



Mayor  
WILLIAM CAPOTE

Deputy Mayor  
BRIAN ANDERSON

Councilmembers  
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# **AGENDA**

## **SPECIAL COUNCIL MEETING 2019-21**

### **THURSDAY**

**September 11, 2019 – 7:00 P.M.**  
**City Hall Council Chambers**

#### **CALL TO ORDER:**

#### **ROLL CALL:**

#### **COMMENTARY BY STAFF:**

1. Statement regarding tax rate.
2. City Manager's summary of proposed budget.

#### **PUBLIC HEARING:**

1. Tentative millage rate for tax year 2019 and proposed budget for Fiscal Year 2019-2020.

#### **PUBLIC COMMENTS:**

#### **BUSINESS:**

1. Re-computation, if needed, and announcement of tentative millage rate and percentage increase over rolled-back rate.
2. Consideration of the tentative millage rate for tax year 2019.
3. Consideration of adopting a five-year utility rate plan to be evaluated by the Utilities Department on an annual basis.
4. Ordinance 2019-51, amending the Code of Ordinances, Chapter 200, Utilities Code, by adjusting the rates, fees, and charges for the City's utilities system and services, first reading.

THIS MEETING IS BROADCAST LIVE ON THE CITY'S WEBSITE.

5. Ordinance 2019-52, amending the Code of Ordinances, Chapter 201, Sewer Use, Subchapter 'Miscellaneous Provisions', by adjusting the permit fees and other charges related to the City's utilities wastewater system, first reading.
6. Ordinance 2019-53, amending the Code of Ordinances, Chapter 202, Reclaimed Water, by adjusting the rates, fees, and charges for reclaimed water, first reading.
7. Ordinance 2019-54, adopting the final budget for Fiscal Year 2019-2020, first reading.

**ADJOURNMENT:**

**If an individual decides to appeal any decision made by the City Council with respect to any matter considered at this meeting, a record of the proceedings will be required, and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (FS 286.0105). Such person must provide a method for recording the proceedings verbatim.**


**In accordance with the Americans with Disabilities Act, persons needing special accommodations for this meeting shall, at least 48 hours prior to the meeting, contact the Office of the City Clerk at (321) 952-3414 or Florida Relay System at 711.**

**Pursuant to Council Policies and Procedures, members of the public wishing to use electronic media when addressing City Council must provide the electronic file to staff for screening no later than 2:00 P.M. on the day of the meeting; audio presentations must be submitted to the City Clerk at least twenty-four (24) hours prior to the meeting.**



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Lisa Morrell, City Manager 

**DATE:** September 11, 2019

**RE:** Budget Changes to the FY 2020 Proposed Budget

The following identifies all changes made to the preliminary budget presented at the August 8, 2019 Budget Workshop.

### TOTAL GENERAL FUND BUDGET

Total on 08/08/2019	\$75,718,347
Change	\$605,068
<b>Total on 09/03/2019</b>	<b>\$76,323,415</b>

<b>Revenue</b>	Ad Valorem Tax @ 8.3000 Millage Rate Adjustment	<b>\$673,826</b>
<b>Revenue</b>	Local Option Fuel Tax	<b>(\$27,489)</b>
<b>Revenue</b>	Communication Service Tax (CST)	<b>(\$11,557)</b>
<b>Revenue</b>	State-Shared Revenue	<b>(\$42,421)</b>
<b>Revenue</b>	Half-Cent Sales Tax	<b>\$12,709</b>
<b>Expenditure</b>	Code Compliance Technician FTE/Position Elimination <i>Position Elimination Completed in FY 2019; Funds Included in FY 2020 Proposed Budget Due to Timing</i>	<b>(\$72,333)</b>
<b>Expenditure</b>	City Council Salary Adjustment <i>Reduction from 3.0% Increase to CPI of 1.6% Increase</i>	<b>(\$957)</b>
<b>Expenditure</b>	Legislative Special Elections Increase <i>Update Received on 07/19/2019 from Brevard County Supervisor of Elections</i>	<b>\$3,500</b>

Mayor and Council: Budget Changes to the FY 2020 Proposed Budget

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<b>Expenditure</b>	Palm Bay Aquatic Center Renovations (project 20PR01)	<b>\$640,000</b>
<b>Expenditure</b>	GIS Technician III Position – Funding Re-Allocation <i>Transfer to Utilities Operating Fund (421)</i>	<b>(\$39,772)</b>
<b>Expenditure</b>	Transfer to Utilities Operating Fund (GIS Technician III)	<b>\$39,772</b>
<b>Expenditure</b>	Transfer to Stormwater Fund (Exemption Credits)	<b>(\$11,039)</b>
<b>Expenditure</b>	Contingency	<b>\$45,897</b>

**TOTAL CITYWIDE BUDGET**

Total on 08/08/2019	\$194,461,685
Change	\$1,694,529
<b>Total on 09/03/2019</b>	<b>\$196,156,214</b>

