CHARTER REVIEW COMMISSION
AGENDA

Charter Review Commission- Wednesday, January 23, 2018 - 4:00 p.m.
City Hall - Second Floor Conference Room, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **MINUTES**

   a. Approval of minutes from the November 14, 2017 meeting.

4. **OLD BUSINESS**

   a. Information gathered in response to requests of November meeting - City Attorney's Office

5. **NEW BUSINESS**

   a. Discussion and decision on recommendations to be included in the final report to the City Commission in accordance with Section 11 of Resolution 17-R17.

6. **PUBLIC COMMENTS (3 minutes per person)**

7. **SET NEXT MEETING DATE**

   a. Schedule public input meeting on Final Report prior to submission to the City Commission as required by Section 8 of Resolution 17-R17.

8. **ADJOURNMENT**

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (772) 467-3065 at least 48 hours prior to the meeting.

Charter Review Committee **3.a.**

Meeting Date: 01/23/2018

Re:

SUBJECT:

Approval of minutes from the November 14, 2017 meeting.

Attachments

11.14.2017

MINUTES OF THE CHARTER REVIEW COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, HELD IN THE SECOND FLOOR CONFERENCE ROOM, 100 NORTH U.S. #1, FORT PIERCE, FLORIDA, AT 4:00 P.M. ON TUESDAY, **NOVEMBER 14, 2017.**

1. **CALL TO ORDER**

Chairman Bryan called the meeting to order at 4:00 p.m.

2. **ROLL CALL**

Present:	Frank Fee, III; Eddie Becht; Darrell Drummond; Ben Bryan, Jr.; Harold Smyth; Bob Burdge
Absent:	Gloria Johnson
Staff Present:	James Messer, City Attorney
	John Tompeck, Director of Utilities
	Linda Cox, City Clerk
	Nicholas Mimms, City Manager

Ms. Johnson arrived at 4:02 p.m.

3. **MINUTES**

a. Approval of minutes from the October 18, 2017 regular meeting and the October 24, 2017 public input meeting.

Motion was made by Eddie Becht, seconded by Frank Fee, III to approve both sets of minutes

AYE: Ben Bryan, Jr., Darrell Drummond, Eddie Becht, Frank Fee, III, Gloria Johnson
Passed

4. **NEW BUSINESS**

a. Presentation by Jim Hartley, CPA, FPUA Auditor

Jim Hartley presented a report showing Statement of Net Position for FPUA showing a 5 year analysis. He was asked to speak on Unrestricted assets and reported his focus was on 2016 which showed 25 million in unrestricted cash and 31 million in adjusted unrestricted assets.

He discussed the number of days of cash liquidity and reserves reported that the bonds requires 45 days, which is 9.2 million; GFOA recommends 60 days which would be 12,329 million; the best practices for some entities can be 90 days or 18,493 million. FPUA is currently at 120 days. When discussing who makes the determination of how many days the UA holds in reserves, it was suggested that staff makes a recommendation and the Board approves. Mr. Tompeck indicated that no specific decision is made as to how many days of cash they have on hand. The annual CAFR is the true up with the City and there are no charter requirements as to the

amount of reserves.

Mr. Becht indicated he was prepared to discuss bringing the UA into the city as a department. Mr. Drummond inquired about an annual retreat where they discuss a 5 year projection and capital plans and how excess funds where handled; Mr. Tompeck indicated that no strategic plan has been done in 3 years, however they are initiating developing a strategic plan immediately.

Discussion continued regarding FPUA growth, City growth, having a mechanism in place for planning for the growth of the city and the UA through a strategic plan. Such plan could address a formula for what is right and fair to the UA in terms of their reserves and when, how and for what purpose those funds be distributed. It was noted that both the County and Port St. Lucie have seen growth with their utility improvements where the City of Fort Pierce has not enjoyed the same growth.

Mr. Hartley then reviewed the Statement of Cash Flows which showed operating revenues of 21,754 million, which is a decrease in cash of 3 million over 2015.

Discussion continued as to evaluating what items can be worked out between the city and the UA without charter amendments. Mr. Tompeck indicated a willingness to include revenue from FPUANet into the transfer.

5. **OLD BUSINESS**

a. Transfers to General Fund Survey Conducted by FMPA.

b. Distribution Calculation for FY 2017

c. Utility Tax and Surcharge Information

d. Discussion on memorandum presented by City Attorney James Messer which outlines issues raised at prior meetings including the following: 1. Distribution of Gross Revenue, 2. FPUA Membership and Management, and 3. Strategic Plan and Business Purpose.

Chairman Bryan recommended that the information in items a, b, and c be discussed at the same time as item d which is the memorandum prepared by Mr. Messer. In reviewing the memorandum, the board agreed to take the three parts of the memo in reverse order.

As to Section 3 regarding Strategic Plan and Business Purpose, consensus was that a joint strategic plan is appropriate looking at both long term and short term strategies on an annual basis. It was recommended that Mr. Mimms and Mr. Tompeck get together to develop a method to get a strategic plan moving forward and to address how we might lead FPUA to grow.

As to Section 2 regarding FPUA Membership and Management, additional information was requested. Chairman Bryan did recommend that the selection of Board members be modified to insure that there was at least one member representing each of the

election districts of Fort Pierce. Additionally, the group sought more information about how directors were appointed in other utilities along with the reporting structure.

As to Section 1 regarding the distribution of gross revenue, much more additional information was requested. In summary, the following additional information will be gather for consideration by the Board at the next meeting:

- Number of FPUA customers for each year in order to demonstrate growth or not
- What does FPL pay to municipalities as a franchise fee
- What does FPL pay to municipalities in property and tangible taxes
- What are the rates being charged in PSL, Vero, Stuart, Ocala, Orlando, St. Pete, Tampa; primarily electric but wastewater as well
- How are the independent utilities set up in their respective Charters and Ordinances
- What are the rates of autonomous utilities compared to those organized as a city department
- How is the selection of utilities director accomplished in other cities with an autonomous utility and to whom does he/she report; structure of the relationship with the municipality
- What are the cash reserves of the Port St. Lucie Utility
- Is there an average of number of days of cash for a utility which is a city department versus an autonomous
- What is the distribution of reserves among the various funds (water, wastewater, etc.)
- What is the plan for the use of the restricted funds

e. Population Numbers as requested based upon the 2010 Census: District 1 - 21,487 District 2 - 20,103

6. **PUBLIC COMMENTS (3 minutes per person)**

There was no public comment.

7. **ADJOURNMENT**

The meeting was adjourned at 5:59 p.m.

ATTEST:

_____ _____

CITY CLERK CHAIR

Charter Review Committee **4.a.**

Meeting Date: 01/23/2018

Re:

SUBJECT:

Information gathered in response to requests of November meeting - City Attorney's Office

Attachments

Information

Other Charters with UA

Unrestricted Cash Presentation

Expansion Presentation

THE SUNRISE CITY
FORT PIERCE
CITY ATTORNEY'S OFFICE Florida

TO : Nicholas C. Mimms, P.E., City Manager

FROM : James M. Messer, City Attorney

RE : Charter Review Commission Documentation Requested

DATE : December 22, 2017

Please find attached information compiled in response to the City Clerk's memorandum of November 27, 2017, which contained the eleven questions from the Charter Review Commission ("CRC") attached hereto as Exhibit A.

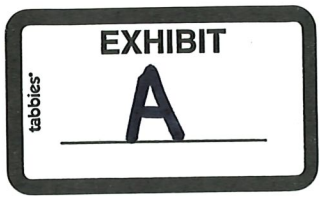
Most of the information was compiled from data collected by the Florida Municipal Electric Association, individual municipal electric utilities, news articles, and emails to neighboring cities.

There are some questions identified below for which this office was unable to answer or find data.

I invite the Fort Pierce Utilities Authority to review each question and contribute to and/or supplement any of the questions with data it may have collected over the years. Please provide any information to my attention by January 15, 2018, to allow the CRC time to review the data.

Attachments

cc: Linda W. Cox, City Clerk
John K. Tompeck, P.E., Director of Utilities
Koby Koblegard, FPUA General Counsel



Responses to Questions from the CRC

1) **Number of customers [of the FPUA] for each year in order to demonstrate growth or not?**

This office requests that the FPUA supply the requested information if available.

2) **What does FPL pay to municipalities as a franchise fee?**

The franchise fee amount varies by City, but a common arrangement is 6% of its revenue from customers, minus the taxes paid by the utility on property and equipment.

In Miami Dade County, for example, the deduction lowers the franchise fee from 6% to 3-4% of an electric bill. (See http://www.miamiherald.com/news/local/community/miami-dade/article164655642.html (July 31, 2017).)

In Ft. Lauderdale it is "6% of Florida Power and Light gross revenue derived from accounts within City limits, less property tax and minor fees previously paid to the City." (See Ft. Lauderdale April 2013 Revenue Manual at file:///C:/Users/cvalentin/Downloads/revenue_manual.pdf. Ft. Lauderdale's contract with FPL, however, is up for renegotiation this year.)

In Port St. Lucie it is "$9,105,720.79 for year ending 9-30-17. It is 6% of revenue less a small amount for Uncollectable Accounts." (See Exhibit B, email from PSL Deputy Utility Systems Director, answer to question 3.)

3) **What does FPL pay to municipalities in property and tangible taxes?**

The property and tangible taxes paid by FPL varies by City, but as noted above, a common arrangement is that these taxes are subtracted from the franchise fee paid to the City. (See Miami Dade County and Ft. Lauderdale examples above in response to Question 2.)

4) **What are the rates being charged in Port St. Lucie, Vero Beach, Stuart, Ocala, Orlando, St. Petersburg, and Tampa; primarily electric but wastewater as well?**

City	Electric	Wastewater
Port St. Lucie	Exhibit B, email from PSL Deputy Utility Systems Director, answer to question 5	Exhibit B, email PSL Deputy Utility Systems Director, answer to question 1. Exhibit C, PSL Water and Wastewater Schedule of Rates and Charges (effective 11/1/2017)

Vero Beach	Exhibit D, FMEA Data on Electricity Rates (October 2017) Exhibit E, JEA Quarterly Electric Rate Comparison (October 1, 2017) Exhibit F, JEA Residential Survey (July 2017)	Exhibit G, Raftelis Financial Consultants 2016 Florida Water & Wastewater Rate Survey
Stuart	No information found	Exhibit G, Raftelis Financial Consultants 2016 Florida Water & Wastewater Rate Survey
Ocala	Exhibit D, FMEA Data on Electricity Rates (October 2017) Exhibit E, JEA Quarterly Electric Rate Comparison (October 1, 2017) Exhibit F, JEA Residential Survey (July 2017)	Exhibit G, Raftelis Financial Consultants 2016 Florida Water & Wastewater Rate Survey
Orlando	Exhibit D, FMEA Data on Electricity Rates (October 2017) Exhibit E, JEA Quarterly Electric Rate Comparison (October 1, 2017) Exhibit F, JEA Residential Survey (July 2017)	Exhibit H, JEA Water Rate Comparison (May 2017) Exhibit G, Raftelis Financial Consultants 2016 Florida Water & Wastewater Rate Survey
St. Petersburg	Exhibit E, JEA Quarterly Electric Rate Comparison (October 1, 2017) Exhibit F, JEA Residential Survey (July 2017)	Exhibit H, JEA Water Rate Comparison (May 2017) Exhibit G, Raftelis Financial Consultants 2016 Florida Water & Wastewater Rate Survey
Tampa	Exhibit I, Tampa Residential and Commercial Electric Rates (January 2018)	Exhibit G, Raftelis Financial Consultants 2016 Florida Water & Wastewater Rate Survey Exhibit H, JEA Water Rate Comparison (May 2017)

5) **How are the independent utilities set up in their respective Charters and Ordinances?**

See Exhibit J, Fort Pierce City Attorney 11/3/2017 Memo to CRC, Exhibit A.

6) **What are the rates of autonomous utilities compared to those organized as a city department?**

For the rates charged by the individual municipal utilities, see Exhibit D, FMEA Data on Electricity Rates (October 2017).

For a list of autonomous utilities versus those organized as a city department see Exhibit J, Fort Pierce City Attorney 11/3/2017 Memo to CRC, Exhibit A.

7) **How is the selection of utilities director accomplished in other cities with an autonomous utility and to whom does he/she report; structure of the relationship with the municipality?**

See Exhibit J, Fort Pierce City Attorney 11/3/2017 Memo to CRC, Exhibit A.

8) **What are the cash reserves of the Port St. Lucie Utility?**

Restricted:	$33,328,532.00
Unrestricted:	$29,717,582.00
Cash Carry forward:	$6,475,689.00

(See Exhibit A, email from PSL Deputy Utility Systems Director, answer to question 3.)

9) **Is there an average of number of days of cash for a utility which is a city department versus an autonomous?**

No information found.

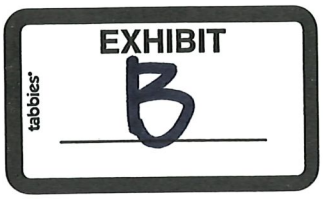
10) **What is the distribution of reserves [at the FPUA] among the various funds (water, wastewater, etc.)?**

This office requests that the FPUA supply the requested information.

11) **What is the plan for the use of the restricted funds?**

This office defers to the City Manager and/or City Commission for the proposed use of the restricted funds.

Port St. Lucie's response RE: Questions from the Fort Pierce Charter Review Commission
Donna Rhoden
to:
'cvalentin@city-ftpierce.com'
12/15/2017 02:01 PM
Cc:
Jesus Merejo, Brad Macek
Hide Details
From: Donna Rhoden <DRhoden@cityofpsl.com>
To: "'cvalentin@city-ftpierce.com'" <cvalentin@city-ftpierce.com>
Cc: Jesus Merejo <jmerejo@cityofpsl.com>, Brad Macek <bmacek@cityofpsl.com>
History: This message has been replied to.



Good afternoon Ms. Valentin,

Please see below answers to all but one of the questions. The data related to property tax revenue received from FPL is being compiled by our Finance Dept. I will forward it to you as soon as it is available. In the meantime, please let me know if I can be of further assistance.

Sincerely,

Donna M. Rhoden
Deputy Utility Systems Director
City of Port St. Lucie, FL
900 SE Ogden Lane
Port St. Lucie, FL 34983
(772) 873-6427

From: Jesus Merejo
Sent: Wednesday, December 13, 2017 5:53 PM
To: Donna Rhoden <DRhoden@cityofpsl.com>
Subject: Fwd: Questions from the Fort Pierce Charter Review Commission

Donna, you please work on this. Thanks

Sent from my iPad

Begin forwarded message:

> **From:** Caroline Valentin <cvalentin@city-ftpierce.com>
> **Date:** December 13, 2017 at 9:07:47 AM EST
> **To:** <jmerejo@cityofpsl.com>
> **Subject: Questions from the Fort Pierce Charter Review Commission**
>
> Good morning Mr. Merejo,
>
> I hope that your week is going well. I am reaching out to you as an Assistant City Attorney of Fort Pierce. Our City has tasked a limited Charter Review Commission ("CRC") with reviewing the City's relationship with the Fort Pierce Utilities Authority. To assist the CRC in its review, the board members had several questions about the practices of other cities. Would you be able to answer any of the following questions? If not, would you please let me know the appropriate contact?
>
> 1. **What are the wastewater rates being charged in Port St. Lucie?**

Rates effective 10-1-17

Residential Mo. Base Facility Fee	$13.89
Commercial Mo. Base Facility Fee	$13.89 x number of ERCs reserved
Wastewater Gallonage Rate	$7.25 per 1,000 gallons of metered use

2. **What are the cash reserves for the Port St. Lucie Utility?**

Restricted:	$33,328,532.00
Unrestricted:	$29,717,582.00
Cash Carry forward:	$6,475,689.00

3. **What does FPL pay to Port St. Lucie as a franchise fee?**
   $9,105,720.79 for year ending 9-30-17. It is 6% of revenue less a small amount for Uncollectable Accounts.

4. **What does FPL pay to Port St. Lucie in property and tangible taxes?**
   Data is being compiled and will be forwarded when available

5. **What are the electric rates being charged in Port St. Lucie?**
   The City does not provide electric service; therefore, data related to residential electric and commercial/retail service is not available. However, the following is offered regarding rates paid by PSL's Utility Systems Dept. for electric service at one of our water treat plants. Rates paid to FPL vary per site and per type of facility; i.e., lift stations, wells, booster pump stations, traffic signals, street lights, parks, buildings, etc.

   Prineville Lime Softening Water Treatment Plant:

On Peak:	.045820 kWh
Off Peak:	.015420 kWh
Fuel Chg. On Peak	.032120 kWh
Fuel Chg. Off Peak	.026570 kWh
Demand Charge	10.60 kWh

Thank you!

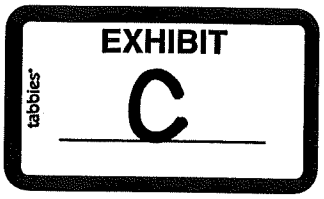
Caroline A. Valentin | Assistant City Attorney | City of Fort Pierce
City Attorney's Office • 100 North U.S. 1, Fort Pierce, FL 34950
Phone: 772.467.3042 Fax: 772.466.5492

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City of Port St. Lucie
Utility Systems Department
Schedule of Rates and Charges
Effective October 1, 2017



Ordinance 17-63 amending Chapters 61 & 62 of The Code of Ordinances of the City of Port St. Lucie

Monthly Charges (added to all customer bills)		
Billing Charge: *shall be added to all bills, for all customer classes*	The billing charge covers approx. 1/3 of the costs for bill preparation, processing, and administration. The remaining 2/3 of these costs are included in the BFC and gallonage rates.	$ 3.12
Surcharge: *shall be added to all bills, for all customer classes*	The surcharge helps defray costs associated with the maintenance of hundreds of miles of City-owned road rights-of-way and easements under which water and sewer mains lie.	6 % charge

RESIDENTIAL BASE FACILITY CHARGES		
Meter Size	Water BFC	Wastewater BFC
$^5/_8$" x $^3/_4$"	$ 7.39	$ 13.89
1"	$ 18.50	$ 34.74
1 ½"	$ 37.00	$ 68.48
2"	$ 59.19	$111.16

Plus, gallonage rate per 1,000 gallons as follows:

	Water Gallons	Water Rate	Wastewater Cap (gal)	Wastewater Rate
Block 1	0—5,000	$ 4.19	8,000	$ 7.25
Block 2	5,001—12,000	$ 5.47	n/a	n/a
Block 3	12,001 and above	$ 6.73	n/a	n/a

City of Port St. Lucie
Utility Systems Department
Schedule of Rates and Charges
Effective October 1, 2017

MULTI-FAMILY BASE FACILITY CHARGES		
	Water BFC	Wastewater BFC
Per dwelling unit: (when master metered)	$ 5.26 per unit	$ 13.07 per unit

Plus, gallonage rate per 1,000 gallons as follows:

	Water Gallons	Water Rate	Wastewater Cap (gal)	Wastewater Rate
Block 1	0—3,600	$ 4.19	Up to 6,000 gallons per month/unit	$ 7.25
Block 2	3,601—8,500	$ 5.47	n/a	n/a
Block 3	8,501 and above	$ 6.73	n/a	n/a

NON-RESIDENTIAL BASE FACILITY CHARGES		
	Water BFC rate per ERCs reserved	Wastewater BFC per ERCs reserved
Calculations shall be based upon the number of ERCs reserved	$ 7.39	$ 13.89

Plus gallonage rate per 1,000 gallons as follows:

	Water Gallons	Water Rate	Wastewater Cap (gal)	Wastewater Rate
Block 1	Usage up to 5,000 gallons multiplied by the number of ERCs reserved shall be billed at the Block 1 rate	$ 4.19	There shall be no waste-water cap for this class of users and customers	$ 7.25
Block 2	Usage greater than 5,000 up to 12,000 gallons multiplied by the number of ERCs reserved shall be billed at the Block 2 rate	$ 5.47	n/a	n/a
Block 3	Usage greater than 12,000 gallons multiplied by the number of ERCs reserved and above shall be billed at the Block 3 rate	$ 6.73	n/a	n/a

