

**RESOLUTION NO. 2019-01**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKE WALES, FLORIDA, APPROVING AND ADOPTING STORMWATER UTILITY RATES EFFECTIVE FEBRUARY 5, 2019; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on October 17, 2017 the City Commission of the City of Lake Wales (City), approved Government Services Group (GSG) to analyze the City's current stormwater funding needs and to develop a rate structure to meet the requirement for the utility; and

**WHEREAS**, the Government Services Group Stormwater Services Assessment Report dated August, 2018 is attached hereto as Exhibit "A" ("Rate Study"); and

**WHEREAS**, the Stormwater Services Assessment Report and three-year financial forecast, covering the period from fiscal years 2018/19 through 2020/21, was developed in order to fund annual operations and maintenance expenses; and

**WHEREAS**, Section 21-97 of the City Code provides that the rate per ERU to be used in calculating stormwater utility fees shall be set by Resolution of the City Commission; and

**WHEREAS**, it is necessary for the City to adopt stormwater utility rates as set forth in Exhibit " B" attached hereto, in order to meet projected funding requirements; and

**WHEREAS**, such stormwater utility rates, as created, shall be effective February 5, 2019 and shall be reflected on all customer bills beginning with the next applicable billing cycle; and

**WHEREAS**, the City Commission hereby finds that it is fair and reasonable to provide for a mitigation credit when no portion of the parcel impacts the City maintained Stormwater Utility System or receives any other direct benefit provided by a stormwater fee; and

**WHEREAS**, the City Commission finds it in the best interest of the public to exempt governmental, institutional tax exempt, and agricultural parcels from the stormwater fee; and

**WHEREAS**, the City Commission finds that stormwater utility fees are necessary and in the best interest and welfare of the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKE WALES, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals Adopted.** That the above-stated recitals are hereby adopted and confirmed.

**Section 2. Stormwater Utility Rates Approved and Adopted.** Effective February 5, 2019, the stormwater utility rates shall be as set forth in Exhibit "B" attached hereto and are hereby approved and adopted.

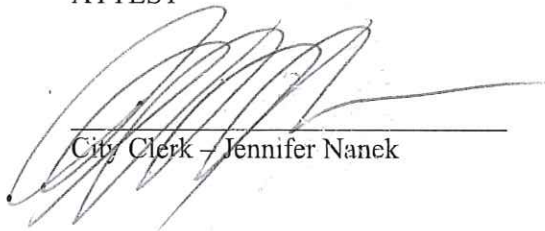
**Section 3. Authorization; Implementation.** The City Manager and City Officials are authorized to take any and all action necessary to implement the stormwater utility rates and the purposes of this Resolution.

**Section 4. Repeal of Conflicting Provisions.** Resolution No. 2019-01 and all resolutions or previous rates for stormwater utility, or parts thereof, in conflict with this Resolution and the established rates approved and adopted herein, are hereby repealed to the extent of any conflict.

**Section 5. Effective Date.** This Resolution shall become effective immediately upon adoption.

**PASSED AND ADOPTED** on this 5th day of February, 2019.

ATTEST

  
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City Clerk – Jennifer Nanek

  
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Mayor – Eugene Fultz

APPROVED AS TO FORM

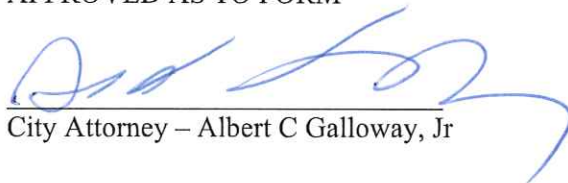
  
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City Attorney – Albert C Galloway, Jr

EXHIBIT "A"

RATE STUDY

AVAILABLE IN THE  
CITY CLERK'S  
OFFICE

**EXHIBIT "B"**

**STORMWATER UTILITY RATES**

**Effective February 5, 2019**

Pursuant to Section 21-97, effective February 5, 2019, the Stormwater Utility Fees for all developed properties shall be \$64.78 per year per ERU or \$5.40 per month per ERU. Each parcel's charge shall be calculated as follows:

<b>Service Type</b>	<b>Charge Rate</b>
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Single Family Residential

Small Single Family Residential (0.58 ERU)	\$37.58 per year or \$3.13 per month
Medium Single Family Residential (1 ERU)	\$64.78 per year or \$5.40 per month
Large Single Family Residential (1.52 ERU)	\$98.47 per year or \$8.21 per month
Very Large Single Family Residential (Measured)	Measured Impervious area ÷ 3,652 (ERU Value) x \$64.78 for the per year charge or the per year charge ÷ 12 for the per month charge

Condominium Parcels

Residential	Complex measured impervious area ÷ 3,652 (ERU Value) ÷ total parcels x \$64.78 for the per year charge or the per year charge ÷ 12 for the per month charge
Non-Residential	Complex measured impervious area ÷ 3,652 (ERU Value) x (parcel building sq ft ÷ total building sq ft) x \$64.78 for the per year charge or the per year charge ÷ 12 for the per month charge
Mixed Use	Non-residential based on proportionate share of building Residential portion divided equally among residential parcels

General Parcels

Non-Residential Developed Property	Measured Impervious area ÷ 3,652 (ERU Value) x \$64.78 for the per year charge or the per year charge ÷ 12 for the per month charge
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The schedule of rates and charges established by this article shall be automatically adjusted annually beginning on October 1, 2020 to reflect an increase based on June's annual CPI or two

and one-half (2.5) percent, whichever is greater, without further need for commission action.

