

**RESOLUTION NO. 2020-65
(Supersedes No. 2019-45)**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
DELTONA, FLORIDA; PROVIDING FOR ANNUAL RATE
INDEXING OF POTABLE WATER AND IRRIGATION BASE
FACILITY CHARGES AND USAGE / VOLUMETRIC RATES
AFTER FISCAL YEAR 2024; PROVIDING FOR CONFLICTS;
PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN
EFFECTIVE DATE.**

WHEREAS, Section 68-52 of the City Code of Ordinances outlines the City goal of maintaining a fiscally responsible rate schedule in order to maintain the utility systems, meet our Bond and Debt Obligations and to allow for future growth; and

WHEREAS, the City and its consulting engineers recently completed master plan updates that identified critical capital needs which must be funded through the rate and financial plan to maintain the utility systems and provide for future growth; and

WHEREAS, Section 68-64 of the City Code of Ordinances allows for annual indexing of Utility Rates; and

WHEREAS, Section 68-64 of the City Code of Ordinances mandates that rate increases for Water and Wastewater must be by separate Resolutions; and

WHEREAS, The City of Deltona retained the consulting firm of GovRates, Inc. to complete a comprehensive Rate Study for City of Deltona Water and Wastewater (Deltona Water). GovRates has recommended the City of Deltona provide for annual indexing based on the *Engineering News Record* (ENR) Construction Cost Index of Potable Water rates beyond 2024, and adjusting the combined Impact Fee and Capital Fund Recovery Fee. These adjustments are required to keep the Deltona Water budget solvent through 2023 and beyond while maintaining the existing system, completing projects needed to maintain the system and to meet obligations outlined in the 2020 Consumptive Use Permit (CUP) from the St. Johns River Water Management District (SJRWMD).

WHEREAS, the City Commission conducted a Workshop on 28 September 2020 that included a comprehensive review of the Water and Wastewater Funds in the GovRates, Inc. Rate Study; and

WHEREAS, the proposed rates are considered affordable by utility industry standards; and

WHEREAS, the City has provided notification of the December 14, 2020, public hearing in customer utility bills as required by Section 180.136, Florida Statutes; and

WHEREAS, the City will provide notification in water and utility bills to inform ratepayers of the proposed adjustments beginning 1 April 2021 as required by Section 180.136, Florida Statutes; and

THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, AS FOLLOWS:

Section 1: The Potable Water and Irrigation Base Facility Charges and Usage / Volumetric Charges shall be increased by the following percentages for the Fiscal Years 2022 through 2024 consistent with previously adopted percentages:

Fiscal Year	Effective Date	Potable Water and Irrigation Rate Adjustments
2022	October 1, 2021	5.0%
2023	October 1, 2022	5.0%
2024	October 1, 2023	5.0%

The adjustments shall be effective for all bills rendered on or after the effective date for each Fiscal Year.

Commencing in Fiscal Year 2025, and in the absence of a formal study recommendation or action by the city commission, the Potable Water and Irrigation Base Facility Charges and Usage / Volumetric Charges shall be automatically increased for inflationary effects on the costs of operations – without a public hearing – effective

for bills rendered on or after October 1st of each fiscal year. The percentage increase shall be the percentage increase, if any, in the *Engineering News-Record* Construction Cost Index from January of the preceding calendar year to January of the current calendar year. The first increases under these provisions, if any, shall become effective on October 1, 2024.

Section 2: The rates for customers located outside the City of Deltona shall continue to be 25% higher than inside-City rates as allowed per Florida Statute 180.191.

Section 3: Conflicts. All Resolutions or parts of Resolution insofar as they are inconsistent or in conflict with the provisions of this Resolution are hereby repealed to the extent of any conflict.

Section 4: Severability. In the event any portion of this Resolution is determined to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portion or sections of the Resolution which shall remain in full force and effect.

Section 5: EFFECTIVE DATE: This Resolution shall take effect for all water and utility bills rendered on or after April 1, 2021.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, THIS _____ DAY OF _____, 2021.

BY:

Heidi K. Herzberg, MAYOR

ATTEST:

Joyce Raftery, CMC, MMC, CITY CLERK

Approved as to form and legality
for use and reliance of the City of
Deltona, Florida

CITY ATTORNEY