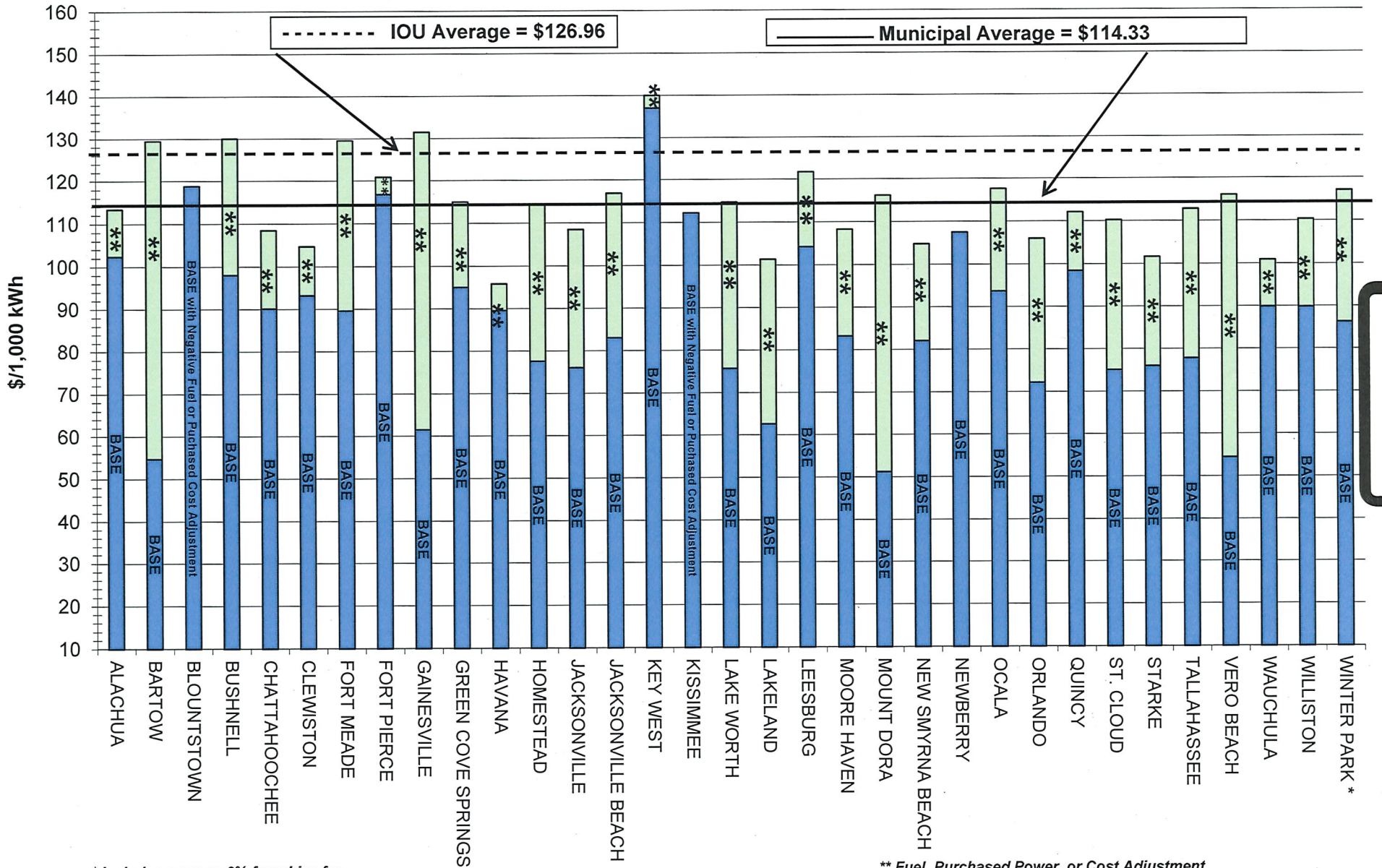
City of Port St. Lucie
Utility Systems Department
Schedule of Rates and Charges
Effective October 1, 2017

Wastewater Only Customers	
Single family flat rate	$ 57.39 (based on $13.89 BFC + $7.25 per gallon x 6,000 gallons)
Multi-family flat rate	$ 56.57 per unit (based on $13.07 BFC + $7.25 per gallon x 6,000 gallons)
Non-residential	$ 13.89 BFC x ERCs reserved + $58.00 (based on $7.25 per gallon x 8,000 gallons)

Reclaimed Water Usage Rates	
Base Facility Charge	$2.95 per 1,000 gallons of capacity reserved
PLUS	
Per 1,000 gallons of metered use	$0.17

Industrial Reclaimed Water Rates	
Per 1,000 gallons of metered use	$ 0.24

Residential Bill Comparison, October 2017



* *Includes average 6% franchise fee.*

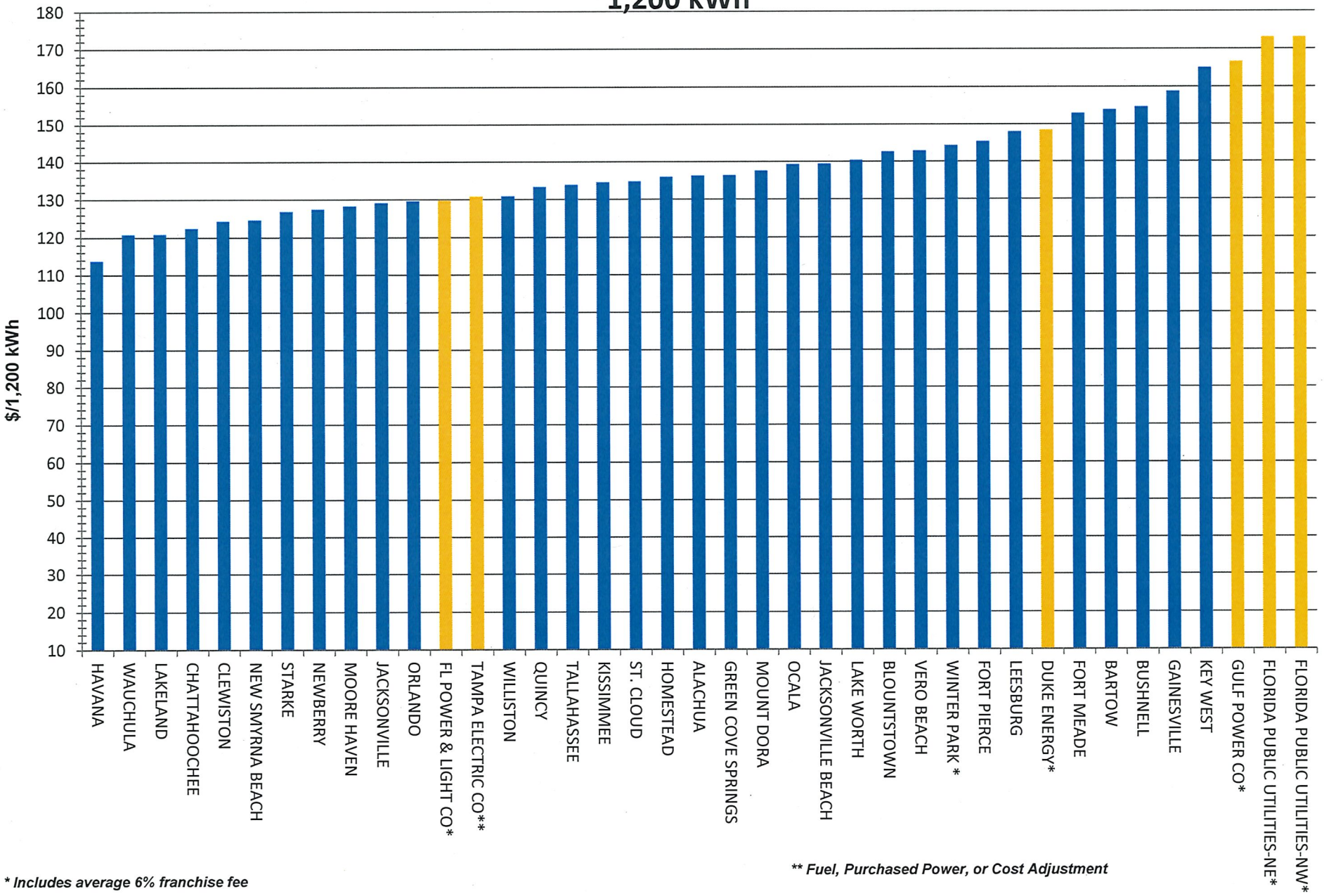
** *Fuel, Purchased Power, or Cost Adjustment*

EXHIBIT D

tabbies

Compiled by: Florida Municipal Electric Association - publicpower.com

Lowest to Highest Residential Bill Comparison, October 2017
1,200 kWh



** Includes average 6% franchise fee*

*** Fuel, Purchased Power, or Cost Adjustment*

Lowest Cost Utilities in Florida

October 2017

Source: Florida Municipal Electric Association Monthly Bill Comparison*

Residential Bills	
1,000 kWh	HAVANA
1,200 kWh	HAVANA
2,500 kWh	HAVANA
Commercial Bills	
Non-Demand 750 kWh	HAVANA
Non-Demand 1,500 kWh	HAVANA
30 kW - 6,000 kWh	LAKELAND
40 kW - 10,000 kWh	LAKELAND
75 kW - 15,000 kWh	HAVANA
75 kW - 30,000 kwh	LAKELAND
150 kW - 30,000 kWh	HAVANA
150 kW - 60,000 kWh	LAKELAND
Industrial Bills	
300 kW - 60,000 kWh	HAVANA
300 kW - 120,000 kWh	LAKELAND
500 kW - 100,000 kWh	HAVANA
500 kW - 200,000 kWh	LAKELAND

**Rates for municipal utilities INCLUDE payment-in-lieu of tax to the city's general fund. Rates for investor-owned utilities INCLUDE franchise fee payments, which average 6% across Florida. G = Generating utility.*

***Total includes conservation, capacity, environmental and refund credit (if applicable).*

COMPARISON OF RESIDENTIAL ELECTRIC RATES COMPILED BY FLORIDA MUNICIPAL ELECTRIC ASSOCIATION, INC. - TALLAHASSEE, FLORIDA

October 2017			*1,000 KWH*			***	*1,200 KWH*			***	*2,500 KWH*			***	
CITY		Customer Charge	Base Rate (Includes Customer Charge)	Fuel or Cost Adjustment	Total	Total with franchise or transfer fee payment	Base Rate (Includes Customer Charge)	Fuel or Cost Adjustment	Total	Total with franchise or transfer fee payment	Base Rate (Includes Customer Charge)	Fuel or Cost Adjustment	Total	Total with franchise or transfer fee payment	Additional Tax
ALACHUA		9.14	102.40	11.00	113.40		123.12	13.20	136.32		257.80	27.50	285.30		10%
BARTOW		8.00	54.70	74.81	129.51		64.04	89.77	153.81		124.75	187.03	311.78		10%
BLOUNTSTOWN		3.50	118.85	0.00	118.85		142.62	0.00	142.62		297.13	0.00	297.13		5%
BUSHNELL		7.40	98.05	32.00	130.05		116.18	38.40	154.58		234.03	80.00	314.03		10%
CHATTAHOOCHEE		6.50	90.10	18.43	108.53		100.32	22.12	122.44		209.00	46.08	255.08		NONE
CLEWISTON		6.50	93.20	11.51	104.71		110.54	13.81	124.35		223.50	28.78	252.28		10%
FORT MEADE		12.96	89.56	40.00	129.56		104.88	48.00	152.88		204.46	100.00	304.46		10%
FORT PIERCE		6.01	116.84	4.00	120.84		140.56	4.80	145.36		294.80	10.00	304.80		10%
GAINESVILLE	G	14.25	61.55	70.00	131.55		74.75	84.00	158.75		160.55	175.00	335.55		10%
GREEN COVE SPRINGS		12.00	95.00	20.00	115.00		112.40	24.00	136.40		225.50	50.00	275.50		NONE
HAVANA		6.00	89.50	6.30	95.80		106.20	7.56	113.76		214.75	15.75	230.50		NONE
HOMESTEAD	G	5.60	77.60	36.63	114.23		92.00	43.96	135.96		185.60	91.58	277.18		10%
JACKSONVILLE	G	5.50	76.00	32.50	108.50		90.10	39.00	129.10		181.75	81.25	263.00		10%
JACKSONVILLE BEACH		4.50	83.07	33.84	116.91		98.78	40.61	139.39		200.93	84.60	285.53		NONE
KEY WEST	G	15.03	137.03	2.97	140.00		161.43	3.56	164.99		320.03	7.43	327.46		NONE
KISSIMMEE	G	10.17	133.27	-32.09	101.18	112.24	173.07	-38.51	134.56	147.83	349.55	-80.23	269.32	296.97	8%
LAKE WORTH	G	10.53	75.73	39.00	114.73		93.53	46.80	140.33		209.23	97.50	306.73		10%
LAKELAND	G	9.50	62.60	38.75	101.35		74.34	46.50	120.84		156.27	96.88	253.15		10%
LEESBURG		12.20	104.22	17.50	121.72		126.98	21.00	147.98		274.96	43.75	318.71		10%
MOORE HAVEN		8.50	83.30	25.00	108.30		98.26	30.00	128.26		195.50	62.50	258.00		10%
MOUNT DORA		9.31	51.21	65.01	116.22		59.59	78.01	137.60		114.06	162.53	276.59		10%
NEW SMYRNA BEACH	G	5.65	82.10	22.68	104.78		97.39	27.22	124.61		196.77	56.70	253.47		9.25%
NEWBERRY		7.50	107.50	0.00	107.50		127.50	0.00	127.50		257.50	0.00	257.50		10%
OCALA		9.33	93.64	24.00	117.64		110.50	28.80	139.30		220.11	60.00	280.11		10%
ORLANDO	G	8.00	72.18	33.82	106.00		87.02	42.58	129.60		183.45	99.55	283.00		10%
QUINCY		6.00	98.41	13.70	112.11		116.89	16.44	133.33		237.03	34.25	271.28		10%
ST. CLOUD	G	8.32	75.07	35.17	110.24		90.50	44.28	134.78		190.80	103.53	294.32		8%
STARKE		N/A	75.95	25.70	101.65		96.00	30.84	126.84		230.02	64.25	294.27		10%
TALLAHASSEE	G	7.59	77.81	35.00	112.81		91.85	42.00	133.85		183.14	87.50	270.64		10%
VERO BEACH	G	8.33	54.43	61.65	116.08		68.89	73.98	142.87		162.89	154.13	317.02		10%
WAUCHULA		11.50	89.90	11.00	100.90		107.58	13.20	120.78		222.50	27.50	250.00		10%
WILLISTON		8.00	89.84	20.50	110.34		106.21	24.60	130.81		212.60	51.25	263.85		5%
WINTER PARK		14.04	79.63	30.81	110.44	117.07	97.14	38.97	136.11	144.28	210.93	92.03	302.96	321.14	APPL
FL POWER & LIGHT *	G	7.87	75.08	24.91	99.99	105.99	90.52	31.89	122.41	129.75	190.90	77.28	268.18	284.27	APPL
GULF POWER *	G	19.50	102.56	31.63	134.19	142.24	119.17	37.96	157.13	166.56	227.15	79.08	306.23	324.60	TAXES
DUKE ENERGY*	G	8.76	80.35	33.77	114.12	120.97	97.50	42.52	140.02	148.42	208.98	99.43	308.40	326.90	ADD
TAMPA ELECTRIC**	G	16.62	68.62	26.42	102.06	108.18	81.24	33.70	123.37	130.77	163.24	81.05	261.85	277.56	FEES
FLORIDA PUBLIC UTILITIES-NE*	G	14.00	33.60	100.55	134.15	142.20	40.02	123.16	163.18	172.97	81.75	270.13	351.88	372.99	TAXES
FLORIDA PUBLIC UTILITIES-NW*	G	14.00	33.60	100.55	134.15	142.20	40.02	123.16	163.18	172.97	81.75	270.13	351.88	372.99	TAXES

*Rates for municipal utilties INCLUDE payment-in-lieu of tax to the city's general fund. Rates for investor-owned utilities DO NOT INCLUDE franchise fee payments, which average 6% across Florida. G = Generating utility. **Total includes conservation, capacity, environmental and refund credit (if applicable). ***Total include 6% franchise fee for IOUs. For municipal utilities, total include actual transfer payment.

