

RESOLUTION NO. 44-2023 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, PROVIDING FOR WATER SYSTEMS RATES AND CHARGES FOR FISCAL YEAR 2024; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HERewith; 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 services; and

WHEREAS, an evaluation of the level of Water 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; and

WHEREAS, the City Commission finds the rates and charges for the City's Water System for Fiscal Year 2023 as set forth herein are fair and equitable and serve a valid public purpose.

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

Section 1: For the purpose of this resolution, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural in the present tense include the future, words in the plural include the singular, and words in the singular include the plural.

"Shall" is always mandatory and not merely directory.

"Phase I water shortage", "Phase II water shortage", "Phase III water shortage", and "Phase IV water shortage", shall refer to the phases of water shortage that may be declared by the South Florida Water Management District pursuant to the Florida Administrative Code Chapter 40E-21.

"ERU" shall stand for "Equivalent Residential Unit" and shall mean the average amount of potable water used by a residential facility in terms of the reserved capacity needed to serve that facility. One (1) ERU is, by definition, equal to one (1) single-family residence. Each residential unit in a multi-family complex or mobile home park unit is equivalent to 66% of one ERU, or as calculated in accordance with Chapter 18, Article VI, Code of Ordinances of the City of Lake Worth Beach.

Section 2: The following schedules shall be the rate charged by the City of Lake Worth Beach for all water sold by the City of Lake Worth Beach for all purposes, to wit:

GENERAL SERVICE – SCHEDULE NO. 1

Designation: General Service

Applicable: For commercial, industrial, and governmental use within the territory served by the Water Distribution System of the City of Lake Worth Beach, as available and at the option of the City.

Monthly Rates: **Customer Charge**, effective as of the dates listed:

Effective Date:	10/01/2022	10/01/2023
Charge:	\$5.31	\$5.48

A fixed charge based on the cost of preparing and delivering a bill, which will be applied to each water account receiving a bill.

Base Facility Charge, effective as of the dates listed:

Effective Date:	10/01/2022	10/01/2023
5/8" x 3/4" Meter	\$15.83	\$16.35
1" Meter	\$39.61	\$40.90
1-1/2" Meter	\$79.19	\$81.77
2" Meter	\$126.73	\$130.85
3" Meter	\$253.47	\$261.71
4" Meter	\$396.02	\$408.89
6" Meter	\$792.06	\$817.80
8" Meter	\$1,230.06	\$1,270.04

For meter sizes larger than those shown in the table, the Director shall determine the charge on a case-by-case basis.

A fixed charge designed to recover a portion of the fixed costs of the water system shall be applied to each meter based upon the size of the meter.

Volume Charge: Rates for each hundred gallons of metered water consumption effective as of the dates listed:

Effective Date:	10/01/2022	10/01/2023
Block 1	\$.341	\$.352
Block 2	\$.525	\$.542
Block 3	\$.711	\$.734
Block 4	\$1.244	\$1.284
Block 5	\$1.561	\$1.612

The amount of water consumption in each block subject to the rates in the table above is based upon meter size and is as follows (in hundreds of gallons):

Meter Size	Block 1		Block 2		Block 3		Block 4		Block 5	
	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max
5/8" x 3/4"	1	40	41	80	81	120	121	200	201	∞
1"	1	100	101	200	201	300	301	500	501	∞
1-1/2"	1	200	201	400	401	600	601	1,000	1001	∞
2"	1	320	321	640	641	960	961	1,600	1601	∞
3"	1	640	640	1,280	1281	1,920	1921	3,200	3201	∞
4"	1	1,000	1001	2,000	2001	3,000	3001	5,000	5001	∞
6"	1	2,000	2001	4,000	4001	6,000	6001	10,000	10001	∞
8"	1	4,000	4001	6,000	6001	8,000	8001	12,000	12001	∞

Meter Deposit: Reference City of Lake Worth Resolution No. 59-2019 or latest revision thereof.

RESIDENTIAL – SCHEDULE NO. 2

Designation: Residential

Applicable: For individually metered single-family customers, master-metered single-family residential units, individually metered multi-family customers, master-metered multi-family residential units, cottages, apartments, trailers or mobile home parks use within the territory served by the Water Distribution System of the City of Lake Worth Beach, as available and at the option of the City.

Monthly Rates: **Customer Charge**, effective as of the dates listed:

Effective Date:	10/01/2022	10/01/2023
Charge:	\$5.31	\$5.48

A fixed charge based on the cost of preparing and delivering a bill, which will be applied to each water account receiving a bill.

Base Facility Charge, effective as of the dates listed:

Effective Date	10/01/2022	10/01/2023	ERU
Charge:	\$15.83	\$16.35	Per ERU
Charge:	\$10.45	\$10.79	Per multi-family residential unit or mobile home unit (66% of 1 ERU)

A fixed charge designed to recover a portion of the fixed costs of the water system shall be applied to each ERU served, as defined above.

Volume Charge: Rates for each hundred gallons of metered water consumption effective as of the dates listed:

Effective Date:	10/01/2022	10/01/2023
Block 1	\$.341	\$.352
Block 2	\$.525	\$.542
Block 3	\$.711	\$.734
Block 4	\$1.244	\$1.284
Block 5	\$1.561	\$1.612

The amount of water consumption in each block subject to the rates in the table above is for each meter served per month, as defined above, and is as follows (in hundreds of gallons):

Water Use Per Meter Per Month Blocks	Single-Unit Accounts		Multi-Unit Accounts	
	Minimum	Maximum	Minimum	Maximum
Block 1	1	40	1	20
Block 2	41	80	21	40
Block 3	81	120	41	60
Block 4	121	200	61	100
Block 5	201	∞	101	∞

Meter Deposit: Reference City of Lake Worth Resolution No. 59-2019 or latest revision thereof.