Bayfront Community Redevelopment Trust (Fund 181):

Total on 08/08/2019	\$1,333,843
Change	\$95,560
<b>Total on 09/03/2019</b>	<b>\$1,429,403</b>

<b>Revenue</b>	Ad Valorem Tax Adjustment City Contribution @ 8.3000 Mils Brevard County Contribution @ 3.8196 Mils	<b>\$95,560</b>
<b>Expenditure</b>	Land Acquisitions	<b>\$95,560</b>

Utilities Operating (Fund 421):

Total on 08/08/2019	\$31,247,922
Change	\$1,551,497
<b>Total on 09/03/2019</b>	<b>\$32,799,419</b>

<b>Revenue</b>	Transfer from General Fund (GIS Technician III)	<b>39,772</b>
<b>Revenue</b>	Adjustment to Fund Balance	<b>\$1,511,725</b>
<b>Expenditure</b>	Budget Balancing of The Reserves Account	<b>(\$1,645,483)</b>

Mayor and Council: Budget Changes to the FY 2020 Proposed Budget

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<b>Expenditure</b>	Adjust GIS Technician III Request to GIS Technician II <i>Position Control Change Not Approved by Human Resources; Re-Allocation of Position Funding</i>	<b>\$7,301</b>
<b>Expenditure</b>	Transfer to Utilities Renewal & Replacement Fund <i>Maintain Minimum Fund Balance &amp; Fund CIP Projects</i>	<b>\$3,189,699</b>
<b>Expenditure</b>	Worker's Compensation Budget Adjustment	<b>(\$20)</b>

Utilities Renewal & Replacement (Fund 424):

Total on 08/08/2019	\$4,851,320
Change	\$0
<b>Total on 09/03/2019</b>	<b>\$4,851,320</b>

<b>Revenue</b>	Transfer from Utilities Operating Fund <i>Maintain Minimum Fund Balance &amp; Fund CIP Projects</i>	<b>\$3,189,699</b>
<b>Revenue</b>	Adjusting entry to Fund Balance	<b>(\$3,189,699)</b>

Stormwater (Fund 461):

Total on 08/08/2019	\$10,965,428
Change	(\$557,596)
<b>Total on 09/03/2019</b>	<b>\$10,407,832</b>

<b>Revenue</b>	Assessment Revenues – Current <i>Stormwater Rate Reduction to \$148.13</i>	<b>(\$584,329)</b>
<b>Revenue</b>	Assessment Revenues – Non-Current	<b>\$37,772</b>
<b>Revenue</b>	Transfer from General Fund (Exemption Credits)	<b>(\$11,039)</b>
<b>Expenditure</b>	Social Security/Medicare	<b>22,154</b>
<b>Expenditure</b>	Drainage Projects	<b>(\$579,750)</b>

YM/ac/cl/ab



## LEGISLATIVE MEMORANDUM

**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Lisa Morrell, City Manager  
**DATE:** September 11, 2019  
**RE:** Budget Hearing

A handwritten signature in black ink, appearing to read "Lisa Morrell".

The City Council is required by Florida Statute to hold a public hearing on the tentative millage rate and the proposed FY 2020 budget.

Staff will begin the meeting by reading a statement regarding the tax rate and providing a brief summary of the proposed budget.

Following the initial staff commentary, the public hearing should commence.

At the close of the public hearing, the Council will consider:

- Any changes in the tentative tax rate and the percent of increase over rollback;
- Adoption of the tentative millage rate and tentative debt millage rate;
- First reading of Utility Rate Ordinances amending Chapters 200, 201 and 202 by adjusting the rates, fees, and charges.
- First reading of the Budget Adoption Ordinance.

### RECOMMENDATION:

Motion to adopt the tentative millage rate and tentative debt millage rate.

Motion to adopt the proposed budget.

Motion to approve the first reading of Utility Rate Ordinances 2019-XX, 2019-XX and 2019-XX.

Motion to approve the first reading of the Budget Adoption Ordinance 2019-XX.

Attachment: 1) Ordinance Nos. 2019-XX through 2019-XX

YM/ac/cl/ab

## ORDINANCE 2019-51

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE XX, UTILITIES CODE, CHAPTER 200, UTILITIES CODE, BY ADJUSTING THE RATES, FEES, AND CHARGES FOR THE CITY'S UTILITIES SYSTEM AND SERVICES; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

**SECTION 1.** The City of Palm Bay Code of Ordinances, Title XX, Utilities Code, Chapter 200, Utilities Code, is hereby amended and shall henceforth read as follows:

### **"CHAPTER 200: UTILITIES CODE**

\* \* \*

#### **Section 200.04 METER INSTALLATION RATES.**

(A) Each residential applicant shall be charged for the tap, meter, backflow prevention device, meter service box and for installation of the meter. Rates for residential meter installations for all meter sizes will be set as follows:

