEREAS, on **January 13, 2026**, at a duly noticed public hearing, the Town Commission determined that this **Ordinance No. 25-09** amending the Code promotes the public health, safety, and general welfare of the community and found that the passage and enactment of this **Ordinance No. 25-09** is consistent with the *Town of Dundee 2030 Comprehensive Plan*; and

WHEREAS, the Town Commission finds that the approval and adoption of this **Ordinance No. 25-09** is intended to enhance the present advantages that exist within the corporate limits of the Town of Dundee, Florida; is consistent with the public interest and preserves, enhances, and encourages the most appropriate use of land, resources, water, and environmentally sensitive resources that exist within the corporate limits of the Town of Dundee, Florida; and this **Ordinance No. 25-09** is intended to promote, protect, and improve the public health, safety, and general welfare of the citizens and residents of the Town of Dundee, Florida.

NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE TOWN OF DUNDEE, FLORIDA, AS FOLLOWS:

Section 1. Incorporation of Recitals.

The above-referenced factual recitals (WHEREAS clauses) and referenced exhibits are incorporated herein as true and correct statements which form a factual and material basis for the adoption of this **Ordinance No. 25-09**, and the *Town Commission of the Town of Dundee, Florida*, hereby adopts the above-referenced factual recitals as the legislative findings supporting the adoption of this **Ordinance No. 25-09**.

Section 2. Amendments.

The *Code of Ordinances, Town of Dundee, Florida* and *Land Development Code of the Town of Dundee, Florida* (hereafter collectively referred to as the "Town Code"), are hereby amended as set forth in **Composite Exhibit "A"** attached hereto and made a part hereof by reference (provisions deleted are shown as ~~strikethrough~~ and provisions added are shown as underlined).

The *Town Commission of the Town of Dundee, Florida* (hereafter the "Town Commission") hereby ratifies its passage and adoption of *Town of Dundee Resolution No. 25-21*, which is attached hereto as **Composite Exhibit "B"** and incorporated herein by reference, and further approves and adopts the proposed amendment(s), revision(s), and amended/updated cross-references to and/or for the Town Code (hereafter the "Amendments") (see **Composite Exhibit "A"**) in accordance with applicable Florida law which includes, but shall not be limited to, *Section 163.3202, Florida Statutes (2025)*.

Section 3. Authority.

This **Ordinance No. 25-09** is enacted pursuant to *Chapter 163, Part II, Florida Statutes*, as amended; the *Municipal Home Rule Powers Act* (F.S. Chapter 166); and *Article VIII, §2 of the Florida Constitution*.

Section 4. Conflicts.

All ordinances and resolutions in conflict herewith are hereby repealed but only to the extent necessary to give this **Ordinance No. 25-09** full force and effect, provided however, that nothing herein shall be interpreted so as to repeal any existing ordinance or resolution relating to means of securing compliance with the *Town of Dundee 2030 Comprehensive Plan* and/or *Code of Ordinances, Town of Dundee, Florida*, unless such repeal is explicitly set forth herein.

Section 5. Severability.

The provisions of this **Ordinance No. 25-09** are severable. If any section, subsection, sentence, clause, phrase of this **Ordinance No. 25-09**, or the application thereof shall be held invalid, unenforceable, or unconstitutional by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby. The Town Commission of the Town of Dundee hereby declares that it would have passed this **Ordinance No. 25-09**, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared invalid, unenforceable, or unconstitutional, or unenforceable. If any word, sentence, clause, phrase, or provision of this **Ordinance No. 25-09** for any reason is declared by any court of competent jurisdiction to be invalid, unenforceable, or unconstitutional, then all remaining provisions and portions of this **Ordinance No. 25-09** shall remain in full force and effect. If any section, subsection, sentence, clause or phrase of this **Ordinance No. 25-09** is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this **Ordinance No. 25-09**. The Town of Dundee, Florida, by and through its Town Commission, hereby declares that it would have passed this **Ordinance No. 25-09**, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 6. Administrative Correction of Scrivener's Errors.

It is the intention of the Town Commission that sections of this **Ordinance No. 25-09** may be renumbered or re-lettered and the word "ordinance" may be changed to, "section", or such other appropriate word or phrase in order to accomplish such intentions; and sections of this **Ordinance No. 25-09** may be re-numbered or re-lettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the Town Manager or designee, without need of public hearing, by filing a corrected or re-codified copy of same with the Town Clerk.

Section 7. Codification.

It is the intent of the Town Commission that the provisions of Section 2 to this **Ordinance No. 25-09** shall be codified as and become and be made a part of the Town

Code. The implementing sections of this Ordinance, Sections 1, 3, 4, 5, and 6, are not intended to be codified; however, the code codifier is granted liberal authority to codify the provisions of this **Ordinance No. 25-09**.

Section 7. **Business Impact Estimate.**

Pursuant to *Section 166.041(4), Florida Statutes (2024)*, before the passage and enactment of this **Ordinance No. 25-09**, the Town of Dundee, Florida, may be required to prepare a *business impact estimate* (the "Impact Estimate") in order to determine the estimated direct economic impact, if any, which this **Ordinance No. 25-09** and the Amendments (see **Composite Exhibit "A"**) have on private, for-profit, businesses located within the corporate limits of the Town of Dundee, Florida.

Pursuant to applicable Florida law, the Town of Dundee, Florida, prepared the Impact Estimate which is attached hereto as **Exhibit "C"** and made a part hereof by reference; and, pursuant to the Impact Estimate, the Town of Dundee, Florida, determined that this **Ordinance No. 25-09** and the Amendments (see **Composite Exhibit "A"**) have no estimated direct economic impact on private, for-profit businesses located within the corporate limits of the Town of Dundee, Florida.

Section 8. Effective Date.

This **Ordinance No. 25-09** shall become effective immediately upon its passage and adoption after Second and Final Reading.

Pursuant to *Section 163.3213, Florida Statutes (2025)*, within twelve (12) months following the effective date of this **Ordinance No. 25-09**, a person whose interests are adversely affected by this **Ordinance No. 25-09** may file a petition with the Florida Department of Commerce in order to challenge this **Ordinance No. 25-09**.

Pursuant to applicable Florida law, no development orders, development permits, or land uses dependent on the Amendments (see **Composite Exhibit "A"**) may be issued or commence before it has become effective.

INTRODUCED AND PASSED on first reading and public hearing with a quorum present and voting at the meeting of the Town of Dundee Town Commission duly assembled held this 9th day of December, 2025.

PASSED AND FINALLY ADOPTED on second reading and adoption public hearing with a quorum present and voting at the meeting of the Town of Dundee Town Commission duly assembled on this 13th day of January, 2026.

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TOWN OF DUNDEE
TOWN COMMISSION

_____
Sam Penant, Mayor

ATTEST:

_____
Erica Anderson, Town Clerk

Approved as to form:

_____
Frederick J. Murphy, Jr., Town Attorney

ORDINANCE NO. 25-09

COMPOSITE EXHIBIT “A”

Provisions being deleted are shown as ~~strikethrough~~ and
provisions being added are shown as underlined

Section 1. *Chapter 54 of the Code of Ordinances of the Town of Dundee, Florida*, is amended to read (language stricken is shown as strikethrough text; language added is shown as underlined text):

PART II – CODE OF ORDINANCES
CHAPTER 54 – UTILITIES
ARTICLE I. – IN GENERAL

Sec. 54-3. – Definitions.

Equivalent residential connection (ERC) shall mean a unit of measurement of water and wastewater service used to determine water and wastewater service capacity usage and connection fees for a new development/improvement, which reduces all classes of utility system users to a common denominator, such as a standard single-family dwelling unit. One ERC equates to ~~360~~ 250 gallons per day (GPD) of water used and 200~~270~~ GPD of wastewater generated. The ERCs for a new user of the Town of Dundee-owned water and/or wastewater system shall be determined by the Town of Dundee as the method by which a new user pays the fair share of the costs for the new use.

Sec. 54-8. – Connection fees.

(a) *[General.]* There shall be paid by all users connecting to the Town of Dundee utility system(s) including water and wastewater at the time an application is made for every type of building permit or mobile home setup permit, connection fees as provided in the schedule attached hereto as Attachment A, titled: "2022 Residential Water and Sewer Usage, ERC Values, and Connection Fees" and incorporated herein by reference.

(b) *Basis for determination.* All connection fees, as set forth in Attachment A, titled: "2022 Residential Water and Sewer Usage, ERC Values, and Connection Fees" of this section, and Attachment B, titled "2022 Non-Residential Uses" of Ordinance 22-02 which is attached hereto and incorporated herein by reference, shall be paid by the user for the user's *pro rata* share of the reasonably anticipated costs of expansion, where expansion is reasonably required, and/or the user's fair share of the costs for the new use or impact on the system. The connection fees shall be determined by the Town of Dundee on the basis of the number of equivalent residential connections (ERC's).

(c) *[Common denominator.]* An ERC equates all classes of residential utility users to a common denominator as listed in Attachment A which is attached hereto and incorporated herein by reference. The town commission of the Town of Dundee hereby adopts the connection fees for residential and non-residential water and wastewater usage as listed in Attachment A and Attachment B, which are attached hereto and incorporated herein by reference.

(d) *Exceptions:* Where an establishment proposed for connection into the town's utility wastewater system either water and/or wastewater does not conform to any of the user classes defined in

Attachment A or Attachment B, the applicant may submit detailed water consumption records for similar establishments. These records may be used at the sole discretion of the town, to determine the number of equivalent residential connections (ERCs) upon which the connection fee shall be based. For purposes of this Chapter, an ERC shall not exceed 250 GPD.

(e) *Minimum charge:* Each non-residential/commercial use, unit, or establishment shall have the value(s) set forth by Attachment B. No non-residential/commercial use, unit, or establishment shall have a minimum value less than 1.0 ERC, or 1.0 ERC per water meter.

Section 2. *Article 9 of the Land Development Code of the Town of Dundee, Florida*, is amended to read (language stricken is shown as strikethrough text; language added is shown as underlined text):

PART III – LAND DEVELOPMENT CODE
ARTICLE 9 – DEFINITIONS

For the purposes of this Code, the following terms shall have the meanings set forth below. Included are pertinent definitions adopted in the comprehensive plan, in addition to others applicable to this Code but not covered in the plan. It is the intent of this article to incorporate comprehensive plan definitions in substantially the same form in which they were adopted, although some terms may be defined here in a more detailed or restrictive manner. In the event a comprehensive plan amendment conflicts with a definition contained herein, the definition in the comprehensive plan shall take precedence, and shall be incorporated into this Code by reference.

. . .

Equivalent residential connection (ERC) shall mean a unit of measurement of water and wastewater service used to determine water and wastewater service capacity usage and connection fees for a new development/improvement, which reduces all classes of utility system users to a common denominator, such as a standard single-family dwelling unit. One ERC equates to ~~360~~ 250 gallons per day (GPD) of water used and ~~270~~200 GPD of wastewater generated. The ERCs for a new user of the Town of Dundee-owned water and/or wastewater system shall be determined by the Town of Dundee as the method by which a new user pays the fair share of the costs for the new use.

ATTACHMENT A
to COMPOSITE EXHIBIT "A"
Ordinance No. 25-09

2022 RESIDENTIAL WATER AND WASTEWATER USAGE, ERC VALUES, AND CONNECTION FEES

RESIDENTIAL WATER CONNECTION FEES			
Meter Size	**Gallons Per Day (GPD) Demand**	**Connection Fee Factor**	**Utility Connection Fee[1]**
Single Family	**~~360~~ 250**	**1.00**	**$2,408.40**
Multi-Family Units **Including Apartments, Condos, Duplexes**	**240**	**0.67**	**$1,613.63**
Mobile Homes	**~~360~~ 250**	**1.00**	**$2,408.40**
Recreational Vehicles	**198**	**0.55**	**$1,324.62**

[1] For new water and wastewater connections made outside of the Town of Dundee's corporate boundaries, the Town of Dundee may specifically charge and collect any surcharge permitted by general law.

ATTACHMENT A
to COMPOSITE EXHIBIT "A"
Ordinance No. 25-09

RESIDENTIAL WASTEWATER CONNECTION FEES			
Meter Size	**Gallons Per Day (GPD) Demand**	**Connection Fee Factor**	**Utility Connection Fee**
Single Family	**~~270~~200**	**1.00**	**$3,068.00**
Multi-Family Units **Including Apartments, Condos, Duplexes**	**180**	**0.72**	**$2,209.00**
Mobile Homes	**~~270~~200**	**1.00**	**$3,068.00**
Recreational Vehicles	**140**	**0.56**	**$1,718.00**

ORDINANCE NO. 25-09

COMPOSITE EXHIBIT “B”

EXHIBIT B

RESOLUTION NO. 25-21

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, MEMORIALIZING ITS AUTHORIZATION AND SUPPORT FOR THE TOWN TO PROCESS AMENDMENT(S) TO THE TOWN OF DUNDEE 2030 COMPREHENSIVE PLAN, THE CODE OF ORDINANCES OF THE TOWN OF DUNDEE, FLORIDA, AND THE LAND DEVELOPMENT CODE OF DUNDEE ADOPTING AN LEVEL OF SERVICE (LOS) STANDARD OF 250 GPD ATTRIBUTABLE TO AN EQUIVALENT RESIDENTIAL CONNECTION (ERC); PROVIDING FOR THE INCORPORATION OF FACTUAL RECITALS; AUTHORIZING THE TOWN MANAGER OR HER/HIS AUTHORIRIZED DESIGNEE TO TAKE ANY NECESSARY FURTHER ACTIONS TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Dundee (the "Town") is a Florida municipal corporation vested with home rule authority pursuant to the Municipal Home Rule Powers Act (F.S. Chapter 166) and Article VIII, §2 of the Florida Constitution; and

WHEREAS, pursuant to Section 2(b), Article VIII of the Florida Constitution and Chapter 166, Florida Statutes, the Town is vested with governmental, corporate, and proprietary powers to enable it to conduct municipal government, perform municipal functions, and render municipal services, including the general exercise of any power for municipal purposes; and

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Community Planning Act, empowers and mandates the Town of Dundee, Florida to plan for future development and growth and to adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the Town; and

WHEREAS, *Section 163.3177(6)(c), Florida Statutes (2024)*, requires local governments, except where specifically exempted, to identify alternative water supply projects and traditional water supply projects and conservation and reuse necessary to meet the water needs within the local government's jurisdiction, and include a work plan for building public, private, and regional water supply facilities, including development of alternative water supplies, necessary to serve existing and new development; and

WHEREAS, on February 27, 2024, the Town Commission of the Town of Dundee (the "Town Commission") adopted *Town of Dundee Resolution No. 24-02* accepting and approving the *CHA Memorandum Riner Water Treatment Plant Capacity Evaluation, January 9, 2024* (the "Memorandum"); and

WHEREAS, the Memorandum was prepared by *CHA Consulting, Inc.*, and provided a comprehensive evaluation of the Town's water distribution network in order to identify and plan for improvements necessitated by and/or through concurrency management, substandard infrastructure, and new growth within the corporate limits of the Town of Dundee, Florida; and

WHEREAS, a copy of the Memorandum is attached hereto as **Exhibit "A"** and made a part hereof by reference; and

WHEREAS, the Memorandum (see **Exhibit "A"**) estimated the Town's potable water demand for each development unit to total *290 gallons per day (GPD)* which was based on an assumed value of *2.53 persons per household (PPH)* multiplied by a potable water demand of *114.7 gallons per capita day (GPCD)*; and

WHEREAS, pursuant to *Section 163.3180(1)(b), Florida Statutes (2024)*, a local government comprehensive plan must demonstrate, for required or optional concurrency requirements, that the *levels of service* (LOS) adopted can be reasonably met; and

WHEREAS, pursuant to *Section 163.3180(5), Florida Statutes (2024)*, local governments are required to use professionally accepted studies to evaluate the appropriate LOS, and local governments are also required to use professionally accepted techniques for measuring LOS levels when evaluating potential impacts of a proposed development; and

WHEREAS, on May 14, 2024, at a duly noticed public hearing, the Town passed and adopted *Town of Dundee Ordinance No. 23-10* (the "Town Ordinance") which amended the *Town of Dundee 2030 Comprehensive Plan* (the "Comprehensive Plan"); and

WHEREAS, the Ordinance amended the Comprehensive Plan based on and/or pursuant to the *Town of Dundee Ten-Year Water Supply Facilities Work Plan* (the "Water Supply Plan") which was attached to the Ordinance as an exhibit; and

WHEREAS, the Water Supply Plan was developed to not only satisfy the regulatory requirement(s) set forth in *Chapter 163, Florida Statutes*, and applicable laws of the State of Florida but also to satisfy the requirements and guidelines set forth in the *Regional Water Supply Plan* (RWSP) approved by the Southwest Florida Water Management District (SWFWMD) Governing Board on or about November 2020; and

WHEREAS, copies of the Staff Presentation Dated May 14, 2024, Town Staff Report for the Ordinance, and the Ordinance are attached hereto as **Composite Exhibit "B"** and made a part hereof by reference; and

WHEREAS, the Water Supply Plan (see **Composite Exhibit "B"**) calculated the Town's *5-year adjusted average per capita water demand* (GPCD), which is based on the reported average daily water demand and total consumption measured by the Town's functional population, as 112 GPCD; and

WHEREAS, the Ordinance (see **Composite Exhibit "B"**) amended the Comprehensive Plan in order to acknowledge the Water Supply Plan as a technical support document, as required by the SWFWMD RWSP which was adopted on or about November 2020, and amend the Town's adopted LOS standard for potable water from 140 GPD to 115 GPD; and

WHEREAS, on September 10, 2024, at a duly noticed public meeting, the Town Commission passed and adopted *Town of Dundee Ordinance No. 24-09* (the "Moratorium") establishing a moratorium on and/or for the acceptance and processing of applications for annexations, rezonings, building permits, planned developments, master planned communities, development order(s), and development permit(s); and

WHEREAS, pursuant to the Moratorium, *Section 7.02.03 of the Town of Dundee Land Development Code* (the "LDC"), and applicable provision of the *Code of Ordinances of the Town of Dundee* (the "Code"), a *development order* and/or *development permit* will not be approved by the Town unless a satisfactory concurrency evaluation is performed; and

WHEREAS, pursuant to applicable provision(s) of the Code and LDC, for purposes of evaluating concurrency in the Town's potable water utility system, an *equivalent residential connection* (ERC) means, in pertinent part, a unit of measurement of water service used to determine water service capacity usage for a new development/improvement, which reduces all classes of utility system users to a common denominator, such as a standard single-family dwelling unit (i.e., an ERC equates to 360 GPD of potable water); and

WHEREAS, on May 20, 2025, the Southwest Florida Water Management District (SWFWMD) held a Governing Board Meeting; and, at that time, SWFWMD *conditionally approved* Consent Agenda Item No. 2.5 which consisted of the Town's application for the renewal of the *Town Water Use Permit, Permit No. 20005893.014* (the "WUP Renewal"); and

WHEREAS, a copy of the WUP Renewal is attached hereto as **Exhibit "C"** and incorporated herein by reference; and

WHEREAS, the WUP Renewal authorizes an annual average quantity increase from 917,500 GPD to 1,702,700 GPD; and

WHEREAS, the WUP Renewal and increase in the Town's permitted average daily consumption is predicated on the 2045 demand and a gross per capita daily water use rate of 115 GPD at 2.44 persons per household/residence; and

WHEREAS, pursuant to *Section 163.3177(1)(f), Florida Statutes (2024)*, all mandatory and optional elements of the local government comprehensive plan and plan amendments must be

based upon relevant and appropriate data and an analysis which may consist of, but is not to be limited to, other data available at the time of adoption of the applicable comprehensive plan or plan amendment; and

WHEREAS, pursuant to *Section 163.3177(1)(f)(2), Florida Statutes (2024)*, original data collection by a local government is not required so long as the data and methodologies are taken from a professionally accepted source; and

WHEREAS, pursuant to *Section 163.3177(4)(a), Florida Statutes (2024)*, coordination of the local comprehensive plan with the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region is required to be a major objective of the local comprehensive planning process; and, to that end, in the preparation of a comprehensive plan or element thereof, and in the comprehensive plan or element as adopted, the governing body shall include a specific policy statement indicating the relationship of the proposed development of the area to the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region, as the case may require and as such adopted plans or plans in preparation may exist; and

WHEREAS, on July 16, 2024, Polk County (the "County"), a political subdivision of the State of Florida, adopted *Polk County Resolution No. 2024-134* (the "Polk Resolution") which amended utility system water rates and connection fee(s), amongst other things; and

WHEREAS, the amended utility system water rates and connection fee(s), which are the subject of the Polk Resolution, are based on the recommendation(s) set forth in the *Pok County Utilities Utility Rate and Connection Fee Study Final Report, March 2024* (the "Polk Study"); and

WHEREAS, the Polk Study was prepared by *Raftelis Financial Consultants, Inc.* ("Raftelis") and encompassed 2.010 square miles and an estimated total population of 798,000 (as estimated by the Bureau of Economic and Business Research); and

WHEREAS, pursuant to *Section 163.3180, Florida Statutes (2024)*, and applicable Florida law, the County must establish a LOS standard for each public facility located within the boundary for which the County has authority to issue development orders or development permits which includes, but shall not be limited to, the Town of Dundee, Florida; and

WHEREAS, based on the recommendation(s) set forth in the Polk Study, the Polk Resolution amended the LOS attributable to an *equivalent residential connection* (ERC) to 250 GPD (the "LOS Amendment") for purposes of evaluating the capital facility needs in providing water utility services; and

WHEREAS, a copy of the LOS Amendment is attached hereto as **Exhibit "D"** and incorporated herein by reference; and

WHEREAS, pursuant to *Policy 2.2.8 of the Comprehensive Plan*, the Town is required to assess annually the performance and effectiveness of the Water Supply Plan in order to maximize the use of existing facilities and provide for future needs; and

WHEREAS, pursuant to *Section 163.3177(1)(b), Florida Statutes (2024)*, a local government may include, as part of its adopted comprehensive plan, documents adopted by reference but not incorporated verbatim, provided however, that the adoption by reference identify the title and author of the document and indicate clearly what provisions and edition of the document is being adopted; and

WHEREAS, pursuant to applicable Florida law, the Town Commission finds that the Polk Study and Polk Resolution are based upon data and methodologies taken from professionally accepted source(s); and

WHEREAS, pursuant to *Section 163.3177(4)(a), Florida Statutes (2024)*, and applicable Florida law, the Town Commission supports any amendment(s) to the *Town of Dundee 2030 Comprehensive Plan*, *Town of Dundee Code of Ordinances*, and *Town of Dundee Land Development Code* consistent with and/or in coordination with the Polk Study and Polk Resolution as related to the amended LOS standard of 250 GPD attributable to an *equivalent residential connection* (ERC) for purposes of evaluating the capital facility needs in providing potable water utility service(s); and

WHEREAS, for purposes of allocating potable water capacity to and/or for the development(s) that qualify for an exception in accordance with the terms and conditions set forth in the Moratorium, satisfying certain conditions and special conditions set forth in the WUP Renewal (see **Exhibit "C"**), and receiving a *Town of Dundee Certification of Sufficient Potable Water Capacity* (the "Certification"), which will be issued by the Town only upon a satisfactory concurrency evaluation, the Town Commission supports the adoption of the LOS standard of 250 GPD attributable to an *equivalent residential connection* (ERC) which is set forth in the LOS Amendment (see **Exhibit "D"**) and further directs the Town Manager to take all necessary further action(s) to effectuate same; and

WHEREAS, pursuant to *Policy 9.2 of the Comprehensive Plan*, prior to the issuance of a development order, the Town requires confirmation that the required and/or necessary utility services are available or are committed to be available concurrent with completion of the development and/or redevelopment; and

WHEREAS, the Town Commission finds that the Certification is intended to and will provide the required confirmation that potable water utility service(s) are committed to be available concurrent with completion of the subject development and/or redevelopment; and

WHEREAS, the Town of Dundee, Florida, has complied with all requirements and procedures in processing and adopting this **Resolution No. 25-21**; and

WHEREAS, on June 24, 2025, at a duly noticed public meeting, the Town Commission found that the approval of this **Resolution No. 25-21** is intended to not only support the adoption of the LOS standard of 250 GPD attributable to an *equivalent residential connection* (ERC), but

the approval of this **Resolution No. 25-21** is also intended to approve the form and substance of the Certification attached hereto as **Exhibit "E"** and incorporated herein by reference; and

WHEREAS, the Town Commission of the Town of Dundee, Florida, finds that the approval of this **Resolution No. 25-21** is intended to enhance the present advantages that exist within the corporate limits of the Town of Dundee, Florida; and

WHEREAS, on June 24, 2025, the Town Commission found that approval of this **Resolution No. 25-21** preserves, enhances, and encourages the most appropriate use of land consistent with the public interest, the *Town of Dundee 2030 Comprehensive Plan* policies, goals, and objectives; and

WHEREAS, the Town Commission of the Town of Dundee, Florida, finds that the approval of this **Resolution No. 25-21** is intended and necessary to enhance the present advantages that exist within the corporate limits of the Town of Dundee, Florida; and this **Resolution No. 25-21** is intended to promote, protect, and improve the public health, safety, and general welfare of the citizens and residents of the Town of Dundee, Florida.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, AS FOLLOWS:

Section 1. Incorporation of Factual Recitals.

The above-referenced factual recitals (WHEREAS clauses) and referenced exhibits are incorporated herein as true and correct statements which form a factual and material basis for the passage of this **Resolution No. 25-21**, and the Town Commission of the Town of Dundee, Florida, hereby adopts the above-referenced factual recitals as the legislative findings supporting the passage of this Resolution. The above factual recitals are hereby incorporated herein and serve as a factual and material basis for the passage of this **Resolution No. 25-21**.

Section 2. Commission Support.

The Town Commission of the Town of Dundee, Florida, hereby authorizes, directs, and supports the recommended LOS Amendment (see **Exhibit "D"**) which will amend the *Town of Dundee 2030 Comprehensive Plan*, the *Code of Ordinances of the Town of Dundee, Florida*, and the *Land Development Code of Dundee* and adopt an LOS standard of 250 GPD attributable to an *equivalent residential connection* (ERC) for purposes of evaluating the capital facility needs in providing potable water utility service(s).

Section 3. Authorization.

The Town Manager, or her/his designee, is hereby authorized to take any and all necessary further action(s) to effectuate the intent of this **Resolution No. 25-21** which includes, but shall not be limited to, processing amendment(s) to the *Town of Dundee 2030 Comprehensive Plan*, the *Code of Ordinances of the Town of Dundee, Florida*, and the *Land Development Code of Dundee*

in order to adopt LOS standard of 250 GPD attributable to an *equivalent residential connection* (ERC) for purposes of evaluating the capital facility needs in providing potable water utility service(s); obtaining any relevant and appropriate data supporting the aforementioned amendment(s); and, upon confirming that an applicant and/or development has satisfied the applicable potable water concurrency requirements, the Town Manager shall execute the applicable *Town of Dundee Certification of Sufficient Potable Water Capacity* on behalf of the Town of Dundee, Florida.

Section 4. Administrative Correction of Scrivener's Errors.

It is the intention of the Town Commission that sections of this **Resolution No. 25-21** may be renumbered or re-lettered and the word "resolution" may be changed to, "section", or such other appropriate word or phrase in order to accomplish such intentions; and sections of this **Resolution No. 25-21** may be re-numbered or re-lettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the Town Manager or designee, without need of public hearing, by filing a corrected or re-codified copy of same with the Town Clerk.

Section 5. Conflicts.

All resolutions in conflict with this **Resolution No. 25-21** are repealed to the extent necessary to give this **Resolution No. 25-21** full force and effect.

Section 6. Severability.

The provisions of this **Resolution No. 25-21** are severable. If any section, subsection, sentence, clause, phrase of this **Resolution No. 25-21**, or the application thereof shall be held invalid, unenforceable, or unconstitutional by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby. The Town Commission of the Town of Dundee hereby declares that it would have passed this **Resolution No. 25-21**, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared invalid, unenforceable, or unconstitutional, or unenforceable. If any word, sentence, clause, phrase, or provision of this **Resolution No. 25-21** for any reason is declared by any court of competent jurisdiction to be invalid, unenforceable, or unconstitutional, then all remaining provisions and portions of this **Resolution No. 25-21** shall remain in full force and effect. If any section, subsection, sentence, clause or phrase of this **Resolution No. 25-21** is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this **Resolution No. 25-21**. The Town of Dundee, Florida, by and through its Town Commission, hereby declares that it would have passed this **Resolution No. 25-21**, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 7. Effective Date. This **Resolution No. 25-21** shall take effect immediately upon passage by the Town Commission of the Town of Dundee, Florida.

READ, PASSED AND ADOPTED at a duly called meeting of the Town Commission of the Town of Dundee, Florida, assembled on the 24th day of June, 2025.

TOWN OF DUNDEE

Samuel Pennant, Mayor

ATTEST WITH SEAL:

Erica Anderson, Town Clerk

Approved as to form:

Frederick J. Murphy, Jr., Town Attorney

EXHIBIT "A"

Memorandum

CHA SOLUTIONS, INC.
3507 EAST FRONTAGE ROAD, STE. 180
TAMPA, FLORIDA 33706
PHONE: (813) 549-0919

To: Tracy Mercer, Town of Dundee

From: CHA Solutions, Inc.

Date: January 9, 2024

RE: Riner Water Treatment Plant Capacity Evaluation

This item has been digitally signed and sealed by Parsa Pezeshk on the date adjacent to the seal.

Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

This report is intended for review by Town of Dundee and other parties as considered necessary by Town of Dundee and CHA Solutions, Inc.

1. Introduction

The Town of Dundee (Town) owns and operates a potable water distribution system with an annual average daily demand (AADD) of approximately 1.00 MGD (based on 2022 monthly operating reports, MORs). The potable water distribution network consists of approximately 49 miles of pipe that distribute potable water from the Town's Hickory Walk and Riner water treatment plants (WTPs) to approximately 1,958 residential and 163 commercial customers.The Town contracted with CHA Consulting, Inc. (CHA) to construct a potable water hydraulic model for the Town's water distribution system, to use the newly developed model to determine the capacity of the existing high-service pump station (HSPS) at the Riner WTP, and to evaluate the system capacity to serve the future Woodland Ranch Estate developments. The hydraulic model developed can serve as a tool for the Town to evaluate water distribution system performance for capital planning purposes to determine improvements needed to accommodate future growth.

2. Woodland Ranch Estates Developments

To estimate the demands associated with Woodland Rach Estates developments, the number of development units was multiplied by an assumed value of 2.53 persons per household (PPH, derived using SWFWMD REQPOP Calculator) to determine the functional population (FP) associated with fully occupied Woodland Ranch Estates developments. The proposed functional population was multiplied by a potable water demand of 114.7 gallons per capita day (gpcd) (based on Town's Public Supply Annual Reports, PSARs) to calculate the associated annual average daily demand (AADD) (see **Table 1**). In this manner, the potable water demand per development unit was calculated to be 290 gpd/unit (2.53 PPH *114.7 gpcd). **Figure 1** shows the location of Woodland Ranch Estates developments in Town of Dundee.

Table 1. Estimation of Potable Water Demands for Woodland Ranch Estates

Development	No. of Units	FP*	AADD**(gpd)
Woodland Ranch Estates Phases 1 & 2	308	779	89,351
Woodland Ranch Estates Phase 3	36	92	10,552
Woodland Ranch Estates Phases 1, 2, 3	344	871	99,903

* *Assumption: 2.53 PPH*
** *Assumption: 114.7 gpcd*

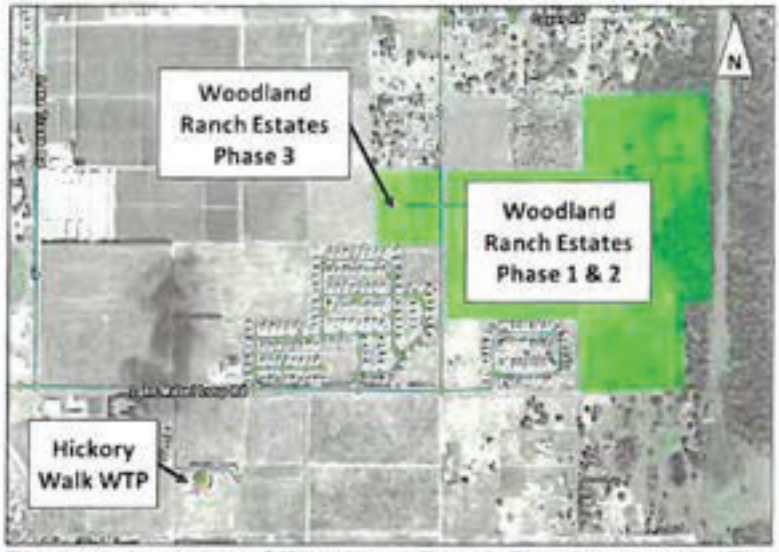


Figure 1. Location of Woodland Ranch Developments in Town of Dundee

3. Hydraulic Model Development

A hydraulic model for the Town's water distribution system was constructed in Autodesk InfoWater Pro hydraulic modeling software. Most of the pipe information was extracted from *DiamondMaps*™ (the online platform that the Town uses to document and track the system infrastructure). Several missing pipes were identified during model development and were added based on discussions with Town's operational staff according to their knowledge of the system. The customer meters in the potable water system were geocoded based on the customer meter data shared by the Town and the associated demands were allocated in the hydraulic model. The length distribution of potable pipes according to diameter is shown in **Table 2.** There are two (2) WTPs that supply potable water to the system: Hickory Walk and Riner. The parameters related to each WTP (high service pumps, HSP; ground storage tanks, GST) are summarized in **Table 3**. The curves for the pumps at Hickory Walk HSPS were adjusted based on SCADA flow, pressure, and speed data (see **Appendix B**). The curve for the pumps at Riner HSPS was confirmed using the SCADA pressure and speed data (flows are not recorded by SCADA system at Riner). The pump parameters for potable water HSPSs are shown in **Table 4.** The Town's potable water distribution system pipe network is shown in **Figure 2.** The pump curves used in the hydraulic model for Hickory Walk and Riner WTP HSPSs are shown in **Figure 3** and **Figure 4**, respectively.