COMPARISON OF COMMERCIAL ELECTRIC RATES COMPILED BY FLORIDA MUNICIPAL ELECTRIC ASSOCIATION, INC. - TALLAHASSEE, FLORIDA

	Non-Demand - 750 KWH			***	*Non-Demand - 1,500 KWH*			***	*30 KW - 6,000 KWH*			***	*40 KW-10,000 KWH*			***
CITY	Base Rate (Includes Customer Charge)	Fuel or Cost Adjustment	Total	Total with franchise or transfer fee	Base Rate (Includes Customer Charge)	Fuel or Cost Adjustment	Total	Total with franchise or transfer fee	Base Rate (Includes Customer Charge)	Fuel or Cost Adjustment	Total	Total with franchise or transfer fee	Base Rate (Includes Customer Charge)	Fuel or Cost Adjustment	Total	Total with franchise or transfer fee payment
ALACHUA	85.56	8.25	93.81		159.43	16.50	175.93		687.11	66.00	753.11		1,041.11	110.00	1,151.11	
BARTOW	53.75	56.11	109.86		99.50	112.22	211.72		409.70	448.86	858.56		581.20	748.10	1,329.30	
BLOUNTSTOWN	99.84	0.00	99.84		199.68	0.00	199.68		798.72	0.00	798.72		1,331.20	0.00	1,331.20	
BUSHNELL	85.30	24.00	109.30		163.19	48.00	211.19		630.55	192.00	822.55		1,046.00	320.00	1,366.00	
CHATTAHOOCHEE	75.83	13.82	89.65		144.15	27.65	171.80		N/A	N/A	N/A		N/A	N/A	N/A	
CLEWISTON	89.33	8.63	97.96		164.85	17.27	182.12		639.70	69.06	708.76		1,002.50	115.10	1,117.60	
FORT MEADE	85.23	30.00	115.23		153.18	60.00	213.18		560.88	240.00	800.88		923.28	400.00	1,323.28	
FORT PIERCE	95.14	3.00	98.14		184.43	6.00	190.43		767.16	24.00	791.16		1,184.70	40.00	1,224.70	
GAINESVILLE	82.00	52.50	134.50		134.50	105.00	239.50		857.20	420.00	1,277.20		852.00	700.00	1,552.00	
GREEN COVE SPRINGS	80.25	15.00	95.25		148.50	30.00	178.50		671.00	120.00	791.00		1,000.00	200.00	1,200.00	
HAVANA	68.63	4.73	73.36		131.25	9.45	140.70		507.00	37.80	544.80		841.00	63.00	904.00	
HOMESTEAD	67.41	27.47	94.88		127.19	54.95	182.14		569.37	219.78	789.15		861.47	366.30	1,227.77	
JACKSONVILLE	58.07	24.38	82.44		106.89	48.75	155.64		399.79	195.00	594.79		660.15	325.00	985.15	
JACKSONVILLE BEACH	64.93	25.38	90.31		123.86	50.76	174.62		477.42	203.04	680.46		791.70	338.40	1,130.10	
KEY WEST	120.11	2.23	122.34		211.91	4.46	216.37		762.71	17.82	780.53		1,252.31	29.70	1,282.01	
KISSIMMEE	111.80	-24.06	87.74	96.04	212.52	-48.14	164.38	180.97	930.94	-192.54	738.40	804.76	1,425.64	-320.90	1,104.74	1,215.34
LAKE WORTH	77.11	29.25	106.36		137.56	58.50	196.06		725.26	173.40	898.66		1,052.86	289.00	1,341.86	
LAKELAND	50.99	29.06	80.05		89.98	58.12	148.10		289.56	232.50	522.06		426.30	387.50	813.80	
LEESBURG	112.96	17.50	130.46		163.34	26.25	189.59		725.88	105.00	830.88		1,053.82	175.00	1,228.82	
MOORE HAVEN	74.43	18.75	93.18		140.35	37.50	177.85		594.80	150.00	744.80		878.50	250.00	1,128.50	
MOUNT DORA	40.74	48.76	89.49		72.16	97.52	169.68		208.87	390.06	598.93		283.15	650.10	933.25	
NEW SMYRNA BEACH	61.92	17.01	78.93		117.80	34.02	151.82		453.05	136.08	589.13		751.05	226.80	977.85	
NEWBERRY	90.15	0.00	90.15		172.80	0.00	172.80		721.80	0.00	721.80		1,093.00	0.00	1,093.00	
OCALA	75.32	18.00	93.32		138.42	36.00	174.42		560.01	144.00	704.11		850.55	240.00	1,090.55	
ORLANDO	60.47	27.26	87.73		110.69	54.53	165.22		440.82	218.10	658.92		634.70	363.50	998.20	
QUINCY	86.51	10.28	96.79		156.41	20.55	176.96		619.89	82.20	702.09		917.85	137.00	1,054.85	
ST. CLOUD	62.89	28.35	91.24		115.12	56.70	171.82		458.46	226.80	685.26		660.10	378.00	1,038.10	
STARKE	76.50	19.28	95.78		144.00	38.55	182.55		549.00	154.20	703.20		909.00	257.00	1,166.00	
TALLAHASSEE	51.99	26.25	78.24		93.66	52.50	146.16		599.85	210.00	809.85		820.97	350.00	1,170.97	
VERO BEACH	49.03	46.24	95.27		88.63	92.48	181.11		373.10	369.90	743.00		550.80	616.50	1,167.30	
WAUCHULA	87.65	8.25	95.90		148.70	16.50	165.20		565.10	66.00	631.10		863.80	110.00	973.80	
WILLISTON	79.04	15.38	94.42		143.07	30.75	173.82									
WINTER PARK	69.21	26.75	95.96	101.72	123.93	53.51	177.44	188.09	415.61	214.02	629.63	667.41	632.61	356.70	989.31	1,048.67
FL POWER & LIGHT *	58.77	21.15	79.92	84.72	107.54	42.30	149.84	158.83	496.42	169.20	665.62	705.56	704.70	282.00	986.70	1,045.90
GULF POWER *	88.03	23.72	111.75	118.46	149.06	47.45	196.51	208.30	536.50	189.78	726.28	769.86	788.30	316.30	1,104.60	1,170.88
DUKE ENERGY*	65.71	27.50	93.21	98.80	119.84	55.01	174.84	185.33	468.43	220.02	688.45	729.76	673.89	366.70	1,040.59	1,103.03
TAMPA ELECTRIC**	61.56	22.17	88.73	94.05	103.18	44.34	157.53	166.98	352.88	177.36	570.26	604.48	208.64	295.60	994.44	1,054.11
FLORIDA PUBLIC UTILITIES-NE*	40.98	74.81	115.79	122.74	58.96	149.63	208.59	221.11	206.12	571.80	777.92	824.60	261.20	953.00	1,214.20	1,287.05
FLORIDA PUBLIC UTILITIES-NW*	40.98	74.81	115.79	122.74	58.96	149.63	208.59	221.11	206.12	571.80	777.92	824.60	261.20	953.00	1,214.20	1,287.05

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**Total includes conservation, capacity, environmental and refund credit (if applicable). ***Total include 6% franchise fee for IOUs. For municipal utilities, total include actual transfer payment.

COMPARISON OF COMMERCIAL ELECTRIC RATES COMPILED BY FLORIDA MUNICIPAL ELECTRIC ASSOCIATION, INC. - TALLAHASSEE, FL

	75 KW - 15,000 KWH			***	*75 KW - 30,000 KWH*			***	*150 KW - 30,000 KWH*			***	*150 KW - 60,000 KWH*			***
CITY	Base Rate (Includes Customer Charge)	Fuel or Cost Adjustment	Total	Total with franchise or transfer fee payment	Base Rate (Includes Customer Charge)	Fuel or Cost Adjustment	Total	Total with franchise or transfer fee payment	Base Rate (Includes Customer Charge)	Fuel or Cost Adjustment	Total	Total with franchise or transfer fee payment	Base Rate (Includes Customer Charge)	Fuel or Cost Adjustment	Total	Total with franchise or transfer fee payment
ALACHUA	1,649.21	165.00	1,814.21		2,700.71	330.00	3,030.71		3,252.71	330.00	3,582.71		5,355.71	660.00	6,015.71	
BARTOW	994.25	1,122.15	2,116.40		1,306.25	2,244.30	3,550.55		1,968.50	2,244.30	4,212.80		2,592.50	4,488.60	7,081.10	
BLOUNTSTOWN	1,996.80	0.00	1,996.80		3,993.60	0.00	3,619.85		3,993.60	0.00	3,993.60		7,987.20	0.00	7,987.20	
BUSHNELL	1,684.70	480.00	2,164.70		2,787.95	960.00	3,747.95		3,346.70	960.00	4,306.70		5,553.20	1,920.00	7,473.20	
CHATTAHOOCHEE	1,677.62	276.50	1,954.12		2,828.12	552.99	3,381.11		3,391.68	552.99	3,994.67		5,992.68	1,105.98	7,098.66	
CLEWISTON	1,537.00	172.65	1,709.65		2,762.50	345.30	3,107.80		3,032.50	345.30	3,377.80		5,483.50	690.60	6,174.10	
FORT MEADE	1,376.28	600.00	1,976.28		2,356.50	1,200.00	3,556.50		3,063.00	1,200.00	4,263.00		4,671.00	2,400.00	7,071.00	
FORT PIERCE	1,858.95	60.00	1,918.95		3,170.85	120.00	3,290.85		3,678.60	120.00	3,798.60		6,302.40	240.00	6,542.40	
GAINESVILLE	1,355.50	1,050.00	2,405.50		1,973.50	2,100.00	4,073.50		2,611.00	2,100.00	4,711.00		3,847.00	4,200.00	8,047.00	
GREEN COVE SPRINGS	1,602.50	300.00	1,902.50		2,517.50	600.00	3,117.50		3,155.00	600.00	3,755.00		4,985.00	1,200.00	6,185.00	
HAVANA	1,258.50	94.50	1,353.00		2,511.00	189.00	2,700.00		2,511.00	189.00	2,700.00		5,016.00	378.00	5,394.00	
HOMESTEAD	1,369.92	549.45	1,919.37		2,226.42	1,098.90	3,325.32		2,704.17	1,098.90	3,803.07		4,417.17	2,197.80	6,614.97	
JACKSONVILLE	1,227.55	487.50	1,715.05		1,740.10	975.00	2,715.10		2,370.10	975.00	3,345.10		3,395.20	1,950.00	5,345.20	
JACKSONVILLE BEACH	1,617.80	507.60	2,125.40		2,581.85	1,015.20	3,597.05		3,219.35	1,015.20	4,234.55		5,147.45	2,030.40	7,177.85	
KEY WEST	2,261.02	44.55	2,305.57		3,794.02	89.10	3,883.12		4,427.77	89.10	4,516.87		7,493.77	178.20	7,671.97	
KISSIMMEE	2,244.04	-481.35	1,762.69	1,928.59	3,765.79	-962.70	2,803.09	3,134.89	4,432.54	-962.70	3,469.84	3,801.64	7,476.04	-1,925.40	5,550.64	6,214.24
LAKE WORTH	1,891.50	433.50	2,325.00		2,577.00	867.00	3,444.00		3,663.00	867.00	4,530.00		5,034.00	1,734.00	6,768.00	
LAKELAND	955.40	581.25	1,536.65		1,275.80	1,162.50	2,438.30		1,875.80	1,132.50	3,008.30		2,516.59	2,325.00	4,841.59	
LEESBURG	1,775.82	262.50	2,038.32		2,485.47	525.00	3,010.47		3,525.72	525.00	4,050.72		4,945.02	1,050.00	5,995.02	
MOORE HAVEN	1,436.75	375.00	1,811.75		2,161.25	750.00	2,911.25		2,840.00	750.00	3,590.00		4,289.00	1,500.00	5,789.00	
MOUNT DORA	490.75	975.15	1,465.90		578.05	1,950.30	2,528.35		960.55	1,950.30	2,910.85		1,135.15	3,900.60	5,035.75	
NEW SMYRNA BEACH	1,514.75	340.20	1,854.95		2,489.75	680.40	3,170.15		2,996.00	680.40	3,676.40		4,946.00	1,360.80	6,306.80	
NEWBERRY	1,782.00	0.00	1,782.00		2,799.00	0.00	2,799.00		3,549.00	0.00	3,549.00		5,583.00	0.00	5,583.00	
OCALA	1,363.35	360.00	1,723.35		2,203.50	720.00	2,923.50		2,769.75	720.00	3,489.75		4,420.05	1,440.00	5,860.05	
ORLANDO	1,057.05	545.25	1,602.30		1,484.10	1,090.50	2,574.60		2,084.10	1,090.50	3,174.60		2,938.20	2,181.00	5,119.20	
QUINCY	1,424.10	205.50	1,629.60		2,164.80	411.00	2,575.80		2,727.30	411.00	3,138.30		4,208.70	822.00	5,030.70	
ST. CLOUD	1,099.35	567.00	1,666.35		1,543.50	1,134.00	2,677.50		2,167.50	1,134.00	3,301.50		3,055.80	2,268.00	5,323.80	
STARKE	1,395.00	385.50	1,780.50		2,709.00	771.00	3,480.00		2,709.00	771.00	3,480.00		5,409.00	1,542.00	6,951.00	
TALLAHASSEE	1,393.02	525.00	1,918.02		1,729.47	1,050.00	2,779.47		2,714.97	1,050.00	3,764.97		3,387.87	2,100.00	5,487.87	
VERO BEACH	873.05	924.75	1,797.80		1,372.55	1,849.50	3,222.05		1,706.30	1,849.50	3,555.80		2,705.30	3,699.00	6,404.30	
WAUCHULA	1,360.75	165.00	1,525.75		2,275.75	330.00	2,605.75		2,686.00	330.00	3,016.00		4,516.00	660.00	5,176.00	
WILLISTON																
WINTER PARK	1,016.36	535.05	1,551.41	1,644.49	1,642.61	1,070.10	2,712.71	2,875.47	2,017.61	1,070.10	3,087.71	3,272.97	3,270.11	2,140.20	5,410.31	5,734.93
FL POWER & LIGHT *	1,203.55	423.00	1,626.55	1,724.14	1,587.10	846.00	2,433.10	2,579.09	2,382.10	846.00	3,228.10	3,421.79	3,149.20	1,692.00	4,841.20	5,131.67
GULF POWER *	1,269.10	474.45	1,743.55	1,848.16	1,936.60	948.90	2,885.50	3,058.63	2,490.10	948.90	3,439.00	3,645.34	3,825.10	1,897.80	5,722.90	6,066.27
DUKE ENERGY*	1,153.69	550.05	1,703.74	1,805.96	1,552.54	1,100.10	2,652.64	2,811.80	2,295.79	1,100.10	3,395.89	3,599.64	3,093.49	2,200.20	5,293.69	5,611.31
TAMPA ELECTRIC**	1,032.24	443.40	1,569.99	1,664.19	1,328.19	886.80	2,408.79	2,553.32	2,031.24	886.80	3,106.74	3,293.14	2,623.14	1,773.60	4,784.34	5,071.40
FLORIDA PUBLIC UTILITIES-NE*	413.20	1,429.50	1,842.80	1,953.37	481.10	2,859.00	3,340.10	3,540.51	758.60	2,859.00	3,617.60	3,834.66	894.20	5,718.00	6,612.20	7,008.93
FLORIDA PUBLIC UTILITIES-NW*	413.20	1,429.50	1,842.80	1,953.37	481.10	2,859.00	3,340.10	3,540.51	758.60	2,859.00	3,617.60	3,834.66	894.20	5,718.00	6,612.20	7,008.93

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COMPARISON OF COMMERCIAL/INDUSTRIAL ELECTRIC RATES COMPILED BY FLORIDA MUNICIPAL ELECTRIC ASSOCIATION, INC. - TALLAHASSEE, FLORIDA

	300 KW - 60,000 KWH			***	*300 KW - 120,000 KWH*			***	*500 KW - 100,000 KWH*			***	*500 KW - 200,000 KWH*			***	
CITY	Base Rate (Includes Customer Charge)	Fuel or Cost Adjustment	Total	Total with franchise or transfer fee payment	Base Rate (Includes Customer Charge)	Fuel or Cost Adjustment	Total	Total with franchise or transfer fee payment	Base Rate (Includes Customer Charge)	Fuel or Cost Adjustment	Total	Total with franchise or transfer fee payment	Base Rate (Includes Customer Charge)	Fuel or Cost Adjustment	Total	Total with franchise or transfer fee payment	Additional Tax
ALACHUA	6,459.71	660.00	7,119.71		10,665.71	1,320.00	11,985.71		10,735.71	1,100.00	11,835.71		17,745.71	2,200.00	19,945.71		10%
BARTOW	3,917.00	4,488.60	8,405.60		5,165.00	8,977.20	14,142.20		6,515.00	7,481.00	13,996.00		8,595.00	14,962.00	23,557.00		10%
BLOUNTSTOWN	7,987.20	0.00	7,987.20		15,974.40	0.00	15,974.40		13,312.00	0.00	13,312.00		26,624.00	0.00	26,624.00		5%
BUSHNELL	6,670.70	1,920.00	8,590.70		11,083.70	3,840.00	14,923.70		11,102.70	3,200.00	14,302.70		18,457.70	6,400.00	24,857.70		10%
CHATTAHOOCHEE	6,783.36	1,105.98	7,889.34		11,985.36	2,211.96	14,197.32		11,305.60	1,843.30	13,148.90		19,975.60	3,686.60	23,662.20		NONE
CLEWISTON	6,023.50	690.60	6,714.10		10,925.50	1,381.20	12,306.70		10,011.50	1,151.00	11,162.50		18,181.50	2,302.00	20,483.50		10%
FORT MEADE	6,042.00	2,400.00	8,442.00		9,300.00	4,800.00	14,100.00		10,112.00	4,000.00	14,112.00		15,472.00	8,000.00	23,472.00		10%
FORT PIERCE	7,317.90	240.00	7,557.90		12,565.50	480.00	13,045.50		12,170.30	400.00	12,570.30		20,916.30	800.00	21,716.30		10%
GAINESVILLE	4,977.46	4,200.00	9,177.46		7,400.02	8,400.00	15,800.02		8,229.10	7,000.00	15,229.10		12,266.70	14,000.00	26,266.70		10%
GREEN COVE SPRINGS	6,260.00	1,200.00	7,460.00		9,920.00	2,400.00	12,320.00		10,400.00	2,000.00	12,400.00		16,500.00	4,000.00	20,500.00		NONE
HAVANA	5,016.00	378.00	5,394.00		10,026.00	756.00	10,782.00		8,356.00	630.00	8,986.00		16,706.00	1,260.00	17,966.00		NONE
HOMESTEAD	5,372.67	2,197.80	7,570.47		8,798.67	4,395.60	13,194.27		8,930.67	3,663.00	12,593.67		14,640.67	7,326.00	21,966.67		10%
JACKSONVILLE	4,655.20	1,950.00	6,605.20		6,705.40	3,900.00	10,605.40		7,702.00	3,250.00	10,952.00		11,119.00	6,500.00	17,619.00		10%
JACKSONVILLE BEACH	6,422.45	2,030.40	8,452.85		10,278.65	4,060.80	14,339.45		10,693.25	3,384.00	14,077.25		17,120.25	6,768.00	23,888.25		NONE
KEY WEST	8,761.27	178.20	8,939.47		14,893.27	356.40	15,249.67		14,539.27	297.00	14,836.27		24,759.27	594.00	25,353.27		NONE
KISSIMMEE	8,809.54	-1,925.40	6,884.14	7,547.74	14,896.54	-3,850.80	11,045.74	12,372.94	15,446.12	-3,209.00	12,237.12	13,343.12	24,755.12	-6,418.00	18,337.12	20,549.12	8%
LAKE WORTH	7,206.00	1,734.00	8,940.00		9,948.00	3,468.00	13,416.00		11,930.00	2,890.00	14,820.00		16,500.00	5,780.00	22,280.00		10%
LAKELAND	3,716.59	2,325.00	6,041.59		4,998.19	4,650.00	9,648.19		6,766.99	3,875.00	10,641.99		8,483.98	7,750.00	16,233.98		10%
LEESBURG	7,025.52	1,050.00	8,075.52		9,864.12	2,100.00	11,964.12		12,314.95	1,750.00	14,064.95		16,633.95	3,500.00	20,133.95		10%
MOORE HAVEN	5,646.50	1,500.00	7,146.50		8,544.50	3,000.00	11,544.50		9,388.50	2,500.00	11,888.50		14,218.50	5,000.00	19,218.50		10%
MOUNT DORA	1,825.90	3,789.80	5,595.70		2,161.66	7,539.60	9,701.26		3,029.74	6,283.00	9,312.74		3,589.34	12,566.00	16,155.34		10%
NEW SMYRNA BEACH	5,583.50	1,360.80	6,944.30		9,183.50	2,721.60	11,905.10		9,283.50	2,268.00	11,551.50		15,283.50	4,536.00	19,819.50		9%
NEWBERRY	6,675.00	0.00	6,675.00		10,605.00	0.00	10,605.00		11,095.00	0.00	11,095.00		17,645.00	0.00	17,645.00		10%
OCALA	5,515.05	1,440.00	6,955.05		8,815.65	2,880.00	11,695.65		9,550.45	2,400.00	11,950.45		14,951.45	4,800.00	19,751.45		10%
ORLANDO	4,138.20	2,181.00	6,319.20		5,846.40	4,362.00	10,208.40		6,877.00	3,635.00	10,512.00		9,724.00	7,270.00	16,994.00		10%
QUINCY	5,333.70	822.00	6,155.70		8,296.50	1,644.00	9,940.50		8,808.90	1,370.00	10,178.90		13,746.90	2,740.00	16,486.90		10%
ST. CLOUD	4,303.80	2,268.00	6,571.80		6,080.40	4,536.00	10,616.40		7,152.20	3,780.00	10,932.20		10,113.20	7,560.00	17,673.20		8%
STARKE	5,409.00	1,542.00	6,951.00		10,809.00	3,084.00	13,893.00		9,009.00	2,570.00	11,579.00		18,009.00	5,140.00	23,149.00		10%
TALLAHASSEE	5,358.87	2,100.00	7,458.87		6,704.67	4,200.00	10,904.67		8,826.07	3,500.00	12,326.07		11,011.07	7,000.00	18,011.07		10%
VERO BEACH	3,372.80	3,699.00	7,071.80		5,370.80	7,398.00	12,768.80		5,594.80	6,165.00	11,759.80		8,924.80	12,330.00	21,254.80		10%
WAUCHULA	5,336.50	660.00	5,996.50		8,996.50	1,320.00	10,316.50		8,870.50	1,100.00	9,970.50		14,970.50	2,200.00	17,170.50		10%
WILLISTON	0.00	0.00	0.00		0.00	0.00	0.00		0.00	0.00	0.00		0.00	0.00	0.00		5%
WINTER PARK	4,020.11	2,140.20	6,160.31	6,529.93	6,525.11	4,280.40	10,805.51	11,453.84	6,626.13	3,531.33	10,157.46	10,766.91	10,759.38	7,062.66	17,822.04	18,891.36	APPL
FL POWER & LIGHT *	4,739.20	1,692.00	6,431.20	6,817.07	6,273.40	3,384.00	9,657.40	10,236.84	8,474.00	2,818.00	11,292.00	11,969.52	10,593.00	5,636.00	16,229.00	17,202.74	APPL
GULF POWER *	4,932.10	1,897.80	6,829.90	7,239.69	7,602.10	3,795.60	11,397.70	12,081.56	10,712.80	3,087.00	13,799.80	14,627.79	13,377.80	6,174.00	19,551.80	20,724.91	TAXES
DUKE ENERGY*	4,579.99	2,200.20	6,780.19	7,187.00	6,175.39	4,400.40	10,575.79	11,210.34	7,479.85	3,630.00	11,109.85	11,776.44	10,112.39	7,260.00	17,372.39	18,414.73	ADD
TAMPA ELECTRIC**	4,029.24	1,773.60	6,180.24	6,551.05	5,213.04	3,547.20	9,535.44	10,107.57	6,693.24	2,956.00	10,278.24	10,894.93	8,666.24	5,912.00	15,870.24	16,822.45	FEES
FLORIDA PUBLIC UTILITIES-NE*	1,449.20	5,718.00	7,167.20	7,597.23	1,720.40	11,436.00	13,156.40	13,945.78	2,989.00	9,238.00	12,227.00	12,960.62	3,198.00	18,476.00	21,674.00	22,974.44	TAXES
FLORIDA PUBLIC UTILITIES-NW*	1,449.20	5,718.00	7,167.20	7,597.23	1,720.40	11,436.00	13,156.40	13,945.78	2,989.00	9,238.00	12,227.00	12,960.62	3,198.00	18,476.00	21,674.00	22,974.44	TAXES

*Rates for municipal utilties INCLUDE payment-in-lieu of tax to the city's general fund. Rates for investor-owned utilities DO NOT INCLUDE franchise fee payments, which average 6% across Florida. G = Generating utility. **Total includes conservation, capacity, environmental and refund credit (if applicable). ***Total include 6% franchise fee for IOUs. For municipal utilities, total include actual transfer payment.