UNMETERED FIRE LINE – SCHEDULE NO. 3

Designation: Fire Service

Applicable: All buildings requiring this service.

Monthly Rate: Rates effective as of the dates listed:

Effective Date:	10/01/2022	10/01/2023
2" Connection	\$30.35	\$31.33
4" Connection	\$78.39	\$80.94
6" Connection	\$156.89	\$161.99
8" Connection	\$254.71	\$262.98
10" Connection	\$391.74	\$404.47
12" Connection	\$666.10	\$687.74

TEMPORARY HYDRANT METER: Charge effective as of dates listed:

10/01/2023

Meter Deposit: \$525.00
 Activation Fee: \$35.00

Application Fee:	\$17.00
Fee to move a hydrant meter:	\$30.00
Minimum charge per month:	\$261.71

IRRIGATION SERVICE – SCHEDULE NO. 4

Designation: Irrigation Service

Applicable: For any customer with an independent meter for irrigation use within the territory served by the Water Distribution System of the City of Lake Worth Beach, as available and at the option of the City.

Monthly Rates: **Customer Charge**, effective as of the dates listed:

Effective Date:	10/01/2022	10/01/2023
Charge:	\$5.31	\$5.48

A fixed charge based on the cost of preparing and delivering a bill, which will be applied to each water account receiving a bill.

Base Facility Charge, effective as of the dates listed:

Effective Date:	10/01/2022	10/01/2023
5/8" x 3/4" Meter	\$15.83	\$16.35
1" Meter	\$39.61	\$40.90
1-1/2" Meter	\$79.19	\$81.77
2" Meter	\$126.73	\$130.85
3" Meter	\$253.47	\$261.71
4" Meter	\$396.02	\$408.89
6" Meter	\$792.06	\$817.80

A fixed charge designed to recover a portion of the fixed costs of the water system shall be applied to each meter based upon the size of the meter.

Volume Charge: Rates for each hundred gallons of meter water consumption effective as of the dates listed:

Effective Date:	10/01/2022	10/01/2023
Block 1	\$.711	\$.734
Block 2	\$1.244	\$1.284
Block 3	\$1.561	\$1.612

The amount of water consumption in each block subject to the rates in the table above is based upon meter size and is as follows (in hundreds of gallons):

	Block 1		Block 2		Block 3	
Meter Size	Min	Max	Min	Max	Min	Max
5/8" x 3/4"	1	100	101	200	201	∞

1"	1	250	251	500	501	∞
1-1/2"	1	500	501	1,000	1,001	∞
2"	1	800	801	1,600	1,601	∞
3"	1	1,600	1,601	3,200	3,201	∞
4"	1	2,500	2,501	5,000	5,001	∞
6"	1	5,000	5,001	10,000	10,001	∞

Meter Deposit: Reference City of Lake Worth Resolution No. 59-2019 or latest revision thereof.

Section 3: It is the City’s intention to maintain Phase I (3 days per week) water restrictions within the City’s service area. However, in the event that a Phase II or IV mandatory water restriction is declared by the South Florida Water Management District or other authority having jurisdiction upon the City to reduce water production, the Volume Charge listed in Section 2 above will be adjusted upwards by fifteen percent (15%). The application of the water restriction surcharge is to maintain net revenue margins of the utility system, which may be eroded due to reduced sales resulting from the imposed water restrictions, to meet debt service covenants on any outstanding indebtedness allocable to utility system and to promote water conservation. The water consumption rates will be adjusted and will be applicable to all water use above the first consumption block usage range as referenced in Section 1 – General Service – Schedule No. 1 for the commercial, industrial and governmental use and Section 2 – Residential – Schedule No. 2 for individually metered single-family and multiple-family residential, as well as master metered multiple-family residential use.

The water restriction surcharge will not be applied to the base facility charge, unmetered fire line charge or the wastewater rates for service. The water restriction surcharge shall be applied by the City beginning with the first billing cycle following the declared mandatory Phase IV water restrictions as imposed by the South Florida Water Management District or other authority having jurisdiction.

The mandatory water restriction surcharge shall be discontinued by the City beginning at the first billing cycle following the removal or lifting of the Phase IV water restrictions by the South Florida Water Management District or other authority having jurisdiction.

Section 4: Average Billing Calculation: The average billing process will establish a monthly bill, which will be based on the average water bill for the preceding 12 calendar months. If the residence or apartment has been occupied for the last 12 months and the customer can qualify as an existing customer, the previous tenant or owner’s bill may be used to estimate the average monthly billing.

The average billing calculation will be reviewed and adjustments made to correct for changes in rates, usage, or other factors to be implemented on the bills issued during June and December of each year.

Section 5: With respect to any premises or users situated outside the corporate limits of the City of Lake Worth Beach, which premises or users now or hereafter have active connections with the water system of the City, there shall be charged a rate equal to the

charges established for service to residents of the City, plus a surcharge equal to twenty-five percent (25%) of such charge as outlined in the Policies & Procedures Manual. The foregoing surcharge shall not apply to users with whom the City has now or shall hereafter contract for services at charges established in such contracts unless the contract provides for surcharges.

Section 6: 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 7: All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Section 8: This resolution shall be in effect for billings issued on or after the 1st day of October 2023.

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 _____ day of September 2023.

LAKE WORTH BEACH CITY COMMISSION

By: _____
Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, MMC, City Clerk