Table 2. Potable Water Distribution System Pipes and Length Summary

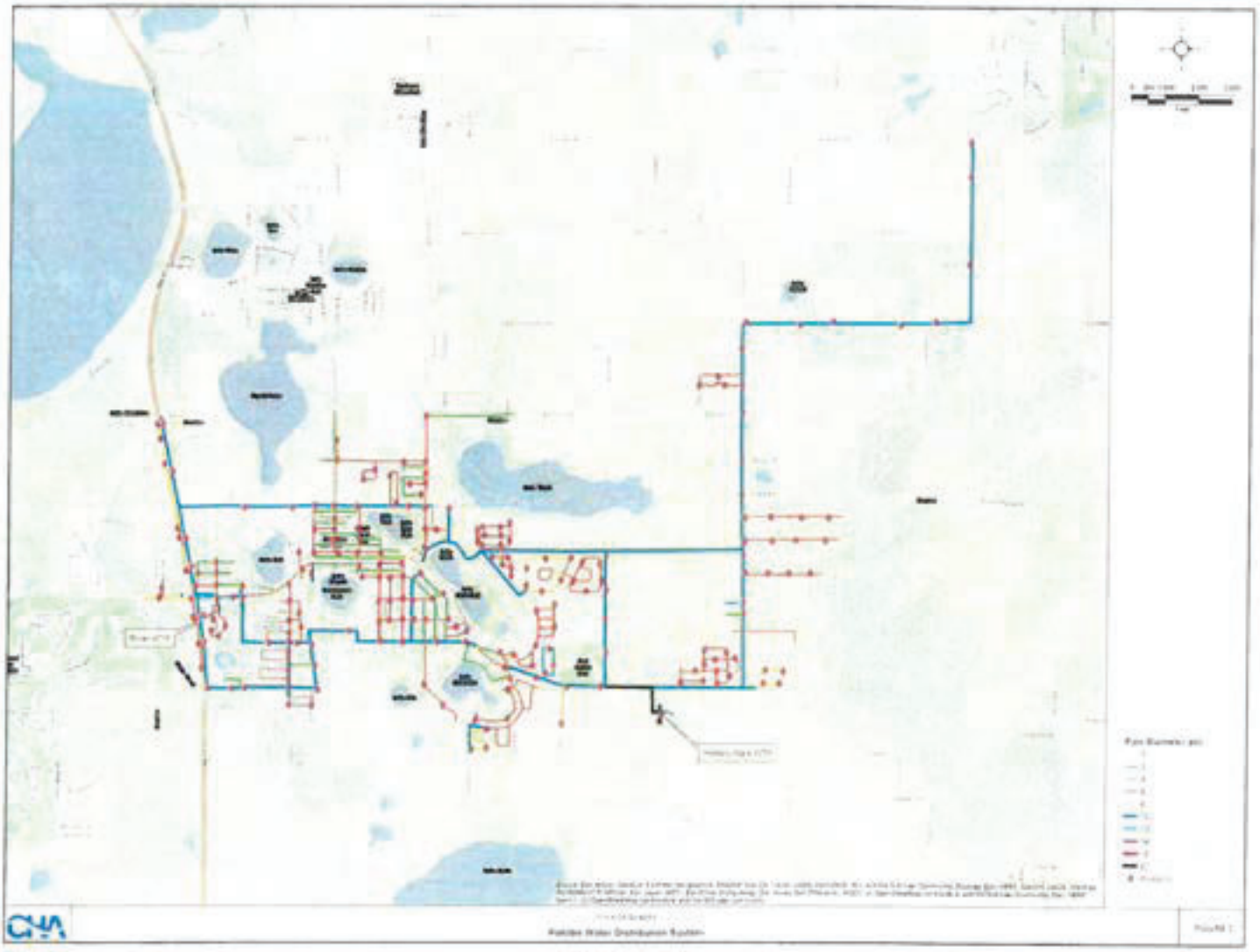
Diameter (in)	Length (ft)	Length (mi)
1	656	0.1
2	39,901	7.6
4	9,140	1.7
6	103,096	19.5
8	18,353	3.5
10	82,162	15.6
12	4,352	0.8
20	2,453	0.5
Total Length =	260,113	49

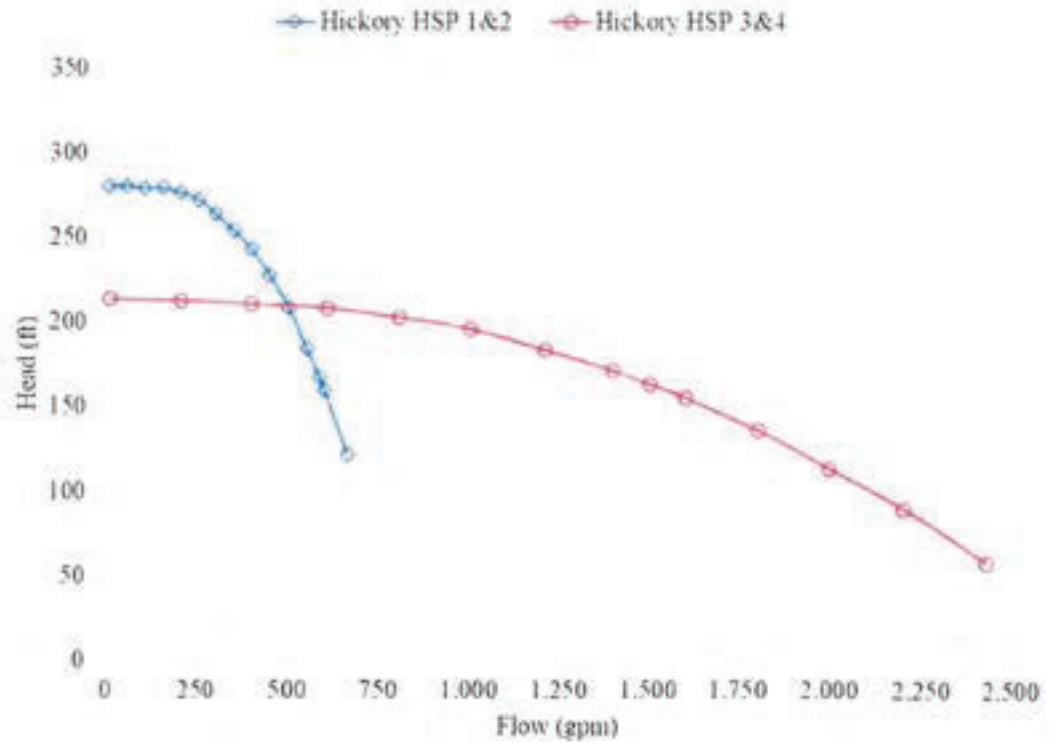
Table 3. Water Treatment Plants: Summary of Parameters

WTP	Description
Hickory Walk	Number of high-service pumps: 4 (2 main and 2 jockey)
	Jockey HSP capacity, each: 585 gpm @ 185 ft TDH, 3500 rpm, VFD (HSP 1&2)
	Main HSP capacity, each: 1500 gpm @ 175 ft TDH, 1775 rpm, VFD (HSP 3&4), 100-hp motor
	HSPS discharge pressure setpoint: 45 psi
	HSPS elevation: 213 ft
	GST: Diameter=75 ft, Volume=0.75 MG, Side Water Depth = 23 ft
	HSPS has a flow meter (connected to the SCADA system)
Riner	Number of high-service pumps: 2
	HSP capacity, each: 1200 gpm @ 200 ft TDH, 3500 rpm, VFD, 100 hp motor
	HSPS discharge pressure setpoint: 75 psi
	HSPS elevation: 133 ft
	GST: Diameter=55 ft, Volume=0.25 MG, Side Water Depth = 14 ft
	HSPS has a flow meter (incompatible for connection to SCADA system)

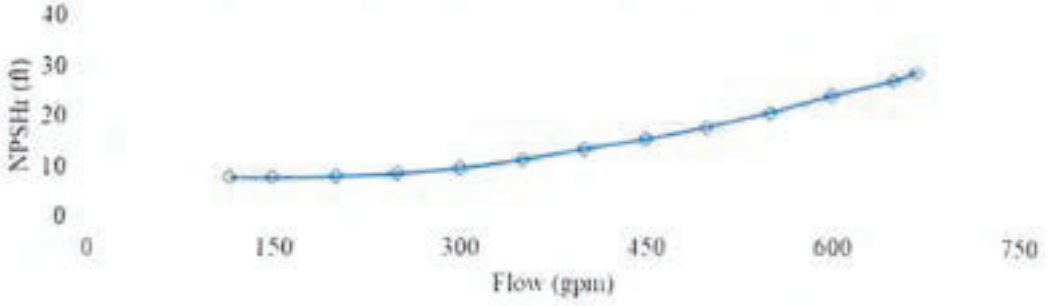
Table 4. Pump Parameters for HSPSs at Hickory Walk and Riner WTPs

HSPS	Pump	Flow (gpm)	Head (ft)	Speed (rpm)	Manufacturer	Serial No.	Size	Model
Hickory Walk	HSP1	585	185	3500	Aurora Pentair	10-1963568-2	2.5X3X10B	411 BF
	HSP2	585	185	3550	Aurora Pentair	21-2607530	2.5X3X10B	411
	HSP3	1500	175	1775	Aurora Pentair	10-1963574-2	5X6X17	
	HSP4	1500	175	1775	Aurora Pentair	10-1963574-1	5X6X17	411 BF
Riner	HSP1	1200	200	3500	Aurora Pentair	05-1270442-1	4X5X 10B	413 BF
	HSP2	1200	200	3500	Aurora Pentair	22-2620622	4X5X10B	413N LFC





Hickory Walk WTP High Service Pump 1&2 (Jockey Pumps)



Hickory Walk WTP High Service Pump 3&4 (Main Pumps)

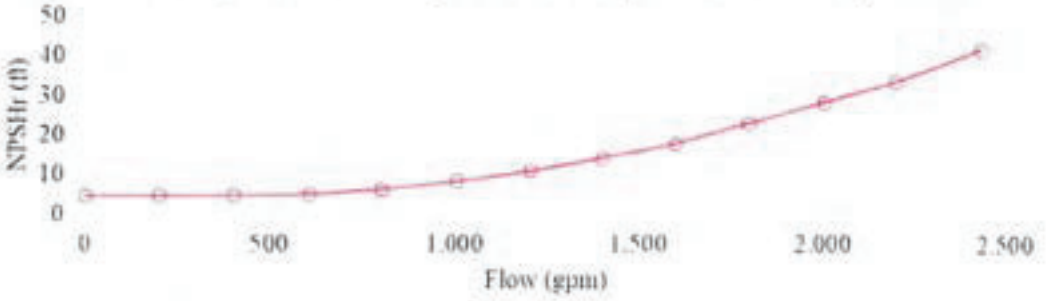


Figure 3. Pump Curves for Hickory Walk WTP HSPS

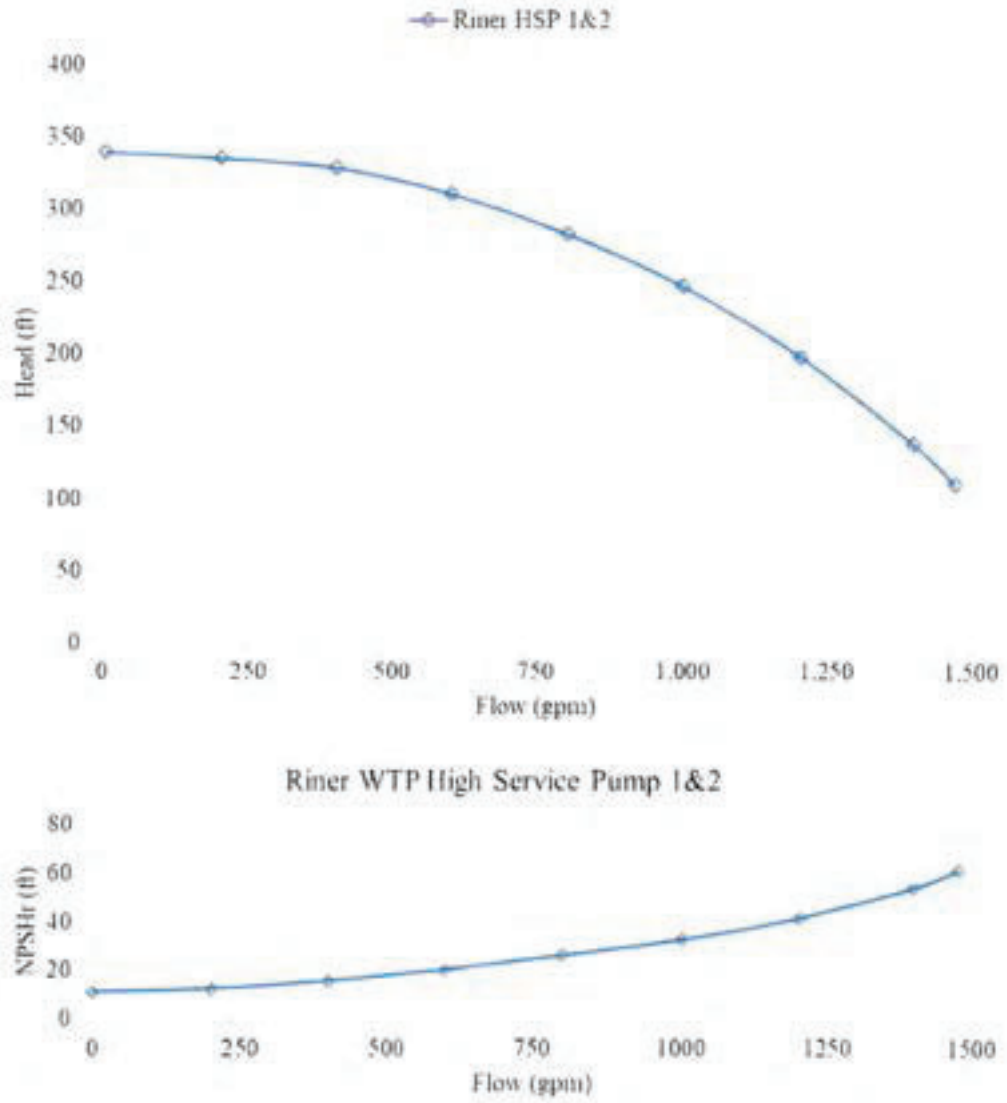


Figure 4. Pump Curves for Riner WTP HSPS

4. Flows and Peaking Factors

The average daily flows from Hickory Walk and Riner WTPs to the potable water distribution system for each month in 2022 are shown in **Table 5** and **Figure 5** (based on 2022 MORs). The total demand allocated in the hydraulic model from geocoded customer meters was 505 gpm. A global multiplier of 1.37 was applied to all base demands to bring the system demands to 691 gpm (to match 2022 AADF from WTPs to the distribution system). The estimated demand for Woodland Ranch Estates (99,903 gpd or 69.4 gpm) was added to the hydraulic model. The peaking factors used in the hydraulic model are shown in **Table 6**.

Table 5. Avg. Daily Flows from Hickory Walk and Riner WTPs to Potable Water Distribution System

Month	ADF (gpd)		
	Hickory Walk	Riner	Total
1	654,710	358,258	1,012,968
2	763,357	343,464	1,106,821
3	724,548	323,323	1,047,871
4	787,567	289,500	1,077,067
5	895,613	282,290	1,177,903
6	783,467	215,367	998,833
7	712,903	248,258	961,161
8	699,258	223,484	922,742
9	616,900	202,433	819,333
10	731,935	276,484	1,008,419
11	672,467	242,233	914,700
12	610,677	289,194	899,871
AADF (gpd) =	721,117	274,524	995,200
AADF (gpm) =	501	191	691

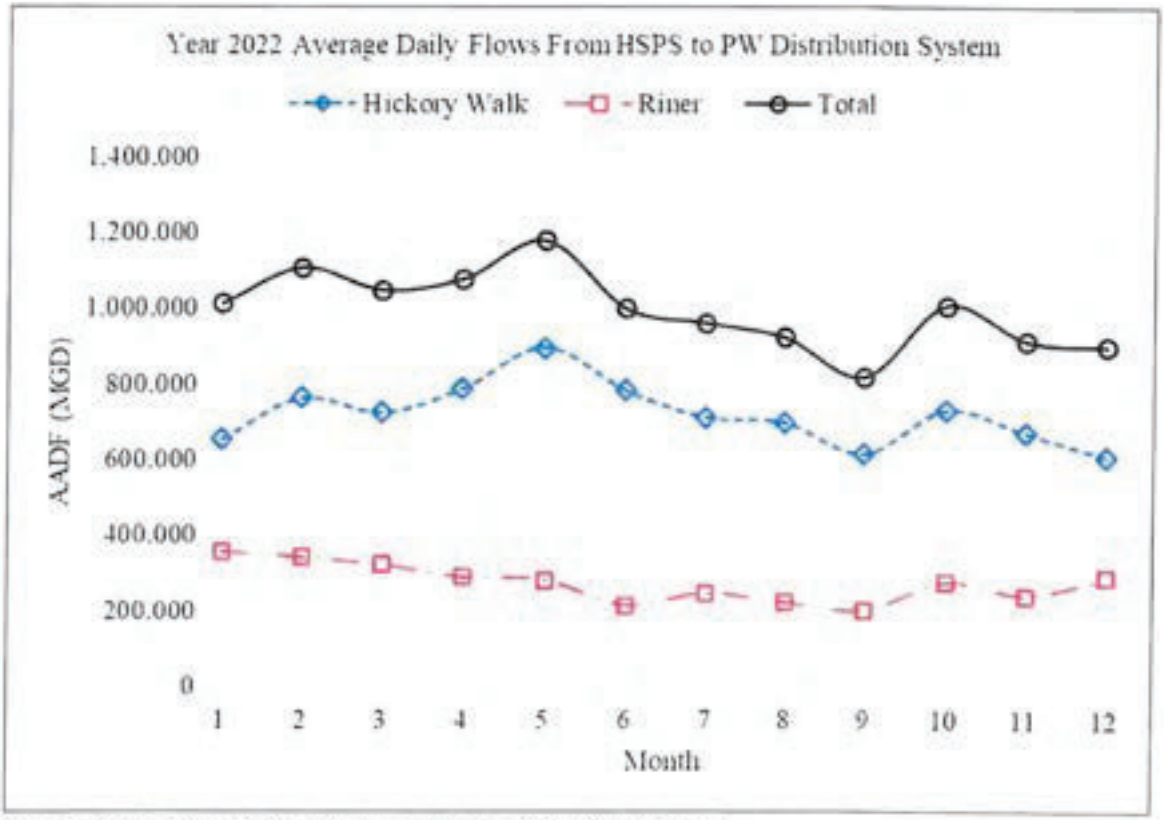


Figure 5. Average Daily Flow to PW Distribution System

Table 6. Peaking Factors used in the Hydraulic Model

Condition	Peaking Factor	Demand (gpm)	Demand (MGD)
Average Daily Demand (ADD)	1.00	760	1.09
Maximum Daily Demand (MDD)	1.55	1,179	1.70
Peak Hourly Demand (PHD)	3.11	2,365	3.41

5. Hydraulic Model Scenarios

In accordance with actual operational setpoints, the discharge pressure for Hickory Walk and Riner WTP HSPSs were set to 45 psi and 75 psi setpoints, respectively, in the hydraulic model. **Table 7** shows the discharge flows to the potable water distribution system from Hickory Walk and Riner HSPSs at ADD, MDD, and PHD conditions. The status of HSPs for ADD, MDD, and PHD scenarios in the hydraulic model are shown in **Table 8**. The hydraulic model pressure results for ADD, MDD, and PHD conditions are shown in **Figure 6**, **Figure 7**, and **Figure 8**, respectively.

Table 7. Discharge Flows from WTPs at ADD, MDD, and PHD Conditions

HSPS	Discharge Flow (MGD)		
	ADD	MDD	PHD
Hickory Walk	1.09	1.49	2.40
Riner	*OFF*	0.20	0.99
Hickory Walk and Riner	1.09	1.69	3.39

Table 8. Status of HSPs in the Hydraulic Model for ADD, MDD, and PHD Scenarios

Model Scenario	Pumps Operating	
	Hickory Walk	Riner
ADD	HSP1	*NONE*
MDD	HSP 1&2	HSP1
PHD	HSP3	HSP1

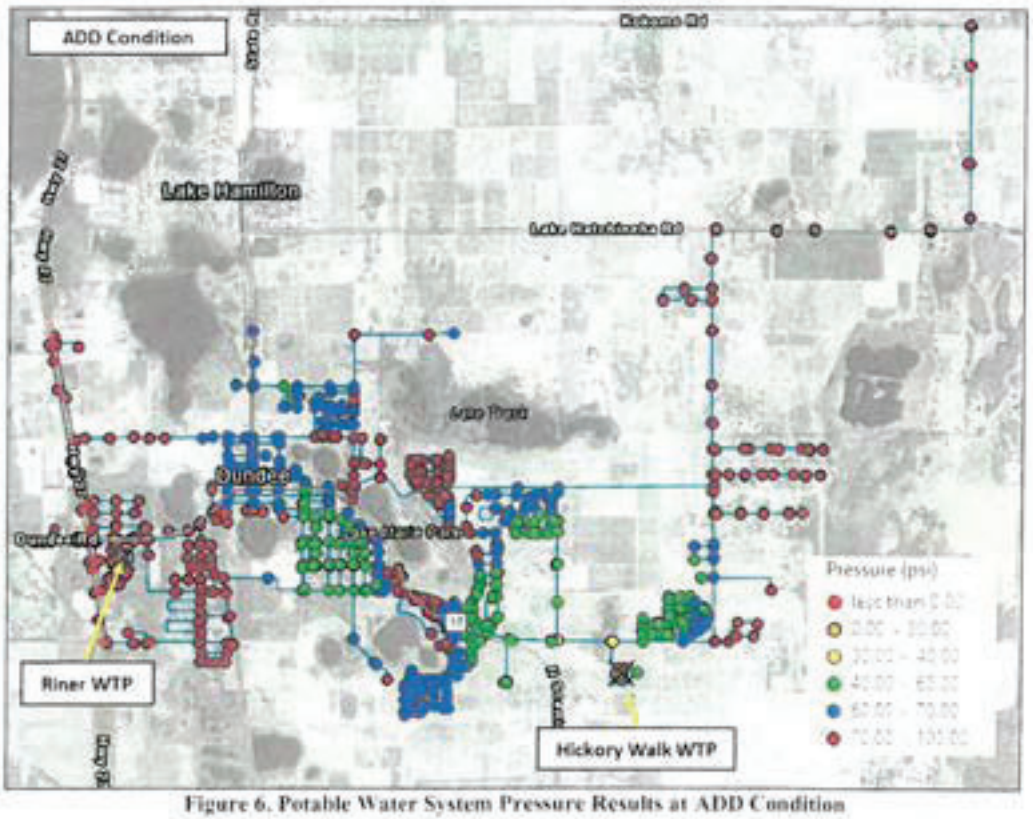


Figure 6. Potable Water System Pressure Results at ADD Condition

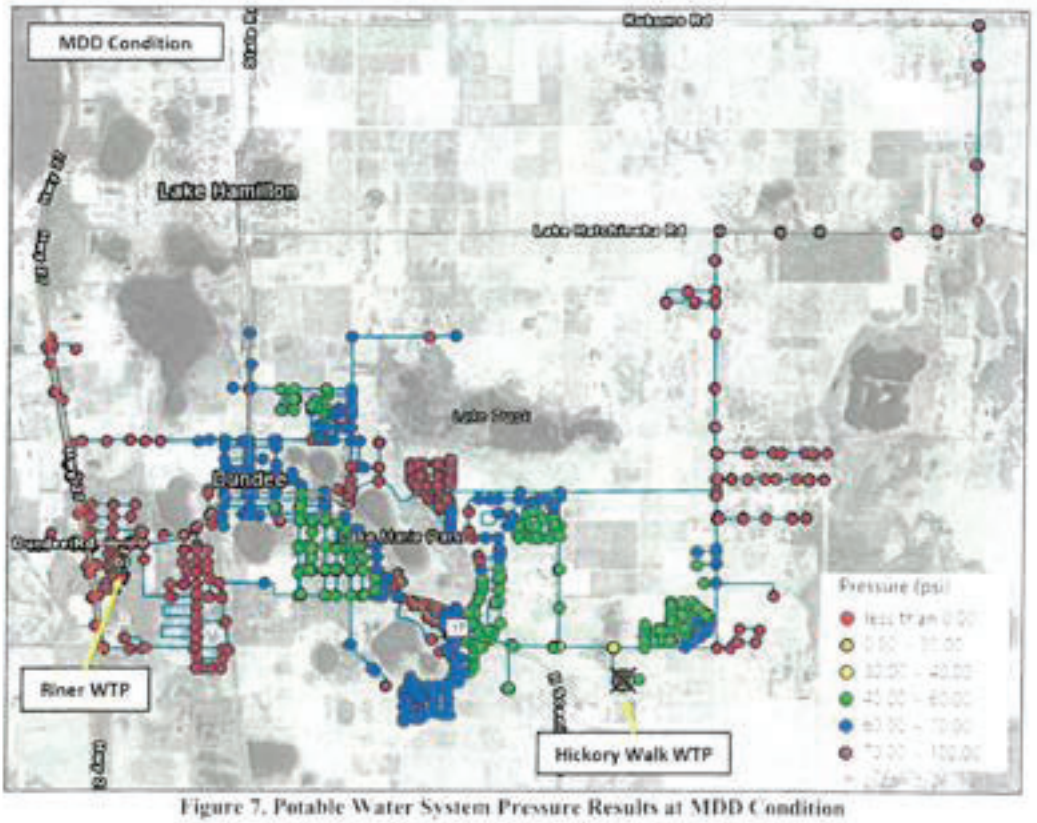


Figure 7. Potable Water System Pressure Results at MDD Condition

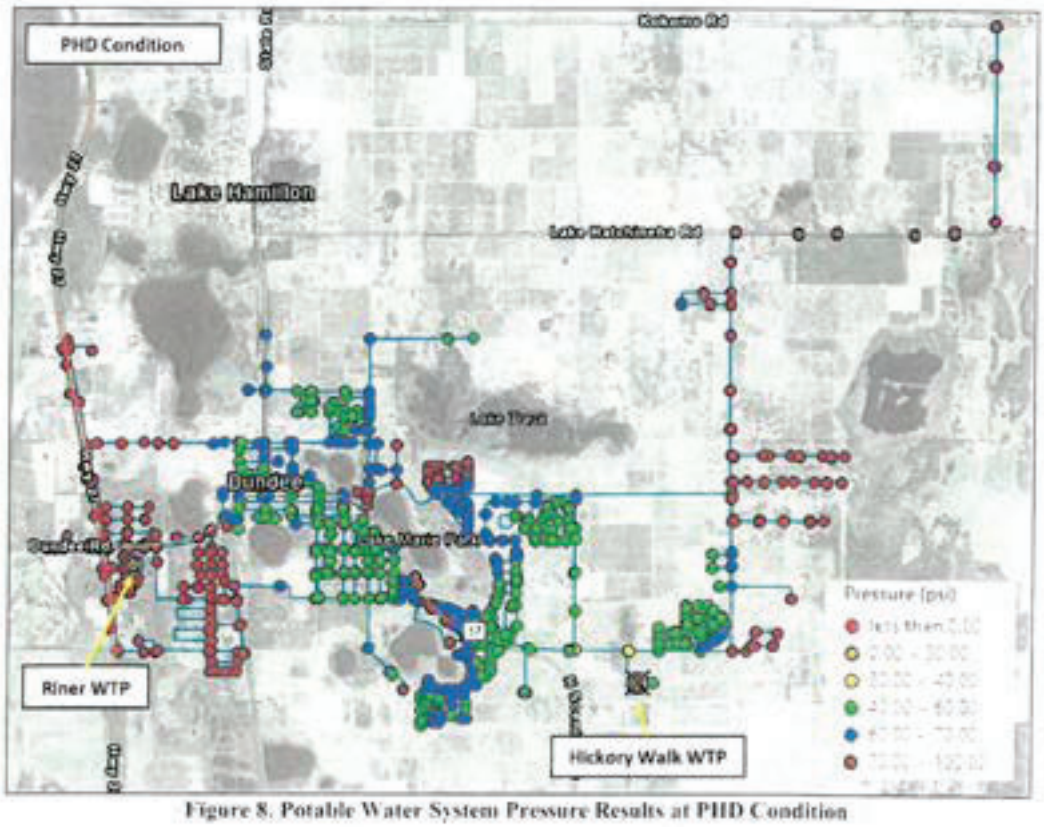


Figure 8. Potable Water System Pressure Results at PHD Condition

6. Capacity of Riner HSPS

The water levels in Hickory Walk and Riner GSTs are shown in **Figure 9** (according to SCADA data for 10/24/23 – 11/3/23 period). The minimum, average, and maximum water levels in Hickory Walk and Riner GSTs are shown in **Table 9**.

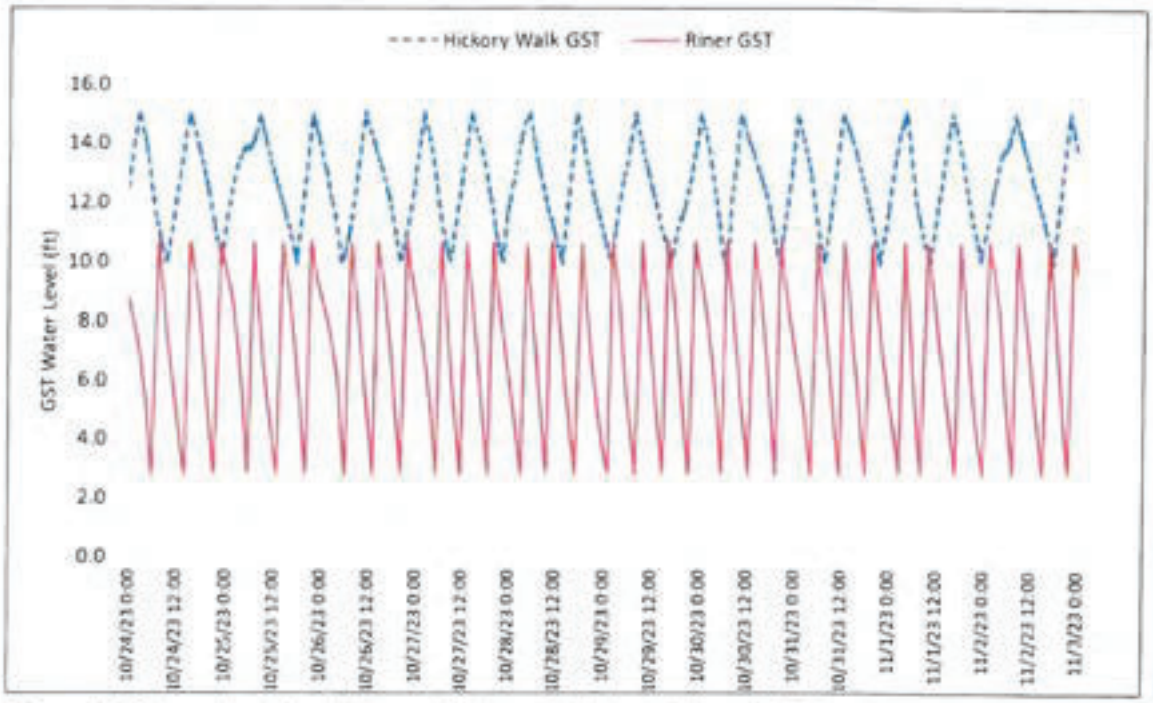


Figure 9. Water Level in GSTs at Hickory Walk and Riner WTPs (10/24/23 – 11/3/23)

Table 9. Water Level Data for Hickory Walk and Riner WTP GSTs (10/24/23 – 11/3/23)

Water Level	Hickory Walk GST	Riner GST
Minimum	9.9	2.8
Average	12.6	6.8
Maximum	15.1	10.7

To determine the capacity of pumps at Riner HSPS, one pump was operated based on a constant flow setpoint in the hydraulic model such that the required net positive suction head required ($NPSH_r$) was satisfied (by comparing to available net positive suction head, $NPSH_a$) when the water level in the GST was at the minimum level (assumed to occur at PHD condition). In this manner, the maximum flow capacity of a single pump was determined to be approximately 760 gpm (with a discharge pressure of 77.4 psi, pump speed of 83%, $NPSH_r$ = 20.5 ft, $NPSH_a$=21.0 ft (see **Figure 10**), which falls within the pump preferred operating region and power requirements (see **Appendix Figure A-1**). The total and firm capacities of Riner HSPS are shown in **Table 10**.