	<b>FY 18-19</b>	<b>FY 19-20</b>
5/8 x 3/4" Meter <sup>1</sup>	<b>\$667.02</b>	<b>\$682.76</b>
5/8 x 3/4" Meter (w/double check; residential only)	<b>\$698.93</b>	<b>\$715.42</b>
1" Meter <sup>1</sup>	<b>\$759.62</b>	<b>\$777.55</b>
1 1/2" Meter <sup>1</sup>	<b>\$1,081.87</b>	<b>\$1,107.40</b>
2" Meter <sup>1</sup>	<b>\$1,360.70</b>	<b>\$1,392.82</b>

<sup>1</sup>Owner provided backflow requirements may apply.

(B) Each new subdivision development applicant shall be charged for the meter, backflow prevention device, meter service box and for installation of the meter. Rates for new subdivision development meter installations for all meter sizes will be set as follows:

	<b>FY 18-19</b>	<b>FY 19-20</b>
5/8 x 3/4" Meter <sup>1</sup>	\$355.74	\$364.14
5/8 x 3/4" Meter (w/double check; residential only)	\$388.18	\$397.35
1" Meter <sup>1</sup>	\$448.87	\$459.47
1 1/2" Meter <sup>1</sup>	\$771.13	\$789.33
2" Meter <sup>1</sup>	\$1,050.49	\$1,075.28

<sup>1</sup>Owner provided backflow requirements may apply.

(C) The meter charge for commercial development (without installation provided) will be set as follows:

	<b>FY 18-19</b>	<b>FY 19-20</b>
5/8 x 3/4" Meter <sup>1</sup>	\$281.46	\$288.10
1" Meter <sup>1</sup>	\$341.10	\$349.15
1 1/2" Meter <sup>1</sup>	\$555.59	\$568.70
2" Meter <sup>1</sup>	\$694.75	\$711.14

<sup>1</sup>Owner provided backflow requirements may apply.

\* \* \*

## **Section 200.05 METER TESTING.**

(A) Meter testing shall be done at the customer's request, and in accordance with the following guidelines and schedules:

(1) *Meter Test Request.* If any customer requests a test of the meter, the City will require a meter test or bench test fee which fee shall be set as follows:

	<b>FY 18-19</b>	<b>FY 19-20</b>
Meter Test	\$81.62	\$83.55
Bench Test – 3/4" to 1" Meter	\$155.91	\$159.59
Bench Test – 2" Meter	\$176.83	\$181.00

\* \* \*

## **Section 200.07 DISCONNECTING, RECONNECTING, AND TRANSFERRING SERVICE.**



(A) There shall be a charge for City service connections and for transferring of City accounts from the name of one person to the name of another, which shall be paid before the service connection is made or accounts changed. There shall be no service connection charge if the original service connection for meter installation or service installation fee has been paid.

(1) *Transferring Service.* The charge for the transfer of service to a new customer account at a previously served location or reconnection of service subsequent to a customer requested disconnection shall be set as follows. If after the reconnection the customer does not have water service due to the main valve at the house being in the off position, and the field service representative returns to the property, an additional service initiation fee will be applied to the account for each return trip to be set as follows:

	<b>FY 18-19</b>	<b>FY 19-20</b>
Transfer Fee (Re-Initiation Fee) (Per Trip)		
During normal hours	\$20.92	\$21.42
During after hours	\$64.87	\$66.40
Service Initiation Fee (Per Trip)		
During normal hours	\$20.92	\$21.42
During after hours	\$64.87	\$66.40

(2) *Reconnection.* When service is discontinued because of nonpayment of amounts due or non-sufficient funds, the disconnection/reconnection fee will be applied to the account as set forth below. If service is ordered discontinued because of nonpayment of the amount due, then payment is subsequently received (thus preventing the service from being discontinued), an administrative fee will be applied to the account. If service has been discontinued because of non-payment and water service is restored without authorization by the City, the City shall remove the meter and a pulled meter/reinstall meter charge will be applied to the account. Service shall not be restored until the customer has paid the entire amount of the delinquent bill, together with penalties and the pulled meter/reinstall meter charge. If a meter was pulled prior to October 1, 2015, a re-install meter charge shall be applied to any account requesting to have such meter re-installed.

