

**AMENDMENT 8 TO CHAPTER III OF THE RULES OF PROCEDURE OF THE LAKE POWELL RESIDENTIAL GOLF COMMUNITY DEVELOPMENT DISTRICT AMENDING THE WATER, WASTEWATER AND IRRIGATION RATES, FEES AND CHARGES FOR UTILITY SERVICES**

**1.01 PURPOSE.** The purpose of this amendment is to amend the water, irrigation and wastewater rates, fees and charges for utility services.

The Lake Powell Residential Golf Community Development District located in Bay County, Florida, will hold a public hearing on February 16, 2015 at 2:00 p.m., Central Time, at the Shark’s Tooth Golf Club, Main Dining Room, 2003 Wild Heron Way, Panama City Beach, Florida 32413, for the purpose of hearing public comment and objections to the adoption of Amendment 8 to Chapter III of the Rules of the Lake Powell Residential Golf Community Development District pursuant to Section 120.54 and Section 190.035, Florida Statutes. This amendment to the Rule will be adopted pursuant to the authority of Section 120.54, Florida Statutes and Section 190.012, Florida Statutes and Section 190.035, Florida Statutes.

**1.02 NECESSITY.** To amend existing utility rates, fees and charges sufficient to pay for District water, irrigation and wastewater utility system operating costs as follows:

**Amounts for Active Utility Customers/Developed Units. Minimum Monthly Charges are billed as a single, annual assessment on the Bay County real estate tax bill. The annual assessment placed on the County tax bill will be \$378.19.**

	<u>Current Rate</u>	<u>Proposed Rate</u>
Water Minimum Monthly Charge	\$11.72	\$12.61
Irrigation Minimum Monthly Charge	\$11.72	\$12.61
Wastewater Minimum Monthly Charge	\$5.86	\$6.30

**Amounts for Inactive Utility Customers/Undeveloped Units. Minimum Monthly Charges are billed as a single, annual assessment on the Bay County real estate tax bill. The annual assessment placed on the County tax bill will be \$302.55.**

	<u>Current Rate</u>	<u>Proposed Rate</u>
Water Minimum Monthly Charge	\$9.38	\$10.09
Irrigation Minimum Monthly Charge	\$9.38	\$10.09
Wastewater Minimum Monthly Charge	\$4.69	\$5.03

	<u>Current Rate</u>	<u>Proposed Rate</u>
Water Commodity Charge	\$5.92	\$5.98
Irrigation Commodity Charge	\$5.92	\$5.98
Wastewater Commodity Charge	\$3.39	\$3.46

Note: Represents a 1% increase for Water and Irrigation Commodity Charge and a 2% increase for Wastewater Commodity Charge.

<u>Meter Size</u>	<u>Current Meter Fee Amount</u>
5/8" x 3/4"	\$250.00
1"	\$341.00
2"	Pricing upon request
3"	Pricing upon request

<u>Meter Size</u>	<u>Proposed Customer Deposit Amount</u>
5/8" x 3/4"	\$250.00
1"	\$341.00
2"	\$375.00
3"	\$425.00

**1.03 EFFECTIVE DATE.** This Amendment 8 to Chapter III of the Rules of the Lake Powell Residential Golf Community Development District shall become effective upon adoption.

**STATEMENT OF PURPOSE**

The Lake Powell Residential Golf Community Development District proposes adoption of Amendment 8 to Chapter III of its Rules for the purpose of amending water, irrigation and wastewater rates, fees and charges.

## STATEMENT OF ESTIMATED REGULATORY COSTS

Amendment 8 to Chapter III of the Rules of the Lake Powell Residential Golf Community Development District amending existing water, wastewater, and irrigation water utility rates, fees and charges.

### **1.0 Purpose**

The purpose of this report is to identify the economic impacts of the adoption of Amendment 8 to Chapter III of the Rules of the Lake Powell Residential Golf Community Development District for the purpose of amending existing water, wastewater, and irrigation water utility rates, fees and charges.

This Statement of Estimated Regulatory Costs is prepared in accordance with the requirements of Chapter 120.541, Florida Statutes.

### **2.0 An economic analysis showing whether the rule directly or indirectly:**

- 1. Is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule;**
- 2. Is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule; or**
- 3. Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.**

Amending the existing water, wastewater, and irrigation water utility rates, fees and charges is not anticipated to not have any direct or indirect adverse impact on economic growth, private sector job creation or employment, private sector investment, business competitiveness, ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation. Any increases in regulatory costs, specifically the increases in the existing water, wastewater, and irrigation utility commodity charges, will be limited to 1 percent over current commodity charges for water and irrigation and 2 percent for wastewater. The increases cumulatively will not be in excess of \$1 million in the aggregate within 5 years after the implementation of the rule amendment.

**3.0 A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.**

Amending utility rates, fees and charges will impact all present and future utility customers, residents and landowners of the District. The general types of individuals affected include (1) District residents or businesses, within the District which receive services of the District's utility system, (2) landowners developing property for real estate sales within the District's service area, (3) bondholders providing capital funds for the construction of the District's utility infrastructure. The estimated number of residents within the District is projected to number approximately 1,800, with the number of landowners and businesses within the District estimated to number approximately 600.