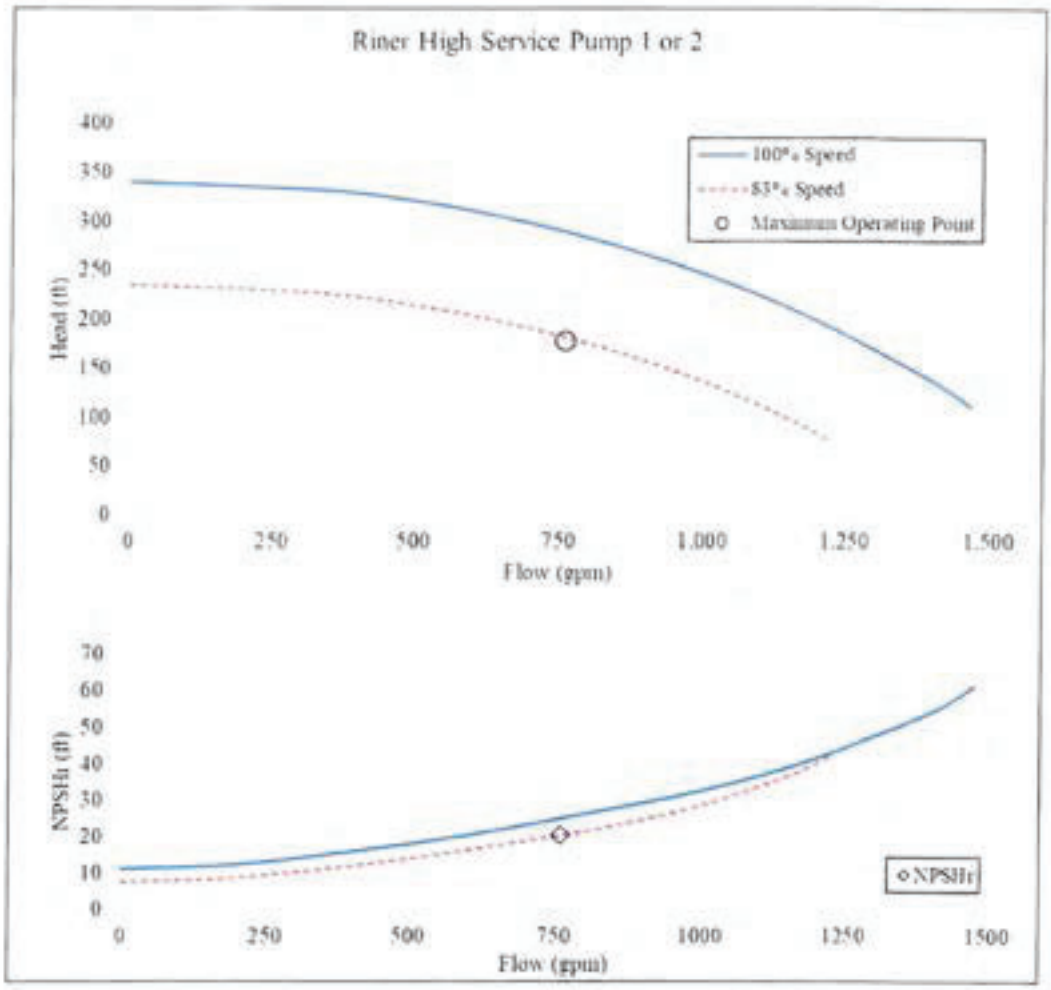


Figure 10. Maximum Capacity Operating Point for Riner HSP 1 or 2

Table 10. Riner HSPS Firm and Total Capacities

Parameter	gpm	MGD
Firm Capacity	760	1.1
Total Capacity	1520	2.2

7. Summary and Conclusions

For this project, a hydraulic model was developed for the Town of Dundee's potable water distribution system (in Autodesk InfoWater Pro software). The pipe network in the model was built based on available information extracted from *DiamondMaps*™ (the online platform that the Town uses to document and track the system infrastructure) and the operators' knowledge of the system. The customer meter locations were geocoded and introduced as a GIS layer, and the associated demands were allocated in the hydraulic model. The estimated demands associated with future Woodland Ranch Estates were added to the model at the development location. Based on the hydraulic simulation results, the potable water system appears to have adequate capacity to maintain a pressure of 40 psi or higher during ADD, MDD, and PHD conditions in the distribution system after the addition of Woodland Ranch Estates. The firm capacity of Riner HSPS was determined to be approximately 1.1 MGD at PHD condition. Based on the current spatial distribution of demands, most of the system demand is supplied by Hickory Walk HSPS. The hydraulic model simulations also suggest that the future Wooldland Ranch Estates developments will be supplied by Hickory Walk HSPS, rather than Riner. Overall, regardless of the specific distribution of water from each WTP, the Town's public water system appears to have the capacity to support the proposed Woodland Ranch Estates developments.

Appendix A – High Service Pump Curves

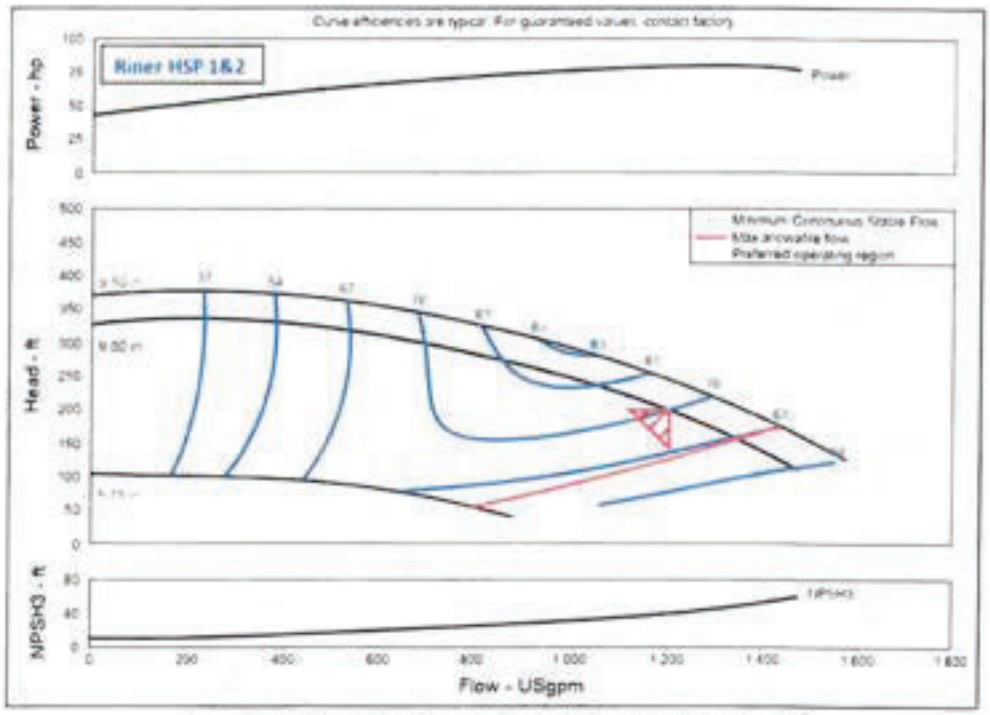


Figure A-1. Riner Pump Curves for High Service Pumps 1 and 2

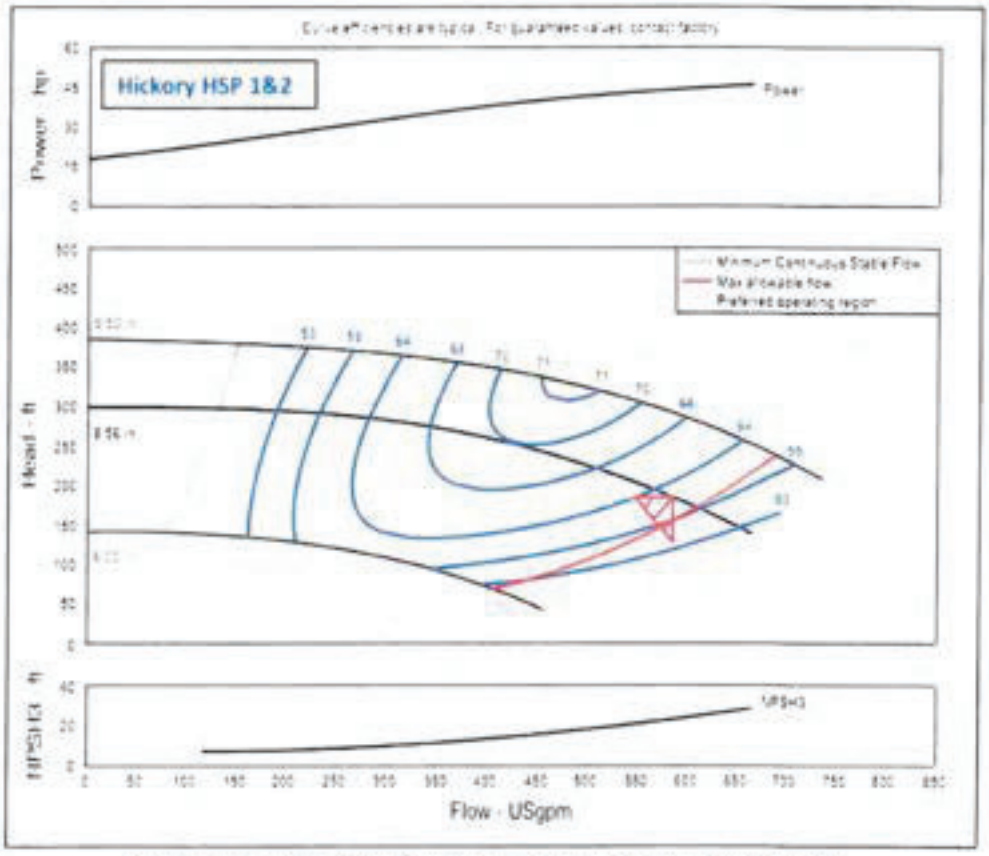


Figure A-2. Hickory Walk Pump Curves for High Service Pumps 1 and 2

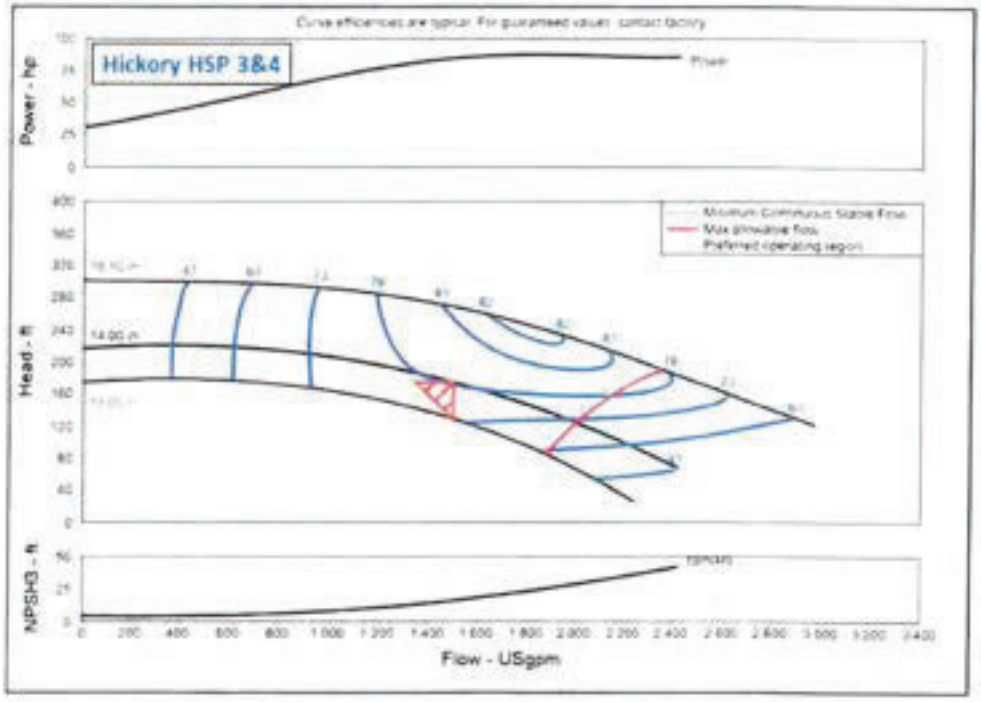


Figure A-3. Hickory Walk Pump Curves for High Service Pumps 3 and 4

Appendix B – Hickory Walk HSPS Capacity

Per Town's request, the capacity of Hickory Walk HSPS was also determined according to the following methodology:

1) Pump curves for jockey and booster pumps were adjusted according to operating point data (flow, pressure, and speed) from SCADA data (**Figure B-1**).

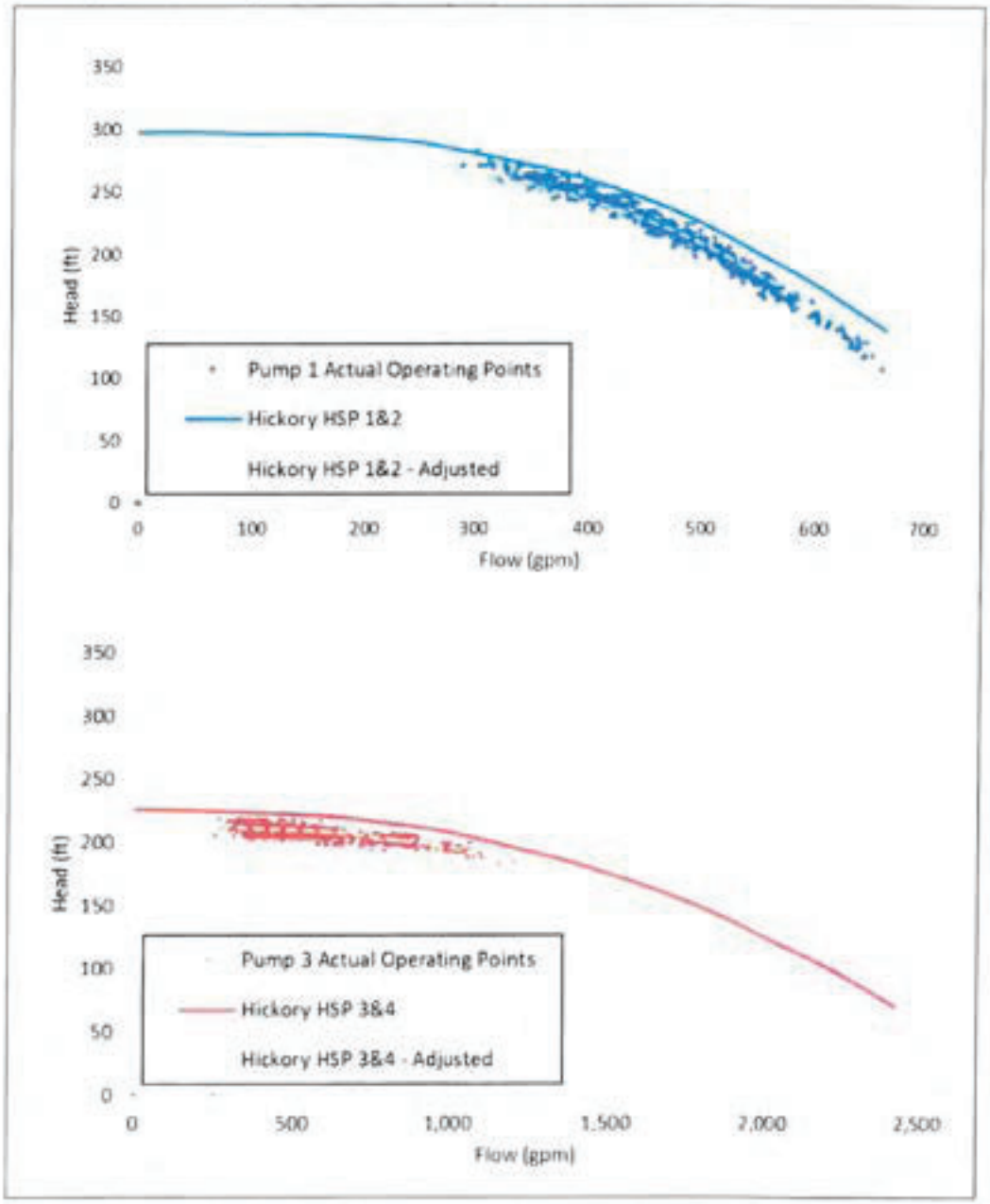


Figure B- 1. Hickory Walk HSPS Adjusted Pump Curves

2) Based on SCADA screenshots from the plant, the operational speed range for Hickory Walk HSP is 30%-95%. The pump curve for one of the main pumps (pump 3 or 4) was calculated at 95% speed (based on pump affinity laws) and compared to the maximum allowable flow curve of the pump at 45 psi pressure setpoint (which is the typical setpoint for Hickory Walk HSPS). Accordingly, the maximum capacity point per main pump is calculated to be 1,895 gpm (2.7 MGD) or 3,790 gpm (5.5 MGD) for both main pumps operating. It was assumed that the jockey pumps are both off when the main pumps are operational.

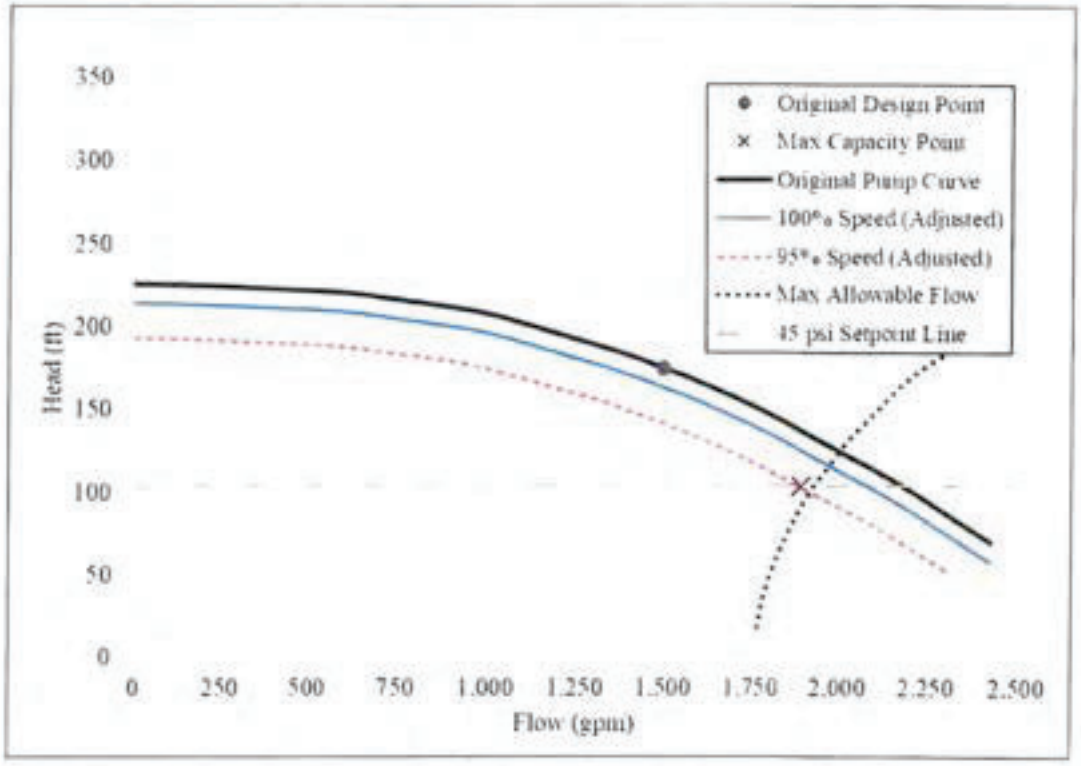


Figure B- 2. Maximum Capacity Point for Hickory Walk HSPS Main Pump

3) The $NPSH_r$ for pump 3 or 4 is approximately 25.4 ft (per $NPSH_r$ curve at 1,895 gpm). Considering the minimum level in the GST, losses from the GST to the HSPS, and losses on the pump suction manifold, the $NPSH_a$ was calculated to be 37.4 ft. As a result, the NPSH required is met at 1,1895 gpm flow. Furthermore, the existing 100 hp motor is adequate to supply the power requirement at this flow according to **Figure A-3** power curve.

Appendix C – Site Pictures

Figure C-1. Hickory Walk WTP High Service Pump Station

Figure C-2. Hickory Walk WTP Ground Storage Tank

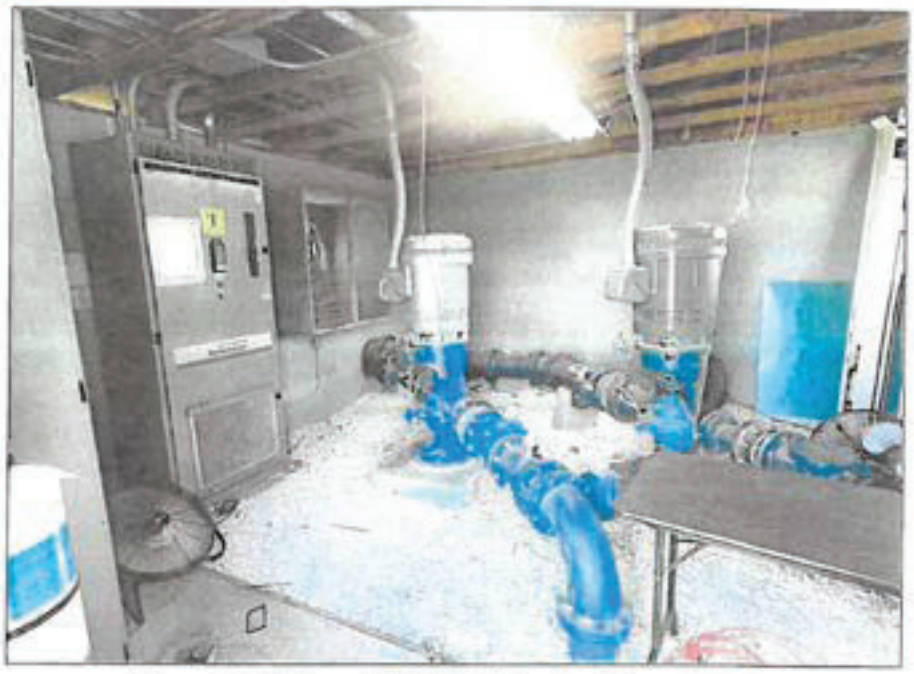
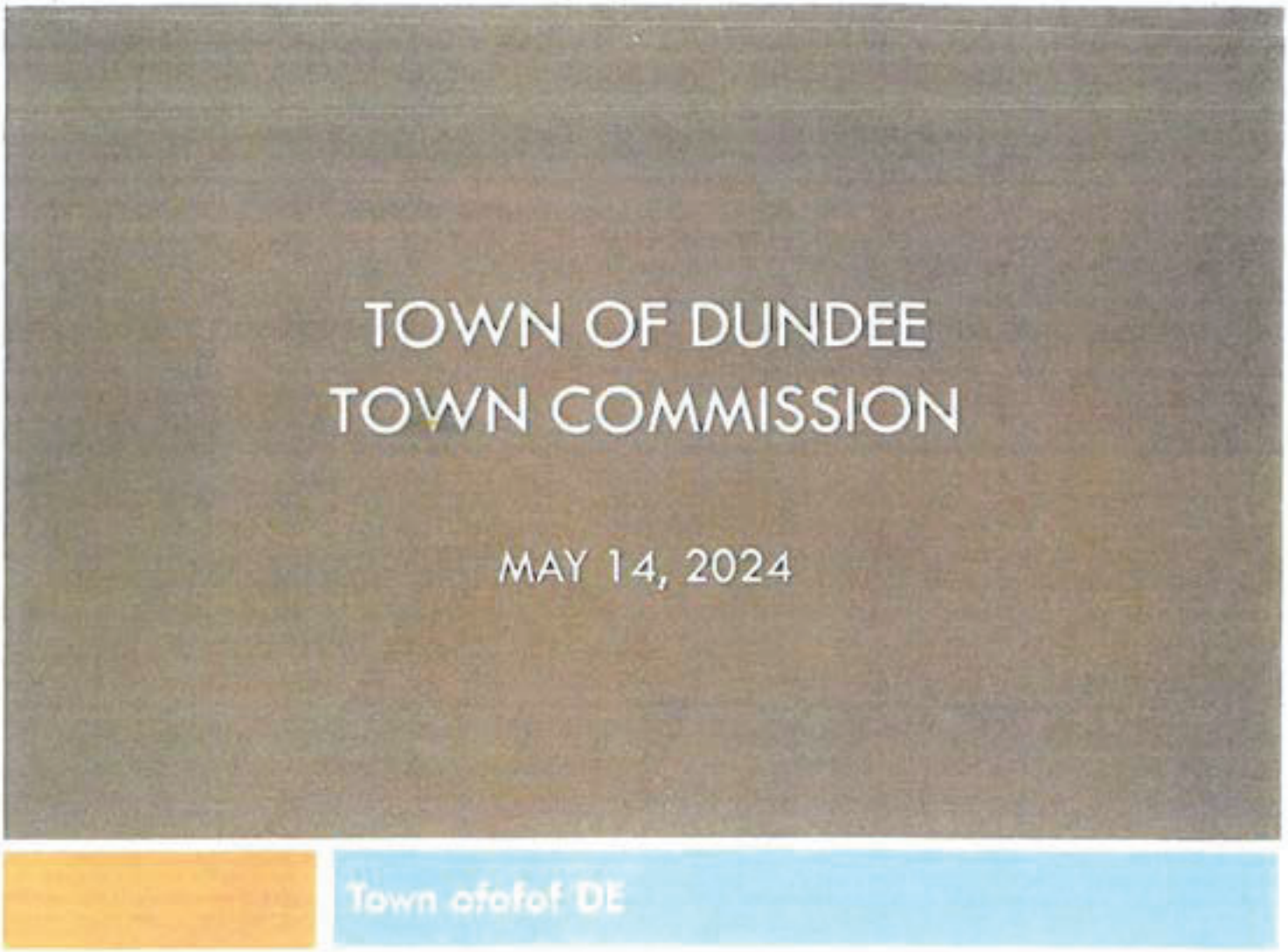


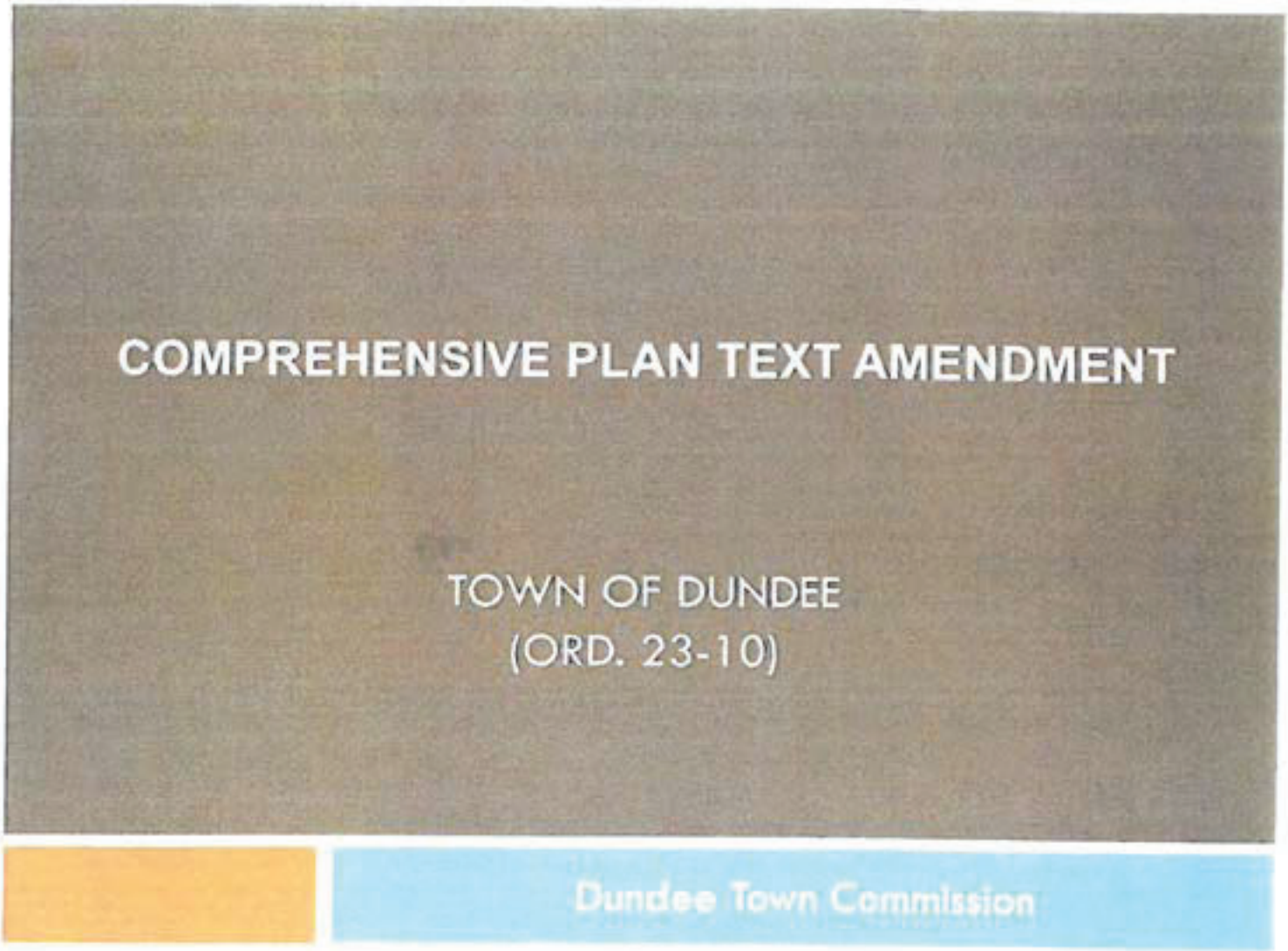
Figure C-3. Riner WTP High Service Pump Station

Figure C-4. Riner WTP Ground Storage Tank and HSPS Building

Figure C-5. A Beautiful Day in Town of Dundee! (GST Top View)

EXHIBIT B




COMPREHENSIVE PLAN TEXT AMENDMENT
TOWN OF DUNDEE
(ORD. 23-10)
Dundee Town Commission

10-YR WATER SUPPLY PLAN-RELATED COMPREHENSIVE PLAN AMENDMENTS

Background of water supply planning:

- In 2005, Florida Legislature made significant changes to Chapters 163 and 373, F.S., strengthening the link between land use and water supply planning.
- Water supply requirements have been adopted that affect local comprehensive planning including:
  - Ensuring intergovernmental coordination with regional water supply authorities (SWFWMD).
  - Ensuring the local government's FLU plans and development approvals are based on availability of adequate water supplies.
  - Support local governments in identifying and selecting "alternative" water supply projects consistent with Regional Water Supply Plans.
- Local WSP shall be adopted. Updates thereto following adoption of SWFWMD Regional WSP (last update in November 2020).

10-YR WATER SUPPLY PLAN-RELATED COMPREHENSIVE PLAN AMENDMENTS

Overview of the 10-yr water supply plan:

- The WSP is used as a data/analysis tool to update the Town's Comprehensive Plan.
- The 10-Year Water Supply Plan (WSP) identifies:
  - Current water supply and demand based on the Town's reported use.
  - Current and continuing conservation practices for water resource management.
  - Future water demand based on population projections.