	<b>FY 18-19</b>	<b>FY 19-20</b>
Administrative Fee (Per Request)	\$20.92	\$21.42
Disconnection/Reconnection Charge (Non-Payment)		
During normal hours	\$41.84	\$42.83
During after hours	\$85.70	\$87.82
Pulled Meter/Reinstall Meter Charge	\$61.75	\$63.21

	<b>FY 18-19</b>	<b>FY 19-20</b>
Re-Install Meter Charge (Per Trip) (Meters Pulled Prior to 10/1/15)	<b>\$43.96</b>	<b>\$45.00</b>

### **Section 200.08 TEMPORARY SERVICE.**

(A) All rates and deposit amounts for temporary service shall be set as follows:

	<b>FY 18-19</b>	<b>FY 19-20</b>
Temporary Hydrant Meter Deposit – 1”	\$375.00	\$375.00
Temporary Hydrant Meter Deposit – 1 1/2”	\$700.00	\$700.00
Temporary Hydrant Meter Deposit – 2”	\$900.00	\$900.00
Temporary Hydrant Meter Deposit – 3”	\$1,550.00	\$1,550.00
Temporary Hydrant Meter Installation	<b>\$147.53</b>	<b>\$151.01</b>
Temporary Hydrant Meter Removal	<b>\$100.45</b>	<b>\$102.82</b>
Temporary Hydrant Meter Relocation	<b>\$193.57</b>	<b>\$198.14</b>

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### **Section 200.09 FIRE PROTECTION SERVICE.**

\* \* \*

(B) Rates for fire protection service for all fire line sizes are set as follows:

	<b>FY 18-19</b>	<b>FY 19-20</b>
2” Line	<b>\$155.61</b>	<b>\$159.28</b>
4” Line	<b>\$499.27</b>	<b>\$511.05</b>
6” Line	<b>\$992.02</b>	<b>\$1,015.43</b>
8” Line	<b>\$1,588.53</b>	<b>\$1,626.02</b>
10” Line	<b>\$2,282.30</b>	<b>\$2,336.17</b>
12” Line	<b>\$3,112.23</b>	<b>\$3,185.68</b>

\* \* \*

### **Section 200.13 METER REREADS AND SPECIAL READS.**

\* \* \*

(B) All fees under this section shall be set as follows:

	<b>FY 18-19</b>	<b>FY 19-20</b>
High Bill Investigation Fee	<b>\$28.26</b>	<b>\$28.93</b>

\* \* \*

## **Section 200.15 REIMBURSEMENT RATES FOR ADDITIONAL SERVICES.**

The City shall charge the customer for specific utility services performed by and materials supplied by the City at the request of the customer or due to damages by the customer as determined on an individual basis, set as follows and based upon actual costs incurred by the City:

	<b>FY 18-19</b>	<b>FY 19-20</b>
Sewer Cleaning Vacuum Truck (per hour; 1 hour minimum)		
During normal hours	<b>\$193.57</b>	<b>\$198.14</b>
During after hours	<b>\$213.45</b>	<b>\$218.49</b>
Video and Sealing Services (per hour; 1 hour minimum)		
During normal hours	<b>\$167.42</b>	<b>\$171.37</b>
During after hours	<b>\$187.29</b>	<b>\$191.71</b>
Backhoe Services (per hour; 1 hour minimum)		
During normal hours	<b>\$79.53</b>	<b>\$81.40</b>
During after hours	<b>\$88.94</b>	<b>\$91.04</b>
Dump Truck Services (per hour; 1 hour minimum)		
During normal hours	<b>\$103.59</b>	<b>\$106.04</b>
During after hours	<b>\$113.01</b>	<b>\$115.68</b>
Dump Truck and Trailer Services (per hour; 1 hour minimum)		
During normal hours	<b>\$115.10</b>	<b>\$117.82</b>
During after hours	<b>\$123.48</b>	<b>\$126.39</b>
Trash Pump (per hour; 1 hour minimum)		
4"	<b>\$28.26</b>	<b>\$28.93</b>
6"	<b>\$33.49</b>	<b>\$34.28</b>
8"	<b>\$34.54</b>	<b>\$35.35</b>
Other Utility Service Calls (per hour; 1 hour minimum)		
1 person crew		
During normal hours	<b>\$62.79</b>	<b>\$64.27</b>
During after hours	<b>\$74.29</b>	<b>\$76.05</b>
2 person crew		
During normal hours	<b>\$88.94</b>	<b>\$91.04</b>

	<b>FY 18-19</b>	<b>FY 19-20</b>
During after hours	\$110.92	\$113.54
3 person crew		
During normal hours	\$115.10	\$117.82
During after hours	\$148.59	\$152.10
Supervisor		
During normal hours	\$63.83	\$65.34
During after hours	\$74.29	\$76.05

### **Section 200.16 ENGINEERING SERVICE CHARGES.**

\* \* \*

(B) Fees shall be set as follows:

	<b>FY 18-19</b>	<b>FY 19-20</b>
Utility Plan Review and Inspection Fees		
Base fee	\$838.84	\$858.63
Charge per Water Equivalent Residential Connection (ERC)	\$77.89	\$79.73
Charge per Sewer Equivalent Residential Connection	\$77.89	\$79.73
Backbone Water Main (per linear foot)	\$1.22	\$1.25
Backbone Wastewater Main (per linear foot)	\$1.22	\$1.25
Lift Stations with Backbone Mains (per lift station)	\$1,797.51	\$1,839.93