**4.0 A good faith estimate of the cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues.**

The estimate of the cost to the agency (the District) in implementing Amendment 8 to Chapter III of Rules of the District is primarily the cost of legal advertising of the meetings to adopt said Rule, which is estimated not to exceed \$1,500. In addition, certain mailing and copying costs will be incurred by the District for distribution to interested persons which costs should not exceed \$100. There are no anticipated costs to any state or any other local government. There is no anticipated effect on any state or local revenues.

**5.0 A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the rule. As used in this section, "transactional costs" are direct costs that are readily ascertainable based upon standard business practices, and include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, the cost of monitoring and reporting, and any other costs necessary to comply with the rule.**

The only transactional costs likely to be incurred as a result of adoption of the rule will be the costs of updating the District's utility billing system to reflect the amended rates, fee and charges. These costs are anticipated not to exceed \$100.

**6.0 An analysis of the impact on small businesses as defined by s. 288.703, and an analysis of the impact on small counties and small cities as defined in s. 120.52. The impact analysis for small businesses must include the basis for the agency's decision not to implement alternatives that would reduce adverse impacts on small businesses.**

It is anticipated that adoption of the rule will have no impact on small businesses, small counties or small cities.

**7.0 Any additional information that the agency determines may be useful.**

There is no additional information that is deemed pertinent to the purpose of this analysis.

**8.0 In the statement or revised statement, whichever applies, a description of any regulatory alternatives submitted under paragraph (1)(a) and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.**

No good faith written proposals have been submitted.

**Schedule "A"**

**Water, Irrigation and Wastewater Rates, Fees and Charges**

**I. RESIDENTIAL/COMMERCIAL RATES AND CHARGES:**

**Amounts for Active Utility Customers/Developed Units. Minimum Monthly Charges are billed as a single, annual assessment on the Bay County real estate tax bill. The annual assessment placed on the County tax bill will be \$378.19.**

	<u>Current Rate</u>	<u>Proposed Rate</u>
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Wastewater Minimum Monthly Charge	\$5.86	\$6.30

**Amounts for Inactive Utility Customers/Undeveloped Units. Minimum Monthly Charges are billed as a single, annual assessment on the Bay County real estate tax bill. The annual assessment placed on the County tax bill will be \$302.55.**

	<u>Current Rate</u>	<u>Proposed Rate</u>
Water Minimum Monthly Charge	\$9.38	\$10.09
Irrigation Minimum Monthly Charge	\$9.38	\$10.09
Wastewater Minimum Monthly Charge	\$4.69	\$5.03

	<u>Current Rate</u>	<u>Proposed Rate</u>
Water Commodity Charge-per 1k gal	\$5.92	\$5.98
Irrigation Commodity Charge-per 1k gal	\$5.92	\$5.98
Wastewater Commodity Charge-per1k gal	\$3.39	\$3.46

**II. FIRE FLOW TEST**

A fee of \$75 will be charged for each fire flow test.

**III. METER FEES (NON-REFUNDABLE)**

Residential and Commercial based upon meter size:

<b>Meter Size</b>	<b>Meter Fee Amount</b>
5/8" x 3/4"	\$250.00
1"	\$341.00
2"	Pricing upon request
3"	Pricing upon request

#### IV. CUSTOMER DEPOSITS

Residential and Commercial based upon meter size:

<b>Meter Size</b>	<b>Deposit Amount</b>
5/8" x 3/4"	\$250.00
1"	\$341.00
2"	\$375.00
3"	\$425.00

#### V. CUSTOMER SERVICE CHARGES

##### A. RETURNED CHECK CHARGES

Charges for consumer checks returned by bank for reasons of non-sufficient funds, uncollected funds, account closed, stop payment. etc., \$25.00.

##### B. METER TURN-OFF OR ON; CONSUMER REQUEST

Water service may be disconnected temporarily at the request of the consumer. During the period when service is turned off, minimum monthly charges will continue for water and wastewater service as listed above. A fee of \$25.00 will be charged for turn-on or turn-off of service.

##### C. METER TURN-OFF AND TURN-ON WATER SERVICE FOR NON-PAYMENT

1. Water Service will be discontinued due to non-payment of monthly utility service bills. A fee of \$25.00 will be charged for turning off service. During the period when service is turned off, monthly minimum charges will continue for water and wastewater service as listed herein. A fee of \$25.00 will be charged for turning on service. Service will be restored when all past due and accrued fees and charges have been paid in full.

2. Tampering with a locked-off service will result in removal of the water meter and plugging of the water service line. A fee of \$50.00 will be charged for meter removal. Monthly minimum charges noted herein will continue to accrue for both water and wastewater service.
3. A meter installation fee of \$50.00 will be charged for reinstallation of the water meter and restoration of service. Service will be restored when all accrued charges and fees have been paid in full.