Quarterly Electric Rate Comparison

This survey is a comparison of utilities throughout the United States for the quarter beginning October 1, 2017. This quarterly rate comparison is for residential customers and includes base rates, fuel adjustment charges, and applicable franchise fees per 1,000 kWh.

* Investor-owned Systems

** Municipal Systems

*** Rural Electric Coop. Systems

**** Federal, State & District Systems

LOCATION	COMPANY	KWH1000
Southern California	Southern California Edison*	264.45
Fairbanks, AK	Golden Valley Electric Assoc.***	227.66
Long Island, NY	Long Island Power Authority**	197.69
Anchorage, AK	Chugach Electric Assoc., Inc. ***	188.40
Los Angeles, CA	Department of Water & Power**	183.86
Newark, NJ (Other portions of NJ)	Public Service Electric & Gas Co.*	167.89
Madison, WI	Madison Gas & Electric*	160.37
Milwaukee, WI	We-Energies*	149.52
Columbia, SC	South Carolina Electric & Gas *	147.53
Ft. Meade, FL	City of Ft. Meade**	143.56
Pascoag, RI	Pascoag Utility District**	141.50
Key West, FL	Keys Energy Services**	140.00
Dover, DE	City of Dover (McKee Run G.S.)**	136.53
Las Vegas, NV	Nevada Power Co.*	135.79
Sacramento, CA	Sacramento Mun. Util. Dist.**	134.40
Northwest Florida	Gulf Power Co.*	134.19
Gainesville, FL	Gainesville Regional Util.**	131.55
Albany, GA	Albany Water, Gas & Light Comm.**	131.21
Bartow, FL	City of Bartow**	130.17
Chicago & Northern IL	Commonwealth Edison Co.*	129.43
Phoenix, AZ	Salt River Project**	128.77
Alabama (Portions of)	Alabama Power Co.*	127.92
N.E. FL & S.E. GA	Okefenoke REA***	122.70
Salt Lake City, UT	Rocky Mountain Power*	121.90
Ft. Pierce, FL	Ft. Pierce Utilities**	120.84
Colorado Springs, Co	Colorado Springs Utilities**	119.43
Reno, NV	Sierra Pacific Power Co.*	117.71
Jacksonville Beach, FL	Beaches Energy Services**	116.91
Vero Beach, FL	City of Vero Beach**	116.08
Ocala, FL	City of Ocala**	116.04
Homestead, FL	Homestead Energy **	114.23
St. Petersburg, FL	Duke Energy Florida*	114.12

Quarterly Electric Rate Comparison

This survey is a comparison of utilities throughout the United States for the quarter beginning October 1, 2017. This quarterly rate comparison is for residential customers and includes base rates, fuel adjustment charges, and applicable franchise fees per 1,000 kWh.

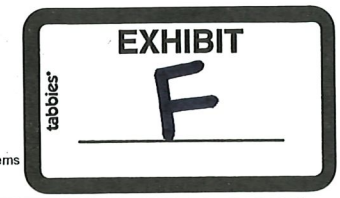
* Investor-owned Systems

** Municipal Systems

*** Rural Electric Coop. Systems

**** Federal, State & District Systems

LOCATION	COMPANY	KWH1000
Roanoke, VA	Appalachian Power Co.*	113.99
Tallahassee, FL	City of Tallahassee**	112.81
Northern West Virginia	Monongahela Power Company*	112.48
South Carolina (Portions of)	Santee Cooper****	112.12
Jacksonville, FL	**JEA****	**111.76**
Clay County, FL	Clay Electric Cooperative***	109.90
Raleigh, NC	Duke Energy Progress*	109.84
Marietta, GA	Marietta Power & Water**	109.19
Portland, Oregon	Pacific Power*	108.96
Tennessee (& portions of North GA)	Elec. Power Board of Chatt.**	108.52
Southeast Nebraska	Omaha Public Power District****	108.33
San Antonio, TX	City Public Service**	107.72
Atlanta, GA (Other port. of GA)	Georgia Power Co.*	106.79
Orlando, FL	Orlando Utilities Commission**	106.00
Seattle, WA	Seattle City Light**	104.86
Miami, FL (& other portions of FL)	Florida Power & Light Co.*	103.07
Lakeland, FL	City of Lakeland**	101.35
Kissimmee, FL	Kissimmee Utility Authority**	101.18
Florida Keys (Dade Co. to 7 Mile Br)	Florida Keys Electric Co-Op***	100.17
Memphis, TN	Memphis Light Gas & Water Div.**	94.04
Clark County, WA	Clark PUD**	93.60
St. Louis, MO	AmerenUE*	93.57
Baton Rouge, LA (& other parts of LA)	Entergy Louisiana, LLC (ELL)	93.55
Dalton, GA	Dalton Utilities**	92.50
Clewiston, FL	City of Clewiston**	87.57
Tacoma, WA	Tacoma Power**	73.78



COMPARISON OF RESIDENTIAL ELECTRIC RATES

Prepared by JEA, Jacksonville, Florida
Charges listed below include base rate, fuel adjustment charge, and environmental charges plus any applicable franchise fees

* Investor-owned Systems
** Municipal Systems
*** Rural Electric Coop. Systems
**** Federal, State & District Systems

July 2017 Bill Amounts

CITY / UTILITY	500 KWH	750 KWH	1000 KWH	1250 KWH	1500 KWH	2000 KWH	3000 KWH	Applicable Taxes are not included in the Bill *Note: Franchise Fees are included in the Bill
Southern California Southern California Edison*	102.24	180.30	**258.36**	336.42	414.48	570.60	882.84	City Tax + $0.00029/kWh State Energy Surcharge
Fairbanks, AK Golden Valley Electric Assoc.***	127.93	183.14	**238.35**	293.57	348.78	459.20	680.05	Regulatory Cost Charge: $0.000675/kWh
Long Island, NY Long Island Power Authority**	101.90	149.80	**197.69**	245.59	293.49	389.28	580.87	Shoreham Property Tax, NY State Assessment,
Anchorage, AK Chugach Electric Assoc., Inc. ***	95.97	139.95	**183.93**	227.91	271.90	359.86	535.79	Regulatory Cost Charge: $0.000675/kWh 2% Undergrounding Surcharge
Los Angeles, CA Department of Water & Power**	84.88	131.92	**178.96**	249.67	313.67	441.68	697.69	10% City Tax plus $0.00029 State Energy Surcharge
Newark, NJ (Other portions of NJ) Public Service Electric & Gas Co.*	82.49	124.54	**167.89**	211.24	254.57	341.27	514.65	6.875% Sales & Use Tax
Madison, WI Madison Gas & Electric*	89.55	124.96	**160.37**	195.78	231.18	302.00	443.63	5.5% State and Local Sales Tax, State Low Income Assis. Fee 3%
Sacramento, CA Sacramento Mun. Util. Dist.**	85.35	118.03	**150.70**	183.38	216.05	281.40	412.10	$0.00029/kwh State Srchrg & $0.0016/kWh Solar Srchrg 2.5% County or 7.5% City Tax
Milwaukee, WI We-Energies*	83.62	116.93	**149.52**	182.10	214.71	279.89	410.26	5% Sales Tax (Varies by County)
Columbia, SC South Carolina Electric & Gas *	79.13	113.24	**147.53**	181.87	216.21	284.89	422.24	Incorporated areas subject to FF & Local Option Tax No State Sales Tax
Ft. Meade, FL City of Ft. Meade**	73.26	103.41	**143.56**	176.21	208.86	274.16	404.76	10% Utility Tax + 2.5% FL GRT
Pascoag, RI Pascoag Utility District**	73.79	107.69	**141.50**	175.48	209.37	277.16	412.74	None
Key West, FL Keys Energy Services**	77.52	108.76	**140.00**	171.24	202.49	264.97	389.94	2.5% Florida Gross Receipts Tax
St. Louis, MO AmerenUE*	74.39	107.06	**139.72**	172.40	205.07	270.40	401.09	Varies by Jurisdiction
St. Petersburg, FL Duke Energy Florida*	73.11	104.41	**135.69**	173.98	212.29	288.85	441.99	2.5641% FL GRT + Franchise Fee + Muni Tax
Phoenix, AZ Salt River Project**	77.40	106.16	**135.16**	164.16	193.16	251.16	382.26	State and Local Sales Tax varies by municipality
Northwest Florida Gulf Power Co.*	76.85	105.52	**134.19**	162.87	191.54	248.88	363.57	City Tax:0-10%*(Base + $0.0063138/kWh cons) + 2.5% GRT
Las Vegas, NV Nevada Power Co.*	73.63	103.75	**133.87**	163.98	194.11	254.34	374.82	5% Franchise Fee
Alabama (Portions of) Alabama Power Co.*	74.10	103.83	**133.55**	163.91	194.27	254.98	376.41	1.8% State Utility Tax - 4% Gross Receipts Tax
South Carolina (Portions of) Santee Cooper****	76.48	104.98	**133.47**	161.96	190.45	247.44	361.41	Varies by Muncipality
Albany, GA Albany Water, Gas & Light Comm.**	64.81	95.48	**131.21**	166.95	202.69	274.16	417.11	4% State Tax + 4% Local Option Tax
Gainesville, FL Gainesville Regional Util.**	70.76	99.00	**130.41**	163.90	197.41	264.41	398.41	10% Utility Tax + 10% Outside City Surcharge (not included) + 2.5641% FL GRT
Bartow, FL City of Bartow**	69.10	99.65	**130.20**	160.75	191.30	252.40	374.60	2.5% FL Gross Receipts Tax
Atlanta, GA (Other port. of GA) Georgia Power Co.*	62.86	92.68	**129.67**	167.71	205.76	281.85	434.04	4% State Tax + 1% - 4% Local Option Tax
Southeast Nebraska Omaha Public Power District****	74.45	101.67	**128.89**	156.11	183.34	237.78	346.67	Sales Tax 7%
Dover, DE City of Dover (McKee Run G.S.)**	67.74	97.86	**127.98**	158.10	188.22	248.46	368.93	None
Chicago & Northern IL Commonwealth Edison Co.*	65.15	99.78	**127.49**	155.21	182.94	238.36	349.23	IL Excise Tax Law-10 step kwh method IL Mun. Code Varied
N.E. FL & S.E. GA Okefenoke REA***	73.85	98.28	**122.70**	152.13	181.55	240.40	358.10	Varies to area; 2.5% GRT in Florida
Salt Lake City, UT Rocky Mountain Power*	58.51	90..41	**122.33**	162.26	202.19	282.06	441.81	6.0% City Franchise Tax and 4.15% Utah Sales Tax
Marietta, GA Marietta Power & Water**	60.97	89.29	**120.00**	154.21	188.44	256.89	393.78	4% Inside City Franchise Fee - 4% State Sales Tax 2% Local Option Sales Tax
Ft. Pierce, FL Ft. Pierce Utilities**	61.12	88.68	**118.84**	149.00	179.16	239.48	360.12	10% Utility Tax + Franchise Fee + 2.5% FL GRT
Seattle, WA Seattle City Light**	52.00	84.68	**117.36**	150.05	182.73	248.09	378.83	Taxes are included in base rates Includes 1.5% Surcharge
Jacksonville Beach, FL Beaches Energy Services**	60.71	88.81	**116.91**	145.01	173.12	229.32	341.73	2.5% Florida Gross Receipts Tax
Vero Beach, FL City of Vero Beach**	62.21	89.15	**116.08**	149.57	183.06	250.03	383.98	Utility Tax - 10% of Min. Charge ($8.33) plus 0.05335*kWh 2.564% FL GRT
San Antonio, TX City Public Service**	58.08	85.71	**115.31**	144.92	174.54	233.75	352.19	None
Homestead, FL Homestead Energy **	59.92	87.07	**114.23**	141.39	168.55	222.86	331.49	2.5% Florida Gross Receipts Tax 10% Utility Tax

July 2017 Bill Amounts

CITY / UTILITY	500 KWH	750 KWH	1000 KWH	1250 KWH	1500 KWH	2000 KWH	3000 KWH	Applicable Taxes are not included in the Bill *Note: Franchise Fees are included in the Bill
Roanoke, VA Appalachian Power Co.*	61.20	87.59	**113.99**	140.41	166.84	219.63	325.27	Consumption Tax
Ocala, FL City of Ocala**	60.97	86.78	**112.60**	138.42	164.24	215.87	319.14	10% Utility Tax (less Fuel Exempt Factor $0.0011) + 2.5641% FL GRT
Northern West Virginia Monongahela Power Company*	58.74	85.61	**112.48**	139.35	166.22	219.96	327.44	None
Tennessee (& portions of North GA) Elec. Power Board of Chatt.**	60.85	86.59	**112.33**	138.07	163.82	215.30	318.27	None in Tenn., 7% State Tax in GA.
Colorado Springs, Co Colorado Springs Utilities**	63.63	87.94	**112.23**	136.54	160.83	209.43	306.63	None
Jacksonville, FL JEA**	58.72	85.23	**111.76**	138.29	164.81	217.85	326.51	10% Public Srvc Tax (Elec Chrg + FF + GRT - $0.02739/kWh)
Clay County, FL Clay Electric Cooperative***	64.95	87.43	**109.90**	137.08	164.25	218.60	327.30	2.5% Florida Gross Receipts Tax 10% Utility Tax
Raleigh, NC Duke Energy Progress*	60.49	85.16	**109.84**	134.52	159.20	208.55	307.26	7% North Carolina Sales Tax
Portland, Oregon Pacific Power*	59.31	84.14	**108.96**	138.99	169.02	229.09	349.21	1.5% Portland City Tax and 0.031% Multnomah County Tax
Tallahassee, FL City of Tallahassee**	58.15	83.52	**108.88**	134.25	159.62	210.35	311.82	10% Public Srvc Tax (NA to Fuel Costs excess of $.0077/kWh)
Reno, NV Sierra Pacific Power Co.*	62.23	85.34	**108.46**	131.57	154.67	200.90	293.34	5% Franchise Fee
Orlando, FL Orlando Utilities Commission**	57.00	81.51	**106.00**	135.51	165.00	224.00	342.00	10% Public Srvc Tax 2.5% FL GRT
Memphis, TN Memphis Light Gas & Water Div.**	57.83	80.72	**103.60**	126.49	149.37	195.14	286.68	None
Miami, FL (& other portions of FL) Florida Power & Light Co.*	55.60	79.33	**103.06**	131.96	160.85	218.62	334.18	10% Municipal Tax + 2.5% FL GRT + Franchise Fees
Lakeland, FL City of Lakeland**	55.64	78.70	**101.77**	126.25	150.71	202.47	305.96	Utility Tax 10% + Reg Tax 2.5% FL GRT
Kissimmee, FL Kissimmee Utility Authority**	55.82	78.65	**101.47**	140.11	166.10	218.07	322.02	8% Utility Tax - 2.564% FL GRT
Baton Rouge, LA (& other parts of LA) Entergy Louisiana, LLC (ELL)	53.16	76.54	**99.96**	123.35	146.76	193.56	287.16	None
Clark County, WA Clark PUD**	52.08	73.20	**93.60**	114.00	134.40	175.20	256.80	None. Taxes are included in rates: State Utility Tax = 3.8734%
Dalton, GA Clark PUD**	44.09	68.80	**92.50**	118.21	142.91	192.32	279.62	6% State and Local Sales Tax Transfer Payment included in Base Rates
Florida Keys (Dade Co. to 7 Mile Br) Florida Keys Electric Co-Op***	63.37	80.05	**89.74**	121.67	146.61	196.48	296.22	2.563% Florida Gross Receipts Tax
Clewiston, FL City of Clewiston**	47.04	67.30	**87.57**	107.84	128.11	168.64	249.71	10% (base - $0.01/kWh) Utility Tax 2.5% FL GRT
Tacoma, WA Tacoma Power**	45.27	57.63	**73.78**	89.94	106.10	138.41	203.04	Tacoma Gross Earning 6% WA State B&O 3.873% Franchise Fees 6-8% By Area