### **Section 200.17 WATER AND WASTEWATER SYSTEM RATES.**

(A) *Schedule.* The City hereby adopts a System rate schedule set as follows and applied to each customer of the System beginning with the first reading of the customer's water meter by the City or the first billing by the City as set forth in the new rate schedule:

#### **INSIDE CITY RATES**

	<b>FY 18-19</b>	<b>FY 19-20</b>
<b>Residential Single Family</b>		
Base Facility Charge:		
Water		
5/8 x 3/4"	\$14.26	\$14.78

	FY 18-19	FY 19-20
1"	\$30.78	\$36.95
1 1/2"	\$58.34	\$73.90
2"	\$91.41	\$118.25
Wastewater		
5/8 x 3/4"	\$20.08	\$21.29
1"	\$20.08	\$53.23
1 1/2"	\$100.25	\$106.45
2"	\$160.41	\$170.32
Usage Charge (per 1,000 gallons):		
Water		
First Block	\$3.77	\$3.77
Second Block	\$4.89	\$4.89
Third Block	\$6.02	\$6.78
Fourth Block	\$7.53	\$8.47
Wastewater	\$5.81	\$6.17

Note: Residential single family wastewater usage charge only applies to a maximum of 10,000 gallons per month.

	FY 18-19	FY 19-20
<b>City and Government</b>		
Base Facility Charge:		
Water		
5/8 x 3/4"	\$14.26	
1"	\$30.78	
1 1/2"	\$58.34	
2"	\$91.41	
3"	\$179.60	
4"	\$278.79	
6"	\$554.35	
8"	\$885.02	
10"	\$1,270.47	
12"	\$1,931.62	
Wastewater		
5/8 x 3/4"	\$20.08	
1"	\$50.11	
1 1/2"	\$100.25	
2"	\$160.41	
3"	\$320.74	
4"	\$501.19	

	FY 18-19	FY 19-20
6"	\$1,002.39	
8"	\$1,603.80	
10"	\$2,306.75	
12"	\$3,510.28	
Usage Charge (per 1,000 gallons)		
Water		
First Block	\$3.77	
Second Block	\$4.89	
Third Block	\$6.02	
Fourth Block	\$7.53	
Wastewater	\$5.81	
<b>Commercial/Multifamily/Institutional</b>		
Base Facility Charge:		
Water		
5/8 x 3/4"	\$15.35	
1"	\$33.55	
1 1/2"	\$63.86	
2"	\$100.22	
3"	\$197.22	
4"	\$306.36	
6"	\$609.45	
8"	\$973.19	
10"	\$1,396.91	
12"	\$2,124.04	
Wastewater		
5/8 x 3/4"	\$22.05	
1"	\$55.15	
1 1/2"	\$110.29	
2"	\$176.48	
3"	\$352.91	
4"	\$551.43	
6"	\$1,102.83	
8"	\$1,764.53	
10"	\$2,536.39	
12"	\$3,859.72	
Usage Charge (per 1,000 gallons)		
Water		
First Block	\$3.77	
Second Block	\$4.89	
Third Block	\$6.02	

	FY 18-19	FY 19-20
Fourth Block	\$7.53	
Wastewater	\$5.81	
<b>Industrial/Bulk User</b>		
Base Facility Charge:		
Water		
2"	\$446.11	
3"	\$863.50	
4"	\$1,328.87	
6"	\$2,630.51	
8"	\$3,529.60	
10"	\$5,072.37	
12"	\$9,480.33	
Wastewater		
2"	\$932.75	
3"	\$1,811.80	
4"	\$2,791.96	
6"	\$5,533.30	
8"	\$9,629.73	
10"	\$13,842.74	
12"	\$25,879.89	
Usage Charge – All Flow		
Water	\$2.12	
Wastewater	\$2.44	
Sewer Only		
Flat Fee per Month (per ERC)	\$49.03	
<b>Non-Residential Single Family</b>		
Base Facility Charge:		
Water		
5/8 x 3/4"		\$14.78
1"		\$36.95
1 1/2"		\$73.90
2"		\$118.25
3"		\$236.48
4"		\$369.52
6"		\$739.05
8"		\$1,182.47
10"		\$1,699.81
12"		\$2,586.50

Wastewater		
5/8 x 3/4"		\$21.29
1"		\$53.23
1 1/2"		\$106.45
2"		\$170.32
3"		\$340.64
4"		\$532.25
6"		\$1,064.50
8"		\$1,703.20
10"		\$2,341.90
12"		\$3,725.75
Usage Charge (per 1,000 gallons)		
Water		
First Block		\$3.77
Second Block		\$4.89
Third Block		\$6.78
Fourth Block		\$8.47
Wastewater		\$6.17
Sewer Only		
Flat Fee per Month (per ERC)	\$49.03	\$52.14

## OUTSIDE CITY RATES

Pursuant to Fla. Stat.§ 180.191, a 10% surcharge on water rates, fees and charges applies to consumers outside the municipal boundaries.

