



ORDINANCE NO. 2006 - 27

AN ORDINANCE OF COLLIER COUNTY, FLORIDA, AMENDING COLLIER COUNTY ORDINANCE NO. 2001-73, ENTITLED (THE "COLLIER COUNTY WATER-SEWER DISTRICT UNIFORM BILLING, OPERATING AND REGULATORY STANDARDS ORDINANCE") WHICH INCLUDES SIX (6) ALREADY EXISTING RATE SCHEDULES; ALSO TO INCREASE SOME OF THE FEES, RATES AND/OR CHARGES IN FIVE (5) OF THOSE SIX (6) SCHEDULES AS RECOMMENDED IN, AND IN RELIANCE UPON, A RATE STUDY, DATED JUNE 6, 2006, ENTITLED "WATER AND WASTEWATER RATE REVIEW FOR COLLIER COUNTY WATER-SEWER DISTRICT"; ALSO TO ADD, FOR THE FIRST TIME, NEW CHARGES CALLED "ALLOWANCE FOR FUNDS PRUDENTLY INVESTED (AFPI) FEE" BY INCORPORATION OF A NEW SCHEDULE SEVEN INTO APPENDIX A, AS RECOMMENDED BY, AND IN RELIANCE UPON, AN IMPACT FEE STUDY, DATED JUNE 6, 2006; ADDING A DEFINITION OF "EQUIVALENT RESIDENTIAL CONNECTION"; DELETING A REFERENCE TO A \$300 FINE AND INSERTING THAT FINE INTO SCHEDULE 6 OF APPENDIX A; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR INCLUSION INTO THE COLLIER COUNTY CODE OF LAWS AND ORDINANCES, PROVIDING THAT THIS AMENDING ORDINANCE WILL BECOME EFFECTIVE UPON RECEIPT BY FLORIDA'S SECRETARY OF STATE, BUT THAT ALL OF THE INCREASED FEES, RATES AND CHARGES, INCLUDING (NEW) AFPI CHARGES, SHALL NOT BECOME EFFECTIVE UNTIL SUNDAY, OCTOBER 1, 2006

WHEREAS, the original Collier County Water-Sewer District, also known as the County Water-Sewer District of Collier County, (hereinafter the "District") was approved on November 4, 1969 by voters of Collier County in accordance with the requirements of Chapter 153, Part II, Florida Statutes; and

WHEREAS, in 2001 the Board of County Commissioners enacted Collier County Ordinance No. 2001-73 to create a more simplified and more efficient mechanism for water and sewer utility systems and for readers to more easily understand these regulations, which are applicable to the District's water, wastewater, and non-potable services; and

WHEREAS, the Board of County Commissioners of Collier County, Florida is the Ex-officio Governing Board of the District pursuant to Chapter 2003-353, Laws of Florida, the Special Act that applies to the District; and

WHEREAS, this Ordinance, for the first time, adopts a new Schedule 7 to Appendix A, to incorporate into this Ordinance by reference a new charge called "Allowance for Funds Prudently Invested (AFPI) Fee," which shall become effective on Sunday, October 1, 2006 and only to individuals who, and entities that, deliver to County staff the related water and/or wastewater impact fees for such water and/or wastewater equivalent residential connections ("ERCs"); and

WHEREAS, this Ordinance incorporates a revised Schedule A that increases some of the rates, fees and charges as specified therein. Only Schedule Two therein is not being amended at this time.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA AS THE EX-OFFICIO GOVERNING BOARD OF THE COLLIER COUNTY WATER-SEWER DISTRICT, THAT ORDINANCE NO. 2001-73, IS HEREBY AMENDED AS FOLLOWS:

SECTION ONE. Adoption of "Allowance for Funds Prudently Invested (AFPI) Fee" A new Subsection (i) is hereby added to Subsection 1.3 in Ordinance Collier County Ordinance No. 2001-73 (entitled *District Rates, Fees and Charges other than Monthly User Fees*) (the same also being a new Subsection (i) to Section 134-173 in the codified Ordinance) which new Subsection (i) shall read as follows:

(i) Allowance for Funds Prudently Invested (AFPI) Fee.

(1) The Board of County Commissioners as Ex-officio Board of the Collier County Water-Sewer District hereby adopts Allowance for Funds Prudently Invested (AFPI) Fees, as set forth in Schedule 7 hereby appended as part of Appendix A to this Ordinance. The AFPI charges may be changed from time-to-time by Collier County Ordinance, or by Resolution of the Board of County Commissioners, always acting as Ex-officio Board of the Collier County Water-Sewer District, provided the Board publishes notice of one scheduled public hearing with regard to all such then proposed changes. The proposed Resolution or Ordinance can be agendized on the Board's regular agenda or on its summary agenda.

