



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.7.

5/27/2021

Subject:

Amendment to Resolution 13-002 in order to adopt the Water and Sewerage Maintenance Index for setting annual increases in the Barefoot Bay Water & Sewer District monthly water & sewer charges in lieu of the Consumer Price Index (CPI-U).

Fiscal Impact:

Adoption of the annual rate will be based on the Water and Sewerage Maintenance Index which is issued every December and goes into effect in January of the next year. Over the past 5 years, by using the CPI-U instead of the Water and Sewerage Maintenance Index we received approximately \$17,000 less each fiscal year. We estimate that the FY 22 impact by implementing the new index will increase our revenue by \$18,000.

Dept/Office:

Utility Services

Requested Action:

It is requested that the Governing Board of the Barefoot Bay Water & Sewer District adopt the proposed Resolution amending Resolution 13-002, in order to utilize the Water and Sewerage Maintenance Index for setting annual increases in the Barefoot Bay Water & Sewer District System monthly water & sewer charges in lieu of the Consumer Price Index (CPI-U).

Summary Explanation and Background:

At the Board of County Commissioner's Budget Workshop held on February 18, 2021, the Board of County Commissioners approved the utilization of the Water and Sewerage Maintenance Index in lieu of the Consumer Price Index (CPI-U). The Board further required that in the event the Water and Sewerage Maintenance Index rose above 3.4% for any particular year, then such increase would be brought before the Board of County Commissioners for discussion prior to implementation at the next available Board meeting. Attached for your consideration is the amendment to Resolution 13-002.

This item was advertised in Florida Today newspaper on May 13, 2021.

Clerk to the Board Instructions:

Please e-mail Clerk Memo and executed Resolution to rose.lyons@brevardfl.gov [<mailto:rose.lyons@brevardfl.gov>](mailto:rose.lyons@brevardfl.gov) and mail original to Utility Services Department.



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Kimberly.Powell@brevardclerk.us

May 28, 2021

M E M O R A N D U M

TO: Edward Fontanin, Utility Services Director Attn: Rose Lyons

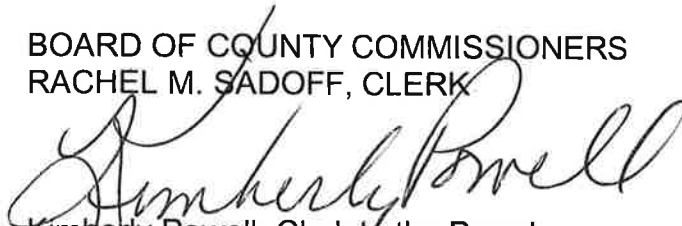
RE: Item H.7., Amendment to Resolution 13-002, in order to Adopt the Water and Sewerage Maintenance Index for Setting Annual Increases in the Barefoot Bay Water and Sewer District Monthly Water and Sewer Charges in lieu of the Consumer Price Index (CPI-U).

The Board of County Commissioners, as governing body of the Barefoot Bay Water and Sewer District, in regular session on May 27, 2021, adopted Resolution No. 21-001, adopting the Water and Sewerage Maintenance Index for setting annual increases in monthly water and sewer charges in lieu of the Consumer Price Index (CPI-U). Enclosed is the fully-executed Resolution.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK



Kimberly Powell, Clerk to the Board

/cld

Encl. (1)

cc: County Attorney
Budget
Finance

RESOLUTION 21-001

RESOLUTION OF THE GOVERNING BOARD OF THE BAREFOOT BAY WATER & SEWER DISTRICT OF BREVARD COUNTY, FLORIDA, AMENDING RESOLUTION NUMBER 13-002, IN ORDER TO ADOPT THE WATER AND SEWERAGE MAINTENANCE INDEX FOR SETTING ANNUAL INCREASES IN MONTHLY WATER AND SEWER CHARGES IN LIEU OF THE CONSUMER PRICE INDEX (CPI-U); PROVIDING FOR RATIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Governing Board of the Barefoot Bay Water & Sewer District, hereinafter referred to as the "Board," adopted Ordinance Number 13-002; which provided for automatic annual increases in monthly water and sewer rates for the Barefoot Bay Water & Sewer District effective January 1, 2014 and subsequent years, and

WHEREAS, on February 18, 2021 the Board approved changing from the Consumer Price index to the Water and Sewerage Maintenance Index for future annual increases, Resolution Number 13-002 needs to be amended to comply; and

WHEREAS, the Board now desires to amend Resolution No. 13-002.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE BAREFOOT BAY WATER & SEWER DISTRICT, BREVARD COUNTY, FL, that Resolution Number 13-002 is hereby amended as follows:

Section 1. Section 4. of Resolution 13-002 is hereby amended as follows:

4. Effective January 1, 2022 and subsequent years on January 1, all rates for water and sanitary sewer that comprise the Monthly User Charges shall be automatically increased based on the actual change in the Water and Sewerage Maintenance Index for the month of November reported for the current year compared to the index reported as of the month of November for the immediately preceding year. If in any year the increase exceeds 3.4%, the proposed increase shall be brought before the Board of County Commissioners at the next available Commission meeting for discussion before implementation.

Section 2. Ratification. All other provisions of Resolution 13-002 including Exhibit A, establishing the monthly water and sewer charges for the Barefoot Bay Water & Sewer District system, are hereby ratified and shall remain in full force and effect as previously adopted.