JEA Residential Survey
July 2017
Data Section

LOCATION	COMPANY	KWH500	KWH750	KWH1000	KWH1250	KWH1500	KWH2000	KWH3000	Comments Line 1	Comments Line 2
Southern California	Southern California Edison*	102.24	180.30	258.36	336.42	414.48	570.60	882.84	City Tax + $0.00029/kWh State Energy Surcharge	
Fairbanks, AK	Golden Valley Electric Assoc.***	127.93	183.14	238.35	293.57	348.78	459.20	680.05	Regulatory Cost Charge: $0.000675/kWh	
Long Island, NY	Long Island Power Authority**	101.90	149.80	197.69	245.59	293.49	389.28	580.87	Shoreham Property Tax, NY State Assessment,	Transportation Tax
Anchorage, AK	Chugach Electric Assoc., Inc. ***	95.97	139.95	183.93	227.91	271.90	359.86	535.79	Regulatory Cost Charge: $0.000675/kWh	2% Undergrounding Surcharge
Los Angeles, CA	Department of Water & Power**	84.88	131.92	178.96	249.67	313.67	441.68	697.69	10% City Tax plus $0.00029 State Energy Surcharge	
Newark, NJ (Other portions of NJ)	Public Service Electric & Gas Co.*	82.49	124.54	167.89	211.24	254.57	341.27	514.65	6.875% Sales & Use Tax	
Madison, WI	Madison Gas & Electric*	89.55	124.96	160.37	195.78	231.18	302.00	443.63	5.5% State and Local Sales Tax, State Low Income Assis. Fee 3%	Pre-tax bill capped @ $3.15
Sacramento, CA	Sacramento Mun. Util. Dist.**	85.35	118.03	150.70	183.38	216.05	281.40	412.10	$0.00029/kwh State Srchrg & $0.0016/kWh Solar Srchrg	2.5% County or 7.5% City Tax
Milwaukee, WI	We-Energies*	83.62	116.93	149.52	182.10	214.71	279.89	410.26	5% Sales Tax (Varies by County)	
Columbia, SC	South Carolina Electric & Gas *	79.13	113.24	147.53	181.87	216.21	284.89	422.24	Incorporated areas subject to FF & Local Option Tax	No State Sales Tax
Ft. Meade, FL	City of Ft. Meade**	73.26	103.41	143.56	176.21	208.86	274.16	404.76	10% Utility Tax + 2.5% FL GRT	
Pascoag, RI	Pascoag Utility District**	73.79	107.69	141.50	175.48	209.37	277.16	412.74	None	
Key West, FL	Keys Energy Services**	77.52	108.76	140.00	171.24	202.49	264.97	389.94	2.5% Florida Gross Receipts Tax	
St. Louis, MO	AmerenUE*	74.39	107.06	139.72	172.40	205.07	270.40	401.09	Varies by Jurisdiction	
St. Petersburg, FL	Duke Energy Florida*	73.11	104.41	135.69	173.98	212.29	288.85	441.99	2.5641% FL GRT + Franchise Fee + Muni Tax	
Phoenix, AZ	Salt River Project**	77.40	106.16	135.16	164.16	193.16	251.16	382.26	State and Local Sales Tax varies by municipality	
Northwest Florida	Gulf Power Co.*	76.85	105.52	134.19	162.87	191.54	248.88	363.57	City Tax:0-10%*(Base + $0.0063138/kWh cons) + 2.5% GRT	Price Includes Franchise Fee
Las Vegas, NV	Nevada Power Co.*	73.63	103.75	133.87	163.98	194.11	254.34	374.82	5% Franchise Fee	
Alabama (Portions of)	Alabama Power Co.*	74.10	103.83	133.55	163.91	194.27	254.98	376.41	1.8% State Utility Tax - 4% Gross Receipts Tax	
South Carolina (Portions of)	Santee Cooper****	76.48	104.98	133.47	161.96	190.45	247.44	361.41	Varies by Muncipality	
Albany, GA	Albany Water, Gas & Light Comm.**	64.81	95.48	131.21	166.95	202.69	274.16	417.11	4% State Tax + 4% Local Option Tax	
Gainesville, FL	Gainesville Regional Util.**	70.76	99.00	130.41	163.90	197.41	264.41	398.41	10% Utility Tax + 10% Outside City Surcharge (not included)	+ 2.5641% FL GRT
Bartow, FL	City of Bartow**	69.10	99.65	130.20	160.75	191.30	252.40	374.60	2.5% FL Gross Receipts Tax	
Atlanta, GA (Other port. of GA)	Georgia Power Co.*	62.86	92.68	129.67	167.71	205.76	281.85	434.04	4% State Tax + 1% - 4% Local Option Tax	
Southeast Nebraska	Omaha Public Power District****	74.45	101.67	128.89	156.11	183.34	237.78	346.67	Sales Tax 7%	
Dover, DE	City of Dover (McKee Run G.S.)**	67.74	97.86	127.98	158.10	188.22	248.46	368.93	None	
Chicago & Northern IL	Commonwealth Edison Co.*	65.15	99.78	127.49	155.21	182.94	238.36	349.23	IL Excise Tax Law-10 step kwh method	IL Mun. Code Varied
N.E. FL & S.E. GA	Okefenoke REA***	73.85	98.28	122.70	152.13	181.55	240.40	358.10	Varies to area; 2.5% GRT in Florida	
Salt Lake City, UT	Rocky Mountain Power*	58.51	90..41	122.33	162.26	202.19	282.06	441.81	6.0% City Franchise Tax and 4.15% Utah Sales Tax	
Marietta, GA	Marietta Power & Water**	60.97	89.29	120.00	154.21	188.44	256.89	393.78	4% Inside City Franchise Fee - 4% State Sales Tax	2% Local Option Sales Tax
Ft. Pierce, FL	Ft. Pierce Utilities**	61.12	88.68	118.84	149.00	179.16	239.48	360.12	10% Utility Tax + Franchise Fee	+ 2.5% FL GRT
Seattle, WA	Seattle City Light**	52.00	84.68	117.36	150.05	182.73	248.09	378.83	Taxes are included in base rates	Includes 1.5% Surcharge
Jacksonville Beach, FL	Beaches Energy Services**	60.71	88.81	116.91	145.01	173.12	229.32	341.73	2.5% Florida Gross Receipts Tax	
Vero Beach, FL	City of Vero Beach**	62.21	89.15	116.08	149.57	183.06	250.03	383.98	Utility Tax - 10% of Min. Charge ($8.33) plus 0.05335*kWh	2.564% FL GRT
San Antonio, TX	City Public Service**	58.08	85.71	115.31	144.92	174.54	233.75	352.19	None	
Homestead, FL	Homestead Energy **	59.92	87.07	114.23	141.39	168.55	222.86	331.49	2.5% Florida Gross Receipts Tax	10% Utility Tax
Roanoke, VA	Appalachian Power Co.*	61.20	87.59	113.99	140.41	166.84	219.63	325.27	Consumption Tax	
Ocala, FL	City of Ocala**	60.97	86.78	112.60	138.42	164.24	215.87	319.14	10% Utility Tax (less Fuel Exempt Factor $0.0011)	+ 2.5641% FL GRT
Northern West Virginia	Monongahela Power Company*	58.74	85.61	112.48	139.35	166.22	219.96	327.44	None	
Tennessee (& portions of North GA)	Elec. Power Board of Chatt.**	60.85	86.59	112.33	138.07	163.82	215.30	318.27	None in Tenn., 7% State Tax in GA.	
Colorado Springs, Co	Colorado Springs Utilities**	63.63	87.94	112.23	136.54	160.83	209.43	306.63	None	
Jacksonville, FL	JEA**	58.72	85.23	111.76	138.29	164.81	217.85	326.51	10% Public Srvc Tax (Elec Chrg + FF + GRT - $0.02739/kWh)	3% FF & 2.5641% FL GRT
Clay County, FL	Clay Electric Cooperative***	64.95	87.43	109.90	137.08	164.25	218.60	327.30	2.5% Florida Gross Receipts Tax	10% Utility Tax
Raleigh, NC	Duke Energy Progress*	60.49	85.16	109.84	134.52	159.20	208.55	307.26	7% North Carolina Sales Tax	
Portland, Oregon	Pacific Power*	59.31	84.14	108.96	138.99	169.02	229.09	349.21	1.5% Portland City Tax and 0.031% Multnomah County Tax	
Tallahassee, FL	City of Tallahassee**	58.15	83.52	108.88	134.25	159.62	210.35	311.82	10% Public Srvc Tax (NA to Fuel Costs excess of $.0077/kWh)	2.56406% FL GRT
Reno, NV	Sierra Pacific Power Co.*	62.23	85.34	108.46	131.57	154.67	200.90	293.34	5% Franchise Fee	
Orlando, FL	Orlando Utilities Commission**	57.00	81.51	106.00	135.51	165.00	224.00	342.00	10% Public Srvc Tax	2.5% FL GRT
Memphis, TN	Memphis Light Gas & Water Div.**	57.83	80.72	103.60	126.49	149.37	195.14	286.68	None	
Miami, FL (& other portions of FL)	Florida Power & Light Co.*	55.60	79.33	103.06	131.96	160.85	218.62	334.18	10% Municipal Tax + 2.5% FL GRT + Franchise Fees	
Lakeland, FL	City of Lakeland**	55.64	78.70	101.77	126.25	150.71	202.47	305.96	Utility Tax 10% + Reg Tax	2.5% FL GRT
Kissimmee, FL	Kissimmee Utility Authority**	55.82	78.65	101.47	140.11	166.10	218.07	322.02	8% Utility Tax - 2.564% FL GRT	Govt. Transfer $0.01106 per kWh
Baton Rouge, LA (& other parts of LA)	Entergy Louisiana, LLC (ELL)	53.16	76.54	99.96	123.35	146.76	193.56	287.16	None	
Clark County, WA	Clark PUD**	52.08	73.20	93.60	114.00	134.40	175.20	256.80	None. Taxes are included in rates: State Utility Tax = 3.8734%	
Dalton, GA	Dalton Utilities**	44.09	68.80	92.50	118.21	142.91	192.32	279.62	6% State and Local Sales Tax	Transfer Payment included in Base Rates
Florida Keys (Dade Co. to 7 Mile Br)	Florida Keys Electric Co-Op***	63.37	80.05	89.74	121.67	146.61	196.48	296.22	2.563% Florida Gross Receipts Tax	
Clewiston, FL	City of Clewiston**	47.04	67.30	87.57	107.84	128.11	168.64	249.71	10% (base - $0.01/kWh) Utility Tax	2.5% FL GRT
Tacoma, WA	Tacoma Power**	45.27	57.63	73.78	89.94	106.10	138.41	203.04	Tacoma Gross Earning 6% WA State B&O 3.873%	Franchise Fees 6-8% By Area

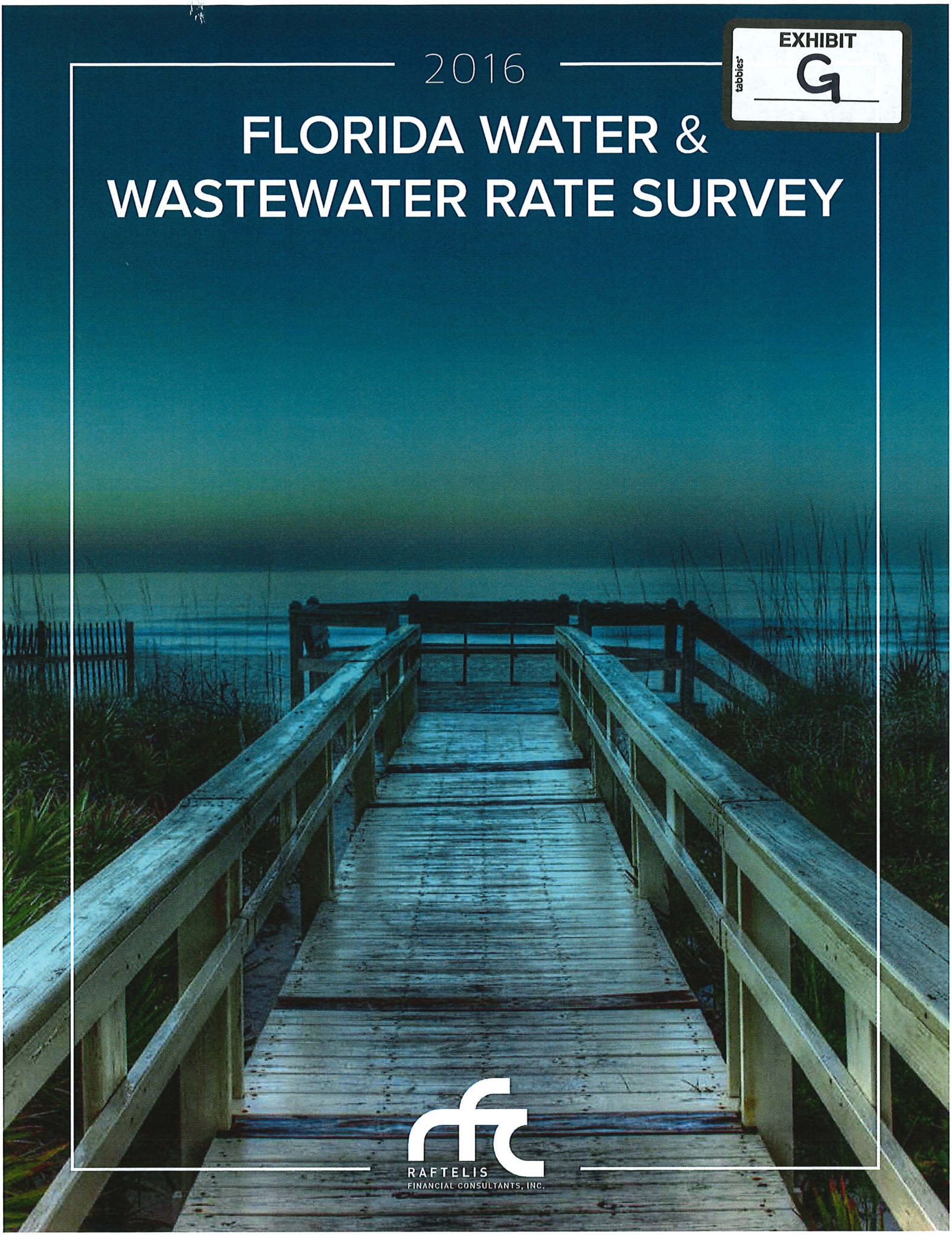
JEA Residential Survey
July 2017
Data Section
Rates Including Taxes

LOCATION	COMPANY	KWH500	KWH750	KWH1000	KWH1250	KWH1500	KWH2000	KWH3000	Comments Line 1	Comments Line 2
Southern California	Southern California Edison*	102.39	180.52	258.36	336.42	414.48	570.60	882.84	City Tax + $0.00029/kwh State Energy Surcharge	
Fairbanks, AK	Golden Valley Electric Assoc.***	128.38	183.81	239.25	294.69	350.13	461.00	682.75	Regulatory Cost Charge: $0.000675/kWh	
Long Island, NY	Long Island Power Authority**	108.30	159.18	210.06	260.94	311.82	413.58	617.11	Shoreham Property Tax, NY State Assessment,	Transportation Tax
Los Angeles, CA	Department of Water & Power**	93.52	145.33	197.15	275.00	345.48	486.43	768.33	10% City Tax plus $0.00029 State Energy Surcharge	
Anchorage, AK	Chugach Electric Association, Inc. ***	96.55	140.83	185.11	229.38	273.66	362.21	539.32	Regulatory Cost Charge: $0.000675/kWh	2% Undergrounding surcharge
Newark, NJ (Other portions of NJ)	Public Service Electric & Gas Co.*	88.17	133.10	179.43	225.76	272.08	364.75	550.04	6.875% Sales & Use Tax	
Madison, WI	Madison Gas & Electric*	97.17	134.99	172.34	209.70	247.05	321.76	471.18	5.5% State and Local Sales Tax, State Low Income Assis. Fee 3%	Pre-tax bill capped @ $3.15
Ft. Meade, FL	City of Ft. Meade**	82.42	116.34	161.51	198.24	234.97	308.43	455.36	10% Utility Tax + 2.5% FL GRT	
Milwaukee, WI	We-Energies*	87.68	122.62	156.84	191.20	225.28	293.73	430.62	5% Sales Tax (Varies by County)	
Sacramento, CA	Sacramento Mun. Util. Dist.**	86.36	119.86	153.34	186.84	220.33	287.31	421.28	$0.00029/kwh State Srchrg & $0.0016/kWh Solar Srchrg	2.5% County or 7.5% City Tax
Phoenix, AZ	Salt River Project**	84.75	116.23	147.99	179.74	211.49	275.00	418.54	State and Local Sales Tax varies by municipality	
Columbia, SC	South Carolina Electric & Gas *	79.13	113.24	147.53	181.87	216.21	284.89	422.24	Incorporated areas subject to FF & Local Option Tax	No State Sales Tax
Northwest Florida	Gulf Power Co.*	82.87	113.78	144.69	175.62	206.53	265.53	383.16	City Tax:0-10%*(Base + $0.0063138/kWh cons.) + 2.5% GRT	
Key West, FL	Keys Energy Services**	79.50	111.54	143.58	175.63	207.67	271.75	399.92	2.5% Florida Gross Receipts Tax	
Albany, GA	Albany Water, Gas & Light Comm.	70.00	103.11	141.71	180.31	218.90	296.10	450.48	4% State Tax + 4% Local Option Tax	
Pascoag, RI	Pascoag Utility District**	73.79	107.69	141.58	175.48	209.37	277.16	412.74	None	
South Carolina (Portions of)****	Santee Cooper	80.30	110.23	140.14	170.06	199.97	259.81	379.48	Varies by Municipality	
Gainesville, FL	Gainesville Regional Util.**	76.33	106.44	140.13	176.16	212.22	284.31	428.49	10% Utility Tax + 10% Outside City Surcharge (not included)	+ 2.5641% FL GRT
St. Louis, MO	AmerenUE*	74.39	107.06	139.72	172.40	205.07	270.40	401.09	Varies by Jurisdiction	
Southeast Nebraska	Omaha Public Power District****	79.66	108.78	137.91	167.04	196.17	254.42	370.94	Sales Tax 7 %	
Chicago & Northern IL	Commonwealth Edison Co.*	69.60	106.46	136.39	166.34	196.29	256.16	373.92	IL Excise Tax Law-10 step kwh method	IL Mun. Code Varied
Alabama (Portions of)	Alabama Power Co.*	75.43	105.70	135.95	166.86	197.77	259.57	383.19	1.8% State Utility Tax - 4% Gross Receipts Tax	
St. Petersburg, FL	Duke Energy Florida*	73.11	104.41	135.69	173.98	212.29	288.85	441.99	2.5641% FL GRT + Franchise Fee + Muni Tax	
Atlanta, GA (Other port. of GA)	Georgia Power Co.*	65.37	96.39	134.86	174.42	213.99	293.12	451.40	4% State Tax + 1% - 4% Local Option Tax	
Las Vegas, NV	Nevada Power Co.*	73.63	103.75	133.87	163.98	194.11	254.34	374.82	5% Franchise Fee	
Bartow, FL	City of Bartow**	70.87	102.21	133.54	164.87	196.21	258.87	384.21	2.5% FL Gross Receipts Tax	
Dover, DE	City of Dover (McKee Run G.S.)**	67.74	97.86	127.98	158.10	188.22	248.46	368.93	None	
Salt Lake City, UT	Rocky Mountain Power*	60.81	94.02	127.26	168.84	210.41	293.57	459.91	6.0% City Franchise Tax and 4.15% Utah Sales Tax	
Ocala, FL	City of Ocala**	68.78	97.91	127.04	156.16	185.29	243.55	360.06	10% Utility Tax (less Fuel Exempt Factor $0.0011)	+ 2.5641% FL GRT
Marietta, GA	Marietta Power & Water	64.47	94.42	126.89	163.07	199.26	271.64	416.40	4% Inside City Franchise Fee - 4% State Sales Tax	2% Local Option Sales Tax
Ft. Pierce, FL	Ft. Pierce Utilities**	65.14	94.33	126.45	158.57	190.68	254.93	383.40	10% Utility Tax + Franchise Fee	+ 2.5% FL GRT
Vero Beach, FL	City of Vero Beach**	67.23	96.15	125.08	161.36	197.67	270.26	415.46	Utility Tax - 10% of Min. Charge ($8.33) plus 0.05335*kWh	2.564% FL GRT
Jacksonville, FL	JEA**	64.88	94.11	123.35	152.60	181.84	240.31	260.15	10% Public Srvc Tax (Elec Chrg + FF + GRT - $.02739/kWh)	3% FF & 2.5641% FL GRT
Kissimmee, FL	Kissimmee Utilities**	66.95	94.81	122.64	168.01	199.35	262.04	387.43	8% Utility Tax - 2.564% FL GRT	Govt. Transfer $0.01106 per kWh
Tallahassee, FL	City of Tallahassee**	64.34	92.34	120.32	148.31	176.30	232.27	344.24	10% Public Srvc Tax (NA to Fuel Costs excess of $.0077/kWh)	2.56406% FL GRT
Jacksonville Beach, FL	Beaches Energy Services	62.22	91.03	119.83	148.64	177.44	235.05	350.27	2.5% Florida Gross Receipts Tax	
Seattle, WA	Seattle City Light**	52.00	84.68	117.36	150.05	182.73	248.09	378.83	Taxes are included in base rates	Includes 1.5% Surcharge
Homestead, FL	Homestead Energy **	61.46	89.30	117.16	145.02	172.87	228.57	339.99	2.5% Florida Gross Receipts Tax	10% Utility Tax
Roanoke, VA	Appalachian Power Co.*	61.96	88.74	115.51	142.32	169.12	222.67	329.56	Consumption Tax	
San Antonio, TX	City Public Service**	58.08	85.71	115.31	144.92	174.54	233.75	352.19	None	
Miami, FL (& other portions of FL)	Florida Power & Light Co.*	61.78	88.09	114.39	146.26	178.13	241.85	369.30	10% Municipal Tax + 2.5% FL GRT + Franchise Fees	
Northern West Virginia	Monongahela Power Company*	58.74	85.61	112.48	139.35	166.22	219.96	327.44	None	
Tennessee (& portions of North GA)	Elec. Power Board of Chatt.**	60.85	86.59	112.33	138.07	163.82	215.30	318.27	None in Tenn., 7% State Tax in GA.	
Colorado Springs, Co	Colorado Springs Utilities	63.63	87.94	112.23	136.54	160.83	209.43	306.63	None	
Lakeland, FL	City of Lakeland**	60.91	86.00	111.11	137.81	164.47	221.01	334.06	Utility Tax 10% + Reg Tax	2.5% FL GRT
Portland, Oregon	Pacific Power*	60.65	85.59	110.51	143.40	176.29	242.07	373.62	1.5% Portland City Tax and 0.031% Multnomah County Tax	
Raleigh, NC	Duke Energy Progress*	60.49	85.16	109.84	134.52	159.20	208.55	307.26	3% North Carolina Sales Tax	
Reno, NV	Sierra Pacific Power Co.*	62.23	85.34	108.46	131.57	154.67	200.90	293.34	5% Franchise Fee	
Memphis, TN	Memphis Light Gas & Water Div.**	57.83	80.72	103.60	126.49	149.37	195.14	286.68	None	
Baton Rouge, LA (& other parts of LA)	Entergy Gulf States,Inc.LLC*	53.16	76.54	99.96	123.35	146.76	193.56	287.16	None	
Dalton, GA	Dalton Utilities**	46.73	72.93	99.11	125.30	151.48	203.86	296.40	6% State and Local Sales Tax	Transfer Payment included in Base Rates
Clewiston, FL	City of Clewiston**	51.75	72.15	96.17	115.49	140.58	180.48	273.84	10% (base - $0.01/kWh) Utility Tax	2.5% FL GRT
Clark County WA	Clark PUD**	52.80	73.20	93.60	114.00	134.40	175.20	256.80	None. Taxes are included in rates: State Utility Tax = 3.8734%	
Florida Keys (Dade Co. to 7 Mile Br)	FL Keys Electric Co-Op***	64.99	82.10	92.04	124.78	150.36	201.51	303.81	2.563% Florida Gross Receipts Tax	
Tacoma, WA	Tacoma Power**	51.94	66.11	84.65	103.18	121.72	158.79	232.94	Tacoma Gross Earning 6% WA State B&O 3.873%	Franchise Fees 6-8% By Area

EXHIBIT
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2016

FLORIDA WATER & WASTEWATER RATE SURVEY



RAFTELIS
FINANCIAL CONSULTANTS, INC.