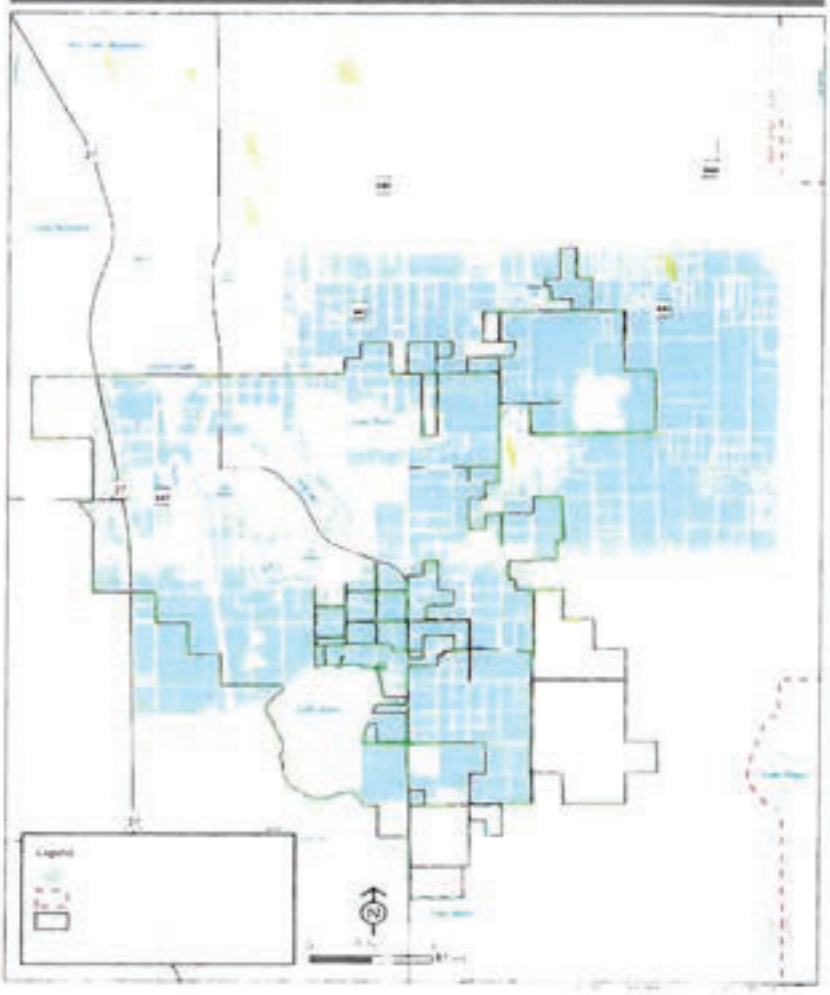
10-YR WATER SUPPLY PLAN-RELATED COMPREHENSIVE PLAN AMENDMENTS

Current Water Supply and Demand:

- Town's adopted Level of Service (LOS) for Potable Water = 115 gpcd
- Permitted withdrawal = 917,500 gpd
  (20-year Water Use Permit – Effective through September 2032)
- Current number of metered connections = 2,280
  - Residential = 2,039
  - Nonresidential= 241
- Average demand = 112 gpcd (within the Town's adopted LOS)

Map 1

UTILITY SERVICE AREA



10-YR WATER SUPPLY PLAN-RELATED COMPREHENSIVE PLAN AMENDMENTS

Town of Dundee

5-Year per Capita Water Demand

(2018 – 2022)

Year	Adjusted Per Capita Demand (gpcd)
2018	108
2019	108
2020	122
2021	108
2022	114
5-Year average per capita demand	112

Source: Town of Dundee Public Supply Annual Reports

10-YR WATER SUPPLY PLAN-RELATED COMPREHENSIVE PLAN AMENDMENTS

Town of Dundee
Population Projections
(2020 – 2040)

Year	Functional Population*
2020	5,583
2025	6,421
2030	7,183
2035	8,046
2040	8,932

Source: Functional population projection (SWFWMD)

*Functional Population = Permanent, Seasonal, Tourist, and Commuter persons

10-YR WATER SUPPLY PLAN-RELATED COMPREHENSIVE PLAN AMENDMENTS

Projected Water Demand
5-Year Average Consumption Rate (2020-2040)

	2020	2025	2030	2035	2040
Functional Population	5,583	6,421	7,183	8,046	8,932
Average Per Capita Demand (GPCD)*	112	112	112	112	112
Projected Average Demand (GPD)	625,296	719,152	804,496	901,152	1,000,384
WUP Permitted Capacity (GPD)**	917,500	917,500	917,500	917,500	917,500
Surplus (Deficit) Demand (GPD)	292,204	198,348	113,004	16,348	(82,884)
Demand % of Permitted Capacity	68.15	78.38	87.68	98.21	109.0

10-YR WATER SUPPLY PLAN-RELATED COMPREHENSIVE PLAN AMENDMENTS

- **Review of Conservation Practices:**
  - Conduct audits of the system to determine areas needing repair or replacement (purpose – reduce water loss).
  - Require low volume plumbing fixtures on new construction.
  - Require Florida-Friendly landscaping for new development.
  - Participation in Florida Water Star program.
  - Supports Education through outreach.

10-YR WATER SUPPLY PLAN-RELATED COMPREHENSIVE PLAN AMENDMENTS

Conclusions:

- The Town is projected to have a water surplus in the 10-year planning period.
- The Town is anticipated to meet projected growth through the 2030 (10-year) and reflects there may be a deficit through the 2040 (20-year) planning periods.
- The Town will continue to upgrade facilities and continue conservation efforts to ensure a quality water supply system is maintained.

10-YR WATER SUPPLY PLAN-RELATED COMPREHENSIVE PLAN AMENDMENTS

Amendments to the Town's Comprehensive Plan:

- Infrastructure Element
- Conservation Element
- Intergovernmental Coordination Element
- Capital Improvements Element

- Amendments include:
  - References to the SWFWMD's current Regional Water Supply Plan (adopted November 2020).
  - Acknowledgement of the 10-year Water Supply Plan as a technical document.

10-YR WATER SUPPLY PLAN-RELATED COMPREHENSIVE PLAN AMENDMENTS

PLANNING AND ZONING BOARD

At their December 21, 2023 hearing, the Planning & Zoning Board voted to forward the proposed text amendments to the Town's Comprehensive Plan to the Town Commission with a **recommendation of approval.**

10-YR WATER SUPPLY PLAN-RELATED COMPREHENSIVE PLAN AMENDMENTS

TOWN COMMISSION FIRST READING

At their January 9, 2024 hearing, the Town Commission voted to approve the proposed text amendments to the Town's Comprehensive Plan and forward to the State for review.

10-YR WATER SUPPLY PLAN-RELATED COMPREHENSIVE PLAN AMENDMENTS

STATE REVIEW

Florida Commerce issued a no comment letter on April 25, 2024.
No comments were received from other State Agencies

10-YR WATER SUPPLY PLAN-RELATED COMPREHENSIVE PLAN AMENDMENTS

Motion Options:

1. I move **approval of Ordinance 23-10** of the proposed text amendments to the Town's Comprehensive Plan and transmittal to the Department of Commerce.

2. I move **approval of Ordinance 23-10 with changes** of the proposed text amendments to the Town's Comprehensive Plan and transmittal to the Department of Commerce.

3. I move **continuation** to a date and time certain.

TOWN COMMISSION MEETING

January 9, 2024 at 6:30 PM

AGENDA ITEM TITLE:	ORDINANCE 23-10, TOWN OF DUNDEE TEN-YEAR WATER SUPPLY FACILITIES WORK PLAN
SUBJECT:	The Town Commission will consider the first reading of Ordinance 23-10 Dundee Water Supply Facilities Work Plan
STAFF ANALYSIS:	The Town of Dundee's 10-Year Water Supply Facilities Work Plan is developed to meet the requirements of the Florida Statutes (Chapter 163) and adopting the Work Plan into their Comprehensive Plan. This plan uses projected populations to determine potential impacts on future water demands.
FISCAL IMPACT:	None
STAFF RECOMMENDATION:	Staff recommends approval of the "Town of Dundee Ten-Year Water Supply Facilities Work Plan, September 2023
ATTACHMENTS:	Ordinance 23-10 Staff Report

TOWN OF DUNDEE
AGENDA ITEM: TEN-YEAR WATER SUPPLY FACILITIES WORK PLAN, RELATED COMPREHENSIVE PLAN AMENDMENTS AND 5-YEAR CAPITAL IMPROVEMENTS PLAN
STAFF REPORT

TO:	Town Commission
PREPARED BY:	Marisa M. Barmby, AICP Planning Manager, Central Florida Regional Planning Council
AGENDA DATE:	January 9, 2024
REQUESTED ACTION:	**ORDINANCE 23-10:** Consider Town-Initiated Text Amendment to the Town of Dundee Comprehensive Plan Related to the Updated Water Supply Plan

BACKGROUND:

In 2005, the Florida Legislature made significant changes to Chapters 163 and 373, F.S., to strengthen the link between land use and water supply planning. Water supply requirements have been adopted that affect local comprehensive planning programs:

- Ensuring intergovernmental coordination with regional water supply authorities;
- Ensuring that the local government's future land use plan and development approvals are based upon the availability of adequate water supplies;
- Identifying and including selected "alternative" water supply projects in the comprehensive plan, consistent with Southwest Florida Water Management District's Regional Water Supply Plan adopted December 2006 and updated in November 2020.

SUMMARY:

A Ten-Year Water Supply Facilities Work Plan has been prepared identifying existing water service providers and water supply facilities within the Wauchula Utility Service Area, identifying conservation practices, and future water needs based on projected population estimates.

Based on the Ten-Year Water Supply Facilities Work Plan, amendments to various elements of the City's Comprehensive Plan have been drafted and are included in the attachment.

PLANNING COMMISSION RECOMMENDATION:

At their December 21, 2023 meeting, the Planning Commission voted to recommend approval to the Town Commission for a Town-initiated request for Comprehensive Plan amendments consistent with the Water Supply Plan.

MOTION OPTIONS:

1. I move **approval of Ordinance 23-10** for a Town-initiated request to amend the Comprehensive Plan consistent with the Water Supply Plan.

2. I move **approval of Ordinance 23-10 with changes** for a Town-initiated request to amend the Comprehensive Plan consistent with the Water Supply Plan.

3. I move **continuation to a date and time certain**.

Attachments:

- Ordinance 23-10
- Ten-Year Water Supply Facilities Work Plan

ORDINANCE 23-10

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, AMENDING THE DUNDEE COMPREHENSIVE PLAN, REVISING THE INFRASTRUCTURE, CONSERVATION, INTERGOVERNMENTAL COORDINATION AND CAPITAL IMPROVEMENTS ELEMENTS BASED ON THE TOWN'S TEN-YEAR WATER SUPPLY FACILITIES WORK PLAN INCORPORATED HEREIN; PROVIDING FOR TRANSMISSION TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR REVIEW AND COMPLIANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Community Planning Act, empowers and mandates the Town of Dundee, Florida to plan for future development and growth and to adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the Town; and

WHEREAS, Section 163.3177(6)(c), Florida Statutes, requires local governments, except where specifically exempted, to identify alternative water supply projects and traditional water supply projects and conservation and reuse necessary to meet the water needs within the local government's jurisdiction, and include a work plan, covering at least a 10-year planning period, for building public, private, and regional water supply facilities, including development of alternative water supplies, necessary to serve existing and new development; and

WHEREAS, the Town Commission of the Town of Dundee has determined that it would be in the best interest of the public health, safety and general welfare of the residents and non-residential water customers of the Town to amend the Comprehensive Plan consistent with the requirements of Section 163.3177(6)(c), Florida Statutes; and

WHEREAS, in exercise of its authority the Town Commission has determined it necessary to adopt amendments to the Town's Comprehensive Plan, which are attached hereto as **Exhibit "A"** and by this reference made a part hereof, to ensure that the Comprehensive Plan is in full compliance with the laws of the State of Florida; and

WHEREAS, in exercise of its authority the Town Commission has determined that for the basis of adopting the said amendments in Exhibit "A," the Town shall adopt its Ten-Year Water Supply Facilities Work Plan, incorporated herein as **Exhibit "B"**, and by this reference made a part hereof, to be acknowledged as a technical support document to support amendments to the Dundee Comprehensive Plan; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Town Commission held public hearings on Ordinance 2023-12, with due public notice having been provided, to obtain

public comment, and considered all written and oral comments received during public hearings, including support documents.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, THAT:

Section 1. The provisions set forth in the recitals to this Ordinance (whereas clauses) are hereby adopted by the Town Commission as the legislative findings and intent pertaining to this Ordinance.

Section 2. The Town of Dundee hereby amends the following Elements of its Comprehensive Plan: Infrastructure Element, Conservation Element; Intergovernmental Coordination Element; and Capital Improvements Element. Said amendments are set forth in **Exhibit "A"** attached hereto and by this reference made a part hereof.

Section 3. The basis for adopting the said amendments is the Town of Dundee Ten-Year Water Supply Facilities Work Plan, incorporated herein as **Exhibit "B"**, which is attached hereto and by this reference made a part hereof, as a technical support document to support the amendments to the Dundee Comprehensive Plan.

Section 4. A certified copy of this enacting ordinance shall be located in the Office of the Town Clerk of Dundee. The Town Clerk shall also make copies available to the public for a reasonable publication charge.

Section 5. If any provision of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such provision and such holding shall not affect the validity of any other provision, and to that end the provisions of this Ordinance are hereby declared severable.

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 7. It is the intention of the Town Commission that the provisions of this Ordinance shall become and be made a part of the Comprehensive Plan of the Town; and that sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "chapter", "section", "article", or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the Comprehensive Plan is accomplished, sections of this Ordinance may be renumbered or relettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the Town Manager or his designee, without need of public hearing, by filing a corrected or recodified copy of same with the Town Clerk.

Section 8. The effective date of these amendments, if the amendments are not timely challenged, shall be 31 days after the State Land Planning Agency notifies the local government that the plan amendment package is complete. If timely challenged, the amendments shall become effective on the date the State Land Planning Agency or the Administration Commission enters a

final order determining the adopted amendments to be in compliance. No development orders, development permits, or land uses dependent on these amendments may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Council, the amendments may nevertheless be made effective by adoption of a resolution affirming the effective status, a copy of which resolution shall be sent to the State Land Planning Agency.

INTRODUCED AND PASSED on First Reading and transmittal public hearing this 9th day of January, 2024.

PASSED AND DULY ADOPTED, on Second Reading with a quorum present and voting, by the Town Commission, this 14th day of May, 2024.

TOWN OF DUNDEE, FLORIDA

Mayor- Sam Pennant

ATTEST:

Town Clerk – Trevor Douthat

Approved as to form

Town Attorney - Frederick J. Murphy, Jr.

ORDINANCE 2023-12
EXHIBIT "A"

COMPREHENSIVE PLAN AMENDMENTS

TOWN OF DUNDEE COMPREHENSIVE PLAN
GOALS, OBJECTIVES, AND POLICIES

TO PROVIDE POLICIES SPECIFIC TO WATER SUPPLY PLANNING

- The following amendments to the Dundee Comprehensive Plan are proposed consistent with the update to the Town of Dundee Ten-Year Water Supply Facilities Work Plan.

- Text shown in gray shading as underlined is text to be added and text shown as ~~strikeout~~ is text to be removed. Amended text is based on the update to the Town's Ten-Year Water Supply Facilities Work Plan.

I. INFRASTRUCTURE ELEMENT AMENDMENTS:

The following amendments are proposed to the Infrastructure Element of the Town of Dundee Comprehensive Plan based on the Ten-Year Water Supply Facilities Work Plan.

GOAL 2: **POTABLE WATER**

PROVIDE FOR THE RELIABLE DELIVERY OF POTABLE WATER TO MEET THE NEEDS OF ALL RESIDENTS AND BUSINESSES.

OBJECTIVE 2.2: **EXPANSION OF SYSTEM TO MEET FUTURE NEEDS**

EXPAND THE MUNICIPAL WATER SERVICE SYSTEM AS NEEDED TO MEET THE NEEDS OF FUTURE RESIDENTS AND BUSINESSES IN SUCH A MANNER AS TO MAXIMIZE THE USE OF EXISTING FACILITIES, DISCOURAGE URBAN SPRAWL, AND MEET THE WATER CONSERVATION OBJECTIVES ESTABLISHED IN THE CONSERVATION ELEMENT.

Policy 2.2.8: The Town hereby ~~incorporates~~ acknowledges its Ten-Year Water Supply Facilities Work Plan as a technical support document ~~into~~ this Element, as required following adoption of the Southwest Florida Water Management District (SWFWMD) Regional Water Supply Plan, adopted November ~~2015~~ 2020. ~~The adopted Ten-Year Water Supply Facilities Work Plan and all future amendments thereto, represent an update to the Dundee Comprehensive Plan~~. In implementing this Policy, the Town shall annually assess the performance and effectiveness of its Ten-Year Water Supply Plan

and update the status of project development and potential funding sources, consistent with the corresponding SWFWMD Regional Water Supply Plan and the policies of this Comprehensive Plan in order to maximize the use of existing facilities and provide for future needs.

II. WATER SUPPLY SUB-ELEMENT AMENDMENTS:

The following amendments are proposed to the Water Supply Sub-Element of the Town of Dundee Comprehensive Plan based on the Ten-Year Water Supply Facilities Work Plan.

GOAL 1: **ENSURE THE PROVISION OF ADEQUATE WATER RESOURCES TO MEET THE NEEDS OF ALL RESIDENTS, VISITORS, AND BUSINESSES IN THE TOWN OF DUNDEE.**

OBJECTIVE 1.4: **THE TOWN SHALL WORK WITH SURROUNDING GOVERNMENTS AND SWFWMD TO EXPLORE THE DEVELOPMENT OF REGIONAL WATER SUPPLY SYSTEMS IN ORDER TO MEET FUTURE POTABLE WATER NEEDS.**

Policy 1.4.1: The Town hereby ~~incorporates~~ acknowledges its Ten-Year Water Supply Facilities Work Plan as a technical support document ~~in~~to this Element, as required following adoption of the Southwest Florida Water Management District (SWFWMD) Regional Water Supply Plan, adopted November ~~2015~~ 2020. ~~The adopted Ten-Year Water Supply Facilities Work Plan and all future amendments thereto, represent an update to the Dundee Comprehensive Plan~~. In implementing this Policy, the Town shall annually assess the performance and effectiveness of its Ten-Year Water Supply Plan and update the status of project development and potential funding sources, consistent with the corresponding SWFWMD Regional Water Supply Plan and the policies of this Comprehensive Plan in order to maximize the use of existing facilities and provide for future needs.

III. CONSERVATION ELEMENT AMENDMENTS:

The following amendments are proposed to the Conservation Element of the Town of Dundee Comprehensive Plan based on the Ten-Year Water Supply Facilities Work Plan.

GOAL: **IT SHALL BE THE GOAL OF THE TOWN OF DUNDEE TO CONSERVE, PROTECT, ENHANCE, AND MANAGE ITS NATURAL RESOURCES AND TO ATTAIN THE HIGHEST POSSIBLE ENVIRONMENTAL QUALITY.** ~~**[9J-5.013(2)(A)]**~~

OBJECTIVE 10: **ESTABLISH SPECIFIC PROCEDURES AND REGULATIONS DESIGNED TO CONSERVE THE POTABLE WATER SUPPLY WITHIN THE TOWN OF DUNDEE.**

Policy 10.4: The Town hereby ~~incorporates~~ acknowledges its Ten-Year Water Supply Facilities Work Plan as a technical support document ~~into~~ this Element, as required following adoption of the Southwest Florida Water Management District (SWFWMD) Regional Water Supply Plan, adopted November ~~2015~~ 2020. ~~The adopted Ten-Year Water Supply Facilities Work Plan and all future amendments thereto, represent an update to the Dundee Comprehensive Plan~~. In implementing this Policy, the Town shall annually assess the performance and effectiveness of its Ten-Year Water Supply Plan and update the status of project development and potential funding sources, consistent with the corresponding SWFWMD Regional Water Supply Plan and the policies of this Comprehensive Plan in order to maximize the use of existing facilities and provide for future needs.

IV. INTERGOVERNMENTAL COORDINATION ELEMENT AMENDMENTS:

The following amendments are proposed to the Intergovernmental Coordination Element of the Town of Dundee Comprehensive Plan based on the Ten-Year Water Supply Facilities Work Plan.

GOAL: **TO ESTABLISH AN EFFICIENT COORDINATION MECHANISM AMONG THE RELEVANT PUBLIC AND PRIVATE ENTITIES THAT PROVIDES THE MOST EFFICIENT UTILIZATION OF AVAILABLE RESOURCES.**

OBJECTIVE 9: **THE TOWN OF DUNDEE SHALL WORK WITH SURROUNDING GOVERNMENTS AND OTHER AGENCIES TO ENSURE THAT MEETING FUTURE POTABLE WATER NEEDS ARE COORDINATED ON A REGIONAL BASIS.**

Policy 9.1: The Town hereby ~~incorporates~~ acknowledges its Ten-Year Water Supply Facilities Work Plan as a technical support document ~~into~~ this Element, as required following adoption of the Southwest Florida Water Management District (SWFWMD) Regional Water Supply Plan, adopted November ~~2015~~ 2020. ~~The adopted Ten-Year Water Supply Facilities Work Plan and all future amendments thereto, represent an update to the Dundee Comprehensive Plan~~. In implementing this Policy, the Town shall annually assess the performance and effectiveness of its Ten-Year Water Supply Plan and update the status of project development and potential funding sources, consistent with the corresponding SWFWMD Regional Water Supply Plan and the policies of this Comprehensive Plan in order to maximize the use of existing facilities and provide for future needs.

V. CAPITAL IMPROVEMENTS ELEMENT AMENDMENTS:

The following amendments are proposed to the Capital Improvements Element of the Town of Dundee Comprehensive Plan based on the Ten-Year Water Supply Facilities Work Plan.

GOAL: **IT SHALL BE THE GOAL OF THE TOWN OF DUNDEE TO PROVIDE NECESSARY PUBLIC FACILITIES AND SERVICES FOR ALL EXISTING AND FUTURE DEVELOPMENT, AT ADOPTED LEVEL OF SERVICE STANDARDS, THROUGH A PROCESS THAT PERMITS DEVELOPMENT CONCURRENT WITH THE ABILITY OF THE TOWN TO PROVIDE SUCH FACILITIES AND SERVICES.**

OBJECTIVE 2: **CONCURRENCY AND CAPITAL IMPROVEMENTS**

BASE LAND USE DECISIONS, INCLUDING DECISIONS REGARDING THE ISSUANCE OF DEVELOPMENT ORDERS AND PERMITS, ON THE DEVELOPMENT REQUIREMENTS INCLUDED IN THIS COMPREHENSIVE PLAN, THE LAND DEVELOPMENT REGULATIONS OF THE TOWN OF DUNDEE, AND THE AVAILABILITY OF PUBLIC FACILITIES AND SERVICES NECESSARY TO SUPPORT SUCH DEVELOPMENT AT THE ADOPTED LEVEL OF SERVICE STANDARDS.

Policy 2.6: The Town hereby ~~incorporates~~ acknowledges its Ten-Year Water Supply Facilities Work Plan as a technical support document ~~into~~ this Element, as required following adoption of the Southwest Florida Water Management District (SWFWMD) Regional Water Supply Plan, adopted November ~~2015~~ 2020. ~~The adopted Ten-Year Water Supply Facilities Work Plan and all future amendments thereto, represent an update to the Dundee Comprehensive Plan~~. In implementing this Policy, the Town shall annually assess the performance and effectiveness of its Ten-Year Water Supply Plan and update the status of project development and potential funding sources, consistent with the corresponding SWFWMD Regional Water Supply Plan and the policies of this Comprehensive Plan in order to maximize the use of existing facilities and provide for future needs.

ORDINANCE 23-10
EXHIBIT "B"

TEN-YEAR WATER SUPPLY FACILITIES WORK PLAN

Town of Dundee Ten-Year Water Supply Facilities Work Plan

Prepared For:
Town of Dundee, FL
Prepared By:
Central Florida Regional Planning Council

September 2023

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SECTION 1: INTRODUCTION

1.1 Purpose of 2023 Dundee Water Supply Plan

The Town of Dundee (Town) 2023 Water Supply Plan (WSP) has been developed in accordance with the requirements and guidelines contained in the Regional Water Supply Plan (RWSP) approved by the Southwest Florida Water Management District (SWFWMD) Governing Board in November 2020. The Town has developed this WSP not only to meet regulatory requirements (cited in Chapter 163, Part II, Florida Statutes, whereby local governments are required to adopt Work Plans into their comprehensive plans after their Water Management District approves a regional water supply plan or its update); but also, to serve as a water resource planning document for the Town's residents, businesses, interest groups, and public officials. This plan provides information on the Town's current and future water demands and supplies, discusses the water resources challenges that the Town faces, and summarizes the major water resources initiatives that the Town has taken to ensure a safe reliable water supply for its water customers.

The Dundee WSP uses projected population estimates to determine potential impacts on future potable water demand. The projections explore growth over a twenty-year period through the year 2040, with an emphasis placed on the immediate ten-year planning period. Specifically, the WSP details the Town's water system, water demands, sources of water supplies, water quality, capital improvement projects, and potential multi-jurisdictional planning initiatives

1.2 Statutory Requirements (Revised by SWFWMD on 2021)

The Town of Dundee has considered the following statutory provisions as put of the WSP update:

1. Coordinate appropriate aspects of the Comprehensive Plan with the applicable RWSP [Section 163.3177(4)(a), F.S.].

2. Ensure the Future Land Use Plan is based on availability of adequate water supplies and public facilities and services [Section 163.3177(6)(a), F.S.]. Data and analyses demonstrating that adequate water supplies and associated public facilities will be available to meet projected

growth demands must accompany all proposed Future Land Use Plan and Plan amendments submitted for review.

3. In consultation with the water supplier, ensure adequate water supplies and potable water facilities are available to serve new development no later than the issuance by the local government of a certificate of occupancy or its functional equivalent [Section 163.3180(2), F.S.].

4. For local governments subject to an RWSP, revise the General Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge element (the "Infrastructure element") through a Comprehensive Plan amendment to:

   a. Identify and incorporate the alternative water supply project(s) selected by the local government from projects identified in the applicable RWSP, or alternative project(s) proposed by the local government under Section 373.709(8)(b), F.S. [Section 163.3177(6)(c), F.S.].

   b. Identify the traditional and alternative water supply projects and the conservation and reuse programs necessary to meet water needs identified in the applicable RWSP [Section 163.3177(6)(c)3., F.S.]; and

   c. Update the Work Plan for at least a 10-year planning period for constructing the public, private, and regional water supply facilities identified in the element as necessary to serve existing and new development [Sections 163.3177(6)(c)3. and (5), F.S.].

   Revise the Five-Year Schedule of Capital Improvements to include water supply, reuse, and conservation projects and programs to be implemented during the 5-year period [Section 163.3177(3)(a)4., F.S.].

5. To the extent necessary to maintain internal consistency after making changes described in Paragraph 1 through 5 above, revise the Conservation element to assess projected water needs and sources for at least a 10-year planning period, considering the applicable RWSP and water use permit(s) [Section 163.3177(6)(d), F.S.]. The comprehensive plan must address the water supply sources necessary to meet the existing and projected water use demand for the established planning period, considering the applicable RWSP [Section 163.3167(9), F.S.].

6. To the extent necessary to maintain internal consistency after making changes described in Paragraphs 1 through 5 above, revise the Intergovernmental Coordination element to ensure consistency between the Comprehensive Plan and the applicable RWSP [Section 163.3177(6)(h)1., F.S.]

7. Local governments are required to comprehensively evaluate and update the Comprehensive Plan to reflect changes in local conditions every seven years. The evaluation could address the local government's need to update their Work Plan, including the development of alternative water supplies, and determine whether the identified alternative water supply projects, traditional water supply projects, and conservation and reuse programs are meeting local water use demands [Section 163.3191(3), F.S.].

8. Local governments may be exempt from updating their Work Plan if they meet certain criteria. A local government that does not own, operate, or maintain its own water supply facilities and is served by a public water supply entity with a permitted allocation of 300 million gallons per day or greater is not required to amend its Comprehensive Plan when an RWSP is updated if the local government uses less than 1 percent of the public water supply entity's total permitted allocation. However, the local government must cooperate with the public water supply entity that provides service within its jurisdiction and must keep the Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge element up to date, pursuant to Section 163.3191, F.S. A local government should contact the Florida Department of Economic Opportunity (DEO) to verify its qualifications for the exemption [Section 163.3177(6)(c)4., F.S.].

9. Local governments with a Sector Plan adopted in accordance with Section 163.3245, F.S., should incorporate information from the adopted Sector Plan, Master Plan, and Detailed Specific Area Plan into the Work Plan. The focus should be on water needs, water supply and resource development, conservation measures, and intergovernmental coordination activities with the SWFWMD and water supply development projects needed to address projected development in the Sector Plan area [Section 163.3245, F.S.].

1.3 Background Information Overview

Geography

The Town of Dundee, Florida is a municipal corporation of the State, located in eastern Polk County. US Highway 27 runs north and south through the west side of the Town while State Road 17 (Scenic Highway) runs north and south through the heart of the Town. Dundee's service area lies within the Southern Water Use Caution Area (SWUCA). The utility service area of Dundee borders the utility service areas of the City of Haines City to the north, the City of Winter Haven to the west, Polk County Utility to the east, and the City of Lake Wales to the south.

Numerous lakes surround the Town limits. Lake Menzie, one of the most important lakes in the Town, is in the middle of the Town and serves several recreational opportunities for both residents of the community and visitors.

Utility Service Area and District Governance

Inclusive of and extending beyond the corporate limits is the Town's utility service area boundary. This boundary represents areas currently served by the Town's utility system and areas that may be served in the future. This service area boundary encompasses approximately 17.01 Square miles. The Town's utility service area borders the utility service areas of the Town of Lake Hamilton and the City of Haines City to the north, the City of Winter Haven to the west, the City of Lake Wales to the south, and Polk County Utilities to the east.

The Town's utility service area is governed and permitted by the Southwest Florida Water Management District (SWFWMD). See Map 1 which reflects the Town's corporate limits and the utility service area boundary.

Regional Demand Projections

According to the 2021 Florida Department of Environmental Protection Regional Water Supply Planning Report, total water demand during 2020 within the SWFWMD was about 1,119 mgd (Figure 1).

By 2040, the SWFWMD expects total water demands to increase to approximately 1,265 mgd, which is nearly 13 percent more than the reported 2020 water demand. The SWFWMD estimates that public supply and agricultural irrigation will remain the two largest consumers of water resources, even though agricultural irrigation is projected to decrease by approximately 1.76 percent. The consumer category representing the largest expected change in demand is domestic self-supply, with an estimated 43% increase between 2020 and 2040. See Figure 1 below illustrating the projected consumer demands for water resources within SWFWMD between 2020 and 2040.

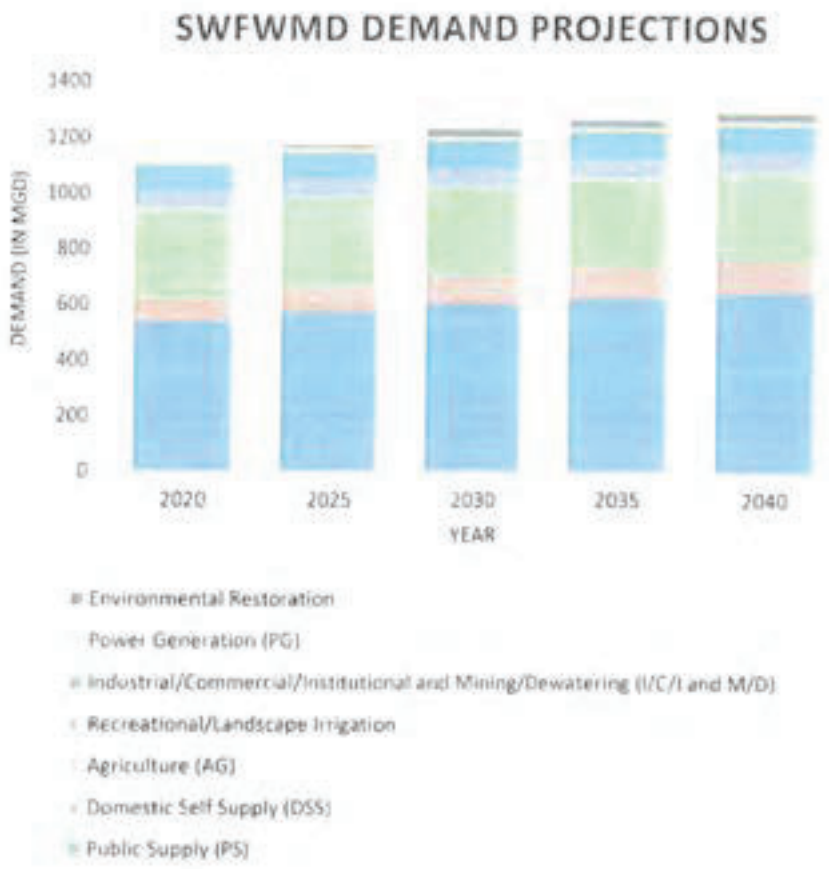


Figure 1: SWFWMD Districtwide Demand Projections 2020-2040

In response to projected demands, the SWFWMD has made concerted efforts to champion options to further protect and enhance water resources. Since 2005, 138.1 mgd of water has been made available through alternative water supply projects throughout the district. An additional 166.9 mgd is expected to be provided through implementation of future alternative water supply projects and efforts, for an estimated total of 305 mgd. Projects and efforts used to explore and implement alternative water sources include aquifer storage, water conservation, reclaimed water, brackish groundwater, surface water and surface water storage.