Pursuant to Fla. Stat. § 180.191, a 25% surcharge on wastewater rates, fees and charges applies to consumers outside the municipal boundaries.

### WATER MONTHLY USAGE BLOCKS (GALLONS)

#### Residential Single Family

Meter Size	Block 1	Block 2	Block 3	Block 4
5/8 x 3/4"	0 – 5,000	5,001 – 10,000	10,001 – 15,000	Above 15,000
1"	0 – 5,000	5,001 – 10,000	10,001 – 15,000	Above 15,000
1 1/2"	0 – 5,000	5,001 – 10,000	10,001 – 15,000	Above 15,000
2"	0 – 5,000	5,001 – 10,000	10,001 – 15,000	Above 15,000

City and Government				
Meter Size	Block 1	Block 2	Block 3	Block 4
5/8 x 3/4"	0 – 5,000	5,001 – 10,000	10,001 – 15,000	Above 15,000
1"	0 – 13,000	13,001 – 25,000	25,001 – 38,000	Above 38,000
1 1/2"	0 – 25,000	25,001 – 50,000	50,001 – 75,000	Above 75,000



2"	0 – 40,000	40,001 – 80,000	80,001 – 120,000	Above 120,000
3"	0 – 80,000	80,001 – 160,000	160,001 – 240,000	Above 240,000
4"	0 – 125,000	125,001 – 250,000	250,001 – 375,000	Above 375,000
6"	0 – 250,000	250,001 – 500,000	500,001 – 750,000	Above 750,000
8"	0 – 400,000	400,001 – 800,000	800,001 – 1,200,000	Above 1,200,000
10"	0 – 575,000	575,001 – 1,150,000	1,150,001 – 1,725,000	Above 1,725,000
12"	0 – 875,000	875,001 – 1,750,000	1,750,001 – 2,625,000	Above 2,625,000

#### **Commercial/Multifamily/Institutional**

Meter Size	Block 1	Block 2	Block 3	Block 4
5/8 x 3/4"	0 – 5,000	5,001 – 10,000	10,001 – 15,000	Above 15,000
1"	0 – 13,000	13,001 – 25,000	25,001 – 38,000	Above 38,000
1 1/2"	0 – 25,000	25,001 – 50,000	50,001 – 75,000	Above 75,000
2"	0 – 40,000	40,001 – 80,000	80,001 – 120,000	Above 120,000
3"	0 – 80,000	80,001 – 160,000	160,001 – 240,000	Above 240,000
4"	0 – 125,000	125,001 – 250,000	250,001 – 375,000	Above 375,000
6"	0 – 250,000	250,001 – 500,000	500,001 – 750,000	Above 750,000
8"	0 – 400,000	400,001 – 800,000	800,001 – 1,200,000	Above 1,200,000
10"	0 – 575,000	575,001 – 1,150,000	1,150,001 – 1,725,000	Above 1,725,000
12"	0 – 875,000	875,001 – 1,750,000	1,750,001 – 2,625,000	Above 2,625,000

#### **Non-Residential**

Meter Size	Block 1	Block 2	Block 3	Block 4
5/8 x 3/4"	0 – 5,000	5,001 – 10,000	10,001 – 15,000	Above 15,000
1"	0 – 13,000	13,001 – 25,000	25,001 – 38,000	Above 38,000
1 1/2"	0 – 25,000	25,001 – 50,000	50,001 – 75,000	Above 75,000
2"	0 – 40,000	40,001 – 80,000	80,001 – 120,000	Above 120,000

3"	0 – 80,000	80,001 – 160,000	160,001 – 240,000	Above 240,000
4"	0 – 125,000	125,001 – 250,000	250,001 – 375,000	Above 375,000
6"	0 – 250,000	250,001 – 500,000	500,001 – 750,000	Above 750,000
8"	0 – 400,000	400,001 – 800,000	800,001 – 1,200,000	Above 1,200,000
10"	0 – 575,000	575,001 – 1,150,000	1,150,001 – 1,725,000	Above 1,725,000
12"	0 – 875,000	875,001 – 1,750,000	1,750,001 – 2,625,000	Above 2,625,000

\* \* \*

(F) *Annual Index Adjustment.* The City hereby adopts automatic annual rate adjustments to apply to all water rates, wastewater rates, reclaimed water rates, miscellaneous fees and charges, except Main Line Extension Charges, for utility services as necessary to provide for increases in expenses due to inflation or other such factors. This will ensure adequate net revenues to pay for inflationary increases in operations and maintenance of the system and to provide all utility-related debt service coverage requirements of the City. Unless a **Certificate of the Consulting Engineer Rate Study performed by the Rate Consultant** shall state differently, the adjustment shall be effective as of the first billing date on or after October 1 of each year and shall be equal to the then current index pursuant to the Florida Public Service Commission order establishing the price index for water and wastewater utilities, based on the Gross Domestic Product Implicit Price Deflator Index.