FOREWARD

The 2016 *Florida Water and Wastewater Rate Survey* (2016 Survey) is developed to provide insight into water and wastewater pricing practices currently utilized by publicly owned utilities in the State of Florida. This is the third edition of the survey, which was first published in 2012.

The goal of this survey is focused on typical residential potable water/ wastewater bills and rate structures for over 180 Florida public utilities. The respondents include small utilities serving a population less than 10,000 to the largest utilities in Florida with service populations of more than 1 million. The 2016 Survey includes utilities with a cumulative service population of more than 14.3 million people throughout Florida.

The rates shown are exclusive of utility taxes or outside-city rates for those jurisdictions that have such charges. Following this introduction is a discussion on why water rates differ, together with a narrative summarizing the survey results. Also included are statistics such as the gallons included in the first usage block, revenue recovery from fixed charges, minimum water bill levels, and other information. The survey table includes information related to population, water management district, residential monthly minimum water bill amounts, and bill amounts for usage at 4,000 and 8,000 gallons.

We would like to thank all of the participants in the 2016 Survey and extend a special thanks to Ken Small at the Florida League of Cities for his support on distributing the survey questionnaire. This survey was completed with the valuable assistance of Robin Chacko, Joe Williams, Kevin Dunham, Malinna San, David George,and Mike Rocca of Raftelis Financial Consultants, Inc.

We hope that you will find these results informative and look forward to continuing this biennial survey in the future.

Sincerely,
RAFTELIS FINANCIAL CONSULTANTS, INC.

Tony Hairston

Tony Hairston
Senior Manager

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08 FIGURE I: Surveyed Water Utilities by Water Management District

11 FIGURE J: Monthly Minimum Combined Bill

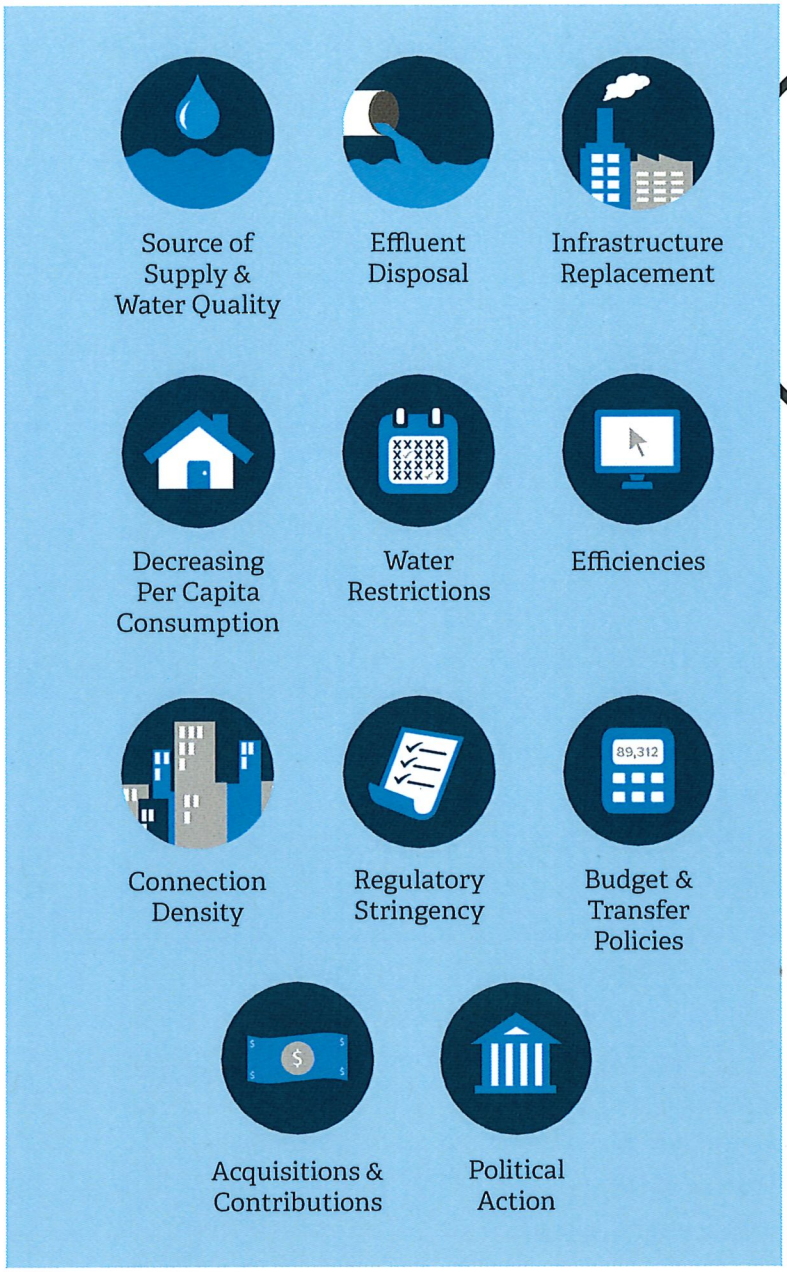
11 FIGURE K: Monthly Minimum Water Bill

11 FIGURE L: Monthly Minimum Wastewater Bill

12 FIGURE M: Water First Block Threshold

13 FIGURE N: Fixed Portion of Bills

13 FIGURE O: Distribution of Wastewater Billing Cap



FACTORS AFFECTING RATES

The 2016 Survey is focused on publicly owned utilities. Often utility infrastructure is the most valuable asset in a community. The rates established by each community for utility service are essential for operations, maintenance, and renewal of the utility infrastructure investment. There are many factors that have an effect on the level of utility rates; however, based on our experience, the items described in this section summarize the more salient factors affecting potable water rates.

SOURCE OF SUPPLY & WATER QUALITY

The source of a large portion of potable water supply in Florida is from underground aquifer systems. Surface water and brackish groundwater are becoming more common sources as populations have increased and groundwater sources are not as plentiful. The quality of water and level of treatment necessary to meet regulatory requirements and maintain public acceptance varies greatly throughout the state due to the various sources. For example, communities located inland often require lower levels of treatment compared to those along the coast with more brackish water. Other communities may have regulatory limits on the amount of high quality water available through their consumption use permits. Many communities are required to identify and plan for alternative water supplies, with these alternatives being much more expensive to treat than existing sources of supply. Finally, depending on the location of the source of supply, an expensive transmission system may be required to deliver potable water to the customer service area.



EFFLUENT DISPOSAL

While the source of water is a potentially large differentiator in potable water costs, the disposal of treated effluent is one of the most significant drivers of wastewater costs. Some of the least expensive effluent disposal methods include land applications with minimal pollutant removal. Many communities have limited land available for effluent disposal and rely on nearby surface waters to discharge treated wastewater. Enforcement of regulations and recent legislation is either restricting these discharge points or even eliminating surface water discharging in many communities. Alternatives include capital-intensive discharge solutions such as deep injection wells.



INFRASTRUCTURE REPLACEMENT

In prior decades throughout Florida, utility capital funding was primarily focused on meeting the demands of growth. Much of the cost of providing infrastructure for growth could be mitigated by a combination of impact fees, developer contributions, and careful expansion planning. With the aging of infrastructure, increases in regulatory requirements, and the slowing of growth, communities are increasingly concerned with both upgrading and replacement of infrastructure. The burden of upgrading and replacing infrastructure is typically borne by existing customers through utility rate revenues. Moreover, these capital costs are higher than the original cost due to inflation and the difficulty of replacing underground piping compared to the original installation cost on undeveloped land. While these challenges are growing, there is increasing pressure to maintain rates and avoid rate adjustments. Infrastructure replacement can often be delayed from one year to the next as budget pressures grow; however, such postponements generally create the need for larger rate increases in the future.



CONNECTION DENSITY

A common factor affecting both the capital and operating costs of utilities is the number of connections within their service area. Utilities such as compact cities with high densities enjoy certain economies due to factors such as shorter piping systems and less travel time for servicing the system and customers. This connection density factor should be considered when comparing rates, especially involving a combination of county and city systems.



REGULATORY STRINGENCY

Water utilities must provide drinking water that is safe for its customers and meet reporting and testing requirements. Regulatory requirements such as the EPA Disinfection By-Products Rule (DBPR) affect various communities differently based on the source of its water supply, age of the distribution system, and other factors. Meeting DBPR and other regulatory requirements can require both capital and operating investments that lead to higher user rates.



DECREASING PER CAPITA CONSUMPTION

Many utilities are facing declining per capita potable water consumption due to multiple factors. Because most utility costs are fixed, communities must increase rates to compensate for the loss in revenue from reduced usage. This is especially valid for those utilities that have been heavily reliant on inverted (conservation) rates as a cost recovery source. There are several reasons for decreasing per capita consumption including more water efficient appliances and irrigation systems installed during renovations or through utility incentive programs. Further contributing to declining consumption is increased awareness due to conservation outreach efforts. Utility customers are responding to ongoing conservation messages.



WATER RESTRICTIONS

Over the past several years, water shortages and watering restrictions throughout Florida have been declared at various levels by the water management districts. Water restrictions include limitations on days and hours of irrigation use, and announced water shortages are accompanied by pleas to reduce consumption by set percentage amounts. Since most utility costs are fixed and, by definition, remain constant regardless of certain deviations in demand, the effect of lower water sales due to water shortages tend to require higher rates to support those fixed costs.



EFFICIENCIES

Potable water rates are also dependent on the extent a community has been able to use technology and effective management to achieve a high level of service at the lowest possible cost. Most communities are reporting the ability to accomplish more while relying on fewer resources. For example, many utilities have implemented automated meter reading (AMR) systems to reduce operating costs and increase meter reading accuracy. Implementation of supervisory control and data acquisition (SCADA) technology can increase system monitoring capabilities while lowering operating costs. Other efficiencies that can affect rates include minimizing unbilled water and exploring wholesale arrangements to sell excess capacity.



BUDGET & TRANSFER POLICIES

The full accounting of indirect costs within a potable water utility can vary tremendously among various communities. For city and county utilities there are many supporting departments that may or may not be recognized in the budget process. Even when recognized, the cost of such support services may not be accurate. In one community such costs may be understated, while in others they may be overstated due to budget pressures. In addition, many communities include a payment in lieu of taxes (PILOT), payment in lieu of franchise fees (PILOFF), or simply a transfer to the general fund. The amounts and methodology of such transfers vary considerably, and have a direct effect on utility rates.



ACQUISITIONS AND CONTRIBUTIONS

A significant number of Florida utilities were initially constructed to minimum standards by the primary land developer. Many of these privately developed utilities were subsequently acquired by local governments at prices that included the value of contributions made by existing customers. The inclusion of these customer contributions in the acquisition price was determined to be appropriate by the Florida Supreme Court. The acquisition cost together with other costs incurred for upgrading the utility to municipal standards is another factor that affect rate levels for certain utilities.



POLITICAL ACTION

The local political climate will have an effect on utility rates. Policymakers generally desire to have rates at a minimum level, or at least avoid rate increases, while still maintaining quality service. However, if a community values redundancy in its service or extra protection for its water supply, then it may be willing to have slightly higher rates, if necessary. Often this must be accomplished by careful planning and occasional modest rate adjustments. Many communities in the survey indicate that rates are indexed annually to an inflation index or by an established inflation percentage. However, there is often very strong resistance to rate increases until utility assets begin failing, or regulatory mandates dictate the implementation of costly upgrades. Localized political pressures will affect rates either directly or indirectly.



OVERVIEW OF THE SURVEY

The 2016 Survey provides data on more than 180 public water and/or wastewater service providers throughout Florida.

A benchmark of 4,000 gallons per month is used as a representation of indoor usage levels. This amount equates to an average demand of 131 gallons per day. A secondary benchmark of 8,000 gallons, or 263 gallons per day, has also been used in order to provide additional information for higher levels of service. Most utilities measure metered water use in terms of gallon increments. Approximately 3% of surveyed utilities report metered water use in terms of hundreds of cubic feet (ccf) rather than thousands of gallons. For these utilities, the usage rate data was calculated based on 5.35 ccf and 10.70 ccf of monthly usage which corresponds to 4,000 gallons and 8,000 gallons per month based on 748 gallons per ccf. Keeping in mind the narrative included earlier in this survey regarding the various reasons why water and wastewater rates vary among communities, the distribution of monthly bills at 4,000 gallons from lowest to highest is shown in Figure A.

As shown in Figure A, the average combined monthly water and wastewater bill for 4,000 gallons is $58.30 excluding utility taxes. There is a wide distribution of residential water and wastewater bills at the 4,000-gallon usage level. As noted earlier, there are numerous reasons why utility rates are different among service providers. The average combined bill for these same utilities is $90.37 for 8,000 gallons, as illustrated in Figure B.

FIGURE A:

COMBINED MONTHLY WATER & WASTEWATER BILL AT 4,000 GALLONS

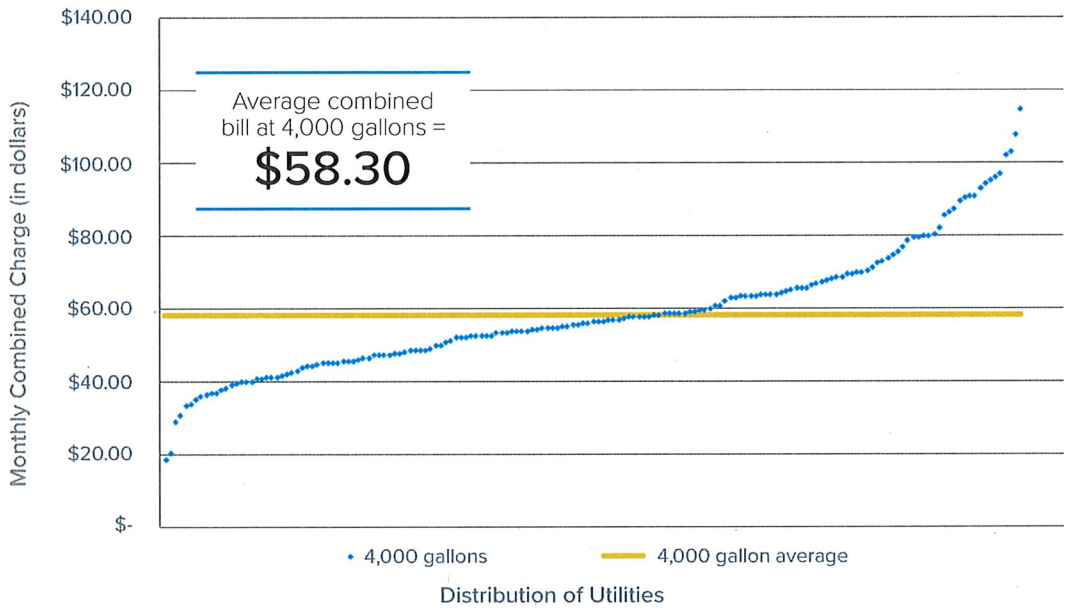
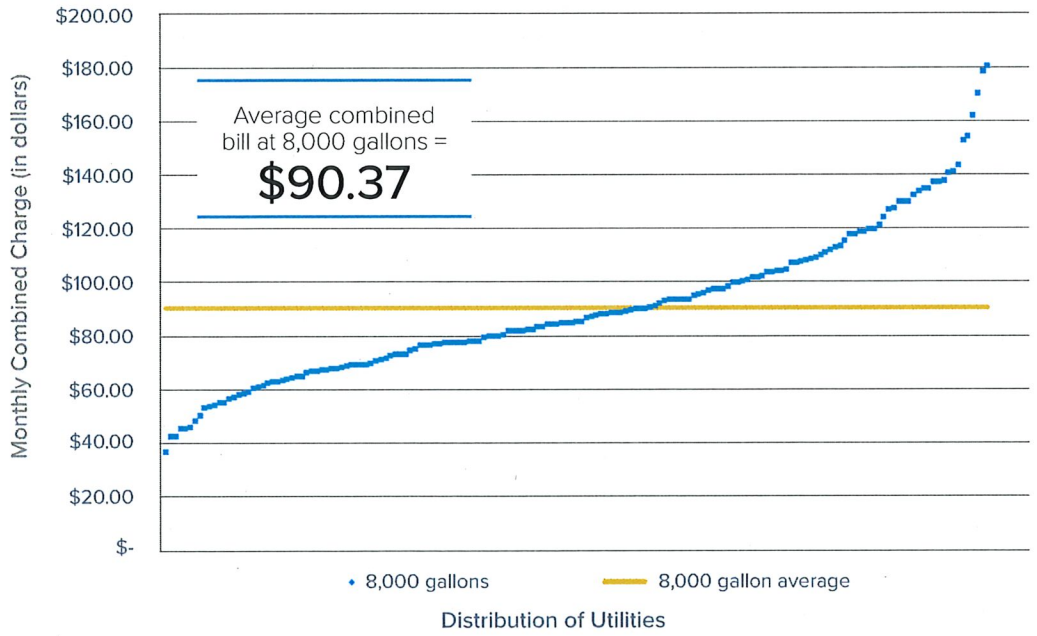


FIGURE B:

COMBINED MONTHLY WATER & WASTEWATER BILL AT 8,000 GALLONS



In the survey, we compare the average monthly water and wastewater bill for 4,000 gallons and 8,000 gallons between 2014 and 2016. The comparisons include only the 147 utilities that participated in both the 2014 and 2016 surveys. As shown in Figure C, the average monthly water bill for 4,000 and 8,000 gallons increased annually by **2.5%** and **2.6%**, respectively. The average monthly wastewater bill for 4,000 gallons increased by **2.5%** annually, and the 8,000 gallon bill increased by **2.4%**.