1.4 Southwest Florida Water Management District and Southern Water Use Caution Area

The Town is in an area that the SWFWMD identifies as the Southern Water Use Caution Area (SWUCA) (See Map 2). A water caution area is an area where existing and reasonably anticipated sources of water may not be adequate to supply water for all existing uses and anticipated future needs while sustaining water resources and related natural systems through the year 2025. In 2006, SWFWMD developed the SWUCA Recovery Strategy to respond to these concerns complying with Section 373.036 Florida Statutes. The SWFWMD proposed a program of natural system restoration, groundwater withdrawal reductions, and alternative source development projects to stabilize ground and surface water resources in the region. To ensure the health and availability of water resources within the SWUCA, Rule 40 D-2 F.A.C. states that the level of service (LOS) for water shall be equal to or less than 150 gallons per capita per day (gpcd).

1.5 Central Florida Water Initiative (CFWI)

The Central Florida Water Initiative (CFWI) is a collaborative water supply planning effort among the state's three largest water management districts, the Florida Department of Environmental Protection (DEP), the Florida Department of Agriculture and Consumer Services (DACS), water utilities, environmental groups, business organizations, agricultural communities, and other stakeholders.

The CFWI Planning Area covers five counties, including Orange, Osceola, Polk, Seminole and southern Lake (See Map 3). The boundaries of the three water management districts – St. Johns River Water Management District, South Florida Water Management District and Southwest Florida Water Management District – meet in an area known as the Central Florida Coordination Area (CFCA), which includes Polk County and within it, the Town of Dundee.

The purpose of the CFWI is to implement effective and consistent water resource planning through the Central Florida region. As part of the initiative, in 2020, the CFWI adopted an updated multi-district Regional Water Supply Plan to ensure the protection of water resources and related natural systems and identify sustainable water supplies for all water uses in the coordination area through 2040. The CFWI Regional Water Supply Plan (RWSP) adopted the Guiding Principles by:

- Identifying the sustainable quantities of fresh groundwater sources available for water supplies that can be used without causing harm to the water resources and associated natural systems

- Identifying water conservation savings which may be achievable by water users during the planning horizon
- Identifying water supply and water resource development options to meet reasonable and beneficial water demands that are in excess of the sustainable yield of fresh groundwater sources
- Protecting and enhancing the environment, including the natural resource areas and systems
- Providing information to support local government comprehensive plans
- Achieving compatibility and integration with other state and federal regional resource initiatives

Adoption of the Town's WSP must be consistent with the CFWI RWSP, be financially feasible and it must include the necessary provisions to ensure that potable water LOS standards are maintained for expected population growth.

1.6 Polk County Regional Water Cooperative (PRWC)

The Town of Dundee is part of the Polk Regional Water Cooperative (PRWC). This county-wide effort was established to bring the local governments within Polk County together to work in tandem to qualify for state and water management district funding to help pay for water resource projects to ensure adequate water supplies are available in the future. As a planning effort with a broad-based approach, the PRWC focuses on analyzing where alternative supplies are available and where demand is present. Priority projects identified by the PRWC correspond to those prioritized projects identified through the efforts of the CFWI.

Currently, the Polk Regional Water Cooperative is moving forward with two significant projects to enhance the availability of water in the region. The Southeast Wellfield and Water Supply Facility will utilize the Lower Florida Aquifer which is brackish and will require treatment via reverse osmosis. This project will deliver an extra 12.5 (MGD) to the region. The West Polk Wellfield and Water Supply Facility is a similar project, which will tap into the Lower Floridan Aquifer and is slated to provide up to 10 (MGD) per day.

1.7 Description of the Town's Water Supply System

Water Sources

The primary source of water extraction for the Town is fresh groundwater from the Upper Floridan Aquifer (UFA). As with many communities, the Town's dependency on groundwater use has increased over the past several decades. Although water utilities in the region are increasingly implementing conservation measures and exploring alternative sources for public supply, Dundee's water source is still obtained exclusively from the UFA. SWFWMD's 2020 Regional Water Supply Plan indicates that approximately 42 percent of water available in the Heartland region will be from fresh groundwater sources by the year 2040. Limited options for alternative water supply exist within the Central Florida Heartland region. As a non-coastal area, desalination of water is still not a viable or feasible option.

Potable Water System

The Town's public water supply system is regulated through the Florida Department of Environmental Protection (FDEP) while water use (water consumption) is permitted through the SWFWMD. Table 1 below provides the Town's permitting information. Additional information on the Town's permit conditions is provided in *Section 2.1, Water Service Area*.

Table 1: Public Water System and Water Use Permits

FDEP Public Water System (PWS)	WUP Permit No.	Permittee	Provider Type
6530485	5893.013	Town of Dundee	Potable Water

The Town's potable water distribution system is operated by the Town's Utilities Department, which operates and maintains the Town's water and sewer systems in compliance with all state and federal requirements. Annually, the Town presents a water quality report to inform all residents and businesses about the quality of water and services that are delivered daily.

As will be presented in more detail in Section 2, the Town is projected to see a significant population increase over the next ten- and twenty-year planning periods.

System Facilities

The Town operates two (2) essential utilities which include a potable water and wastewater system. The systems are maintained and operated by the Town of Dundee's Public Work and

Utilities Departments in compliance with all state and federal requirements. Facilities include two (2) water treatment plants and one (1) wastewater treatment plant.

The potable water system includes components to pump and treat raw water extracted from the UFA. The treated, "finished" water is stored and re-pumped into the distribution system for potable consumption by the Town's end users. The system also provides fire protection services which serve the Town and the greater utility service area.

The Town's potable water system includes a total of six (6) operating public supply wells and two (2) ground water storage tanks (GST). The system is operated by six (6) high service pumps. Tables 1 and 2 provide detailed information about the Town's facilities. See Map 4 for facilities locations.

Table 2: Inventory of Wells

Service Area	Well # (Name)	Well Diameter (inches)	Well Pump Capacity (GPM)	Well Depth (feet)	Pump Motor Horsepower
Town of Dundee	*Well #1	12	553,000	755	100
	Well #3	10	553,000	690	40
	Well #4	12	553,000	760	40
	Well #6	16	818,000	850	125
	Well #7	16	818,000	850	125
	Well #8	16	818,000	710	75

*Well #1 Not in operation

Table 2: Inventory of Water Treatment /Storage Facilities

Storage	Location	Type	Total Design Capacity (MGD)
*Lake Ruth WTP	603 Lake Marie Blvd, Dundee, FL 33838		
Hickory Walk WTP	1501 Steward Rd. Dundee, FL 33838	GST	0.75
Riner WTP	625 Dundee Rd. Dundee, FL 33838	GST	0.25

*Lake Ruth WTP is no longer in service

Water Treatment Practices

The Town treats raw ground water for Hydrogen Sulfide and organics by way of aerators and Cl2 12% bleach. The Town monitors its water treatment plants through a Supervisory Control & Automated Data Acquisition (SCADA) system and an OMNI process 24 hours a day, 7 days of the week.

Wastewater and Reuse

The Town's wastewater system is also regulated through FDEP under permit number FLA180416 (Expiration Date: April 5, 2025). It consists of a collection system, lift stations and transmission mains, as well as one wastewater treatment facility (WWTF), which has the capability to provide treated wastewater effluent for reuse. The Town's wastewater treatment effluent disposal capacities include a 0.316 Rapid Infiltration Basin. The Dundee Regional WWTF disposes of 0.13 MGD of reclaimed water to three rapid infiltration ponds.

Water Use

The Town's public water supply service area (10,925.9 acres) supports customers both inside and outside of the Town's corporate limits (See Map 1 for Service Area Boundary). As with many communities, the Town's dependency on groundwater use has increased over the past several decades. The Town is currently using approximately 797,208GPD. As part of its commitment to providing quality water to its customers, the Town also provides a water quality report to inform all residents and businesses about the quality of water and services that are delivered every day. As will be outlined in more detail in Section 2, the Town is projected to see considerable population growth over the next ten- and twenty-year planning periods.

SECTION 2: DATA AND ANALYSIS

2.1 Water Service Area

Potable water is administered through a metered system serving both residential and non-residential users under an adopted LOS standard of 115 gallons per person per day (gpcd). The system is regulated and permitted by the FDEP and the SWFWMD. The Town's permitted maximum flow (design capacity) for water extraction (as regulated through FDEP) is 2,690,000 gallons per day (gpd). The Town's current permitted capacity for water use by the SWFWMD is 917,500 gpd. In 2022, the Town extended its water use permit, which was issued with an expiration date of September 6, 2032.

Table 3 outlines the Town's permitted capacity and current metered connections under the active WUP.

Table 3: Town of Dundee's Existing Potable Water Customers

FDEP Public Water System (PWS)	WUP Permit No.	Permittee	Provider Type	WUP Permitted Capacity	Number of Residential Meters*	Number of Commercial/ Industrial/ Recreational Meters*
6530485	5893.013	Town of Dundee	Potable Water	917,500 GPD	2,039	241

Data Source: Town of Dundee 2015 Public Supply Annual Report

2.2 Population Information and Water Demand Projection

Historic Water Use by Sector

Planning for future water supply requires an understanding of past water use and the factors that influence future use over time. This section presents historical water use based on the 2011 and 2015 Town of Dundee's Public Supply Annual Reports (PSARs).

As expected, single family residential water use represents the greatest per capita/per day consumption rate, with mobile home uses (which are generally similar to single family residential uses) and residential irrigation being the next highest users. The amount of documented water loss in the Town's system according to the 2015 PSAR, is 27,630 gpd, which is less than 5 percent of the Town's total reported water use.

Growth Patterns and Potable Water

In 2020, the University of Florida's Bureau of Economic and Business Research (BEBR) estimated a Town population of 5,235 persons, which is an increase of 1,518 persons compared to the 2010 Census (3,717 persons). Based on the size of the Town's public water supply service area there is an even larger population demand. In 2020, the SWFWMD estimated a population of 5,583 persons. Population projections from 2020 to 2040 are outlined in Section 2. of this document.

Figures 2 and 3 reflect the Town's general percentage use of potable water for residential and non-residential users, for 2011 and 2015.

Annual Average of Gallons Per Day in 2011

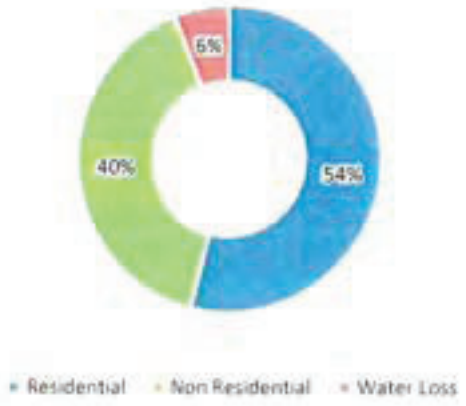


Figure 2: Historic Potable Water Use in 2011

Annual Average of Gallons Per Day in 2015

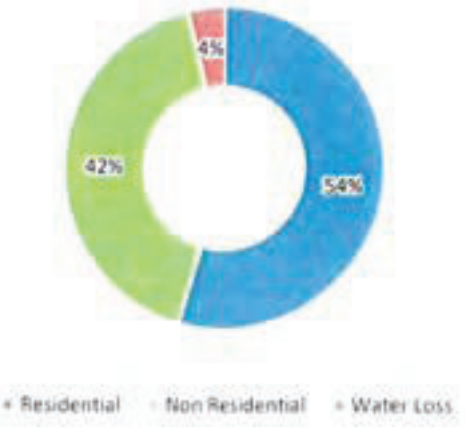


Figure 3: Historic Potable Water Use in 2015

5-year per Capita Demand

A calculation of the average per capita demand for potable water is necessary to monitor potential negative impacts on water resources and to ensure consumption rates do not exceed the Town's adopted LOS standard (115 gpcd) or the maximum 150 gpcd within the SWUCA. The average per capita demand is calculated based on the reported average daily water demand and the total consumption as measured by the Town's functional population. The functional population is defined as the total consuming end user, which includes permanent residents, seasonal residents, tourists, and net commuters as established by the SWFWMD. Table 4 outlines the 5-year per capita water demand.

Table 4: 5-Year Per Capita Water Demand

Service Area	Year	Adjusted Per Capita Demand (GPCD)*
Town of Dundee	2018	108
	2019	108
	2020	122
	2021	108
	2022	114
5-year average per capita demand		112

**Data source: Town of Dundee Public Supply Annual Report*

As shown in Table 4, the Town is generally operating within its adopted LOS of 115 gpcd. Based on the Town's PSARs from 2022 the Town's 5-year average demand is 112 gpcd.

Population Projection

Population projections used in this document are based on a methodology developed by the SWFWMD. The SWFWMD uses medium projections disaggregated to land parcel level using a GIS methodology. The functional population figures are used to reasonably estimate the potential impacts on future potable water demands. A twenty-year projection of the functional population, using the SWFWMD figures is provided in Table 5. 2020 is considered the base year consistent with the SWFWMD 2020 RWSP.

Table 5: Functional Population Projections of Dundee (2020-2040)

Year	Functional Population*
2020	5,583
2025	6,421
2030	7,183
2035	8,046
2040	8,932

** Data source: SWFWMD 2020 RWSP*

2.3 Projected Annual Growth Rates

The projected functional population annual growth rates from 2020 to 2040 for the Town of Dundee are shown in Table 6 and Figure 5. In the immediate ten-year period from 2020-2030, the functional population is projected to increase from 5,583 to 7,183, reflecting an annual growth rate of 2.5 percent. Over the twenty-year period (2020-2040), the functional population is projected to increase from 5,583 to 8,932, reflecting an annual growth rate of 2.3 percent. The projected growth rates shown here, which do not include any future land acquisitions (*i.e.*, Town annexations), reflect a moderately-high growth rate over the ten- and twenty-year planning periods.

Table 6: Projected Functional Population Annual Growth Rates

Town of Dundee Projected Annual Growth Rates									
Year				2020-2025		2020-2030		2020-2040	
2020	2025	2030	2040	%Change	Annual Growth Rate	%Change	Annual Growth Rate	%Change	Annual Growth Rate
5,583	6,421	7,183	8,932	15	2.8	28.66	2.5	60	2.37

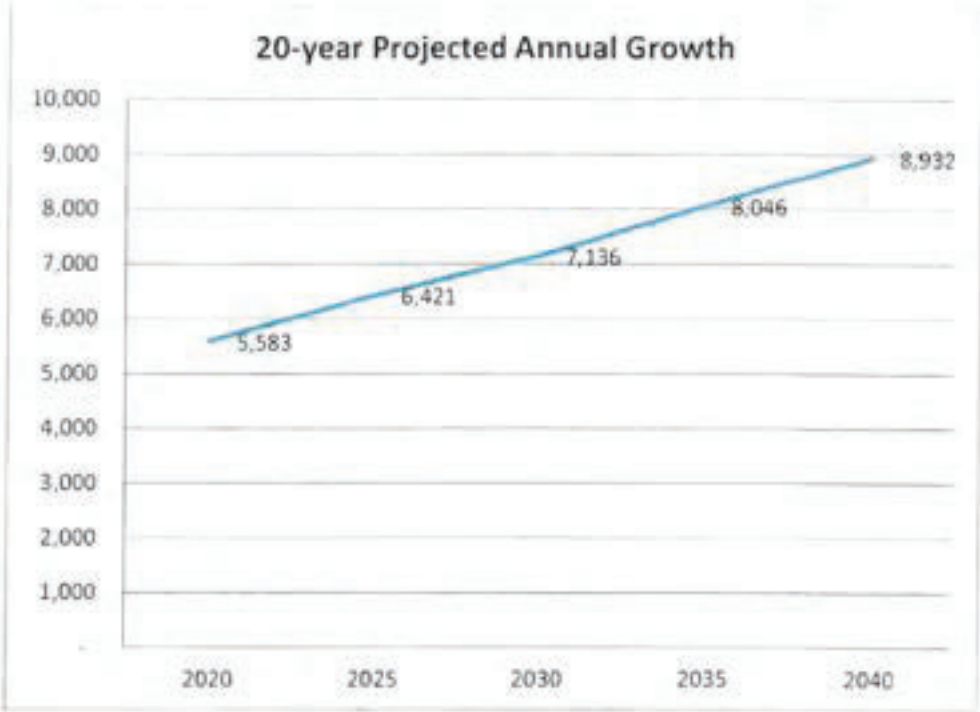


Figure 4: Projected Annual Growth

Table 8 outlines projected water demand to permitted water supply based on functional population projections using the Town's 5-year average demand (112 gpcd) as the multiplier.

Table 8: Projected Water Demand – 5-Year Average Consumption Rate (2020-2040)

	2020	2025	2030	2035	2040
Functional Population	5,583	6,421	7,183	8,046	8,932
Average Per Capita Demand (GPCD)*	112	112	112	112	112
Projected Average Demand (GPD)	625,296	719,152	804,496	901,152	1,000,384
WUP Permitted Capacity (GPD)**	917,500	917,500	917,500	917,500	917,500
Surplus (Deficit) Demand (GPD)	292,204	198,348	113,004	16,348	(82,884)
Demand % of Permitted Capacity	68.15	78.38	87.68	98.21	1.090

The projections in Table 8 reveal a daily demand of 804,496 gpd by 2030 (ten-year period) and 1,000,384 gpd by 2040 (twenty-year period). Considering the Town's permitted capacity of 917,500 gpd (based on current WUP,) the Town is anticipated to meet projected growth demands in the ten-year but will face a deficit looking out to the 2040 planning horizon. Based on these findings, the town will continue to explore water re-use options and evaluate current and future projects in coordination with the SWFWMD, the CFWI and the Polk Regional Water Cooperative to assist with additional supply capacity.

SECTION 3: GOALS, OBJECTIVES, AND POLICIES

To promote long-term water resource planning and assure that adequate supplies are available to meet future water demands, the Town recommends goals, objectives, and policies, which are included in the Infrastructure, Conservation, Intergovernmental Coordination and Capital Improvements Elements of the Town's Comprehensive Plan.

3.1 Water Conservation and Water Reuse

The Town of Dundee will continue to promote water conservation and reuse in the service area. To date, the Town has implemented several water conservation regulations and initiatives consistent with SWFWMD's requirement for implementation of a water conservation plan. Dundee will continue conservation effort through the following:

- Conduct audits of the municipal water system to determine areas that may need repairs or contributing to increased water consumption through leaking pipes and prioritize accordingly.
- Require the use of Florida Friendly landscaping techniques for all new development and continuous promotion of all new automatic landscape irrigation systems to be fitted with properly installed automatic shutoff devices.
- Participate in the Florida Water Star program, which provides up to $350,000 in rebates countywide to builders who participate in a voluntary certification program.
- Educate residents in water conservation and best practices through public education printed and on the Town's website.
- Public education printed and website.
- Promotion of low-flow toilets.
- Line Breaks are set at high priority and fixed promptly.

Additionally, the Town will continue to coordinate water conservation efforts with the SWFWMD, the CFWI, and the PRWC to ensure that proper strategies are being utilized. The Town will also continue to support and expand existing goals, objectives and policies in the comprehensive plan that promotes water conservation in a cost-effective and environmentally sensitive manner.

3.2. Intergovernmental Coordination

The Town continues to coordinate with Polk County regarding water resource issues, including coordination on water supply plans. The Town also recognizes its partnership and intergovernmental coordination with the CFWI, and the PRWC.

As part of the PRWC, Dundee is part of an inter-municipal effort to seek state funding for projects to take care of public supply needs in the next twenty years. The estimated cost of the projects is $620 million and would produce at least 42 million gallons per day. One of Town's efforts includes an alternate water supply interconnect provided by the City of Winter Haven to be complete in Fiscal FY24-25 and an interconnect with PRWC completed by 2027 and in service by 2028. With these two water sources in place, the Town anticipates an elimination of any deficits through the 10-year and 20-year planning horizons. Dundee is part of a group of municipalities that is currently working to reduce water consumption through a variety of conservation programs, which include toilet rebates and financial assistance with installation costs, rebates for landscaping of new development projects to reduce water use and information on improved irrigation projects. Finally, as part of the SWFWMD permitting requirements, the Town is required to complete a Public Supply Annual Report which documents and provides updates on water demands and facilities information for water use permit compliance and maintenance purposes.

3.3. Capital Improvements

The Town continues to monitor, update, and improve its potable water system with the goal of providing an efficient and safe water supply for its customers. The Town will continue to upgrade facilities and infrastructure as needed to ensure peak operation of its utility facilities.

The Town has identified several improvements in its Capital Improvement Plan for FY 2022/2023 to FY 2026/2027. A total amount of $24,072,626 is identified for both water and wastewater facility improvements. Potable water, distribution and collection system improvements include water treatment upgrades, ground storage tank repairs, water main upgrades, line, valve, and meter replacements. Project funding in the first two years (through FY 2023/2024) totals $5,902,414. Wastewater improvements include a storage building, updates to the wastewater master plan, headworks expansion, septic tank elimination projects, and improvements to the plant worth $5,463000, with $1,263,000 programmed through FY 2023/2024.

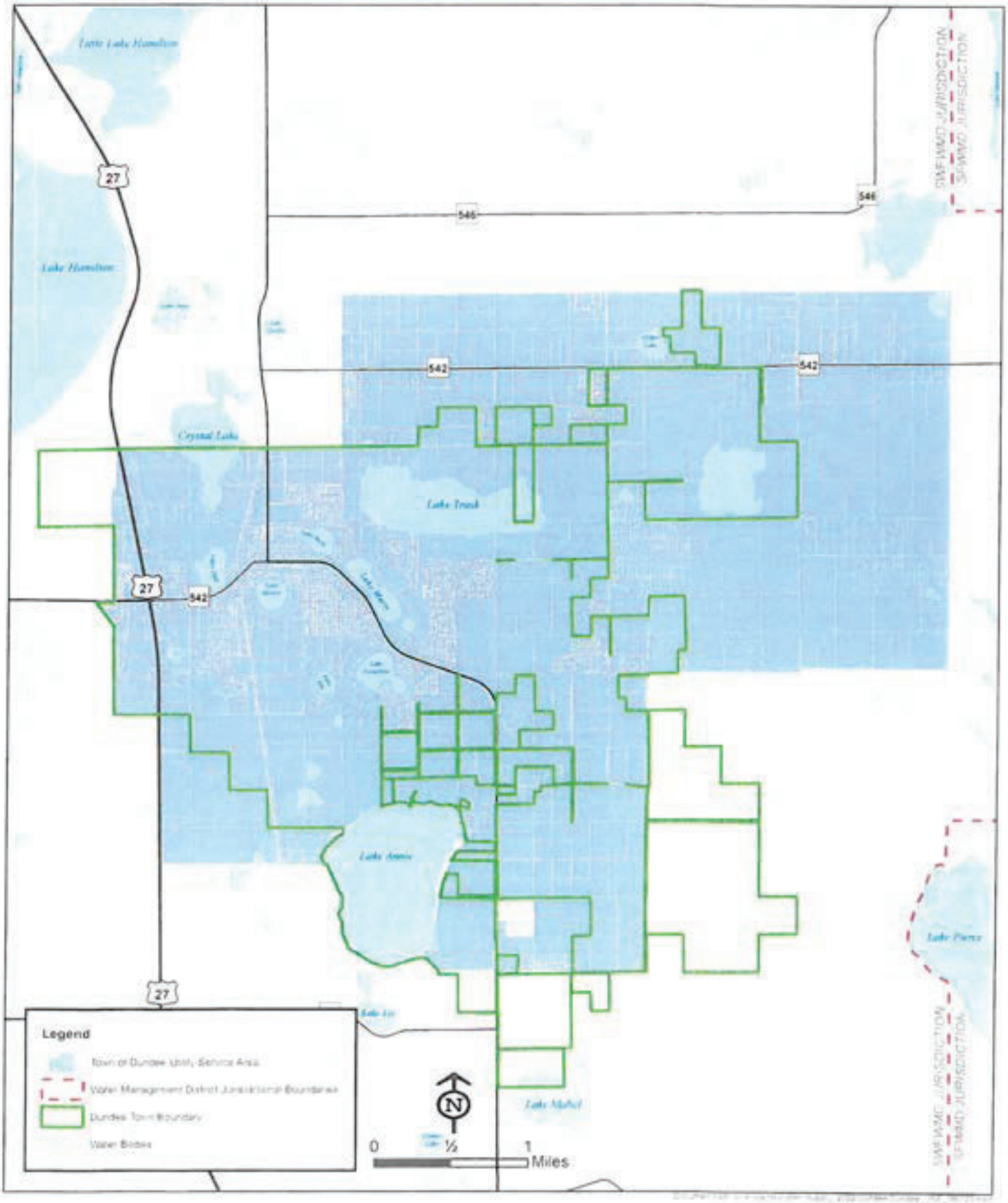
SECTION 4: CONCLUSION

4.1 Conclusion

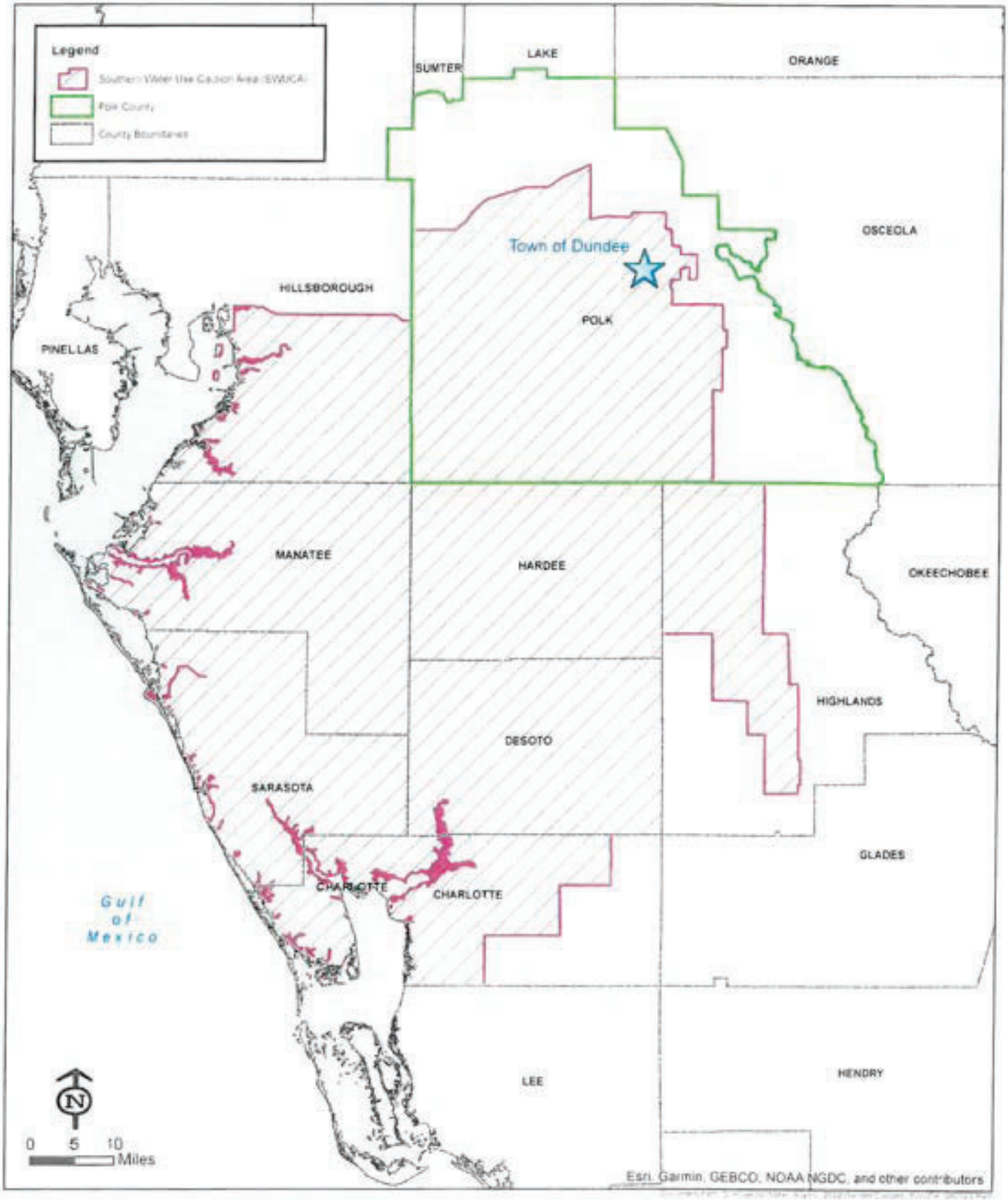
The Town of Dundee maintains and operates a potable water (utility) system serving users both inside and outside of the current Town limits. The Town system also operates within the boundary of the Southern Water Use Caution Area (SWUCA). As mentioned, the requirements under the SWUCA state that the Level of Service (LOS) standard for water must be lower than 150 gpcd. The Town's adopted LOS for water consumption is 115 gpcd. Based on reported consumption rates from 2018 to 2022, the Town's 5-year average demand is 112 gpcd.

Both the current LOS and the Town's 5-year average demand are below the SWUCA limitation of 150 gpcd. Currently, the Town's utility is permitted to distribute 917,500 GPD. The current average demand for potable water service is approximately 625,296 GPD, leaving an available capacity of 292,204 GPD. While the Town is expected to meet demands through the 10-year planning period (2030), findings reflect there will be a deficit through the 2040 planning horizon (See Table 8). Through continued efforts in coordination with the SWFWMD, the CFWI and the Polk Regional Water Cooperative, additional sources of water may be available to help meet additional needs by the 2040 planning horizon. The Town will continue its conservation efforts through all available resources and continue to upgrade its facilities when and where improvements are needed to ensure a quality water supply system is maintained.