\* \* \*

## **Section 200.18 LEAKS AND WASTE.**

\* \* \*

(C) *Causes for shutoff to be remedied; charge for turn-on.* Whenever the water supply to and for any premises has been shut off because of leaks or waste as in this section provided, the same shall not be turned on again until all cause or causes for shutoff shall have been remedied or removed, and until satisfactory assurance shall be given to the Utilities Department that the condition causing the shutoff will not again exist by the customer and a fee set as follows shall have been paid to the City.

	FY 18-19	FY 19-20
Turn On/Off Fee (Per Trip)		
During normal hours	\$20.92	\$21.42
During after hours	\$64.87	\$66.40

\* \* \*

**SECTION 2.** All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

**SECTION 3.** It is the intention of the City Council of the City of Palm Bay that the provisions of this Ordinance shall be made a part of the City of Palm Bay Code of Ordinances and the sections may be renumbered to accomplish such intention.

**SECTION 4.** If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Palm Bay that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

**SECTION 5.** The provisions within this ordinance shall take effect on October 1, 2019.

Read in title only at Meeting 2019- , held on September , 2019; and read in title only and duly enacted at Meeting 2019- , held on September , 2019.

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William Capote, MAYOR

ATTEST:

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Terese M. Jones, CITY CLERK

Reviewed by CAO: \_\_\_\_\_

***Words in red shall be deleted; blue words shall be included. Deletions and additions constitute the proposed amendment. Words remaining are now in effect and remain unchanged.***

## ORDINANCE 2019-52

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE XX, UTILITIES CODE, CHAPTER 201, SEWER USE, SUBCHAPTER 'MISCELLANEOUS PROVISIONS', BY ADJUSTING THE PERMIT FEES AND OTHER CHARGES RELATED TO THE CITY'S UTILITIES WASTEWATER SYSTEM; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

**SECTION 1.** The City of Palm Bay Code of Ordinances, Title XX, Utilities Code, Chapter 201, Sewer Use, Subchapter 'Miscellaneous Provisions', is hereby amended and shall henceforth read as follows:

### 'MISCELLANEOUS PROVISIONS

\* \* \*

#### Section 201.281 PERMIT FEES AND OTHER CHARGES.

##### (A) *Inspection Fees.*

(1) Inspection fees are set as follows:

	FY 18-19	FY 19-20
Inspections	\$93.13	\$95.33

(2) Violation inspection or if an industry or commercial operation is found to be out of compliance, the industry or commercial operation will be charged the rate as follows per hour per person per visit until said industry or commercial operation comes into compliance:

	FY 18-19	FY 19-20
Violation Inspections	\$93.13	\$95.33

(3) Inspection of private lift stations will be charged the rate as follows per hour per person per visit:

	<b>FY 18-19</b>	<b>FY 19-20</b>
Lift Station (Private) Inspection		
During Normal Hours	<b>\$62.79</b>	<b>\$64.27</b>
During After Hours	<b>\$74.29</b>	<b>\$76.05</b>

\* \* \*

(B) *Industrial Discharge Permit Fees: 3 Year Period.*

(1) Type I, II, and III permit fees will be set as follows:

	<b>FY 18-19</b>	<b>FY 19-20</b>
Discharge Permit-Type I	<b>\$2,055.00</b>	<b>\$2,104.00</b>
Discharge Permit-Type II	<b>\$1,027.00</b>	<b>\$1,052.00</b>
Discharge Permit-Type III	<b>\$286.00</b>	<b>\$293.00</b>

(C) *Fats, Oil and Grease (FOG) Permit Fees: 1 Year Period*

(1) Fats, Oil and Grease (FOG) permit fee will be set as follows:

	<b>FY 18-19</b>	<b>FY 19-20</b>
FOG Permit	<b>\$116.00</b>	<b>\$119.00</b>

\* \* \*

**SECTION 2.** All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

**SECTION 3.** It is the intention of the City Council of the City of Palm Bay that the provisions of this Ordinance shall be made a part of the City of Palm Bay Code of Ordinances and the sections may be renumbered to accomplish such intention.

**SECTION 4.** If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable,

inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Palm Bay that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

**SECTION 5.** The provisions within this ordinance shall take effect on October 1, 2019.

Read in title only at Meeting 2019- , held on September , 2019; and read in title only and duly enacted at Meeting 2019- , held on September , 2019.