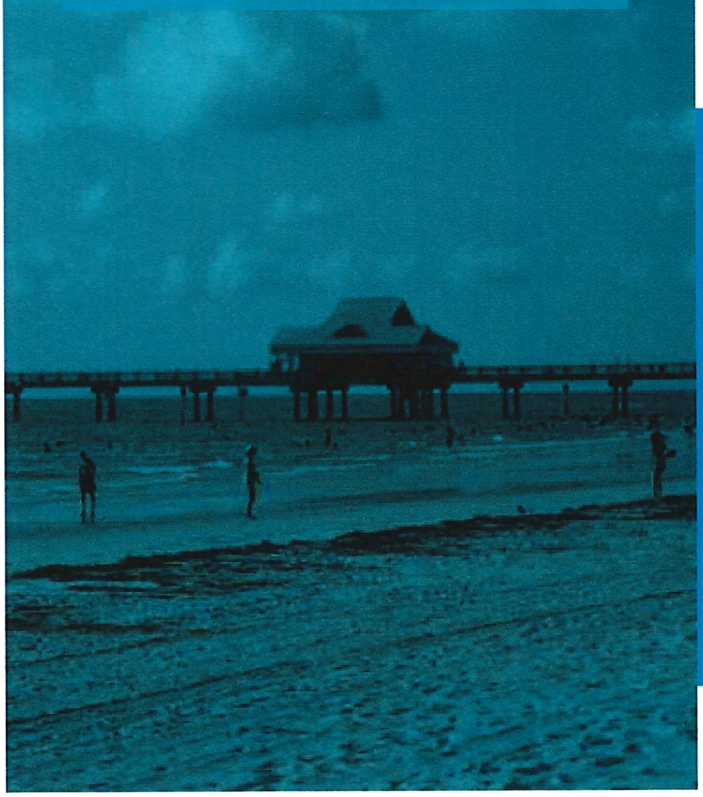
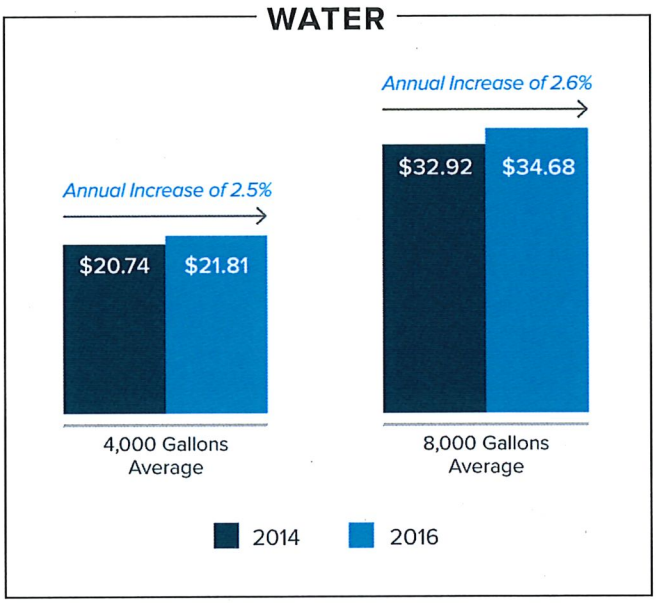
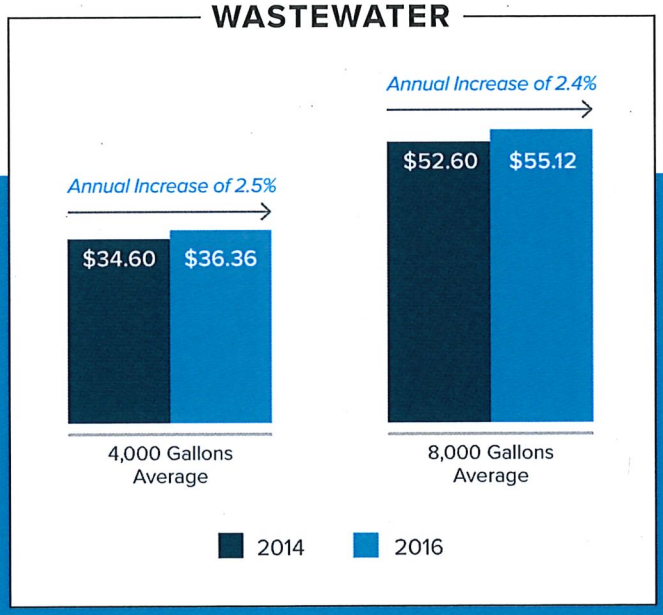


FIGURE C:
COMPARISON OF AVERAGE MONTHLY WATER & WASTEWATER BILLS AT 4,000 AND 8,000 GALLONS FOR UTILITIES REPORTED IN BOTH 2014 AND 2016 SURVEYS





Additional graphs and data for the water and wastewater portions of the surveyed utilities are shown below.

FIGURE D:
MONTHLY WATER CHARGES AT 4,000 GALLONS

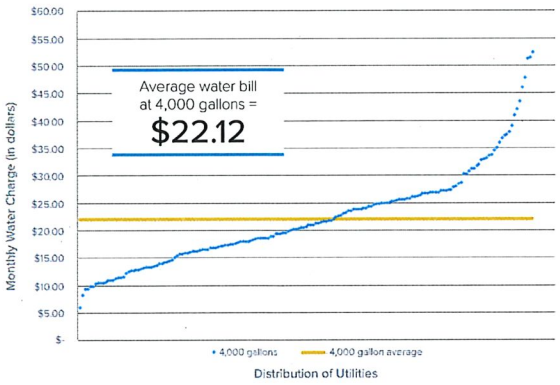


FIGURE E:
MONTHLY WASTEWATER CHARGES AT 4,000 GALLONS

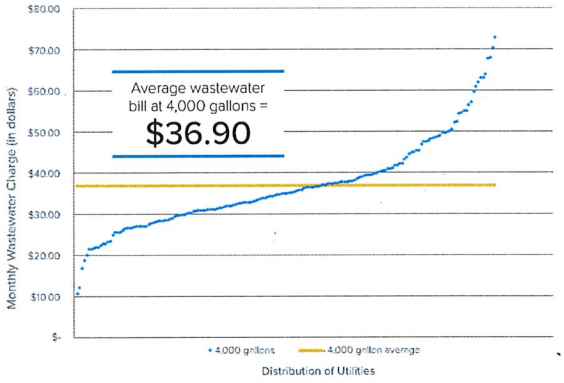


FIGURE F:
MONTHLY WATER CHARGES AT 8,000 GALLONS

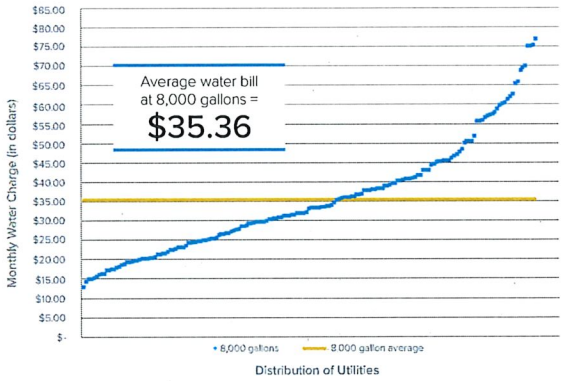
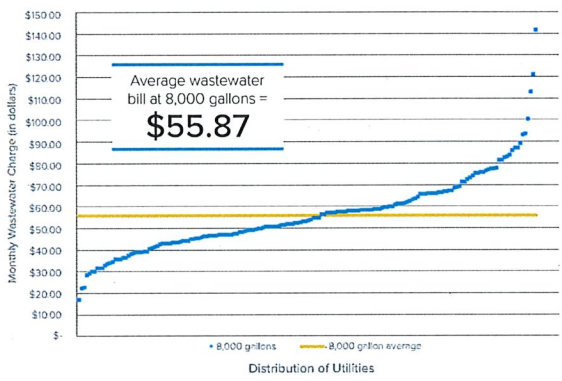


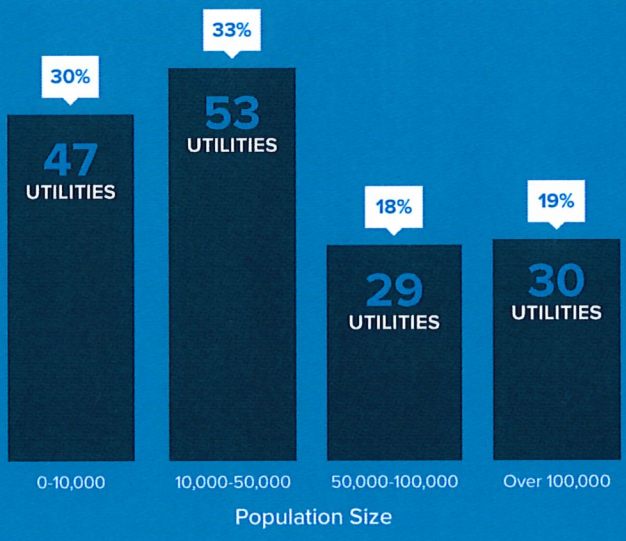
FIGURE G:
MONTHLY WASTEWATER CHARGES AT 8,000 GALLONS



SURVEYED UTILITIES BY POPULATION SIZE

The survey includes a distribution of utilities of various size and location. The distribution of surveyed utilities by population size is shown in Figure H.

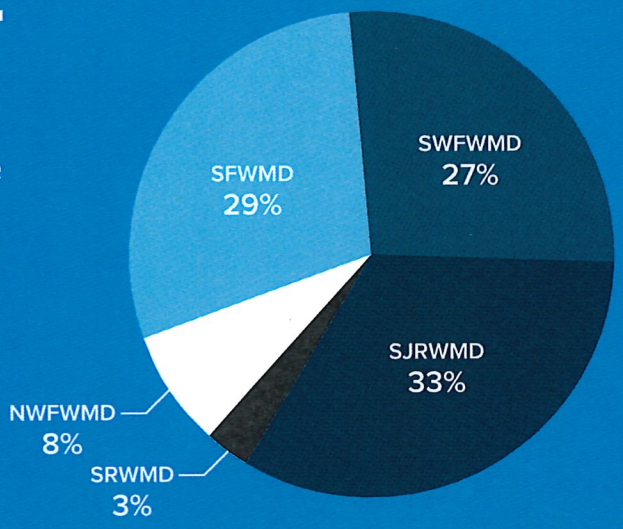
FIGURE H:
SURVEYED UTILITIES BY POPULATION SIZE (WATER)



SURVEYED UTILITIES BY WATER MANAGEMENT DISTRICT

Consumption use permits for potable water use are governed by the five water management districts throughout Florida. The survey respondents by water management district are shown in the following tables.

FIGURE I:
SURVEYED WATER UTILITIES BY WATER MANAGEMENT DISTRICT



NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT		
City of Chattahoochee	City of Mary Esther	Emerald Coast Utilities Authority
City of Crestview	City of Monticello	Liberty County
City of DeFuniak Springs	City of St. Marks	Okaloosa County
City of Fort Walton Beach	City of Tallahassee	South Walton Utility Company
City of Gulf Breeze	Destin Water Users	

SOUTH FLORIDA WATER MANAGEMENT DISTRICT		
Bonita Springs Utilities, Inc.	City of Marco Island	Fort Pierce Utilities Authority
Broward County	City of Margate	Immokalee Water & Sewer District
City of Boca Raton	City of Miami Beach	Key Largo Wastewater Treatment District
City of Boynton Beach	City of Miramar	Key West Resort Utilities Corp.
City of Cape Coral	City of Naples	Martin County Utilities
City of Coconut Creek	City of North Lauderdale	Miami Dade County
City of Cooper City	City of North Miami	Okeechobee Utility Authority
City of Coral Springs	City of North Miami Beach	Palm Beach County
City of Dade City	City of Pembroke Pines	Reedy Creek Improvement District
City of Deerfield Beach	City of Plantation	St. Lucie County Utilities
City of Delray Beach	City of Pompano Beach	Toho Water Authority
City of Fort Lauderdale	City of Port St. Lucie	Town of Fort Myers Beach
City of Fort Myers	City of Sunrise	Town of Hillsboro Beach
City of Hallandale Beach	City of Tamarac	Town of Jupiter
City of Hialeah	City of West Palm Beach	Town of Lantana
City of Hollywood	City of Wilton Manors	Village of Islamorada
City of Homestead	Collier County	Village of Tequesta
City of Marathon	Florida Keys Aqueduct Authority	

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

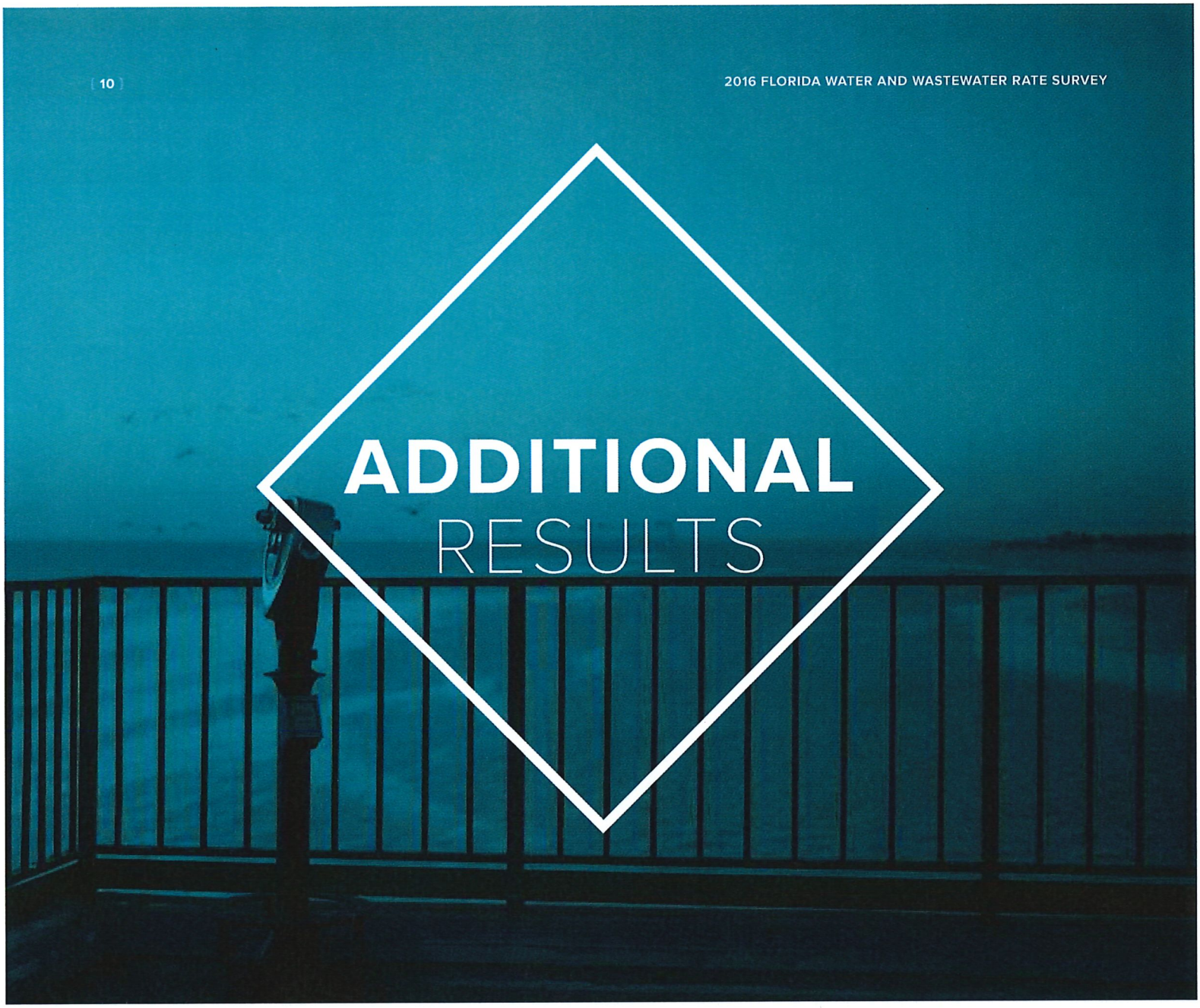
Charlotte County	City of New Port Richey	City of Zephyrhills
Citrus County Utilities	City of North Port	Hernando County
City of Auburndale	City of Oldsmar	Hillsborough County
City of Bartow	City of Palmetto	Lakeland Water Utilities
City of Bowling Green	City of Plant City	Lee County
City of Bradenton	City of Punta Gorda	Little Sumter Service Area
City of Brooksville	City of Safety Harbor	Manatee County
City of Clearwater	City of San Antonio	Pasco County
City of Crystal River	City of Sarasota	Pinellas County
City of Dunedin	City of Sebring	Polk County
City of Eagle Lake	City of St. Petersburg	Sarasota County
City of Fort Meade	City of Tampa	Town of Dundee
City of Frostproof	City of Tarpon Springs	Town of Lake Placid
City of Gulfport	City of Treasure Island	Town of Longboat Key
City of Lake Alfred	City of Venice	Town of Zolfo Springs
City of Lake Wales	City of Williston	
City of Largo	City of Winter Haven	

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

Brevard County	City of Mascotte	City of Winter Springs
City of Altamonte Springs	City of Melbourne	Gainesville Regional Utilities
City of Belleview	City of Minneola	Indian River County
City of Bunnell	City of Mount Dora	JEA
City of Cape Canaveral	City of Neptune Beach	Marion County
City of Casselberry	City of Ocala	Oakland Water System
City of Clermont	City of Ocoee	Orange County Utilities
City of Cocoa	City of Orange City	Orlando Utilities Commission
City of Crescent City	City of Ormond Beach	Sanlando Utilities Corporation
City of Daytona Beach	City of Oviedo	Seminole County
City of DeLand	City of Palm Bay	St. Johns County
City of Deltona	City of Port Orange	Town of Lady Lake
City of Edgewater	City of Sanford	Town of Montverde
City of Eustis	City of St. Augustine	Town of Orange Park
City of Green Cove Springs	City of Tavares	Town of Penney Farms
City of Groveland	City of Titusville	Town of Ponce Inlet
City of Jacksonville Beach	City of Umatilla	Village Center Service Area
City of Leesburg	City of Vero Beach (Indian River Shores)	Volusia County
City of Macclenny	City of West Melbourne	
City of Maitland	City of Winter Park	

SUWANEE RIVER WATER MANAGEMENT DISTRICT

City of Alachua	City of Jasper	City of Newberry
City of High Springs	City of Lake City	



ADDITIONAL RESULTS

A table of the detailed survey results is provided at the end of this narrative. All utilities surveyed have a combination of a fixed monthly charge and a separate variable charge based on the amount of metered water use as their primary revenue generation mechanism. Most water management district consumption use permits require utilities to have a conservation rate structure (multiple variable rate blocks that are "inverted" or increase at higher usage amounts) to reduce water consumption. The survey identified that approximately 6% of utilities surveyed do not have an inverted conservation rate structure. Certain other characteristics of surveyed utilities include the following:

- Monthly minimum water bill
- Monthly minimum wastewater bill
- Monthly minimum combined bill
- First water usage rate block
- Fixed portion of bills
- Wastewater residential billing cap

MONTHLY MINIMUM BILLS

The average combined monthly minimum water and wastewater bill (i.e., the lowest possible residential bill) for all surveyed utilities is $31.69. The distribution of the minimum water bills is shown in Figures J, K, and L.