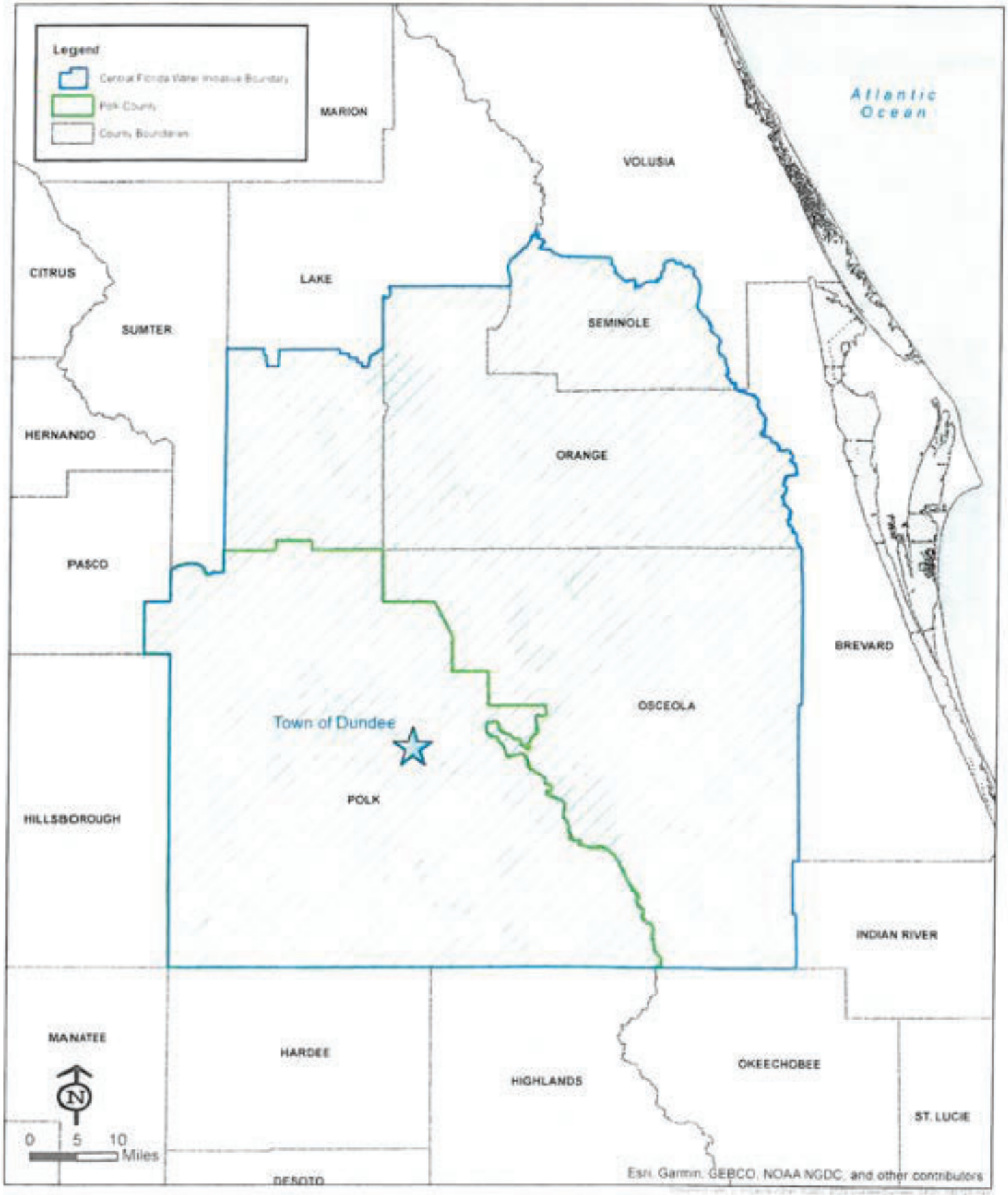
Map 1
UTILITY SERVICE AREA



Map 2
SOUTHERN WATER USE CAUTION AREA



Map 3
CENTRAL FLORIDA WATER INITIATIVE (CFWI)



Map 4
WATER & WASTEWATER UTILITY FACILITIES

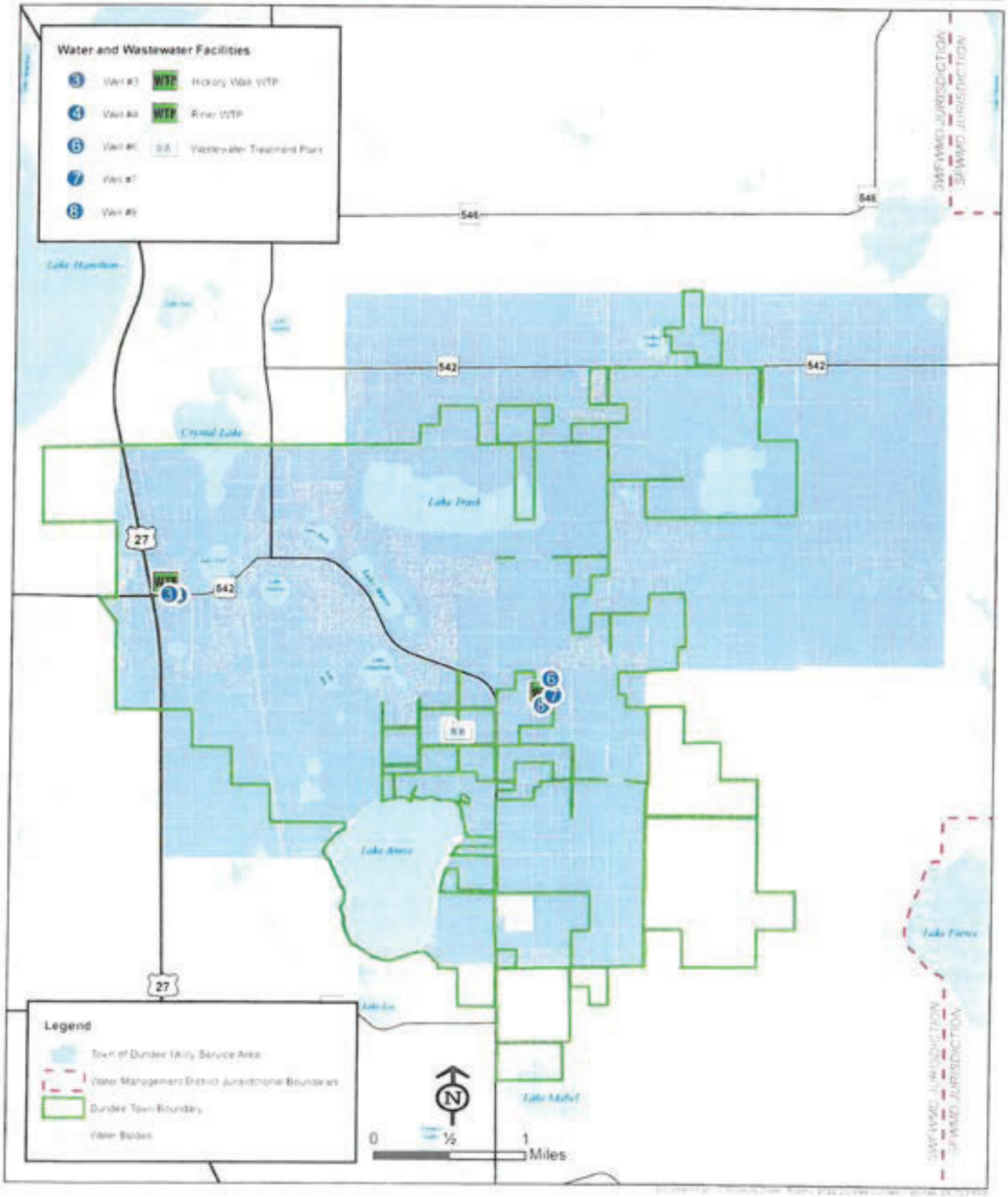


EXHIBIT C

Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida
34604 (352) 796-7211 or 1-800-423-1476
(FL only) WaterMatters.org

An Equal Opportunity Employer

The Southwest Florida Water Management District (District) does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the District's functions, including access to and participation in the District's programs, services and activities. Anyone requiring reasonable accommodation, or who would like information as to the existence and location of accessible services, activities, and facilities, as provided for in the Americans with Disabilities Act, should contact the Human Resources Office Chief, at 2379 Broad St., Brooksville, FL 34604-6899; telephone (352) 796-7211 or 1-800-423-1476 (FL only); or email ADACoordinator@WaterMatters.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1-800-955- 8771 (TDD) or 1- 800-955- 8770 (Voice). If requested, appropriate auxiliary aids and services will be provided at any public meeting, forum, or event of the District. In the event of a complaint, please follow the grievance procedure located at WaterMatters.org/ADA.

Final Agenda
GOVERNING BOARD MEETING

MAY 20, 2025
9:00 AM

7601 US 301 North, Tampa, FL 33637
(813) 985-7481

All meetings are open to the public

MEETING NOTICE

- Viewing of the Board meeting will be available through the District's website at *WaterMatters.org*.
- Public input will be taken only at the meeting location.
- Public input for issues not listed on the published agenda will be heard shortly after the meeting begins.

Pursuant to Section 373.079(7), Florida Statutes, all or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

The Governing Board may take official action at this meeting on any item appearing on this agenda and on any item that is added to this agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes.

The order of items appearing on the agenda is subject to change during the meeting and is at the discretion of the presiding officer.

Public Comment will be taken after each presentation and before any Governing Board action(s) except for Governing Board hearings that involve the Issuance of final orders based on recommended Orders received from the Florida Division of Administrative Hearings.

Unless specifically stated, scheduled items will not be heard at a time certain.

The current Governing Board agenda and minutes of previous meetings are available at *WaterMatters.org*.

Bartow Office
170 Century Boulevard
Bartow, Florida 33830
(863) 534-1448 or 1-800-492-7862 (FL only)

Sarasota Office
78 Sarasota Center Boulevard
Sarasota, Florida 34240
(941) 377-3722 or 1-800-320-3503 (FL only)

Tampa Office
7601 Hwy 301 N
Tampa, Florida 33637
(813) 985-7481 or 1-800-836-0797 (FL only)

1. CONVENE PUBLIC MEETING

1.1 Call to Order

1.2 Invocation and Pledge of Allegiance

1.3 Election of Governing Board Officers

1.4 Employee Recognition

1.5 Additions/Deletions to Agenda

1.6 Public Input for Issues Not Listed on the Published Agenda

2. CONSENT AGENDA

2.1 **Finance/Outreach and Planning Committee:** Water Reuse Week Proclamation

2.2 **Operations, Lands and Resource Monitoring Committee:** Right of First Refusal – Bronson Conservation Easement, SWF Parcel No. 10-200-1100Cb (Lake County)

2.3 **Regulation Committee:** Water Use Permit No. 20 001512.016, Charlotte Harbor Water Association / CHWA Public Water Supply (Charlotte County)

2.4 **Regulation Committee:** Water Use Permit No. 20 003216.013, T & T Environmental, LLC / Desoto Groves (DeSoto County)

2.5 **Regulation Committee:** Water Use Permit No. 20 005893.014, Town of Dundee / Town of Dundee Public Supply (Polk County)

2.6 **Regulation Committee:** Water Use Permit No. 20 006409.009, Cameron High Grove, LLC / High Grove (Highlands County)

2.7 **Regulation Committee:** Water Use Permit No. 20 006624.011, City of Lake Alfred / City of Lake Alfred Public Supply (Polk County)

2.8 **General Counsel's Report:** Amendment and Partial Release of Conservation Easement – Environmental Resource Permit Application No. 887884 – McIntosh Parcel (Polk County)

2.9 **General Counsel's Report:** Authorization to Initiate Litigation – Tsala Apopka Golf Course Control Structure Project (C680)

2.10 **Executive Director's Report:** Approve Governing Board Workshop Minutes – March 25, 2025

2.11 **Executive Director's Report:** Approve Governing Board Minutes – April 22, 2025

3. FINANCE/OUTREACH AND PLANNING COMMITTEE

3.1 **Discussion:** Consent Item(s) Moved to Discussion

3.2 **Discussion:** Information Item: Legislative Update

3.3 **Submit & File:** Information Item: Budget Transfer Report

4. RESOURCE MANAGEMENT COMMITTEE

4.1 **Discussion:** Consent Item(s) Moved to Discussion

4.2 **Discussion:** Information Item: 2025 Regional Water Supply Plan

4.3 **Discussion:** Information Item: 2024 District-wide Seagrass Mapping Results (W331/B017)

5. OPERATIONS, LANDS, AND RESOURCE MONITORING COMMITTEE

5.1 **Discussion:** Consent Item(s) Moved to Discussion

6. REGULATION COMMITTEE

6.1 **Discussion:** Consent Item(s) Moved to Discussion

6.2 **Discussion:** Action Item: Denials Referred to the Governing Board

7. GENERAL COUNSEL'S REPORT

7.1 **Discussion:** Consent Item(s) Moved to Discussion

7.2 **Discussion:** Action Item: Affirm Governing Board Committee Actions

8. COMMITTEE/LIAISON REPORTS

8.1 **Discussion:** Information Item: Environmental Advisory Committee

9. EXECUTIVE DIRECTOR'S REPORT

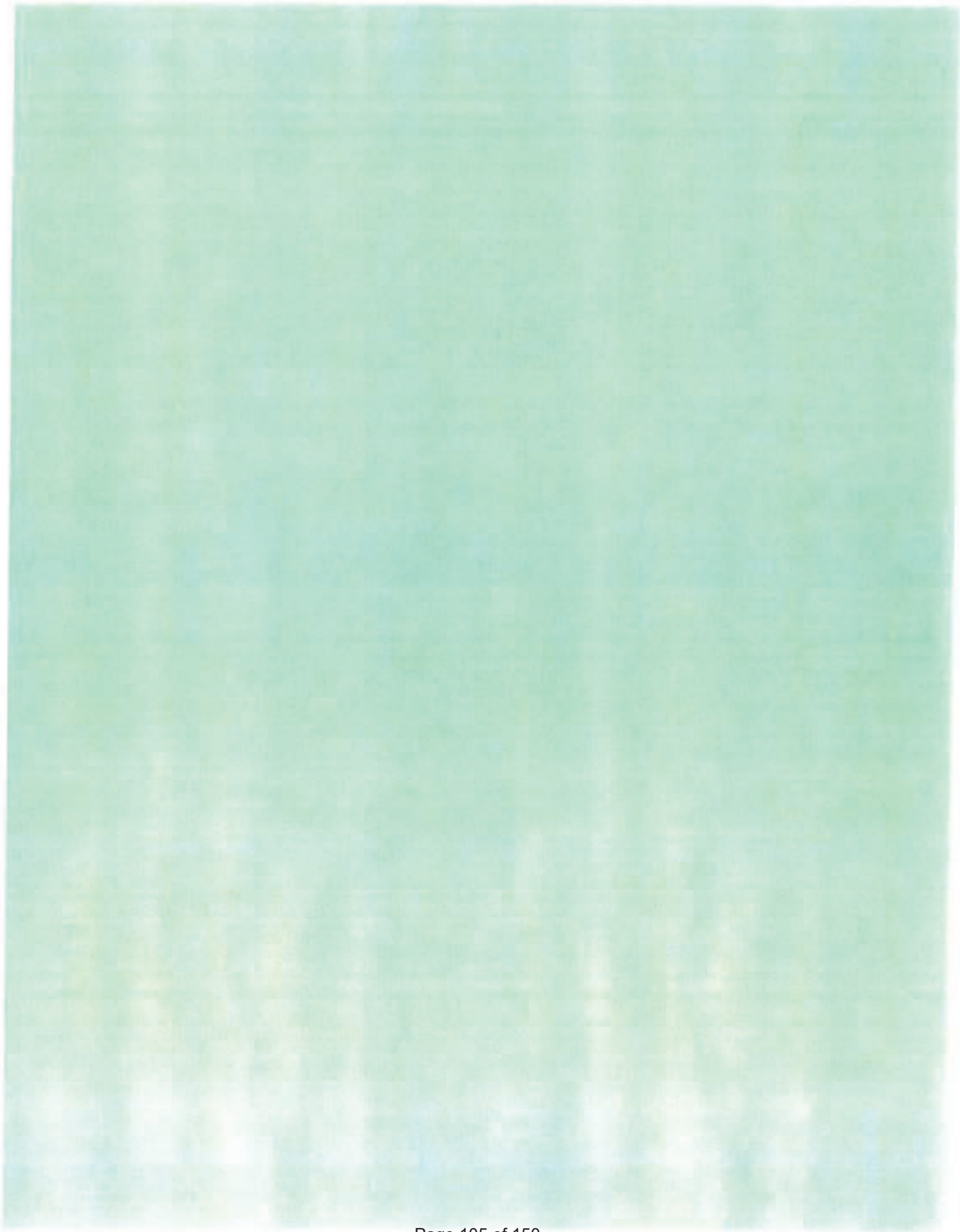
9.1 **Discussion:** Information Item: Executive Director's Report

10. CHAIR'S REPORT

10.1 **Discussion:** Information Item: Chair's Report

10.2 **Discussion:** Information Item: Employee Milestones

ADJOURNMENT



CONSENT AGENDA

May 20, 2025

Regulation Committee: Water Use Permit No. 20 005893.014, Town of Dundee / Town of Dundee Public Supply (Polk County)

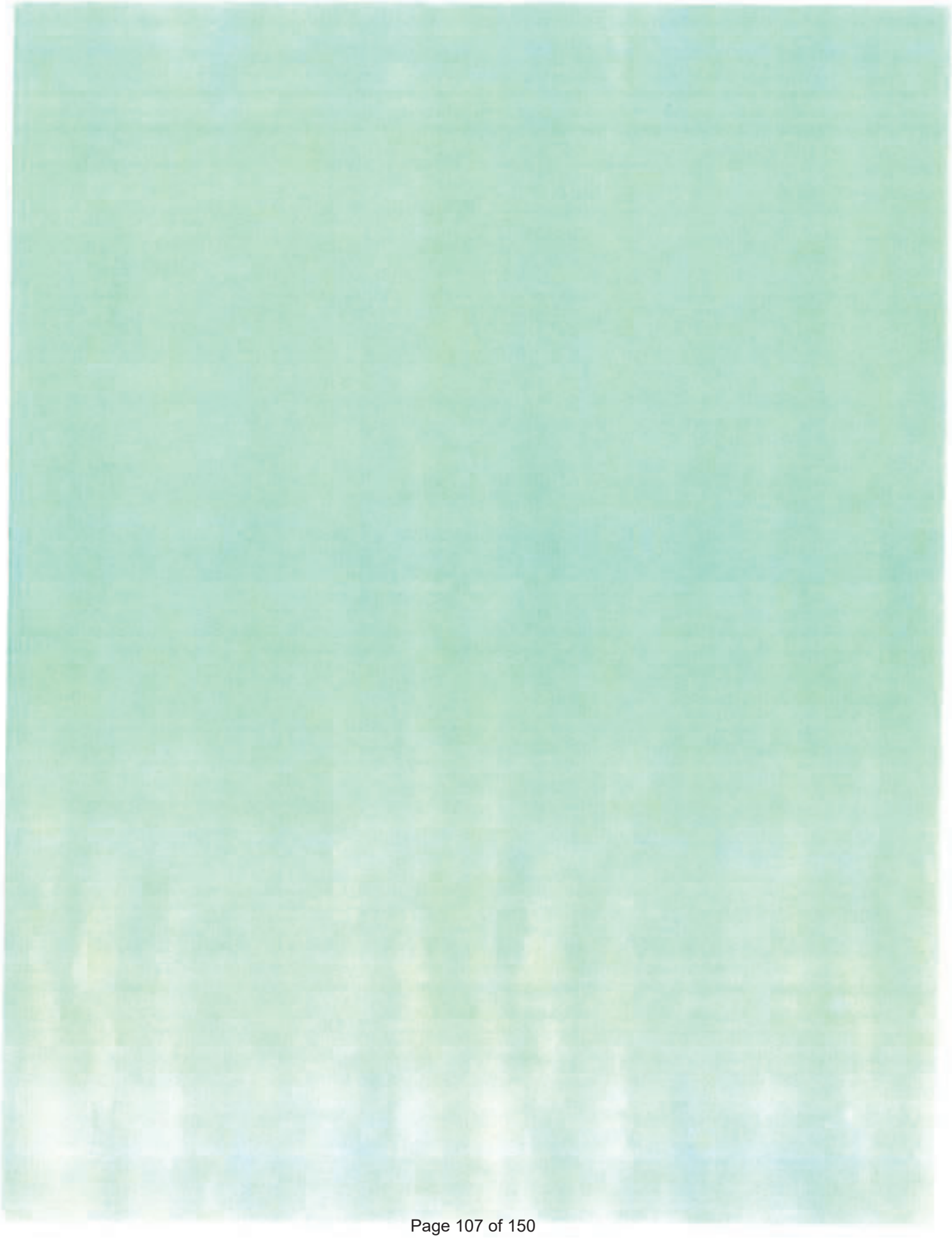
This is a renewal of an existing water use permit for public supply use. The authorized quantities are based on the 2045 demand and a gross daily water use rate of 115 gallons per day per capita (gpcd). The quantities have changed from those previously permitted to reflect an increase in population from 6,168 to 14,805 and a decrease in per capita use rate from 148 to 115 gpcd. This permit authorizes an annual average quantity increase from 917,500 gallons per day (gpd) to 1,702,700 gpd, and a peak month quantity increase from 1,202,000 gpd to 2,230,400 gpd. The 2025 annual average demand of 925,800 gpd is based on a population of 7,913 and a per capita use rate of 117 gpcd. The approval of an increase in withdrawals from the Upper Floridan Aquifer (UFA) above the 2025 demand is supported by impact offsets associated with the pending retirement of 18 existing water use permits whose authorized annual average groundwater quantity sums to 1,371,500 gpd through land use transitions. There is no change in Use Type from the prior revision. The Town of Dundee is a member of the Polk Regional Water Cooperative (PRWC) and is expected to receive up to 900,000 gpd in Alternative Water Supply (AWS) from the PRWC in the future. This permit is located in the Southern Water Use Caution Area (SWUCA) and within the Central Florida Water Initiative (CFWI).

Special Conditions include those that require the Permittee to report monthly meter readings; to perform meter accuracy checks every five years; to cap wells not in use; to modify the permit upon receipt of AWS; to comply with rate structure, per capita, and customer billing requirements; to submit a report summary of retiring land use transition permits; and to submit the Public Supply Annual Report each year.

The permit application meets all Conditions for Issuance pursuant to Florida Administrative Code Rule 40D-2.301.

Staff Recommendation:
Approve the proposed permit attached as an exhibit.

Presenter:
April D. Breton, Bureau Chief, Water Use Permit Bureau



SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE PERMIT
Individual
PERMIT NO. 20 005893.014

PERMIT ISSUE DATE: May 20, 2025 **EXPIRATION DATE:** May 20, 2045

The Permittee is responsible for submitting an application to renew this permit no sooner than one year prior to the expiration date, and no later than the end of the last business day before the expiration date, whether or not the Permittee receives prior notification by mail. Failure to submit a renewal application prior to the expiration date and continuing to withdraw water after the expiration date is a violation of Chapter 373, Florida Statutes, and Chapter 40D-2, Florida Administrative Code, and may result in a monetary penalty and/or loss of the right to use the water. Issuance of a renewal of this permit is contingent upon District approval.

TYPE OF APPLICATION: Renewal

GRANTED TO: Town of Dundee / Attn: Tracy Mercer
Post Office Box 1000
Dundee, FL 33838-1000

PROJECT NAME: Town of Dundee Public Supply

WATER USE CAUTION AREA(S): SOUTHERN WATER USE CAUTION AREA

COUNTY: Polk

TOTAL QUANTITIES AUTHORIZED UNDER THIS PERMIT (in gallons per day)

ANNUAL AVERAGE	1,702,700 gpd
PEAK MONTH [1]	2,230,400 gpd

1. Peak Month: Average daily use during the highest water use month.

ABSTRACT:

This is a renewal of an existing water use permit for public supply use. The authorized quantities are based on the 2045 demand and a gross per capita daily water use rate of 115 gallons per day (gpd). The quantities have changed from those previously permitted to reflect an increase in population from 6,168 to 14,805 and a decrease in per capita use rate from 148 to 115 gpcd. This permit authorizes an annual average quantity increase from 917,600 gallons per day (gpd) to 1,702,700 gpd, and a peak month quantity increase from 1,202,000 gpd to 2,230,400 gpd. The 2025 annual average demand of 925,800 gpd is based on a population of 7,913 and a per capita use rate of 117 gpcd. The approved increase in withdrawals from the Upper Floridan Aquifer (UFA) above the 2025 demand is supported by impact offsets associated with the pending retirement of 18 existing water use permits whose authorized annual average groundwater quantity sums to 1,371,500 gpd through land use transitions. There is no change in Use Type from the prior revision. The Town of Dundee is a member of the Polk Regional Water Cooperative (PRWC) and is expected to receive up to 900,000 gpd in Alternative Water Supply (AWS) from the PRWC in the future. This permit is located in the Southern Water Use Caution Area (SWUCA) and within the Central Florida Water Initiative (CFWI).

Special Conditions include those that require the Permittee to report monthly meter readings, to perform meter accuracy checks every five years, to cap wells not in use, to modify the permit upon receipt of AWS, to comply with rate structure, per capita, and customer billing requirements, submit a report summary of retiring land use transition permits and to submit the Public Supply Annual Report each year.

WATER USE TABLE (in gpd)

USE	ANNUAL AVERAGE	PEAK MONTH
Public Supply	1,702,700	2,230,400

USE TYPE

Residential Single Family

PUBLIC SUPPLY:

Population Served: 14,805

Per Capita Rate: 115 gpd/person

WITHDRAWAL POINT QUANTITY TABLE

Water use from these withdrawal points are restricted to the quantities given below:

I.D. NO. PERMITTEE/ DISTRICT	DIAM (in.)	DEPTH TTL./CSD.FT. (feet bls)	USE DESCRIPTION	AVERAGE (gpd)	PEAK MONTH (gpd)
3 / 3	10	690 / 97	Public Supply	295,800	387,500
4 / 4	12	760 / 145	Public Supply	295,800	387,500
6 / 6	16	850 / 240	Public Supply	370,300	485,100
7 / 7	16	850 / 260	Public Supply	370,400	485,100
8 / 8	16	710 / 260	Public Supply	370,400	485,200

WITHDRAWAL POINT LOCATION TABLE

DISTRICT I.D. NO.	LATITUDE/LONGITUDE
3	28° 01' 02.05"/81° 37' 47.87"
4	28° 01' 03.23"/81° 37' 47.90"
6	28° 00' 31.22"/81° 35' 23.54"
7	28° 00' 29.60"/81° 35' 21.90"
8	28° 00' 29.50"/81° 35' 25.60"

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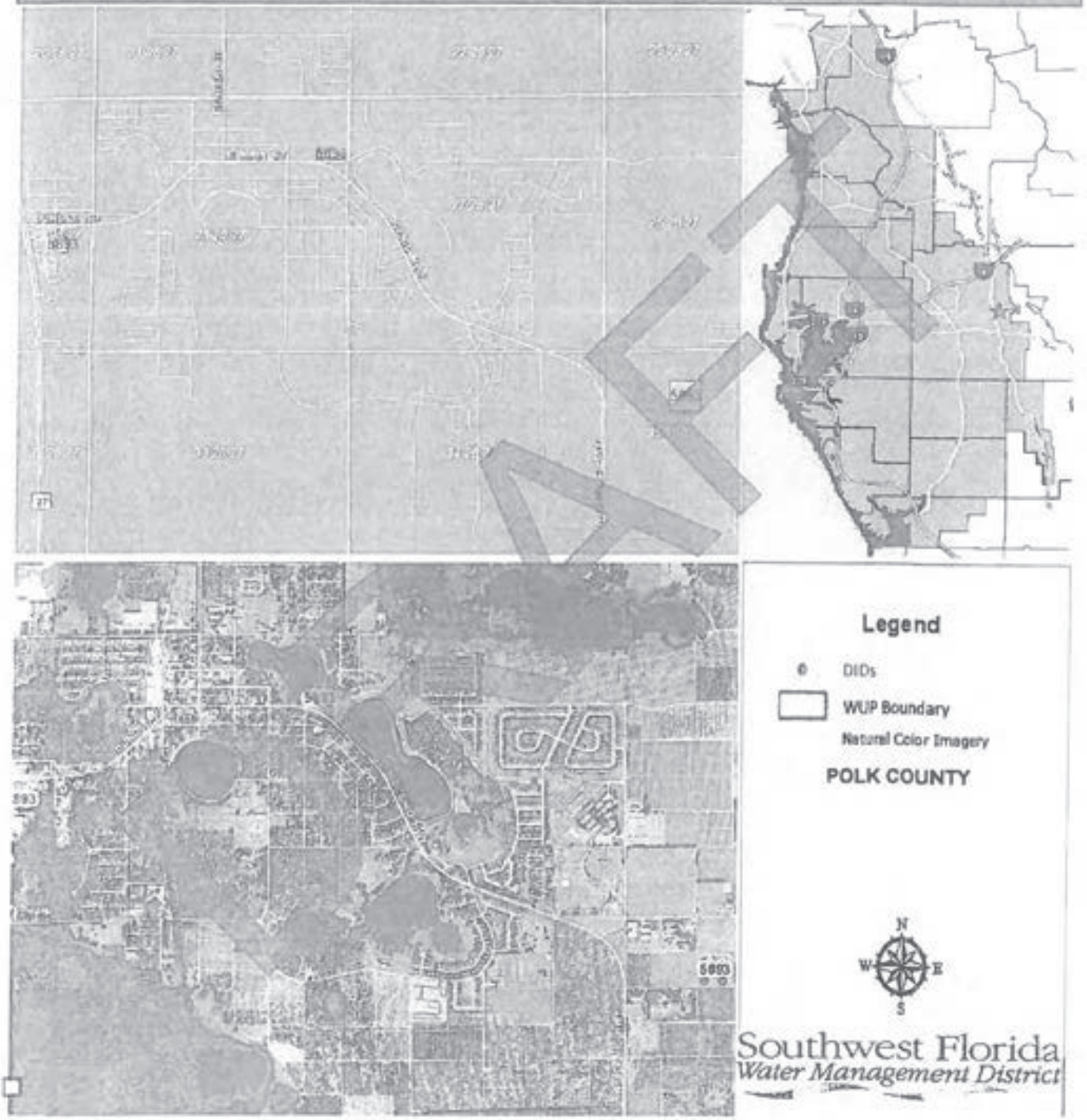
Location Map
Town of Dundee / Attn: Tracy Mercer
WUP No. 20 005893.014



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STANDARD CONDITIONS:

The Permittee shall comply with the Standard Conditions attached hereto, incorporated herein by reference as Exhibit A and made a part hereof.

SPECIAL CONDITIONS:

1. All reports and data required by condition(s) of the permit shall be submitted to the District according to the due date(s) contained in the specific condition. If the condition specifies that a District-supplied form is to be used, the Permittee should use that form in order for their submission to be acknowledged in a timely manner. The only alternative to this requirement is to use the District Permit Information Center (www.swfwmd.state.fl.us/permits/epermitting/) to submit data, plans or reports online. There are instructions at the District website on how to register to set up an account to do so. If the report or data is received on or before the tenth day of the month following data collection, it shall be deemed as a timely submittal.

   All mailed reports and data are to be sent to:

   Southwest Florida Water Management District
   Tampa Service Office, Water Use Permit Bureau
   7601 U.S. Hwy. 301 North
   Tampa, Florida 33637-6759

   Submission of plans and reports: Unless submitted online or otherwise indicated in the special condition, the original and two copies of each plan and report, such as conservation plans, environmental analyses, aquifer test results, per capita annual reports, etc., are required.

   Submission of data: Unless otherwise indicated in the special condition, an original (no copies) is required for data submittals such as crop report forms, meter readings and/or pumpage, rainfall, water level, evapotranspiration, or water quality data.

   (499)

2. The quantities included in the permit are based on a gross per capita daily water use rate of 115 gpd. Failure to maintain, on average, the per capita rate on which the permitted quantity is based could result in noncompliance with the terms of the permit. A per capita rate of 117 is allowable until December 31, 2033. After December 31, 2033, the permittee shall achieve a per capita rate not greater than 116. After December 31, 2043, the permittee shall achieve a per capita rate that is not greater than 115. The per capita rate will be monitored via the Annual Report and the Reclaimed Water Supplier Report that are required to be submitted by April 1 of each year for the term of the permit.(87)

3. This permit shall be modified if an additional source of water is provided for public supply use from a separate entity. This includes additional Alternative Water Supply quantities and irrigation water for lawn/landscape and common areas. The Permittee shall notify the District of the additional water source and submit an application to modify the permit to acknowledge receipt.(68)

4. The permittee shall develop and maintain an Annual Conservation Goal Implementation Plan (ACGIP) pursuant to section 2.7 of the CFWI Supplemental Applicant's Handbook for Consumptive Use Permitting. The ACGIP shall outline conservation goals for no less than 5 years. Agricultural permittees implementing BMPs in lieu of an ACGIP must maintain documentation supporting the enrollment and implementation of selected BMPs. The permittee shall submit the ACGIP upon request by the District, during a 10-year compliance report, and with an application for permit renewal or modification except for a public water supply permittee with an annual average daily quantity of 100,000 gpd or greater and whose commercial use equals or exceeds 30 percent of its total water use, shall report its progress toward achieving the conservation goals within the ACGIP annually.
   (92)

5. Within 90 days of the replacement of any or all withdrawal quantities from ground water or surface water bodies with an Alternative Water Supply, the Permittee shall apply to modify this permit to place equal quantities of permitted withdrawals from the ground and/or surface water resource on standby. The standby quantities can be used in the event that some or all of the alternative source is not available.(363)

6. The Permittee shall immediately implement the District-approved water conservation plan that was submitted in support of the application for this permit. Conservation measures that the Permittee has already implemented shall continue, and proposed conservation measures shall be implemented as proposed in the plan. Progress reports on the implementation of water conservation practices indicated as proposed in the plan as well as achievements in water savings that have been realized from each water conservation practice shall be submitted by June 1, 2035.(449)

7. The Permittee shall investigate the feasibility of using Alternative Water Supply (AWS) when notified by the District that AWS water may be available in sufficient supply to be utilized for this permit. The Permittee shall submit a report documenting the feasibility investigation within six months of the notification. The report shall contain an analysis of AWS water sources for the area including the relative location of these sources to the Permittee's property, the quantity of AWS water available, the projected date(s) of availability, costs associated with obtaining the AWS water, and an implementation schedule for AWS, if feasible. Infeasibility shall be supported with a detailed explanation. If the use of AWS water is determined to be feasible by the Permittee or by the District, then the Permittee shall submit an application to modify this water use permit to include AWS water as a source of water. The modification application shall include a date when the AWS water will be available and shall indicate a proposed modification in permitted quantities. If the permit application is not submitted by the Permittee, the District may modify, following notice to the Permittee, the quantities authorized with this permit to account for the availability of AWS water.
(458)

8. Any wells not in use, and in which pumping equipment is not installed shall be capped or valved in a water tight manner in accordance with Chapter 62-532.500, F.A.C.(568)

9. Beginning January 1, 2012, the Permittee shall comply with the following requirements:
A. Customer billing period usage shall be placed on each utility-metered customer's bill.
B. Meters shall be read and customers shall be billed no less frequently than bi-monthly.
C. The following information, as applicable to the customer, shall be provided at least once each calendar year and a summary of the provisions shall be provided to the District annually as described in Section D, below. The information shall be provided by postal mailings, bill inserts, online notices, on the bill or by other means. If billing units are not in gallons, a means to convert the units to gallons must be provided.
1. To each utility-metered customer in each customer class - Information describing the rate structure and shall include any applicable:
a. Fixed and variable charges,
b. Minimum charges and the quantity of water covered by such charges,
c. Price block quantity thresholds and prices,
d. Seasonal rate information and the months to which they apply, and
e. Usage surcharges
2. To each utility-metered single-family residential customer - Information that the customer can use to compare its water use relative to other single-family customers or to estimate an efficient use and that shall include one or more of the following:
a. The average or median single-family residential customer billing period water use calculated over the most recent three year period, or the most recent two year period if a three year period is not available to the utility. Data by billing period is preferred but not required.
b. A means to calculate an efficient billing period use based on the customer's characteristics, or
c. A means to calculate an efficient billing period use based on the service area's characteristics.
D. Annual Report: The following information shall be submitted to the District annually by October 1 of each year of the permit term to demonstrate compliance with the requirements above. The information shall be current as of the October 1 submittal date.
1. Description of the current water rate structure (rate ordinance or tariff sheet) for potable and non-potable water.
2. Description of the current customer billing and meter reading practices and any proposed changes to these practices (including a copy of a bill per A above).
3. Description of the means the permittee uses to make their metered customers aware of rate structures, and how the permittee provides information their metered single-family residential customers can use to compare their water use relative to other single-family customers or estimate an efficient use (see C 1 & 2 above).