Section 3. Effective Date. This Resolution shall become effective immediately upon its adoption.

DONE, ORDERED, AND ADOPTED in Regular Session, this 27th day of May 2021.

ATTEST:

BAREFOOT BAY WATER AND SEWER DISTRICT

BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY FLORIDA



By: Rachel Sadoff, Clerk of Court



By: Rita Pritchett, Chair

As Approved by the Board on May 27, 2021

RESOLUTION 21-_____

RESOLUTION OF THE GOVERNING BOARD OF THE BAREFOOT BAY WATER & SEWER DISTRICT OF BREVARD COUNTY, FLORIDA, AMENDING RESOLUTION NUMBER 13-002, IN ORDER TO ADOPT THE WATER AND SEWERAGE MAINTENANCE INDEX FOR SETTING ANNUAL INCREASES IN MONTHLY WATER AND SEWER CHARGES IN LIEU OF THE CONSUMER PRICE INDEX (CPI-U); PROVIDING FOR RATIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Governing Board of the Barefoot Bay Water & Sewer District, hereinafter referred to as the "Board," adopted Ordinance Number 13-002; which provided for automatic annual increases in monthly water and sewer rates for the Barefoot Bay Water & Sewer District effective January 1, 2014 and subsequent years, and

WHEREAS, on February 18, 2021 the Board approved changing from the Consumer Price index to the Water and Sewerage Maintenance Index for future annual increases, Resolution Number 13-002 needs to be amended to comply; and

WHEREAS, the Board now desires to amend Resolution No. 13-002.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE BAREFOOT BAY WATER & SEWER DISTRICT, BREVARD COUNTY, FL, that Resolution Number 13-002 is hereby amended as follows:

Section 1. Section 4. of Resolution 13-002 is hereby amended as follows:

4. Effective January 1, ~~2019~~ 2022 and subsequent years on January 1, all rates for water and sanitary sewer that comprise the Monthly User Charges shall be automatically increased based on the actual change in the ~~Consumer Price Index for All Urban Consumers Unadjusted (CPI-U)~~ Water and Sewerage Maintenance Index for the month of November reported for the current year compared to the index reported as of the month of November for the immediately preceding year. ~~with such amount not to exceed 5%. If in any year the increase exceeds 3.4%, the proposed increase shall be brought before the Board of County Commissioners at the next available Commission meeting for discussion before implementation.~~

Section 2. Ratification. All other provisions of Resolution 13-002 including Exhibit A, establishing the monthly water and sewer charges for the Barefoot Bay Water

& Sewer District system, are hereby ratified and shall remain in full force and effect as previously adopted.

Section 3. Effective Date. This Resolution shall become effective immediately upon its adoption.

DONE, ORDERED, AND ADOPTED in Regular Session, this 27th day of May 2021.

ATTEST:

BAREFOOT BAY WATER AND SEWER DISTRICT
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY FLORIDA

By: Rachel Sadoff, Clerk of Court

By: Rita Pritchett, Chair

As Approved by the Board on May 27, 2021



**Classified Ad Receipt
(For Info Only - NOT A BILL)**

Customer: BREVARD COUNTY WATER RESOURCES

Address: 2725 JUDGE FRAN JAMIESON WAY
MELBOURNE FL 32940
USA

Ad No.: 0004723116

Pymt Method: Invoice

Net Amt: \$159.20

Run Times: 1

No. of Affidavits: 1

Run Dates: 05/13/21

Text of Ad:

AD#4723116

NOTICE OF PUBLIC HEARING

05/13/2021

NOTICE IS HEREBY GIVEN that the Governing Board of the Barefoot Bay Water and Sewer District, on May 27, 2021 at 5:00 P.M., in the Board Room at 2725 Judge Fran Jamieson Way, Building C, First Floor, Viera, Florida, 32940 will hold a public hearing on the following resolution:

RESOLUTION 21-_____

RESOLUTION OF THE BOARD OF DIRECTORS OF THE BAREFOOT BAY WATER & SEWER DISTRICT OF BREVARD COUNTY, FLORIDA, AMENDING RESOLUTION NUMBER 13-002, IN ORDER TO ADOPT THE WATER AND SEWERAGE MAINTENANCE INDEX FOR SETTING ANNUAL INCREASES IN MONTHLY WATER AND SEWER CHARGES IN LIEU OF THE CONSUMER PRICE INDEX (CPI-U); PROVIDING FOR RATIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE

All persons for or against said resolution can be heard at said time and place. If a person decides to appeal any decision made by the Board with respect to such hearing or meeting, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

A copy of the resolution may be inspected at the following locations:

Clerk to the Board of County Commissioners
North Brevard Library
Central Brevard Library
Melbourne Library
Micco Library
Utility Services Administration Office

By order of the Board of County Commissioners of Brevard County, Florida.



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

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Kimberly.Powell@brevardclerk.us

RECEIVED

FEB 22 2021

UTILITY SERVICES

February 19, 2021

MEMORANDUM

TO: Eddie Fontanin, Utilities Services Director

RE: Item II.E., Utilities Services Budget

The Board of County Commissioners, in special session on February 18, 2021, approved changing from Consumer Price Index (CPI) to the Sewer and Water Maintenance Index without a specific cap, if it rises above 3.4 percent per year it is to be brought before the Board of County Commissioners at the next available Commission meeting for discussion.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

Kimberly Powell, Clerk to the Board

cc: County Manager