

RESOLUTION NO. 76-2022 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, PROVIDING FOR RATES, FEES AND CHARGES FOR USE OF THE REGIONAL SEWAGE DISPOSAL SYSTEM OF THE CITY OF LAKE WORTH BEACH; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CONFLICTING RESOLUTIONS OR CONFLICTING PARTS OF RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Lake Worth Beach, Florida, is authorized and required to fix uniform and adequate rates for its service; and

WHEREAS, an evaluation of the level of regional sewer system rates establishes a need to revise the rates and charges as set forth herein in order to meet the several objectives identified by the evaluation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, that:

**Section 1.** The following schedules, except as otherwise provided, shall be the rates, fees and charges for the use of and for the services and facilities furnished or to be furnished by the regional sewage disposal system, to be paid by those entities who use the regional sewage disposal system.

1. East Central Regional Water Reclamation Facility Renewal & Replacement Payment

A fixed charge to each customer based on the contribution requirements billed to the City of Lake Worth Beach regional sewer system for the East Central Regional Water Reclamation Facility in each fiscal year multiplied against the percentage of total capacity of the regional sewer system reserved by each customer. For FY 2023 the charge is:

ECR R&R Per Entity	Reserved Capacity	Annual Charge
Lake Worth Beach	43.927%	\$994,150.00
Palm Springs	28.200%	\$638,219.00
Lantana	14.073%	\$318,500.00
Atlantis	4.217%	\$95,448.00
PBSC	0.939%	\$21,254.00
Manalapan	1.322%	\$29,913.00
South Palm Beach	2.974%	\$67,305.00
Lake Clarke Shores	4.348%	\$98,400.00
Total:	100.00%	\$2,363,189.00

2. East Central Regional Water Reclamation Facility Debt Payment

A fixed charge to each customer based on the indebtedness requirements

billed to the City of Lake Worth Beach regional sewer system for the East Central Regional Water Reclamation Facility in each fiscal year multiplied against the percentage of total capacity of the regional sewer system reserved by each customer. Note that debt service is included in the ECR Operations and Maintenance charges.

### 3. Lake Worth Regional Sewer System Renewal & Replacement Charge

A fixed charge to each customer to recover the cost of scheduled system renewal and replacements and reserve requirements of the City of Lake Worth regional sewer system based on the renewal and replacement cost and reserve requirements of the regional sewer system in each fiscal year multiplied against the percentage of total capacity of the regional sewer system reserved by each customer. For FY 2023 the charge is:

Lake Worth Beach Subregional R&R per Entity	Reserved Capacity	Annual Charge
Lake Worth Beach	43.927%	\$158,137.00
Palm Springs	28.200%	\$101,520.00
Lantana	14.073%	\$50,663.00
Atlantis	4.217%	\$15,183.00
PBSC	0.939%	\$3,381.00
Manalapan	1.322%	\$4,758.00
South Palm Beach	2.974%	\$10,706.00
Lake Clarke Shores	4.348%	\$15,652.00
Total:	100.000%	\$360,000.00

### 4. Palm Beach County Force Main Capital Reserve Charge

A fixed charge to each customer to recover the cost of the subregional sewer system share of planned Palm Beach County capital projects. The capital assessment was collected in FY2020 and FY2021 and there is no planned collection needed for FY2023.

### 5. Operations & Maintenance Charge

A volume charge will be applied to each thousand gallons of metered volume to recover the annual operating and maintenance costs directly related to the transmission, treatment, and disposal of sewage utilizing the City of Lake Worth Beach regional sewer system.

Operations & Maintenance Charge effective as of the dates listed:

*All Customers Excluding Village of Palm Springs*

Effective Date:	10/1/2022
Charge:	\$2.863

*Village of Palm Springs*

Effective Date:	10/1/2022
Charge:	\$2.548

**Section 2.** Should any section or provision of this resolution or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or any part thereof other than the part declared to be invalid.

**Section 3.** If any provision of this resolution, or the application thereof any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the resolution, which can be given effect without the invalid provision or applications, and to this end, the provisions of this resolution are declared severable.

**Section 4.** All resolutions or parts of resolutions in conflict herewith are hereby repealed.

**Section 5.** This resolution shall be in effect for billings issued on or after October 1, 2022.

The passage of this resolution was moved by Commissioner \_\_\_\_, seconded by Commissioner \_\_\_\_\_, and upon being put to a vote, the vote was as follows:

Mayor Betty Resch  
 Vice Mayor Christopher McVoy  
 Commissioner Sarah Malega  
 Commissioner Kimberly Stokes  
 Commissioner Reinaldo Diaz

The Mayor thereupon declared this resolution duly passed and adopted this 22<sup>nd</sup> day of September 2022.

LAKE WORTH BEACH CITY COMMISSION

By: \_\_\_\_\_  
 Betty Resch, Mayor

ATTEST:

\_\_\_\_\_  
 Melissa Ann Coyne, City Clerk