(2) Allowance for Funds Prudently Invested (AFPI) Fees afford the District an opportunity to earn up to a fair rate of return on the District's investment in water and/or wastewater plant that has been constructed but is not yet used and useful. Such non-used and useful plant is by definition held for future use by the District's future water and/or wastewater customers. Such non-used and useful plant incurs costs such as, but not limited to, the District's embedded costs of borrowed money, investment of the District's money in such plant, as well as operation and maintenance expenses between the time the plant is constructed and the time all of the respective equivalent residential connections (ERCs) are connected to the District's respective utility system by means of an "active connection." Calculation of the AFPI charges excludes plant paid from impact fees, which are classified in law as "contributions-in-aid of construction" ("CIAC").

(3) The amount of the applicable AFPI charge is controlled (determined) by the month when the related impact fee (a) to pay for the respective ERCs is received by County staff. Each AFPI charge is calculated for one equivalent residential connection (ERC) on a month-to-month basis. In this context there is no distinction between an ERC for residential use, industrial use, commercial use or any other uses.

(4) These AFPI charges apply only to ERCs reserved by payment of the relevant water and/or wastewater impact fees actually received by County staff subsequent to October 1, 2006 and these AFPI charges shall cease to apply to ERCS reserved by staff's receipt of these impact fee payments subsequent to December 31, 2012.

(5) All water AFPI charges shall be accounted for in a separate account for the subject water treatment facilities. All wastewater AFPI charges shall be accounted for in a separate account for the subject wastewater treatment facilities.

SECTION TWO. Adoption of Revised Appendix A. Section 4 of Ordinance No. 2001-73 (which is Section 134-177 of the codified Ordinance) is hereby amended to read as follows:

"The Board of County Commissioners as ex-officio Board of the Collier County Water-Sewer District hereby adopts the rates, fees, and charges as set forth in schedule 1 through 6 7; inclusive, appended hereto as appendix A, which as of October 1, 2006, shall be imposed upon all users of the County Water-Sewer District's services within the District's boundaries and outside the District's boundaries subject to appropriate mutual agreements. The AFPI charges shall apply only to the respective ERCs reserved by payment of the related water and/or wastewater impact fees subsequent to October 1, 2006, and these AFPI charges shall not apply to ERCs reserved by payment for the ERCs received by staff subsequent to December 31, 2012. These rates, fees and charges may be changed from time to time by ordinances or by resolutions of the Board of County Commissioners as ex-officio Board of the Collier County Water-Sewer District, provided the Board holds an publishes, in a newspaper of general circulation in Collier County, notice of an advertised public hearing with regard to the then proposed schedule amendments. The proposed amendments (by County Ordinances or Board resolutions) can be agendized on the Board's regular agenda, or on the Board's summary agenda subject to removal to the Board's regular agenda.

SECTION THREE: Adding Definition of "Equivalent Residential Connection." A new definition of "Equivalent Residential Connection" is hereby added at the end of Section 1.1 of Ordinance No. 2001-73 (the same being at the end of Section 134-171 of the codified Ordinance), to read as follows:

"Equivalent Residential Connection shall mean three-hundred and fifty (350) gallons of water per day and is two-hundred and fifty (250) gallons of sewerage treatment per day."

SECTION FOUR: Transfer of the Existing Illegal Connection Fine (\$300) from the body of the Ordinance into Schedule 6 of Appendix A. Subsection 1.4(g) (4) of Ordinance No. 2001-73 (which is Subsection 134-174(g) (4) of the codified Ordinance) is hereby amended to read as follows:

"(4) If service has been discontinued for non-payment of bills and an illegal water connection is made, service will be renewed upon payment of all unpaid bills, time and material cost to remove the illegal connection, the cost of the estimated amount of water consumption loss, plus a ~~\$300~~ the fine specified in appendix A-Schedule 6."

SECTION FIVE. Conflict and Severability.

The provisions of this Ordinance shall be liberally construed to effectively carry out its purpose in the interest of public health, safety, welfare and/or convenience. If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and an independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION SIX. Inclusion in the Code of Laws and Ordinances.

The provisions of this Ordinance shall become and be made a part of the Code of laws and Ordinances of Collier County, Florida. The sections of the Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or any other appropriate word.

SECTION SEVEN. Effective Date; Delayed Effective Date for the Rates, Fees and Charges.

