

**AMENDMENT #4 TO CHAPTER I
OF THE
PALM BAY COMMUNITY DEVELOPMENT DISTRICT
POTABLE WATER AND WASTEWATER REGULATIONS: ESTABLISHING
RATES, FEES AND CHARGES FOR UTILITY SERVICES**

1.01 PURPOSE. The purpose of this amendment is to amend certain provisions within the rule that are necessary relating to the District's Water & Sewer Fees and Charges and to re-establish certain rates, fees and charges for potable water and wastewater utility services of the Palm Bay Community Development District, and to provide for an effective date.

The Palm Bay Community Development District located in Hillsborough County, Florida, will hold a public hearing on **Thursday, July 18 at 9:30 A.M.**, in the Boardroom of the **Hilton Garden Inn Oldsmar, 4052 Tampa Road, Oldsmar, Florida 34677**, for the purpose of hearing public comment and objections on the adoption of the amendment of a rule relating to the re-establishment of the District's Water and Sewer Fees and Charges, in accordance with Sections 190.012(2)(a), 190.011(5) and 120.541, Florida Statutes. The amendment will address the Water and Sewer Fees and Charges Rule regarding payment for service charge fees. This amendment will be adopted pursuant to the authority of Chapter 120, Section 120.54, Florida Statutes; Chapter 190, Section 190.012 and Section 190.035, Florida Statutes.

1.02 NECESSITY. To re-establish potable water and wastewater rates, fees and charges for utility services as outlined in Schedule "A", which is provided herein, of the District rules as a result of the rate study performed in May 2013 and the approval of a new fee structure.

1.03 A "Statement of Estimated Regulatory Costs" has not been prepared pursuant to the provisions of Section 120.541(2) Florida Statutes. The estimate of the cost or the economic benefit to persons directly affected by the adoption of the rule amendment is believed to be insignificant in that the payment of the required fees based on the formula contained within the District's Rules will provide revenues based upon actual use for each user qualifying for this user category.

1.04 The estimate of the cost to the agency (District) in implementing the Rule is primarily the cost of legal advertising of the meetings to adopt said rule amendment, which is estimated not to exceed \$500.00. In addition, certain copying costs will be incurred by the District for distribution to interested persons which costs should not exceed \$200.00.

1.05 There is not estimated adverse impact on small business as defined by Section 288.703 or small Counties and Cities as defined by Section 120.52.

1.06 ATTORNEY'S FEES. In any action to enforce the provisions of this Rule, the District shall be entitled to recover its costs and attorney's fees, including any fees and costs on appeal.

1.07 SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this Rule is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

1.08 A copy of Amendment #4 to Chapter I of the Rules is available at the District's Management Office located at 6131 Lyons Road, Suite 100, Coconut Creek, Florida 33073.

1.09 EFFECTIVE DATE. This Rule shall become effective immediately upon adoption. This Rule has been adopted by the Board of Supervisors at their Public Hearing and Board Meeting held on **July 18, 2013**.

Specific Authority: Chapter 190.035; 190.012; 120.54, Florida Statutes

Law Implemented: Chapter 190.035, Florida Statutes

History: New

SCHEDULE "A"
AMENDED WATER AND WASTEWATER RATES AND CHARGES

I. RESIDENTIAL RATES AND CHARGES:

A. SINGLE FAMILY RESIDENCE

	<u>Current Fee</u>	<u>As of 7/18/2013</u>	<u>Change</u>
Bill Charge	\$3.80	\$3.80	\$0.00
Water Base	\$22.00	\$22.00	\$0.00
Sewer Base	\$15.00	\$15.00	\$0.00

Annual User Rate Fees			
Per 1,000 Gallons	<u>Current Fee</u>	<u>As of 7/18/2013</u>	<u>Change</u>
0 to 4,999 gals	\$6.21	\$6.40	\$0.19
5,000 to 14,999 gal	\$7.16	\$7.38	\$0.22
15,000 to 29,999 gals	\$9.20	\$9.20	\$0.00
30,000 or more gals	\$13.25	\$13.25	\$0.00

Resulting Effect on Average Account Monthly Bill			
	<u>Current</u>	<u>Proposed</u>	<u>Change</u>
Base Fees	\$40.80	\$40.80	\$0.00
User Fees	\$71.16	\$73.30	\$2.14
	\$111.96	\$115.32	\$3.36