

RESOLUTION NO. 4-07

A RESOLUTION REVISING AND ESTABLISHING RECLAIMED WATER CAPACITY FEE CHARGES TO ALL USERS OR POINTS OF USE UTILIZING THE RECLAIMED WATER SYSTEM OF THE UTILITIES COMMISSION, CITY OF NEW SMYRNA BEACH, FLORIDA; RESCINDING ALL RESOLUTIONS, OR PORTIONS THEREOF, IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Utilities Commission, City of New Smyrna Beach, Florida, is obligated and authorized pursuant to the laws of the State of Florida, particularly Chapter 67-1754, Laws of Florida, as amended by and restated in Chapter 85-503, Laws of Florida, to establish and maintain rate schedules for connection to the reclaimed water system, and to make such other changes in such amounts as are necessary and sufficient to recover expenses associated with operating and maintaining said system, along with funds for necessary improvements, and to honor all requirements of the Utilities Commission; and

WHEREAS, all new service connections impact the reclaimed water system; and

WHEREAS, the age of the structure or point of use if not a structure has no bearing on the impact of reclaimed water capacity; and

WHEREAS, the calculation of the fee is to be based on the most recent and localized data, and Black & Veatch prepared a Cost of Service and Rate Study Report in October 2006 for the Utilities Commission, which recommended that reclaimed water capacity fees be revised; and

WHEREAS, the Utilities Commission have investigated and reviewed the existing rate schedules and have presented the proposed changes as described in more detail below to the customers of the Utilities Commission, and to other parties of interest at a preliminary public hearing held June 18, 2007, and at a final public hearing held on July 16, 2007, which hearings were duly noticed and advertised.

NOW, THEREFORE, BE IT RESOLVED BY THE UTILITIES COMMISSION, CITY OF NEW SMYRNA BEACH, FLORIDA, AS FOLLOWS:

SECTION 1: The reclaimed water capacity fee charge shall be calculated by using the applicable method as listed below:

Single Family Residences or Townhomes - \$970.00 per ERU

SECTION 6: All Resolutions, or portions thereof, in conflict herewith are hereby rescinded and superseded.

THE ABOVE AND FOREGOING RESOLUTION was introduced at a regular meeting of the Utilities Commission, City of New Smyrna Beach, Florida, held on July 16, 2007, by Commissioner Spangler, who moved its adoption, which motion was seconded by Commissioner Allen, and upon roll call vote of the Commission was as follows:

CHAIRMAN	<u>[Signature]</u>	<u>yes</u>
VICE CHAIRMAN	<u>[Signature]</u>	<u>yes</u>
SECY-TREAS.	<u>[Signature]</u>	<u>yes</u>
COMMISSIONER ASST. SECY-TREAS.	<u>[Signature]</u>	<u>yes</u>
COMMISSIONER	<u>William E. Hall</u>	<u>ABSENT</u>

APPROVED:

[Signature]
CHAIRMAN

ATTEST:

[Signature]
SECRETARY-TREASURER

SEAL

APPROVED AS TO FORM AND CORRECTNESS:

[Signature]
UTILITIES COMMISSION ATTORNEY