This Ordinance shall become effective upon being filed with the Department of State, but Attachment A shall not go into effect until Sunday, October 1, 2006 (except as to the \$300 fine, which shall remain continuously in effect).

PASSED AND DULY adopted by the Board of County Commissioners as Ex-officio Board of the Collier County Water-Sewer District this 6TH day of June, 2006.

ATTEST:
DWIGHT E. BROCK, Clerk

BOARD OF COUNTY COMMISSIONERS OF
COLLIER COUNTY, FLORIDA AS
EX-OFFICIO BOARD OF THE COLLIER
COUNTY WATER-SEWER DISTRICT

By: [Signature]
Deputy Clerk

By: [Signature]
FRANK HALAS, Chairman

Attest as to Chairman's
signature only.
Approved as to form and
legal sufficiency:

By: [Signature]
Thomas C. Palmer,
Assistant County Attorney

This ordinance filed with the
Secretary of State's Office the
13th day of June, 2006
and acknowledgement of that
filing received this 21st day
of June, 2006
By: [Signature]
Deputy Clerk

**PUBLIC UTILITIES DIVISION
COLLIER COUNTY WATER-SEWER DISTRICT
UNIFORM BILLING, OPERATING AND REGULATORY STANDARDS ORDINANCE
APPENDIX A – FEES, RATES AND CHARGES
SCHEDULE 1 – DISTRICT-WIDE WATER and WASTEWATER RATES Page 1of 2**

Water, Wastewater, Fire Meter Rates and Water Surcharges

1. Water:

(a) Service Availability Charge for Individually Metered Residential, Non-Residential and Irrigation:

Size	Effective Oct. 1, 2006	Effective Oct. 1, 2007	Size	Effective Oct. 1, 2006	Effective Oct. 1, 2007
5/8" inch meter	\$14.00 per month	\$16.03 per month	3" inch meter	\$ 170.94 per month	\$ 195.72 per month
3/4" inch meter	14.00 per month	16.03 per month	4" inch meter	282.98 per month	324.00 per month
1" inch meter	30.90 per month	35.38 per month	6" inch meter	563.08 per month	644.70 per month
1-1/4" inch meter	39.12 per month	44.79 per month	8" inch meter	899.20 per month	1,029.53 per month
1-1/2" inch meter	58.91 per month	67.45 per month	10" inch meter	1,627.44 per month	1,863.33 per month
2" inch meter	92.47 per month	105.88 per month	12" inch meter	2,198.07 per month	2,516.69 per month

(b) Volume Charge Per 1,000 Gallons:

(i) Individually Metered Residential, Non-Residential and Multi-Family Residential:

	Effective Oct. 1, 2006	Effective Oct. 1, 2007
Block 1	\$1.92	\$2.20
Block 2	2.88	3.30
Block 3	3.84	4.40
Block 4	4.80	5.50
Block 5	5.76	6.59
Block 6	7.68	8.79

(c) Block Rate Structure

Consumption Blocks in Gallons - Up To Or Next

Meter Size	Block 1	Block 2	Block 3	Block 4	Block 5	Block 6
5/8" and 3/4"	5,000	10,000	20,000	30,000	50,000	Over 50,000
1"	12,000	25,000	50,000	75,000	120,000	Over 120,000
1-1/4"	20,000	40,000	80,000	120,000	200,000	Over 200,000
1-1/2"	25,000	50,000	100,000	150,000	250,000	Over 250,000
2"	40,000	80,000	160,000	240,000	400,000	Over 400,000
3"	80,000	160,000	320,000	480,000	800,000	Over 800,000
4"	120,000	250,000	500,000	800,000	1,200,000	Over 1,200,000
6"	250,000	500,000	1,000,000	1,500,000	2,500,000	Over 2,500,000
8"	450,000	900,000	1,800,000	2,700,000	4,500,000	Over 4,500,000
10"	700,000	1,450,000	2,900,000	4,300,000	7,000,000	Over 7,000,000
12"	1,075,000	2,150,000	4,300,000	6,450,000	11,000,000	Over 11,000,000

2. Wastewater:

(a) Wastewater Service Availability Charge for Individually Metered Residential, Non-Residential, and Multi-Family:

Size	Effective Oct. 1, 2006	Effective Oct. 1, 2007	Size	Effective Oct. 1, 2006	Effective Oct. 1, 2007
5/8 inch meter	\$22.26 per month	\$24.49 per month	3 inch meter	\$287.24 per month	\$315.96 per month
3/4 inch meter	22.26 per month	24.49 per month	4 inch meter	476.32 per month	523.93 per month
1 inch meter	50.61 per month	55.67 per month	6 inch meter	949.23 per month	1,044.12 per month
1-1/4 inch meter	64.90 per month	71.38 per month	8 inch meter	1,516.92 per month	1,668.55 per month
1-1/2 inch meter	97.93 per month	107.72 per month	10 inch meter	2,719.65 per month	2,991.50 per month
2 inch meter	154.75 per month	170.22 per month	12 inch meter	4,030.95 per month	4,433.89 per month

(b) Volume Charge per 1,000 gallons:

	Effective Oct.1, 2006	Effective Oct.1, 2007
(i) All Metered Usage	\$3.13	\$3.44
(ii) Individually Metered Residential Maximum:	The maximum volumetric charge for individually metered residential property shall be 15,000 gallons per month.	

PUBLIC UTILITIES DIVISION
COLLIER COUNTY WATER-SEWER DISTRICT
UNIFORM BILLING, OPERATING AND REGULATORY STANDARDS ORDINANCE
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SCHEDULE 1 – DISTRICT-WIDE WATER and WASTEWATER RATES Page 2 of 2

3. Fire Systems (Dedicated and Compound):

(a) Fire Meter

(i) Fire Service meter size will refer to the largest diameter meter register installed for fire protection.

(ii) Fire Service meter connections that have consumption registered for three consecutive billing periods are deemed to have provided domestic or other water usage shall be billed according to regular water monthly availability and usage charges as described herein.

(b) Volume Charge:

(i) Per 1,000 gallons

4. Water Restriction Surcharge:

Water Shortage Phase*	Percent Reduction In Overall Demand	Flow Charge Rate Adjustment Percentage
Phase 1 - Moderate	Less Than 15%	15%
Phase 2 - Severe	Less Than 30%	30%
Phase 3 - Extreme	Less Than 40%	40%
Phase 4 - Critical	Less Than 60%	60%

PUBLIC UTILITIES DIVISION
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 APPENDIX A – FEES, RATES AND CHARGES
 SCHEDULE 2 – GOODLAND SUB-DISTRICT WATER Page 1 of 2

Providing monthly user fees for residential, non-residential and multi-family properties in the Goodland Water Sub-district as follows:

1. Water

(a) Service Availability Charge:

(i) Individual Metered Residential, Non-Residential and multi-family properties:

Meter Size	Effective Oct. 1, 2006
¾ inch	\$ 25.00 per month
1 inch	\$ 58.00 per month
1 ½ inch	\$ 113.00 per month
2 inch	\$ 178.00 per month
3 inch	\$ 353.00 per month
4 inch	\$ 548.00 per month
6 inch	\$ 1,095.00 per month
8 inch	\$ 1,967.00 per month

(b) Volume Charge per one thousand gallons (\$/Mgal) of usage:

(i) Individual Metered Residential, Non-Residential and multi-family properties:

Block	Proposed Oct. 1, 2006
Block 1 (1)	\$ 4.30
Block 1 (1)	\$ 5.30
Block 1 (1)	\$ 6.40
Block 1 (1)	\$ 7.40
Block 1 (1)	\$ 8.50
Block 1 (1)	\$ 10.60

(1) Same Block Rate Structure as that of Collier County Water-Sewer District.

(c) Block Rate Structure:

Consumption Blocks in Gallons – Up To Or Next

Meter Size	Block 1	Block 2	Block 3	Block 4	Block 5	Block 6
5/8" and 3/4"	5,000	10,000	20,000	30,000	50,000	Over 50,000
1"	12,000	25,000	50,000	75,000	120,000	Over 120,000
1-1/4"	20,000	40,000	80,000	120,000	200,000	Over 200,000
1-1/2"	25,000	50,000	100,000	150,000	250,000	Over 250,000
2"	40,000	80,000	160,000	240,000	400,000	Over 400,000
3"	80,000	160,000	320,000	480,000	800,000	Over 800,000
4"	120,000	250,000	500,000	800,000	1,200,000	Over 1,200,000
6"	250,000	500,000	1,000,000	1,500,000	2,500,000	Over 2,500,000
8"	450,000	900,000	1,800,000	2,700,000	4,500,000	Over 4,500,000

**PUBLIC UTILITIES DIVISION
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SCHEDULE 2 – GOODLAND SUB-DISTRICT WATER Page 2 of 2**

- (2) The usage charge shall be adjusted based on the following formula:

Purchased Water Adjustment Clause (PWAC) – Existing Rates

$$\frac{(\text{New City of Marco Island Volume Charge} - \text{Old City of Marco Island Volume Charge})}{\$0.75} = \text{Adder}$$

$$\text{Existing Goodland \$/Mgal} + \text{Adder} = \text{New Goodland \$/Mgal}$$

The purpose of the 0.75 factor is needed to adjust for unaccounted for water and the change in the monthly fixed charges from the City of Marco Island.