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(592)

10. This Permit is located within the Southern Water Use Caution Area (SWUCA). Pursuant to Section 373.0421, Florida Statutes, the SWUCA is subject to a minimum flows and levels recovery strategy, which became effective on January 1, 2007. The Governing Board may amend the recovery strategy, including amending applicable water use permitting rules based on an annual assessment of water resource criteria, cumulative water withdrawal impacts, and on a recurring five-year evaluation of the status of the recovery strategy up to the year 2025 as described in Chapter 40D-80, Florida Administrative Code. This Permit is subject to modification to comply with new rules.(652)

11. The Permittee shall maintain a water conserving rate structure for the duration of the permit term. Any changes to the water conserving rate structure described in the application shall be described in detail as a component of the next Annual Report on Water Rate, Billing and Meter Reading Practices of the year following the change.(659)

12. The Permittee shall submit a "Public Supply Annual Report" to the District by April 1 of each year on their water use during the preceding calendar year using the form, "Public Supply Water Use Annual Report Form" (Form No. LEG-R.103.00 (05/14)), referred to in this condition as "the Form," and all required attachments and documentation. The Permittee shall adhere to the "Annual Report Submittal Instructions" attached to and made part of this condition in Exhibit B. The Form addresses the following components in separate sections.

Per Capita Use Rate
A per capita rate for the previous calendar year will be calculated as provided in Part A of the Form using Part C of the Form to determine Significant Use deduction that may apply. Permittees that cannot achieve a per capita rate of 150 gpd according to the time frames included in the "Instructions for Completion of the Water Use Annual Report" shall include a report on why this rate was not achieved, measures taken to comply with this requirement, and a plan to bring the permit into compliance.

Residential Use
Residential use shall be reported in the categories specified in Part B of the Form, and the methodology used to determine the number of dwelling units by type and their quantities used shall be documented in an attachment.

Non-Residential Use
Non-residential use quantities provided for use in a community but that are not directly associated with places of residence, as well as the total water losses that occur between the point of output of the treatment plant and accountable end users, shall be reported in Part B of the Form.

Water Conservation
In an attachment to the Form, the Permittee shall describe the following:
1. Description of any ongoing audit program of the water treatment plant and distribution systems to address reductions in water losses.
2. An update of the water conservation plan that describes and quantifies the effectiveness of measures currently in practice, any additional measures proposed to be implemented, the scheduled implementation dates, and an estimate of anticipated water savings for each additional measure.
3. A description of the Permittees implementation of water-efficient landscape and irrigation codes or ordinances, public information and education programs, water conservation incentive programs, identification of which measures and programs, if any, were derived from the Conserve Florida Water Conservation Guide, and provide the projected costs of the measures and programs and the projected water savings.

Water Audit
If the current water loss rate is greater than 10% of the total distribution quantities, a water audit as described in the "Instructions for Completion of the Water Use Annual Report" shall be conducted and completed by the following July 1, with the results submitted by the following October 1. Indicate on Part A of the Form whether the water audit was done, will be done, or is not applicable.

Alternative Water Supplied Other Than Reclaimed Water
If the Permittee provides Alternative Water Supplies other than reclaimed water (e.g., stormwater not 67

treated for potable use) to customers, the information required on Part D of the Form shall be submitted along with an attached map depicting the areas of current Alternative Water Use service and areas that are projected to be added within the next year.

Suppliers of Reclaimed Water

1. Permittees having a wastewater treatment facility with an annual average design capacity equal to or greater than 100,000 gpd:

The Permittee shall submit the "SWFWMD Annual Reclaimed Water Supplier Report" on quantities of reclaimed water that was provided to customers during the previous fiscal year (October 1 to September 30). The report shall be submitted in Excel format on the Compact Disk, Form No. LEG-R.026.00 (05/09), that will be provided annually to them by the District. A map depicting the area of reclaimed water service that includes any areas projected to be added within the next year, shall be submitted with this report.

2. Permittees that have a wastewater treatment facility with an annual average design capacity less than 100,000 gpd:

a. The Permittee has the option to submit the "SWFWMD Annual Reclaimed Water Supplier Report," Form No. LEG-R.026.00, as described in sub-part (1) above; or

b. Provide information on reclaimed water supplied to customers on Part E of the Form as described in the "Instructions for Completion of the Water Use Annual Report".

Updated Service Area Map

If there have been changes to the service area since the previous reporting period, the Permittee shall update the service area using the map that is maintained in the District's Mapping and GIS system. (660)

13. The revised Environmental Management Plan (EMP) dated April 8, 2025, that was submitted in support of the application for this permit shall be implemented upon permit issuance. The EMP is to address how environmental conditions in the vicinity of the Permittee's wellfields will be monitored, how unacceptable adverse impacts will be identified, and how and when unacceptable adverse impacts caused by water production will be mitigated by the Permittee. An annual report compiling the results, analyses, and conclusions of the hydrologic monitoring from the preceding October 1 to September 30 shall be submitted by July 1 of each year of the permit. A report compiling the results, analyses, and conclusions of the vegetative monitoring from the preceding 5 years shall be submitted by July 1, 2027, and every 5 years thereafter. The report shall identify and describe any trends of vegetative and/or hydrologic changes in the EMP network using the methodology outlined in the EMP to determine if District Performance Standards for wetlands have been met. The annual report and all required supporting documentation shall be submitted to the Water Use Permit Bureau if submitted in hard copy. If submitted electronically, it is required that any documentation that is in color be scanned in color. During the permit term, the Permittee may submit a proposal to enhance or revise the EMP. Such revisions are subject to approval by the Water Use Permit Bureau Chief.(676)

14. The following withdrawal facilities shall continue to be maintained and operated with existing, non-resettable, totalizing flow meter(s) or other measuring device(s) as approved by the Water Use Permit Bureau Chief: District ID Nos. 3, 4, 6, 7 and 8, Permittee ID Nos. 3, 4, 6, 7 and 8. Monthly meter reading and reporting, as well as meter accuracy checks every five years shall be in accordance with instructions in Exhibit B, Metering Instructions, attached to and made part of this permit.(719)

15. The Permittee shall continue to maintain the piezometers listed below, monitor water levels, and report them to the District at the frequency listed for the interval, aquifer system, or geologic formation listed. Water levels shall be recorded relative to North American Vertical Datum 1968 and to the maximum extent possible, recorded on a regular schedule: same time each day, same day each week, same week each month as appropriate to the frequency noted. The readings shall be reported online via the WUP Portal at the District website (www.watermatters.org) or mailed in hardcopy on District-provided forms to the Water Use Permit Bureau on or before the tenth day of the following month. The frequency of recording may be modified by the Water Use Permit Bureau Chief, as necessary to ensure the protection of the resource.

Existing District ID Nos.40 and 41/Permittee ID Nos. PZ-1 and PZ-2, to monitor the Surficial aquifer system on a monthly basis.

(756)

16. The Permittee shall continue to maintain the District-approved staff gauges in the water bodies at the locations specified by latitude and longitude below and report measurements of water levels referenced to North American Vertical Datum 1988 at the frequency indicated.

District ID No. 42, Permittee ID No. SG-1, record on a monthly basis at Latitude 28 01 07.32 N Longitude 81 37 33.96 W
District ID No. 44, Permittee ID No. SG-2, record on a monthly basis at Latitude 28 01 04.01 N Longitude 81 37 35.30 W

To the maximum extent possible, water levels shall be recorded on the same week of each month and reported to the Water Use Permit Bureau, online via the WUP Portal on the District website, or in hardcopy on District-provided forms on or before the tenth day of the following month. The frequency of recording may be modified by the Water Use Permit Bureau Chief, as necessary to ensure the protection of the resource.

(762)

17. Before September 1, 2025, the Permittee shall submit a summarized report listing the status of the water use permits that were utilized for impact offsets. If any of the permits listed below are not cancelled, The Town of Dundee shall apply to modify their permit which may include a change of the currently authorized quantities. The permits listed below are to be cancelled and were used to offset impacts from groundwater pumping:

Water Use Permit Nos.

20000042.005
20000175.008
20001883.008
20001943.007
20002250.008
20002501.010
20002503.009
20002504.006
20002814.007
20003818.007
20004105.010
20004239.008
20007089.007
20007197.012
20008582.010
20011826.004
20012972.003
20013116.002
(991)

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40D-2
Exhibit A

WATER USE PERMIT STANDARD CONDITIONS

1. With advance notice to the Permittee, District staff with proper identification shall have permission to enter, inspect, collect samples, take measurements, observe permitted and related facilities and collect and document any information deemed necessary to determine compliance with the approved plans, specifications and conditions of this permit. The Permittee shall either accompany District staff onto the property or make provision for access onto the property.

2. When necessary to analyze impacts to the water resource or existing users, the District shall require the Permittee to install flow metering or other measuring devices to record withdrawal quantities and submit the data to the District.

3. A District identification tag shall be prominently displayed at each withdrawal point that is required by the District to be metered or for which withdrawal quantities are required to be reported to the District, by permanently affixing the tag to the withdrawal facility.

4. The Permittee shall mitigate any adverse impact to environmental features or offsite land uses as a result of withdrawals. When adverse impacts occur or are imminent, the District shall require the Permittee to mitigate the impacts. Examples of adverse impacts include the following:
   A. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
   B. Damage to crops and other vegetation causing financial harm to the owner; and
   C. Damage to the habitat of endangered or threatened species.

5. The Permittee shall mitigate any adverse impact to existing legal uses caused by withdrawals. When adverse impacts occur or are imminent, the District may require the Permittee to mitigate the impacts. Adverse impacts include:
   A. A reduction in water levels which impairs the ability of a well to produce water;
   B. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
   C. Significant inducement of natural or manmade contaminants into a water supply or into a usable portion of an aquifer or water body.

6. Permittee shall notify the District in writing within 30 days of any sale, transfer, or conveyance of ownership or any other loss of permitted legal control of the Project and / or related facilities from which the permitted consumptive use is made. Where Permittee's control of the land subject to the permit was demonstrated through a lease, the Permittee must either submit documentation showing that it continues to have legal control or transfer control of the permitted system / project to the new landowner or new lessee. All transfers of ownership are subject to the requirements of Rule 40D-1.6105, F.A.C. Alternatively, the Permittee may surrender the consumptive use permit to the District, thereby relinquishing the right to conduct any activities under the permit.

7. All withdrawals authorized by this WUP shall be implemented as conditioned by this permit, including any documents submitted as part of the permit application incorporated by reference in a permit condition. This permit is subject to review and modification, enforcement action, or revocation, in whole or in part, pursuant to Section 373.136 or 373.243, F.S.

8. This permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.

9. The Permittee shall cease or reduce surface water withdrawal as directed by the District if water levels in lakes fall below the applicable minimum water level established in Chapter 40D-8, F.A.C., or rates of flow in streams fall below the minimum levels established in Chapter 40D-8, F.A.C.

10. The Permittee shall cease or reduce withdrawal as directed by the District if water levels in aquifers fall below the minimum levels established by the Governing Board.

11. A Permittee may seek modification of any term of an unexpired permit. The Permittee is advised that section 373.239, F.S., and Rule 40D-2.331, F.A.C., are applicable to permit modifications.

12. The Permittee shall practice water conservation to increase the efficiency of transport, application, and use, as well as to decrease waste and to minimize runoff from the property. At such time as the Governing Board adopts specific conservation requirements for the Permittee's water use classification, this permit shall be subject to those requirements upon notice and after a reasonable period for compliance.

13. The District may establish special regulations for Water-Use Caution Areas. At such time as the Governing Board adopts such provisions, this permit shall be subject to them upon notice and after a reasonable period for compliance.

14. Nothing in this permit should be construed to limit the authority of the District to declare a water shortage and issue orders pursuant to chapter 373, F.S. In the event of a declared water shortage, the Permittee must adhere to the water shortage restrictions as specified by the District. The Permittee is advised that during a water shortage, reports shall be submitted as required by District rule or order.

15. This permit is issued based on information provided by the Permittee demonstrating that the use of water is reasonable and beneficial, consistent with the public interest, and will not interfere with any existing legal use of water. If, during the term of the permit, it is determined by the District that a statement in the application and in the supporting data are found to be untrue and inaccurate, the use is not reasonable and beneficial, in the public interest, or does impact an existing legal use of water, the Governing Board shall modify this permit or shall revoke this permit following notice and hearing, pursuant to sections 373.136 or 373.243, F.S. The Permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.

16. Within the Southern Water Use Caution Area, if the District determines that significant water quantity or quality changes, impacts to existing legal uses, or adverse environmental impacts are occurring, the District, upon reasonable notice to the Permittee, including a statement of facts upon which the District based its determination, may reconsider the quantities permitted or other conditions of the permit as appropriate to address the change or impact, but only after an opportunity for the Permittee to resolve or mitigate the change or impact or to request a hearing.

17 All permits are contingent upon continued ownership or legal control of all property on which pumps, wells, diversions or other water withdrawal facilities are located.

Exhibit B
Instructions

METERING INSTRUCTIONS

The Permittee shall meter withdrawals from surface waters and/or the ground water resources, and meter readings from each withdrawal facility shall be recorded on a monthly basis within the last week of the month. The meter reading(s) shall be reported to the Water Use Permit Bureau on or before the tenth day of the following month for monthly reporting frequencies.

For bi-annual reporting, the data shall be recorded on a monthly basis and reported on or before the tenth day of the month
following the sixth month of recorded data.

The Permittee shall submit meter readings online using the Permit Information Center at www.swfwmd.state.fl.us/permits/epermitting/ or on District supplied scanning forms unless another arrangement for submission of this data has been approved by the District. Submission of such data by any other unauthorized form or mechanism may result in loss of data and subsequent delinquency notifications. Call the Water Use Permit Bureau in Tampa at (813) 985-7481 if difficulty is encountered.

The meters shall adhere to the following descriptions and shall be installed or maintained as follows:

1. The meter(s) shall be non-resettable, totalizing flow meter(s) that have a totalizer of sufficient magnitude to retain total gallon data for a minimum of the three highest consecutive months permitted quantities. If other measuring device(s) are proposed, prior to installation, approval shall be obtained in writing from the Water Use Permit Bureau Chief.
2. The Permittee shall report non-use on all metered standby withdrawal facilities on the scanning form or approved alternative reporting method.
3. If a metered withdrawal facility is not used during any given month, the meter report shall be submitted to the District indicating the same meter reading as was submitted the previous month.
4. The flow meter(s) or other approved device(s) shall have and maintain an accuracy within five percent of the actual flow as installed.
5. Meter accuracy testing requirements:
   A. For newly metered withdrawal points, the flow meter installation shall be designed for inline field access for meter accuracy testing.
   B. The meter shall be tested for accuracy on-site, as installed according to the Flow Meter Accuracy Test Instructions in this Exhibit B, every five years in the assigned month for the county, beginning from the date of its installation for new meters or from the date of initial issuance of this permit containing the metering condition with an accuracy test requirement for existing meters.
   C. The testing frequency will be decreased if the Permittee demonstrates to the satisfaction of the District that a longer period of time for testing is warranted.
   D. The test will be accepted by the District only if performed by a person knowledgeable in the testing equipment used.
   E. If the actual flow is found to be greater than 5% different from the measured flow, within 30 days, the Permittee shall have the meter re-calibrated, repaired, or replaced, whichever is necessary. Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or re-calibration.
6. The meter shall be installed according to the manufacturer's instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe where there is at least an upstream length equal to ten (10) times the outside pipe diameter and a downstream length equal to two (2) times the outside pipe diameter. Where there is not at least a length of ten diameters upstream available, flow straightening vanes shall be used in the upstream line.
7. Broken or malfunctioning meter:
   A. If the meter or other flow measuring device malfunctions or breaks, the Permittee shall notify the District within 15 days of discovering the malfunction or breakage.
   B. The meter must be replaced with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery.
   C. If the meter is removed from the withdrawal point for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal

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from the withdrawal. In either event, a fully functioning meter shall not be off the withdrawal point for more than 60 consecutive days.

8. While the meter is not functioning correctly, the Permittee shall keep track of the total amount of time the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms and noted as estimated per instructions on the form. If the data is submitted by another approved method, the fact that it is estimated must be indicated. The reason for the necessity to estimate pumpage shall be reported with the estimate.

9. In the event a new meter is installed to replace a broken meter, it and its installation shall meet the specifications of this condition. The permittee shall notify the District of the replacement with the first submittal of meter readings from the new meter.

FLOW METER ACCURACY TEST INSTRUCTIONS

1. Accuracy Test Due Date - The Permittee is to schedule their accuracy test according to the following schedule:

A. For existing metered withdrawal points, add five years to the previous test year, and make the test in the month assigned to your county.

B. For withdrawal points for which metering is added for the first time, the test is to be scheduled five years from the issue year in the month assigned to your county.

C. For proposed withdrawal points, the test date is five years from the completion date of the withdrawal point in the month assigned to your county.

D. For the Permittee's convenience, if there are multiple due years for meter accuracy testing because of the timing of the installation and/or previous accuracy tests of meters, the Permittee can submit a request in writing to the Water Use Permit Bureau Chief for one specific year to be assigned as the due date year for meter testing. Permittees with many meters to test may also request the tests to be grouped into one year or spread out evenly over two to three years.

E. The months for accuracy testing of meters are assigned by county. The Permittee is requested but not required to have their testing done in the month assigned to their county. This is to have sufficient District staff available for assistance.

January	Hillsborough
February	Manatee, Pasco
March	Polk (for odd numbered permits)*
April	Polk (for even numbered permits)*
May	Highlands
June	Hardee, Charlotte
July	None or Special Request
August	None or Special Request
September	Desoto, Sarasota
October	Citrus, Levy, Lake
November	Hernando, Sumter, Marion
December	Pinellas

* The permittee may request their multiple permits be tested in the same month.

2. Accuracy Test Requirements: The Permittee shall test the accuracy of flow meters on permitted withdrawal points as follows:

A. The equipment water temperature shall be set to 72 degrees Fahrenheit for ground water, and to the measured water temperature for other water sources.

B. A minimum of two separate timed tests shall be performed for each meter. Each timed test shall consist of measuring flow using the test meter and the installed meter for a minimum of four minutes duration. If the two tests do not yield consistent results, additional tests shall be performed for a minimum of eight minutes or

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longer per test until consistent results are obtained.

C. If the installed meter has a rate of flow, or large multiplier that does not allow for consistent results to be obtained with four- or eight-minute tests, the duration of the test shall be increased as necessary to obtain accurate and consistent results with respect to the type of flow meter installed.

D. The results of two consistent tests shall be averaged, and the result will be considered the test result for the meter being tested. This result shall be expressed as a plus or minus percent (rounded to the nearest one-tenth percent) accuracy of the installed meter relative to the test meter. The percent accuracy indicates the deviation (if any), of the meter being tested from the test meter.

3. Accuracy Test Report: The Permittees shall demonstrate that the results of the meter test(s) are accurate by submitting the following information within 30 days of the test:

A. A completed Flow Meter Accuracy Verification Form, Form LEG-R.101.00 (5/14) for each flow meter tested. This form can be obtained from the District's website (www.watermatters.org) under "ePermitting and Rules" for Water Use Permits.

B. A printout of data that was input into the test equipment, if the test equipment is capable of creating such a printout;

C. A statement attesting that the manufacturer of the test equipment, or an entity approved or authorized by the manufacturer, has trained the operator to use the specific model test equipment used for testing;

D. The date of the test equipment's most recent calibration that demonstrates that it was calibrated within the previous twelve months, and the test lab's National Institute of Standards and Testing (N.I.S.T.) traceability reference number.

E. A diagram showing the precise location on the pipe where the testing equipment was mounted shall be supplied with the form. This diagram shall also show the pump, installed meter, the configuration (with all valves, tees, elbows, and any other possible flow disturbing devices) that exists between the pump and the test location clearly noted with measurements. If flow straightening vanes are utilized, their location(s) shall also be included in the diagram.

F. A picture of the test location, including the pump, installed flow meter, and the measuring device, or for sites where the picture does not include all of the items listed above, a picture of the test site with a notation of distances to these items.

ANNUAL REPORT SUBMITTAL INSTRUCTIONS

The "Public Supply Water Use Annual Report Form" (Form No. LEG-R.023.00 (01/09)), is designed to assist the Permittee with the annual report requirements, but the final authority for what must be included in the Water Use Annual Report is in this condition and in these instructions. Two identical copies of the "Public Supply Water Use Annual Report Form" and two identical copies of all required supporting documentation shall be included if submitted in hard copy. "Identical copy" in this instance means that if the original is in color, then all copies shall also be printed in color. If submitted electronically, only one submittal is required; however, any part of the document that is in color shall be scanned in color.

1. **Per Capita Use Rate** - A per capita rate for the previous calendar year will be progressively calculated until a rate of 150 gpd per person or less is determined whether it is the unadjusted per capita, adjusted per capita, or compliance per capita. The calculations shall be performed as shown in Part A of the Form. The Permittee shall refer to and use the definitions and instructions for all components as provided on the Form and in the Water Use Permit Applicant's Handbook Part B. Permittees that have interconnected service areas and receive an annual average quantity of 100,000 gpd or more from another permittee are to include these quantities as imported quantities. Permittees in the Southern Water Use Caution Area (SWUCA) or the Northern Tampa Bay Water Use Caution Area (NTBWUCA), as it existed prior to October 1, 2007, shall achieve a per capita of 150 gpd or less, and those in these areas that cannot achieve a compliance per capita rate of 150 gpd or less shall include a report on why this rate was not achieved, measures taken to comply with this requirement, and a plan to bring the permit into compliance. Permittees not in a Water Use Caution Area that cannot achieve a compliance per capita rate of 150 gpd or less by December 31, 2019 shall submit this same report in the Annual Report due April 1, 2020.

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2. **Residential Use** - Residential water use consists of the indoor and outdoor water uses associated with each category of residential customer (single family units, multi-family units, and mobile homes), including irrigation uses, whether separately metered or not. The Permittee shall document the methodology used to determine the number of dwelling units by type and the quantities used. Estimates of water use based upon meter size will not be accepted. If mobile homes are included in the Permittees multi-family unit category, the information for them does not have to be separated. The information for each category shall include:

A. Number of dwelling units per category,
B. Number of domestic metered connections per category,
C. Number of metered irrigation connections,
D. Annual average quantities in gallons per day provided to each category, and
E. Percentage of the total residential water use provided apportioned to each category.

3. **Non-Residential Use** - Non-residential use consists of all quantities provided for use in the community not directly associated with places of residence. For each category below, the Permittee shall include annual average gpd provided and percent of total non-residential use quantities provided. For each category 1 through 6 below, the number of metered connections shall be provided. These non-residential use categories are:

A. Industrial/commercial uses, including associated lawn and landscape irrigation use,
B. Agricultural uses (e.g., irrigation of a nursery),
C. Recreation/Aesthetic, for example irrigation (excluding golf courses) of Common Areas, stadiums and school yards,
D. Golf course irrigation,
E. Fire fighting, system testing and other accounted uses,
F. K-through-12 schools that do not serve any of the service area population, and
G. Water Loss as defined as the difference between the output from the treatment plant and accounted residential water use (B above) and the listed non-residential uses in this section.

4. **Water Audit** - The water audit report that is done because water losses are greater than 10% of the total distribution quantities shall include the following items:

A. Evaluation of:
1) leakage associated with transmission and distribution mains,
2) overflow and leakage from storage tanks,
3) leakage near service connections,
4) illegal connections,
5) description and explanations for excessive distribution line flushing (greater than 1% of the treated water volume delivered to the distribution system) for potability,
6) fire suppression,
7) un-metered system testing,
8) under-registration of meters, and
9) other discrepancies between the metered amount of finished water output from the treatment plant less the metered amounts used for residential and non-residential uses specified in Parts B and C above, and

B. A schedule for a remedial action plan to reduce the water losses to below 10%.

5. **Alternative Water Supplied other than Reclaimed Water** - Permittees that provide Alternative Water Supplies other than reclaimed water (e.g., stormwater not treated for potable use) shall include the following on Part D of the Form:

A. Description of the type of Alternative Water Supply provided,
B. County where service is provided,
C. Customer name and contact information,
D. Customer's Water Use Permit number (if any),
E. Customer's meter location latitude and longitude,
F. Meter ownership information,
G. General customer use category,
H. Proposed and actual flows in annual average gallons per day (gpd) per customer,
I. Customer cost per 1,000 gallons or flat rate information,
J. Delivery mode (e.g., pressurized or non-pressurized),
K. Interruptible Service Agreement (Y/N),

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L. Month/year service began, and

M. Totals of monthly quantities supplied.

6. **Suppliers of Reclaimed Water -** Depending upon the treatment capacity of the Permittees wastewater treatment plant, the Permittee shall submit information on reclaimed water supplied as follows:

A. Permittees having a wastewater treatment facility with an annual average design capacity equal to or greater than 100,000 gpd shall utilize the "SWFWMD Annual Reclaimed Water Supplier Report" in Excel format on the Compact Disk, Form No. LEG-R.026.00 (05/09). The "SWFWMD Annual Reclaimed Water Supplier Report" is described in Section 3.1 of Chapter 3, under the subheading "Reclaimed Water Supplier Report" and is described in detail in the Water Use Permit Applicant's Handbook Part B.

B. Permittees that have a wastewater treatment facility with an annual average design capacity less than 100,000 gpd can either utilize the "SWFWMD Annual Reclaimed Water Supplier Report," Form No. LEG-R.026.00, as described in sub-part (1) above or provide the following information on Part E of the Form:

1) Bulk customer information:
   a) Name, address, telephone number,
   b) WUP number (if any),
   c) General use category (residential, commercial, recreational, agricultural irrigation, mining),
   d) Month/year first served,
   e) Line size,
   f) Meter information, including the ownership and latitude and longitude location,
   g) Delivery mode (pressurized, non-pressurized).
2) Monthly flow in gallons per bulk customer.
3) Total gallons per day (gpd) provided for metered residential irrigation.
4) Disposal information:
   a) Site name and location (latitude and longitude or as a reference to the service area map),
   b) Contact name and telephone,
   c) Disposal method, and
   d) Annual average gpd disposed.

Authorized Signature
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

This permit, issued under the provision of Chapter 373, Florida Statues and Florida Administrative Code 40D-2, authorizes the Permittee to withdraw the quantities outlined above, and may require various activities to be performed by the Permittee as described in the permit, including the Special Conditions. The permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.

EXHIBIT D

EXHIBIT "A"

POLK COUNTY UTILITIES DIVISION
SCHEDULE OF RATES, CHARGES AND FEES

RESIDENTIAL CONNECTION CHARGES					
Effective Date	1/1/2025	10/1/2025	10/1/2026	10/1/2027	10/1/2028
Indexing Rate	3.41%	3.30%	0%	0%	0%
WATER CONNECTION CHARGES					
Type of Residence					
Single Family Detached Units on Lots of 1.0 Acre or Less	$ 2,941	$ 3,038	$ 3,038	$ 3,038	$ 3,038
Single Family Detached Units on Lots of More than 1.0 Usable Acre	$ 2,941	$ 3,038	$ 3,038	$ 3,038	$ 3,038
Multi-family Units Including Apartments, Condos, Duplexes, Triplexes, etc.	$ 1,618	$ 1,671	$ 1,671	$ 1,671	$ 1,671
Mobile Homes on Lots of Less Than 6000 Square Feet	$ 1,765	$ 1,823	$ 1,823	$ 1,823	$ 1,823
Mobile Homes on Lots of 6000 Square Feet or More	$ 2,941	$ 3,038	$ 3,038	$ 3,038	$ 3,038
Park Model RVs	$ 1,618	$ 1,671	$ 1,671	$ 1,671	$ 1,671
Destination RVs *	$ 1,618	$ 1,671	$ 1,671	$ 1,671	$ 1,671
All other RVs Including Transient RVs	$ 1,618	$ 1,671	$ 1,671	$ 1,671	$ 1,671
WASTEWATER CONNECTION CHARGES					
Indexing Rate	23.53%	19.05%	0%	0%	0%
Type of Residence					
Single Family Detached Units on Lots of 1.0 Acre or Less	$ 5,182	$ 6,169	$ 6,169	$ 6,169	$ 6,169
Single Family Detached Units on Lots of More than 1.0 Usable Acre	$ 5,182	$ 6,169	$ 6,169	$ 6,169	$ 6,169
Multi-family Units Including Apartments, Condos, Duplexes, Triplexes, etc.	$ 3,471	$ 4,132	$ 4,132	$ 4,132	$ 4,132
Mobile Homes on Lots of Less Than 6000 Square Feet	$ 3,471	$ 4,132	$ 4,132	$ 4,132	$ 4,132
Mobile Homes on Lots of 6000 Square Feet or More	$ 5,182	$ 6,169	$ 6,169	$ 6,169	$ 6,169
Park Model RVs	$ 2,850	$ 3,393	$ 3,393	$ 3,393	$ 3,393
Destination RVs *	$ 3,471	$ 4,132	$ 4,132	$ 4,132	$ 4,132
All other RVs Including Transient RVs	$ 5,182	$ 6,169	$ 6,169	$ 6,169	$ 6,169

*NOTE:

A Destination RV must be: (1) Sited on a lot owned in fee simple by the user; (2) Sited in a park that is a platted subdivision; (3) Sited on a lot 3,000 square feet or larger; and (4) Sited in a park that does not have a dump station or undivided interest lot sales or time share lot sales. This category of user is subject to inspection by Polk County Utilities to ensure that Destination RVs are not transient RVs. Destination RV lots used by Transient RVs will be subject to a 1.0 ERC sewer connection charge.

COMMERCIAL CONNECTION CHARGES

Water Connection Charges

Commercial Water Connection charges will be assessed on projected daily usage, in accordance with the Polk County Utilities Code, divided by 250 gallons to calculate the Equivalent Residential Connection (ERC). This ERC will be multiplied by connection charge assessed for a single Family Detached Unit on lots one acre or less.

Wastewater Connection Charges

Commercial Wastewater Connection charges will be assessed on projected daily usage, in accordance with the Polk County Utilities Code, divided by 200 gallons to calculate the Equivalent Residential Connection (ERC). This ERC will be multiplied by connection charge assessed for a single Family Detached Unit on lots one acre or less.

POLK COUNTY UTILITIES

Utility Rate and Connection Fee Study

FINAL REPORT / March 2024

RAFTELIS

RAFTELIS

March 25, 2024

Ms. Tamara Richardson, P.E.
Polk County Utilities, Director
1011 Jim Keene Blvd.
Winter Haven, FL 33880

Subject: **Utility Rate and Connection Fee Study**

Dear Ms. Richardson:

Raftelis Financial Consultants, Inc. (Raftelis) has completed its review of the water and wastewater rates and fees for Polk County Utilities (PCU) and has summarized the results of our analyses, assumptions, recommendations, and conclusions in this report, which is submitted for your consideration. The analysis included the preparation of a long-range financial forecast of utility needs through Fiscal Year 2033 (Study Period) to evaluate the adequacy of monthly service rates resulting in proposed rate and fee recommendations for the next five (5) years (from Fiscal Year 2025 through 2029 or the "Implementation Period"). In addition, Raftelis also reviewed the level of water and wastewater connection fees, which are charges paid by new development to recover the costs of providing water and/or wastewater capacity, and other miscellaneous utility fees. Based on the assumptions relied upon in the development of the utility system (System) revenues and expenditure needs, Raftelis has identified the need for water and wastewater rate and fee adjustments.

During the course of the study, it was determined that the proposed rates should meet a number of goals and objectives. The single most important objective of our analysis was to develop proposed utility rates to produce sufficient revenue to meet the projected expenditure requirements of the water and wastewater systems in order to meet the System's financial obligations and fund the anticipated capital needs of the System. Other goals and objectives considered in the study include:

1. The proposed rates should maintain a financial position consistent with performance criteria used by rating agencies and the utility industry. This guideline entails the following:
    a. Compliance with the rate covenants outlined in existing Bond Resolution.
    b. Maintenance of adequate operating reserves.
2. The proposed rates should be based on full cost recovery principles.
3. The proposed rates should promote the continued conservation of water resources.
4. The proposed rates should recognize historical rate structures or forms and avoid potential rate shock.
5. The proposed rates, to the extent practical, should be comparable with those of neighboring utility systems.