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William Capote, MAYOR

ATTEST:

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Terese M. Jones, CITY CLERK

Reviewed by CAO: \_\_\_\_\_

***Words in red shall be deleted; blue words shall be included. Deletions and additions constitute the proposed amendment. Words remaining are now in effect and remain unchanged.***

## ORDINANCE 2019-53

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE XX, UTILITIES CODE, CHAPTER 202, RECLAIMED WATER, BY ADJUSTING THE RATES, FEES, AND CHARGES FOR RECLAIMED WATER; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

**SECTION 1.** The City of Palm Bay Code of Ordinances, Title XX, Utilities Code, Chapter 202, Reclaimed Water, Section 202.09, Rates and Charges, is hereby amended and shall henceforth read as follows:

### **“Section 202.09 RATES AND CHARGES.**

(A) All fees shall be set as follows for the use of reclaimed water:

	<b>FY 18-19</b>	<b>FY 19-20</b>
Residential – Flat Rate	<b>\$10.98</b>	<b>\$11.53</b>
Commercial – Metered – Base – 5/8” x 3/4” Meter	<b>\$14.25</b>	<b>\$14.96</b>
Commercial – Metered – Base – 1” Meter	<b>\$30.76</b>	<b>\$32.30</b>
Commercial – Metered – Base – 1 1/2” Meter	<b>\$58.30</b>	<b>\$61.21</b>
Commercial – Metered – Base – 2” Meter	<b>\$91.35</b>	<b>\$95.92</b>
<b>Commercial – Metered – Consumption (per tgals)</b>	<b>\$.53</b>	
Bulk – Metered – Base – 3” Meter	<b>\$197.08</b>	<b>\$206.93</b>
<b>Commercial Bulk</b> – Metered – Base – 4” Meter	<b>\$306.16</b>	<b>\$321.46</b>
<b>Commercial Bulk</b> – Metered – Base – 6” Meter	<b>\$609.03</b>	<b>\$639.49</b>
<b>Bulk - Metered - Consumption (per tgals)</b>	<b>\$.288</b>	



	FY 18-19	FY 19-20
Commercial – Metered – Consumption (per tgals)		\$.56

(B) *Annual Index Adjustment.* The City hereby adopts automatic annual rate adjustments to apply to all water rates, wastewater rates, reclaimed water rates, miscellaneous fees and charges for utility services as necessary to provide for increases in expenses due to inflation or other such factors. Unless a **Certificate of the Consulting Engineer Rate Study performed by the Rate Consultant** shall state differently, the adjustment shall be effective as of the first billing date on or after October 1 of each year and shall be equal to the then current index pursuant to the Florida Public Service Commission order establishing the price index for water and wastewater utilities, based on the Gross Domestic Product Implicit Price Deflator Index.”

**SECTION 2.** All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

**SECTION 3.** It is the intention of the City Council of the City of Palm Bay that the provisions of this Ordinance shall be made a part of the City of Palm Bay Code of Ordinances and the sections may be renumbered to accomplish such intention.

**SECTION 4.** If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Palm Bay that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

**SECTION 5.** The provisions within this ordinance shall take effect on October 1, 2019.

Read in title only at Meeting 2019- , held on September , 2019; and read in title only and duly enacted at Meeting 2019- , held on September , 2019.

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William Capote, MAYOR

ATTEST:

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Terese M. Jones, CITY CLERK

Reviewed by CAO: \_\_\_\_\_

***Words in red shall be deleted; blue words shall be included. Deletions and additions constitute the proposed amendment. Words remaining are now in effect and remain unchanged.***

## **ORDINANCE 2019-54**

**AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, ADOPTING A FINAL BUDGET AND APPROPRIATING FUNDS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019, AND ENDING SEPTEMBER 30, 2020; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Palm Bay, Florida, held a public hearing as required by Section 200.065, Florida Statutes, on September 3, 2019, and

**WHEREAS**, the City Council of the City of Palm Bay, Florida, adopted a tentative budget and tentative millage rate necessary to fund the tentative budget, and

**WHEREAS**, a further public hearing was held to adopt a millage rate and finalize the budget, and

**WHEREAS**, the final millage has been adopted prior to this Ordinance as required by Florida Truth in Millage.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA**, as follows:

**SECTION 1.** The budget for the City of Palm Bay, which is by reference incorporated herein as Exhibit A and made an integral part of this ordinance, is hereby adopted as the final budget for the fiscal year beginning October 1, 2019, and ending September 30, 2020, pursuant to City Charter and City Code of Ordinances, Chapter 35, Finance.

**SECTION 2.** Funds are hereby appropriated in accordance with City Code of Ordinances, Chapter 35, Finance, Section 35.028, as set forth in the final adopted budget.

**SECTION 3.** The provisions within this ordinance shall take effect on October 1, 2019.

Read in title only at Meeting 2019- , held on September , 2019; and read in title only and duly enacted at Meeting 2019- , held on September , 2019.

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William Capote, MAYOR

ATTEST:

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Terese M. Jones, CITY CLERK

Reviewed by CAO: \_\_\_\_\_