For Each Rate Block:

$$\text{Existing Rate Block \$ / Mgal} + \text{Adder} = \text{New Rate \$ / Mgal}$$

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COLLIER COUNTY WATER-SEWER DISTRICT
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APPENDIX A – FEES, RATES AND CHARGES
SCHEDULE 3 – IRRIGATION QUALITY WATER RATES Page 1 of 1

Irrigation Quality (Reuse) Rates

1. Irrigation Quality Water usage in the District shall be at the following schedule:

(a) Service Availability Charge:

Individually Metered Irrigation:

Meter Size	Effective October 1, 2006
5/8 and 3/4 inch	\$ 5.00
1 inch	\$ 11.00
1.5 inch	\$ 23.00
2 inch	\$ 46.00
3 inch	\$ 91.00
4 inch	\$ 182.00
6 inch	\$ 346.00
8 inch	\$ 628.00
10 inch	\$ 1,005.00
12 inch	\$ 1,497.00

(b) Volume Charge per 1,000 gallons:

Type of Service	Effective October 1, 2006
(i) Pressurized and distributed	\$0.75
(ii) Pressurized	\$0.39
(iii) Bulk	\$0.30

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 APPENDIX A – FEES, RATES AND CHARGES
 SCHEDULE 4 – METER TAPPING CHARGES AND BACKFLOW DEVICE CHARGES Page 1 of 1**

Meter Installation Charges (Tapping Fees)

1. Meter Installation charges to be paid to the District shall be as follows:

Meter size meter tapping charges:

Meter Size	Meter Tapping Charges With Service Line Installation Charge Effective Oct. 1, 2006	Meter Size	Meter Tapping Charges Without Service Line Installation Charge Effective Oct. 1, 2006
¾ inch	\$676.00	¾ inch	\$248.00
1 inch	\$738.00	1 inch	\$282.00
1.5 inch	\$1,012.00	1.5 inch	\$493.00
2 inch	\$1,140.00	2 inch	\$618.00

The fees are based upon meter installation for a typical single-family residence. In all other circumstances, the meter installation fee shall be based upon the district's actual cost for time, equipment and materials.

Backflow Device Charges

(1) Backflow Device Charges to be paid to the District shall be as follows:

Meter Size	Reduced Pressure Backflow Prevention Assembly Charge Effective Oct. 1, 2006	Meter Size	Double Check Valve Backflow Prevention Assembly Charge Effective Oct. 1, 2006
¾ inch	\$214.00	¾ inch	\$108.00
1 inch	\$237.00	1 inch	\$116.00
1.5 inch	\$345.00	1.5 inch	\$294.00
2 inch	\$412.00	2 inch	\$342.00

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APPENDIX A – FEES, RATES AND CHARGES
SCHEDULE 5 – EQUIPMENT, LABOR AND ADMINISTRATION CHARGES Page 1 of 1

DESCRIPTION	EFFECTIVE OCT. 1, 2006
<u>(1) Equipment (Per Hour Rates):</u>	
Rehab & Electrician's Truck	\$ 75.00
Crew Trucks	\$ 50.00
Vactor Truck	\$ 200.00
Camera Truck	\$ 150.00
Boom Truck	\$ 100.00
20 Yard Dump Truck	\$ 70.00
10 Yard Dump Truck	\$ 40.00
Pumper Truck	\$ 200.00
Track Hoe(Big or Small)	\$ 50.00
Back Hoe	\$ 65.00
Olympian Generators	\$ 60.00
Dewatering System	\$ 40.00
4" Trash Pump	\$ 10.00
Mud Hog	\$ 15.00
Trailer	\$ 45.00
Signs, Barricades and/or Traffic Board	\$ 100.00
Road Saw and/or Compactor	\$ 15.00
Miscellaneous Small Equipment	\$ 5.00
<u>(2) Labor (Per Hour Rates):</u>	
Tech 1 & 2	\$ 30.00
Supervisors	\$ 40.00
<u>(3) Administration (per incident):</u>	15% or \$300; Whichever is smaller.
<u>(4) Parts and Sub-contractors</u>	Actual Cost