The proposed monthly rates and miscellaneous utility fees for water and wastewater service are expected to meet the goals and objectives outlined above and should be sufficient to provide for the recovery of the total costs anticipated for PCU. To recoup PCU's existing and future water and wastewater infrastructure improvements necessary to serve new growth, this study also recommends increasing the water and wastewater connection fees.

Following this letter, we have provided an executive summary that briefly summarizes the results of our study and outlines our recommendations and conclusions. The remainder of the report provides additional details regarding the rate and financial analysis conducted on behalf of PCU.

We appreciate the opportunity to be of service to the County and would like to thank County staff for their valuable assistance and cooperation during the course of this study.

Respectfully submitted,

RAFTELIS FINANCIAL CONSULTANTS, INC.

Murray M. Hamilton, Jr.
Vice President

MMH/dlc
Attachments

Section 2 – Review of Connection Fees

General

PCU, as well as other publicly owned utility systems, face increasing capital commitments necessary to expand water and wastewater system facilities to serve new growth. The utility business is capital intensive and requires the commitment of significant resources in advance of the growth in demand. In addition, System improvements and regulatory compliance also require significant capital expenditures in today's utility business environment. Further, the impact of inflation on System operating expenses and on the cost of new and replacement facilities results in upward pressure on monthly utility user rates. The compelling capital needs associated with the utility business and the desire to control the increase in monthly utility user rates and charges have resulted in the use of funding alternatives such as PCU's water and wastewater connection fees to finance, in part at least, the cost of System expansion.

A connection fee is a charge imposed on new users of real property to help finance the capital cost of constructing public facilities necessary to serve new residents. The purpose of a connection fee is to assign, to the extent practical, growth-related capital costs to those new residents or users responsible for such additional costs. The connection fee can be considered to be a new user's contribution to those facilities or capital costs that are required in order to provide a comparable level of service to that which is being provided to existing customers.

Connection Fee Criteria

To the extent new population growth and associated development imposes identifiable added capital costs, municipal utility capital funding practices include the assignment of such costs to those residents or System users responsible for the added costs rather than the existing population base. Generally, this practice has been labeled as "growth paying its own way."

Based on our experience within the industry, the implementation and use of connection fees should meet the following minimum criteria:

1. Be based on the most recent and localized data;
2. Provide for separate accounting and reporting of connection fee revenues and expenditures;
3. Limit administrative charges for the collection of fees to actual costs, if any; and
4. Provide reasonable notice of no less than 90 days before the effective date of an ordinance or resolution imposing a new or increased connection fees.

Implementation of connection fees is supported based on existing Florida case law and the Municipal Home Rule Powers Act that grants Florida municipalities the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, as limited by legislation or as prohibited by state constitution or general law. Florida courts have ruled that the Municipal Home Rule Powers Act grants the requisite power and authority to establish valid connection fees.

a type of impact fee. The authority for Florida governments to implement valid System connection fees is further granted in the Florida Growth Management Act of 1985.

The initial precedent for connection fees in Florida was set in the Florida Supreme Court decision, *Contractors and Builders Association of Pinellas Authority v. The City of Dunedin, Florida*. In this case, the Court's ruling found that an equitable cost recovery mechanism, such as connection fees, could be levied for a specific purpose by a Florida municipality as a capital charge for services. A connection fee should not be considered as a special assessment or an additional tax. A special assessment is predicated upon an estimated increase in property value as a result of an improvement being constructed in the vicinity of the property. Further, the assessment must be directly and reasonably related to the benefit which the property receives. Conversely, connection fees are not related to the value of the improvement to the property, but rather to the property's use of the public facility.

Until property is put to use and developed, there is no burden upon servicing facilities and the land use may be entirely unrelated to the value or assessment basis of the underlying land. Connection fees are distinguishable from taxes primarily in the direct relationship between amount charged and the measurable quantity of public facilities or service capacity required. In the case of taxation, there is no requirement that the payment be in proportion to the quantity of public services consumed since tax revenue can be expended for any legitimate public purpose.

Based on existing Florida case law, certain conditions are required to develop a valid connection fee. Generally, it is our understanding that these conditions involve the following issues:

1. The connection fee must meet the "dual rational nexus" test. First, connection fees are valid when a reasonable impact or rationale exists between the anticipated need for additional capital facilities and the growth in population. Second, fees are valid when a reasonable association, or rational nexus, exists between the expenditure of the connection fee proceeds and the benefits accruing to the growth from those proceeds.

2. The system of fees and charges should be set up so that there is not an intentional windfall to existing users.

3. The connection fee should only cover the capital cost of construction and related costs thereto (engineering, legal, financing, administrative, etc.) for capital expansions or other additional capital requirements that are required solely due to growth, and which have a useful life of at least five (5) years. Therefore, expenses due to rehabilitation or replacement of a facility serving existing customers (e.g., replacement of a capital asset) or an increase in the level of service should be borne by all users of the facility (i.e., existing and future users). Likewise, increased expenses due to operation and maintenance of that facility should be borne by all users of the facility.

4. The County should maintain a connection fee ordinance or resolution that explicitly restricts the use of fees collected. Therefore, connection fee revenue should be set aside in a separate account, and separate accounting must be made for those funds to ensure that they are used only for the lawful purposes described above.

Based on the criteria above, the proposed connection fees, which are set forth in subsequent sections herein: i) include only the estimated capital cost of facilities necessary to serve anticipated population growth; ii) do not reflect costs associated with renewal and replacement of any existing capital assets (except for any portion

of upgrades allocable to growth, such as "upsizing" transmission lines); and iii) do not include any costs of operation and maintenance of any facilities.

As can be seen above, the courts have addressed three (3) areas associated with the development of the connection fee. These areas include: i) the "fair share" rules dealing with payment of the fee by the affected property owners; ii) the "rational nexus" rules, which focus on the expenditure or purpose of the fee; and iii) the "credits" rules, which recognize fee offsets.

The fair share rules address that the fee can only be used for capital expenditures that are attributable to new growth. The fee cannot be used to finance level of service deficiencies or the replacement of existing facilities required to provide services to existing users. The rules also allow for establishing different fees for different classes of customers and the ability for the payment of a reduced connection fee if applicants can demonstrate that their development will have smaller impact (or capital requirement) than assumed in the fee determination. Additionally, the fair share rules recognize that the cost of facilities used by both existing customers and new growth must be apportioned between the two (2) user groups such that the user groups are treated equally and one group does not subsidize the other.

The rational nexus or benefit rule requires that there be a reasonable relationship between the need for capital facilities and the benefits to be received by new growth for which the fee will be expended. PCU's existing capital improvement program and the overall specific management of the System are considered to be System-wide, which eliminates the need for utility zones. As such, the proposed connection fees were determined on a System-wide basis. The second nexus condition recognizes that the property must receive a benefit from the public services for which the fee is being applied. With respect to the water and wastewater charge, these facilities are used by and are constructed on behalf of all the property within PCU's service areas and benefit both residential and commercial customers. As such, all new growth requesting capacity from the System (either water and or wastewater) are subject to the application of the connection fees.

The credit rule recognizes that if an agency has received property in the form of cost-free capital or there is specific revenue (taxes) that will be used for the capital expenditures for which the connection fee was designed to recover necessitated by new growth, a credit should be applied to the connection fee. Examples of cost-free capital include grants, principal debt forgiveness, contributions by developers, and other sources, which provide funds toward the capital expenditures for which the fee was designed to recover. The credit rule allows for the recovery of costs from new development through connection fees, net of such cost-free capital.

Development of Connection Fees

There are two (2) significant components to be addressed in designing connection fees. These two (2) components include: i) the level of service to be apportioned to the applicants that request System capacity; and ii) the level or amount of capital costs to be recovered from a new applicant requesting service. Both of these issues are related to the level of the connection fee expressed on an equivalent residential connection or ERC basis (the lowest denominator for the fee, which is discussed later in this report).

Level of Service Requirements

In the evaluation of the capital facility needs for providing water and wastewater utility services, it is critical that level of service (LOS) standards are established. Pursuant to Section 163.3164 of the Florida Statutes, the level of service means an indicator of the extent or degree of service provided by, or proposed to be provided

by, a facility based on and related to the operational characteristics of the facility. Level of service shall indicate the capacity per unit of demand for each public facility. Essentially, the level of service standards are established in order to ensure that adequate facility capacity will be provided for future development and for purposes of issuing development orders or permits, pursuant to F.S. Section 163.3202(2)(g). As further stated in the F.S. Section 163.3180, each local government shall establish an LOS standard for each public facility located within the boundary for which such local government has authority to issue development orders or permits.

For water and wastewater service, the level of service that is commonly used in the industry is the amount of capacity (service) allocable to an ERC expressed as the amount of usage (gallons) allocated on an average daily basis. The level of service generally represents the amount of capacity allocable to an ERC, whether such capacity is actually used (commonly referred to as "readiness to serve"). As previously mentioned, an ERC is representative of the average capacity required to service a typical individually metered single-family residential connection. This class of users represents the largest number of customers served by a public utility such as PCU and generally the lowest level of usage requirements for a specifically metered account. The existing fees are based on an estimated, reserved water capacity equal to 350 gallons per day (GPD) of capacity, expressed on an average daily flow basis (ADF). The reserved wastewater capacity is equal to 270 GPD (ADF).

Based on a review of the current billing attributes for single-family residential customers, examination of operating data, and discussions with PCU staff, the average water and wastewater demands per ERC have decreased over time. Lower water demands have most likely resulted from more efficient fixtures being installed within new homes, development on smaller lot sizes requiring less irrigation, and the implementation of alternative irrigation resources and systems, such as reclaimed water. The proposed connection fees are based on a recommended LOS of 250 and 200 GPD (ADF) for the water and wastewater systems, respectively. PCU is currently in the process of updating the County's comprehensive plan, which will include the recommended changes.

Existing Plant-in-service

In the development of the proposed connection fees associated with serving future customers, excess capacity, if any, of the existing utility system available to serve such growth should be considered. Since such capacity is available to serve the near-term incremental growth of the System, it is appropriate to evaluate the capacity availability of such facilities. In order to evaluate the availability of the existing utility plant-in-service to meet future capacity needs, it is necessary to functionalize the assets by specific utility requirement. The functionalization of the existing assets is necessary to: i) identify those assets which should be included in the determination of the impact fees; and ii) match existing plant type to the capital improvements to meet future service needs.

(Remainder of page intentionally left blank)

EXHIBIT E

TOWN OF DUNDEE, FLORIDA
CONCURRENCY CERTIFICATION
POTABLE WATER CAPACITY

APPLICANT:	[Name of Applicant]
DEVELOPMENT:	[Name of Development] ("Development")
PARCEL NUMBER(S):	[Polk County Property Appraiser Parcel Numbers]
LEGAL DESCRIPTION:	[Attach Legal Description and Map]
REQUEST:	Section 6.01.07.03 of the Land Development Code of the Town of Dundee – *Adequacy Determination Potable Water*

I. **General Narrative.**

The Town of Dundee (the "Town") is a Florida municipal corporation vested with home rule authority pursuant to the *Municipal Home Rule Powers Act* (Ch. 166, Fla. Stat.) and Article VIII, §2 of the Florida Constitution.

Section(s) 163.3161 through 163.3215, Florida Statutes (2024), the *Local Government Comprehensive Planning and Land Development Regulation Act*, empowers and mandates that the Town plan for future development and growth.

Pursuant to *Section 6.01.07.04 of the Land Development Code of Dundee* (hereafter the "LDC"), the Town is the sole provider of water utility service(s) within its Chapter 180, Florida Statutes, Utility Service Area (the "USA") and all new development is required to connect to the Town's Water System.

Pursuant to applicable Florida law, the Development is a *master planned community* which is located within the corporate limits of the Town and the USA; and, pursuant to *Section 7.02.08 of the LDC*, the Development is a residential development project to be *built in phases*.

On _____, 202_, at a duly noticed public meeting, the Town Commission of the Town of Dundee (the "Town Commission") passed and adopted *Town of Dundee Resolution No.* _____ approving the Certified Subdivision Plan for the Development with Conditions (hereafter the "CSP").

TOWN OF DUNDEE, FLORIDA
CONCURRENCY CERTIFICATION
POTABLE WATER CAPACITY

Pursuant to *Sec. 54-9 of the Code of Ordinances of the Town of Dundee, Florida* (hereafter the "Code") and *Sections 6.01.04, 6.01.07.03, and 6.01.10(C) of the LDC*, as a *condition of approval* of the CSP, the Town required that a *Concurrency Developer's Agreement* be negotiated and entered into between the Applicant and Town in order to identify and address, at a minimum, the following: *(i)* at that time, the Town did not have the necessary utility infrastructure, utility facilities, and/or allocable potable water capacity to serve the Development; *(ii)* the CSP, for the purpose of providing a basis upon which a final subdivision plat for the Development may be considered for approval, would not be considered complete until the Town has the ability to provide allocable potable water capacity for the Development; and *(iii)* by entering into the *Concurrency Developer's Agreement*, the Applicant acknowledged and agreed to assume all risk(s) associated therewith.

The Applicant did in fact negotiate and enter into a *Concurrency Developer's Agreement* and *Water Supply Allocation Agreement* for the Development (hereafter collectively the "Agreements") with the Town. Pursuant to the terms and conditions of the Agreements, any credit or increase to the Town of Dundee Public Supply Water Use Permit, Permit No. 20005893.014 (hereafter the "Town WUP"), by virtue of any transferred agricultural well(s) shall be allocated to the Development.

Pursuant to applicable law which includes, but shall not be limited to, *Section 6.01.04 of the LDC*, where concurrency deficiencies are identified, agreement(s) entered into in order to provide the needed service(s) shall be a condition of development approval of and/or for any development plan(s).

On _____, 2025, pursuant to the Code, the LDC, and applicable provision(s) of the Agreements, the Applicant submitted a request to the Town for an *adequacy determination* related to potable water concurrency for the Development.

Based on the aforementioned, this *adequacy determination* shall **not** modify the terms and conditions of the Agreements (see **Exhibit "B"**); and, in the event of any conflict(s) between the findings set forth in the *adequacy determination* and the terms and conditions set forth in the Agreements, this Agreements shall be the governing document(s) and take precedence.

TOWN OF DUNDEE, FLORIDA
CONCURRENCY CERTIFICATION
POTABLE WATER CAPACITY

II. **Moratorium.**

On September 10, 2024, at a duly noticed public meeting, the Town Commission passed and adopted *Town of Dundee Ordinance No. 24-09* (the "Ordinance") establishing a moratorium on the acceptance and processing of applications for residential annexations, rezonings, building permits, planned developments, master planned communities, development order(s), and development permits, amongst others.

The purpose of the Ordinance was to place a temporary moratorium on the acceptance and processing of applications for residential *development orders* and *development permits* for real property consisting of more than one (1) acre located within the corporate limits of the Town of Dundee, Florida, in order for the Town to address, amongst other things, potable water capacity and applicable level(s) of service in the Town's water utility system.

A copy of the Ordinance is attached hereto as **Exhibit "A"** and incorporated herein by reference.

Pursuant to *Section 5* and *Section 6* of the Ordinance (see **Exhibit "A"**), the Ordinance provided for certain exception(s) to the moratorium imposed which include, but are not limited to, the following: *(i)* any credit/increase received to the Town's Public Supply Water Use Permit (hereafter the "Town WUP") arising out of the transfer of agricultural wells pursuant to and/or in accordance with the Agreements; and *(ii)* any individual exceptions authorized by the Town Commission for those developers with *extraordinary hardship(s)* or *vested development rights*.

On _____, 20_____, the Applicant submitted the *Town of Dundee Development Services – Hardship Application* (hereafter the "Application"); and, on _____, 20__, at a duly noticed public meeting, the Town Commission [result of public hearing] the Application and entered **HARDSHIP ORDER NO. _____** (hereafter the "Order") which provided _____.

A copy of the Order is attached hereto as **Exhibit "B"** and incorporated herein by reference.

This *adequacy determination* shall modify the terms and conditions of the Order (see **Exhibit "B"**); and, in the event of any conflict(s) between the findings set forth in this

adequacy determination and the terms and conditions set forth in the Order, this *adequacy determination* shall be the governing document and take precedence.

III. Public Supply Water Use Permit, Permit No. 20005893.014.

On May 20, 2025, the Southwest Florida Water Management District (SWFWMD) held a Governing Board Meeting (hereafter the "SWFWMD Meeting"); and, at that time, SWFWMD *conditionally approved* Consent Agenda Item No. 2.5 which consisted of the Town's application for the renewal of the Town WUP (hereafter the "WUP Renewal").

The conditions of approval for the WUP Renewal are memorialized and made a part of the WUP Renewal which was issued on May 20, 2025. The WUP Renewal authorizes an annual average quantity increase from 917,500 gallons per day (GPD) to 1,702,700 GPD.

A copy of the WUP Renewal is attached hereto as **Exhibit "C"** and incorporated herein by reference.

Pursuant to the terms and conditions set forth in the WUP Renewal, the approved increase in withdrawals from the Upper Floridian Aquifer (UFA) above the 2025 demand is supported by *impact offsets* associated with the pending retirement of eighteen (18) existing water use permits related to the land use transition(s) of and/or for the agricultural wells which are the subject of the Agreements.

As a direct result of the WUP Renewal, on _____, 2025, at a duly noticed public meeting, the Town Commission approved *Town of Dundee Resolution No. _____-25* (hereafter the "Resolution") supporting certain amendments to the *Town of Dundee 2030 Comprehensive Plan*, the Code, and the LDC in order to amend the Town's level of service requirements for an *Equivalent Residential Connection* (ERC) from 360 GPD to 250 GPD for a standard single-family dwelling unit.

IV. Adequacy Determination and Certification.

Unless specifically provided for in this *Certification of Sufficient Potable Water Capacity* (hereafter the "Certification"), this Certification shall not constitute a waiver or variance from applicable law which includes, but shall not to be limited to, the *Code of Ordinances of the Town of Dundee, Florida*; the *Land Development Code of Dundee*;

and/or applicable provision(s) and conditions set forth in any agreement(s), *development order(s)* and/or *development permit(s)*[1] entered into or issued for the Development.

Pursuant to *Sec. 54-2 of the Code*, land development within the corporate limits of the Town of Dundee, Florida, and/or Town of Dundee *utility service area* shall be permitted only where adequate water facilities exist.

Pursuant to *Section 6.01.01 of the LDC*, no development shall be approved unless public facilities are or will be available to serve a proposed development, such that the adopted *levels of service* ("LOS") are maintained, concurrent with the impacts of the proposed development; and, in accordance with *Section 54-9 of the Code* and *Article 6 of the LDC*, the Agreements shall be a condition of development approval of and/or for any development plan(s) arising out of and/or related to the Development.

For purposes of the Development and pursuant to applicable law which includes, but shall not to be limited to, the Code, the LDC, and/or applicable provision(s) and conditions set forth in the Agreements, the Town has determined and certifies, as follows:

1. The terms, condition(s), and covenants set forth in the Agreements for the CSP shall remain in full-force and effect.

2. This Certification shall allocate potable water capacity for purposes of determining whether adequate potable water capacity is available and allocable to and/or for the Development.

3. This Certification shall not create any vested right(s) and/or development entitlement(s); and therefore, this Certification shall not be interpreted to create any vested right and/or entitlement to develop the Property in accordance with any development plan(s) and/or documents submitted to the Town for the Development.

4. Beginning on its effective date, this Certification shall constitute an adequacy determination and notice of concurrency certification under the Code and LDC of available potable water service capacity to serve the Development within

[1] For purposes of this Order, the terms *development order* and *development permit* shall have the meaning(s) provided in *§163.3164, Florida Statutes (2024)*

the Town's municipal water system for a period not to exceed five (5) calendar years (the "Term"), subject to the terms, conditions, and provisions herein. This Certification is specific to the Development, limited to capacity only, and is nontransferrable. Upon approval by resolution of the Town Commission or otherwise of the final subdivision plat for the Development or final subdivision plat for a phase of the Development, the Term provided for herein shall terminate; and, pursuant to *Section 6.01.05(A) of the LDC*; the Development shall receive an allocation of potable water service capacity for the applicable term beginning on the effective date of the subject resolution and/or subdivision plat approval.

5. The Town shall not vest potable water capacity in and/or for the Development unless and until the Applicant has paid the applicable *connection fee(s)* as provided and specifically set forth in *Chapter 54 of the Code*.

6. The effective date of this Certification shall be the date on which this Certification is duly executed by the Town and Applicant.

7. This Certification shall not be executed in counterparts.

8. Pursuant to the Agreements and WUP Renewal, it has been found and determined that, for purposes of the Development, an *equivalent residential connection* (hereafter "ERC") shall equate to 250 GPD for each new residential connection; and pursuant to the WUP Renewal and Resolution, the Development shall be allocated potable water capacity for [Number] of residential units in and/or for the Development for the term set forth in Paragraph 4 (see above).

9. This Certification is related only to the allocation of potable water service capacity and shall not grant authority to alter the Property.

10. This Certification shall not waive any permitting requirements, including building permits, that may be required by Federal, State, or County agencies which may have jurisdiction.

TOWN OF DUNDEE, FLORIDA
CONCURRENCY CERTIFICATION
POTABLE WATER CAPACITY

By executing this Certification, the Town and Applicant acknowledge, agree, and affirm that the Town has fully-satisfied and/or performed the obligations and requirements set forth in the Agreements; and the Applicant and its successors and assigns agree to indemnify and hold the Town, its elected and appointed officials, employees and agents harmless of and from any and all costs, expenses, damages, liability and claims (including reasonable attorneys' fees and costs) related to and/or arising out of this Certification, the Agreements, and the Applicant's transfer of the agricultural wells to the Town.

[Remainder of page intentionally left blank]

TOWN OF DUNDEE, FLORIDA
CONCURRENCY CERTIFICATION
POTABLE WATER CAPACITY

Executed by the parties on the date shown adjacent thereto:

TOWN OF DUNDEE, FLORIDA:

_____ [Date]
Joeseph Carbone, Interim Town Manager

Attest:

_____
Erica Anderson, Town Clerk

Approved as to Form:

_____
Frederick J. Murphy, Jr., Town Attorney

TOWN OF DUNDEE, FLORIDA
CONCURRENCY CERTIFICATION
POTABLE WATER CAPACITY

The Applicant:

[Applicant]
[Property Owner-if not applicant]

By:_____ [Date]
_____, _____

_____ _____
Witness [Date]

_____ _____
Witness [Date]

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me, by means of □ physical presence or □ online notarization, this _____ day of _____, 2025, by _____, as __ _____, on its behalf, who is personally known to me or who has produced _____ as identification.

_____
Notary Public, State of Florida
Printed Name:_____
My commission expires:__

Sec. 54-72. Water connection fees.

(a) *Purpose.* It is declared by the town commission of the Town of Dundee that certain additional charges and fees for connection into the town water system are necessary for the expansion and replacement of the system. Therefore, there shall be collected for each new water connection to the water system owned and operated by the Town of Dundee the installation and connection fees that are on file in the town clerk's office.

(b) *Connection fee rate.* The following water connection fee rate schedule is hereby established:

(1) *For all residential customers:* The water connection fee rate is set at $2,408.40 per equivalent residential connection.

(2) *For all residential customers outside the town limits:* For new water connections made outside of the Town of Dundee's corporate boundaries, in addition to the water connection fee set forth above in subparagraph (b)(1), the Town of Dundee may specifically charge and collect any surcharge permitted by general law.

(c) *Water use fees—Beginning April 1, 2019.* The following schedule of base charges and usage charges/rates for water customers on the town's water system is hereby established effective April 1, 2019:

(1) *For all customers within the town limits:*

a. The following monthly base charge schedule is hereby established:

Meter Size	Base Charge
¾ inch	$17.51
1 inch	43.78
1½ inch	87.55
2 inch	140.08
3 inch	262.65
4 inch	437.75
6 inch	875.50
8 inch	1,400.80

b. The following monthly usage charge schedule is hereby established based on the amount of water used during any one billing month:

Block 1 (0—10,000):

(1) $0.98 for each 1,000 gallons or portion thereof for the first 10,000 gallons used during this month;

Block 2 (10,001—20,000):

(2) $1.96 for each 1,000 gallons or portion thereof for the next 10,000 gallons, in excess of 10,000 gallons used during that month up to and including 20,000;

Block 3 (20,001—40,000):

(3) $2.94 for each 1,000 gallons or portion thereof for the next 20,000 gallons, in excess of 20,000 gallons used during that month up to and including 40,000;

Block 4 (above 40,000):

(4) $3.46 for each 1,000 gallons or portion thereof over 40,000 gallons used in that month.

(2) *For all customers outside the town limits:*

a. The following monthly base charge schedule is hereby established:

Meter Size	Base Charge
¾ inch	$21.88
1 inch	54.72
1½ inch	109.43
2 inch	175.10
3 inch	328.31
4 inch	547.18
6 inch	1,094.37
8 inch	1,751.00

b. The following monthly usage charge schedule is hereby established based on the amount of water used during any one billing month:

Block 1 (0—10,000):

(1) $1.22 for each 1,000 gallons or portion thereof for the first 10,000 gallons used during this month;

Block 2 (10,001—20,000):

(2) $2.45 for each 1,000 gallons or portion thereof for the next 10,000 gallons, in excess of 10,000 gallons used during that month up to and including 20,000;

Block 3 (20,001—40,000):

(3) $3.67 for each 1,000 gallons or portion thereof for the next 20,000 gallons, in excess of 20,000 gallons used during that month up to and including 40,000;

Block 4 (above 40,000):

(4) $4.32 for each 1,000 gallons or portion thereof over 40,000 gallons used in that month.

Except for water and wastewater connection fees, all base charges and usage charges/rates set forth above shall be automatically increased by 3.5 percent on October 1, 2019 and thereafter on October 1, 2020, October 1, 2021 and October 1, 2022. A schedule of water rates for the referenced time periods is attached hereto as Schedule A. Provided further that a current schedule of base charges and usage charges/rates shall be on file in the office of the town clerk.

(Code 1976, § 15-32; Ord. No. 85-11, § 1, 10-8-85; Ord. No. 88-08, § 1, 9-27-88; Ord. No. 89-02, § 1, 4-11-89; Ord. No. 90-01, § 1, 2-13-90; Ord. No. 97-04, § 1, 12-9-97; Ord. No. 99-02, §§ 1—4, 2-9-99; Ord. No. 99-05, §§ 1—4, 5-11-99; Ord. No. 00-03, § 1, 4-12-00; 01-07, § 1, 6-12-01; Ord. No. 03-21, § 1, 9-29-03; Ord. No. 19-01 , § 2, 3-26-19; Ord. No. 22-02 , § 5(Exh. A), 1-25-22)

Editor's note(s)—Ord. No. 22-02 , § 5(Exh. A), adopted Jan. 25, 2022, changed the title of § 54-72 from "Impact fees" to read as herein set out.

ORDINANCE NO. 25-09

EXHIBIT "C"

Town of Dundee, Florida
Business Impact Estimate
§166.041(4), Fla. Stat. (2024)

On October 1, 2023, Senate Bill 170 ("SB 170"), *Chapter 2023-309, Laws of Florida*, was enacted amending Section 166.041, Florida Statutes, requiring a local government to prepare a *business impact estimate* before the enactment of an ordinance.

On October 1, 2024, Senate Bill 1628 ("SB 1628"), as codified under *Chapter 2024-145, Laws of Florida,* becomes effective and further amends Section 166.041, Fla. Stat. (2023).

This *Town of Dundee Business Impact Estimate* ("BIE") is provided in accordance with Section 166.041(4), Florida Statutes (2024); and Section 166.041(a) of the Florida Statutes states, in pertinent part, as follows:

> Before the enactment of a proposed ordinance, the governing body of a municipality shall prepare or cause to be prepared a *business impact estimate* in accordance with this subsection. The *business impact estimate* **must be** posted on the municipality's website *no later than the date the notice of proposed enactment is published pursuant to paragraph (3)(a)*[1] and must include all of the following:
>
> 1. A summary of the Ordinance, including a statement of the *public purpose* to be served by the Ordinance, such as serving the public health, safety, morals, and welfare of the *Town of Dundee, Florida.*
>
> 2. An *estimate of the direct economic impact* of the Ordinance on *private, for-profit businesses in the Town of Dundee, Florida,* including the following, if any:
>
>   a. An estimate of *direct compliance costs* that businesses may reasonably incur if the Ordinance is enacted;
>
>   b. Identification of any *new charge or fee on businesses* subject to the Ordinance, or for which businesses will be financially responsible; and
>
>   c. An *estimate of the municipality's regulatory costs*, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.
>
> 3. A *good faith estimate* of the number of businesses likely to be impacted by the Ordinance.

[1] Ordinances that change the actual list of permitted, conditional, or prohibited uses within a zoning category, or ordinances initiated by the municipality that change the actual zoning map designation of a parcel or parcels of land shall be enacted pursuant to *§166.041(3)(c), Fla. Stat. (2024)*.

4. Any additional information the *Town Commission of the Town of Dundee* determines may be useful.

If one (1) or more boxes are checked below, this means the *Town of Dundee* is of the view that a *business impact estimate* is not required pursuant to applicable Florida law; however, the *Town of Dundee* is, nevertheless, providing this BIE to avoid any procedural issue(s) that may impact the enactment of *Town of Dundee Ordinance No. 25-03*(hereafter the "Ordinance").

This BIE may be revised following its initial posting.

X The Ordinance is required for compliance with Federal or State law or regulation;

☐ The Ordinance relates to the issuance or refinancing of debt;

☐ The Ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;

☐ The Ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the *Town of Dundee, Florida*;

☐ The Ordinance is an emergency ordinance;

☐ The Ordinance relates to procurement; or

X The Ordinance is enacted to implement the following:

a. *Development orders* and *development permits*, as those terms are defined in *§163.3164, Florida Statutes (2024)*, and *development agreements*, as authorized by the Florida Local Government Development Agreement Act under *§§ 163.3220 – 163.3243, Florida Statutes (2024)*;

b. Comprehensive plan amendments and land development regulation amendments *initiated by an application by a private party other than the municipality*;

b. *§§ 190.005 and 190.046, Florida Statutes (2024)*;

c. *§553.73, Florida Statutes (2024)*, relating to the Florida Building Code; or

d. *§633.202, Florida Statutes (2024)*, relating to the Florida Fire Prevention Code.

Notwithstanding the identified and noted exemption(s) above, if applicable, pursuant to the provisions of *§166.041(4), Florida Statutes (2024)*, and applicable Florida law, the *Town of Dundee* hereby publishes the following information:

1. **Summary of the Ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):**

The proposed ordinance updates the Town's methodology for calculating Equivalent Residential Connections (ERCs) and incorporates revised potable water and wastewater demand standards into the Town Code and Land Development Code. The ordinance establishes updated definitions, clarifies procedural requirements for development review, and standardizes water-usage calculations for the purposes of capacity evaluation and long-range capital planning.

The purpose is to:

- Ensuring accurate and consistent evaluation of potable water system demand.
- Supporting long-term capital planning and infrastructure investment.
- Aligning local regulations with industry best practices and updated utility planning standards.
- Providing transparency and predictability for developers, businesses, and property owners.
- Protecting the public by ensuring that water system capacity is sufficient to meet future growth.

2. **An estimate of the direct economic impact of the Ordinance on private, for-profit businesses in the *Town of Dundee, Florida*, if any:**

The ordinance is not expected to impose direct financial costs on existing businesses. However, potential indirect or future impacts may include:

- Revised ERC calculations may adjust water-capacity allocations required for certain new development or redevelopment projects.
- Developers of higher-demand uses may experience changes in calculated ERC totals, which could influence utility capacity fees, if applicable in the future.
- Administrative impacts are minimal, as the ordinance primarily updates technical definitions rather than imposing new compliance requirements.
-

No new fees, penalties, or reporting obligations are created by this ordinance.

3. **Good faith estimate of the number of businesses likely to be impacted by the proposed *Town of Dundee Ordinance No. 25-09*:**

The ordinance may have a minimal impact on small businesses, primarily in cases where new construction, change of use, or site redevelopment triggers updated ERC calculations. Any such impacts are tied to:

- Utility demand associated with the proposed use;
- Standard development review procedures that already apply.

No disproportionate or unreasonable burdens are expected for small businesses.

4. **Additional information the *Town Commission of the Town of Dundee* deems useful (if any):**

The ordinance improves administrative efficiency and ensures that utility capacity planning meets current standards. It is not expected to have a material impact on business competitiveness, local employment, or economic development within the Town.

The ordinance does not create any new fees or reporting requirements for businesses.
Potential impacts may include:

- For new construction or redevelopment projects, ERC calculations may change based on updated water-usage standards.
- Businesses proposing new or expanded uses may see adjustments in how their water demand is calculated, which could affect future capacity planning.

Existing businesses that are not changing their use or expanding their buildings will not be affected.