FIGURE J:
MONTHLY MINIMUM COMBINED BILL

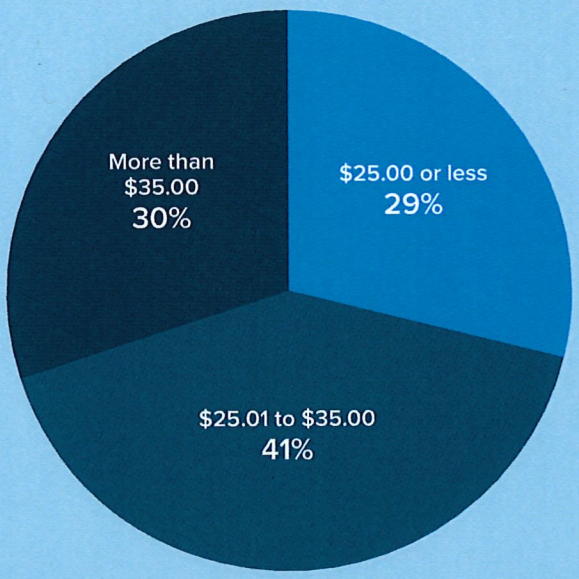


FIGURE K:
MONTHLY MINIMUM WATER BILL

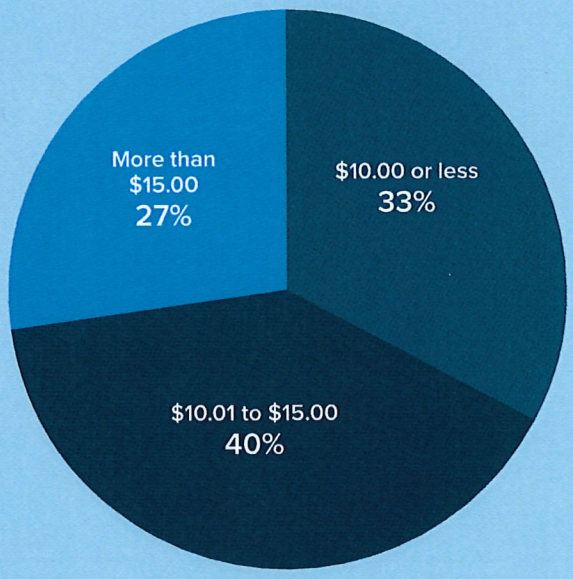
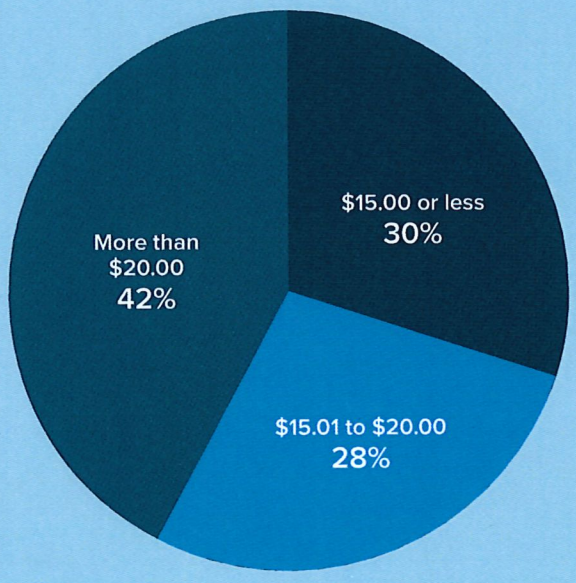
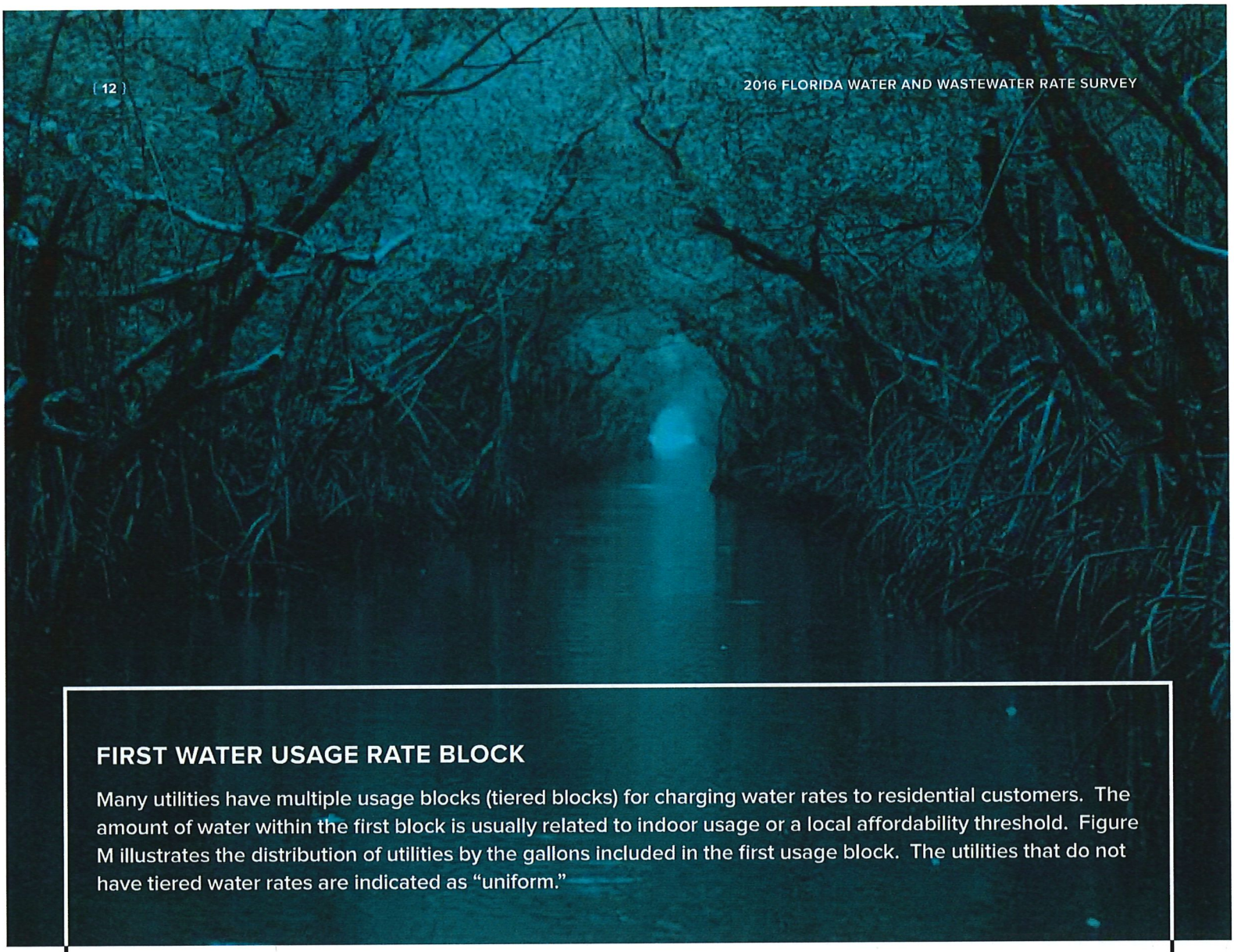


FIGURE L:
MONTHLY MINIMUM WASTEWATER BILL

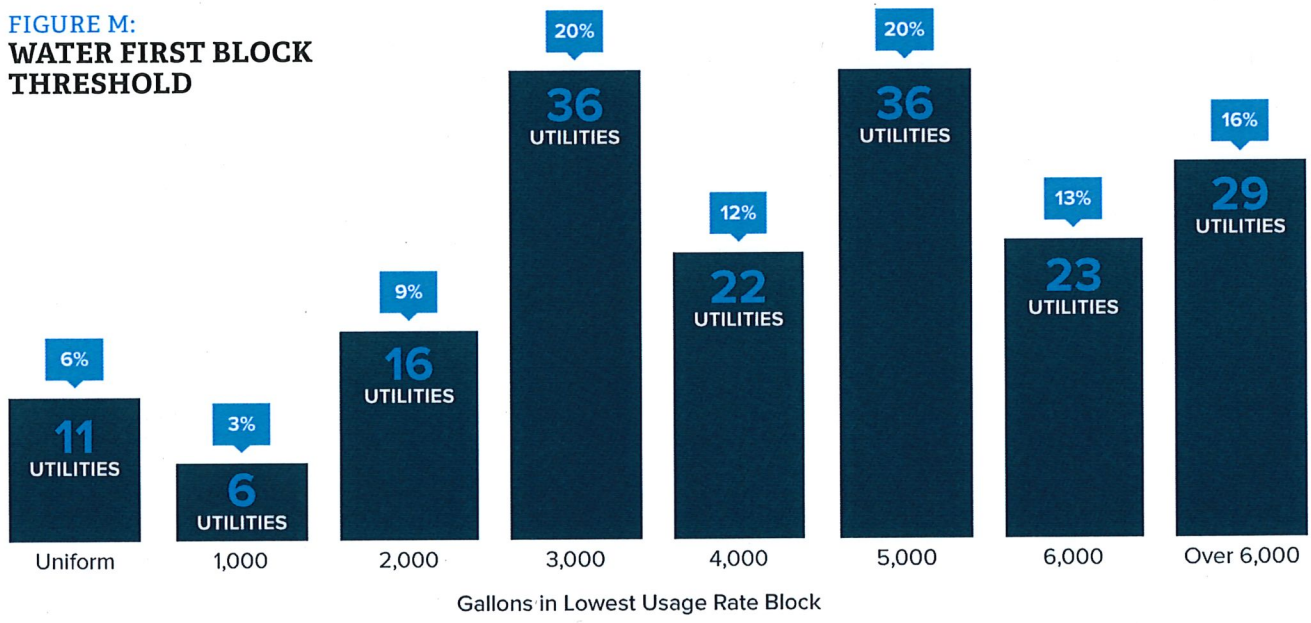




FIRST WATER USAGE RATE BLOCK

Many utilities have multiple usage blocks (tiered blocks) for charging water rates to residential customers. The amount of water within the first block is usually related to indoor usage or a local affordability threshold. Figure M illustrates the distribution of utilities by the gallons included in the first usage block. The utilities that do not have tiered water rates are indicated as "uniform."

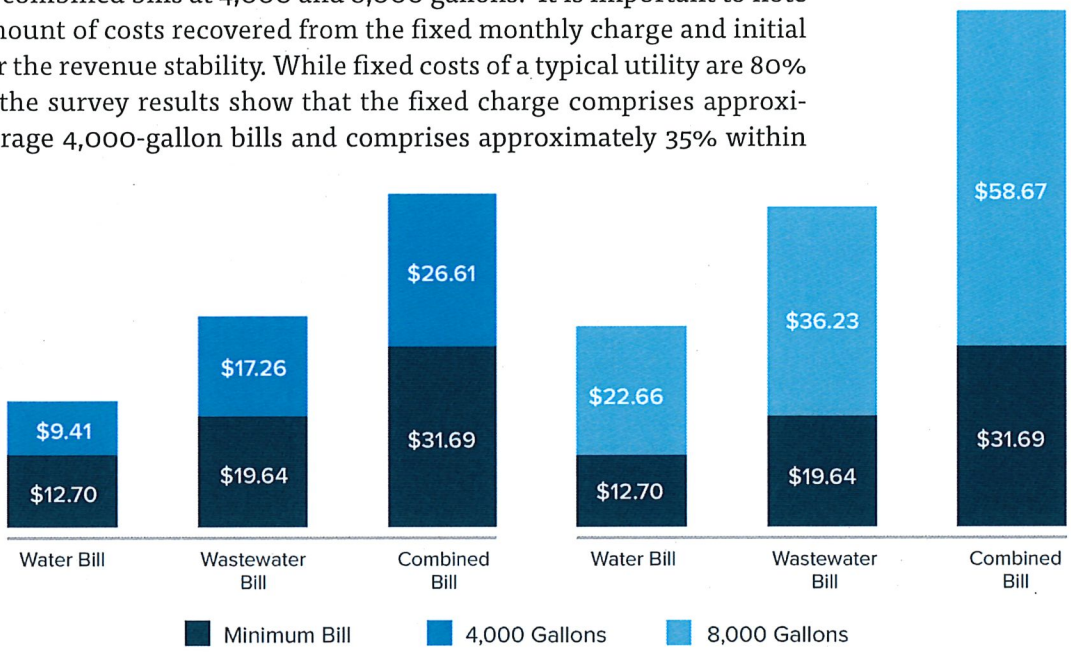
FIGURE M:
WATER FIRST BLOCK THRESHOLD



FIXED PORTION OF WATER, WASTEWATER & COMBINED BILLS

Fixed cost recovery is an important indicator of financial stability, especially considering recent trends in declining water use. Figure N provides the amount of cost recovery for water, wastewater and combined bills at 4,000 and 8,000 gallons. It is important to note that the greater the amount of costs recovered from the fixed monthly charge and initial usage block the greater the revenue stability. While fixed costs of a typical utility are 80% to 90% of total costs, the survey results show that the fixed charge comprises approximately 54% of the average 4,000-gallon bills and comprises approximately 35% within the 8,000-gallon bills.

FIGURE N:
FIXED PORTION OF BILLS

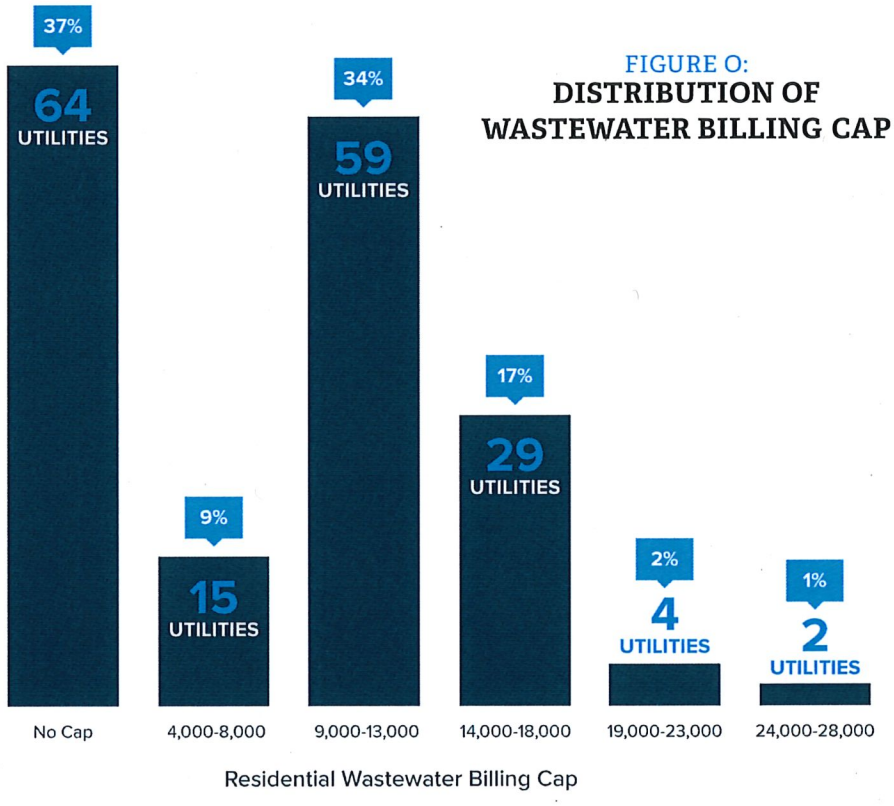


The water and wastewater bill does not equal the combined bill since some surveyed utilities that provide only one service are not included in the combined bill average. The water, wastewater, and combined bill includes data from 179 utilities, 176 utilities, and 169 utilities, respectively.

WASTEWATER RESIDENTIAL BILLING CAP

Since volumetric wastewater usage is billed based on the customer's water metering readings, many wastewater utilities recognize that there is a practical limit of how much water is returned through the wastewater system. Based on the theory that metered water used for irrigation and other outdoor uses does not enter the wastewater system, utilities often provide a billing threshold or billing cap for residential wastewater usage charges. Figure O provides the distribution of various billing caps among the surveyed wastewater utilities.

FIGURE O:
DISTRIBUTION OF WASTEWATER BILLING CAP



SURVEY RESULTS

The survey results are sorted alphabetically by county and thereafter listed by the city or utility name.

						COMBINED CHARGE		
COUNTY	UTILITY NAME	APPROX. SERVICE POP.	WMD	RATES EFFECTIVE DATE	UNITS	MINIMUM CHARGE	4,000 GAL (5.35 CCF)	8,000 GAL (10.70 CCF)
ALACHUA	City of Alachua	9,900	SRWMD	10/19/2015	KGAL	$18.70	$47.02	$77.54
	City of High Springs	2,150	SRWMD	10/1/2015	KGAL	$46.49	$57.60	$91.18
	City of Newberry	4,000	SRWMD	10/1/2015	KGAL	$16.00	$45.60	$78.00
	Gainesville Regional Utilities	187,100	SJRWMD	10/1/2015	KGAL	$18.20	$52.40	$92.20
BAKER	City of Macclenny	6,800	SJRWMD	10/1/2014	KGAL	$26.14	$40.46	$58.32
BREVARD	Brevard County	-	SJRWMD	-	KGAL	$34.20	$55.16	$90.16
	City of Cape Canaveral	10,049	SJRWMD	10/1/2015	KGAL	N/A	N/A	N/A
	City of Cocoa	274,127	SJRWMD	10/1/2015	KGAL	$26.86	$63.26	$104.86
	City of Melbourne	58,000	SJRWMD	10/1/2015	KGAL	$19.83	$65.51	$111.19
	City of Palm Bay	96,895	SJRWMD	10/1/2015	KGAL	$32.30	$68.26	$107.46
	City of Titusville	21,238	SJRWMD	10/1/2015	KGAL	$22.88	$63.72	$109.09
	City of West Melbourne	20,000	SJRWMD	11/1/2015	KGAL	$27.75	$72.72	$118.74
BROWARD	Broward County	293,000	SFWMD	10/1/2015	KGAL	$33.66	$55.59	$87.79
	City of Coconut Creek	58,536	SFWMD	4/1/2016	KGAL	$28.60	$59.22	$100.04
	City of Cooper City	32,500	SFWMD	10/1/2014	KGAL	$37.38	$60.78	$85.53
	City of Coral Springs	12,000	SFWMD	10/1/2015	KGAL	$32.24	$53.60	$78.24
	City of Deerfield Beach	-	SFWMD	3/1/2008	KGAL	$25.98	$47.42	$70.90
	City of Fort Lauderdale	220,716	SFWMD	10/1/2015	KGAL	$16.11	$44.96	$95.10
	City of Hallandale Beach	6,600	SFWMD	10/1/2013	KGAL	$36.00	$54.42	$74.66
	City of Hollywood	140,000	SFWMD	11/1/2013	CCF	$13.24	$65.23	$130.12
	City of Margate	58,312	SFWMD	10/1/2015	KGAL	$40.34	$53.98	$69.32
	City of Miramar	-	SFWMD	10/1/2015	KGAL	$31.65	$59.17	$88.64
	City of North Lauderdale	42,000	SFWMD	1/1/2016	KGAL	$39.09	$68.41	$97.73
	City of Pembroke Pines	150,000	SFWMD	10/1/2015	KGAL	$29.58	$39.68	$80.08
	City of Plantation	87,496	SFWMD	10/1/2015	KGAL	$27.84	$52.16	$83.56
	City of Pompano Beach	100,000	SFWMD	1/1/2011	KGAL	$24.79	$44.83	$64.87
	City of Sunrise	213,000	SFWMD	10/31/2015	KGAL	$45.10	$74.54	$103.98
	City of Tamarac	-	SFWMD	10/1/2014	KGAL	$30.52	$57.39	$88.43
	City of Wilton Manors	12,160	SFWMD	10/1/2015	KGAL	$50.87	$92.87	$134.87
	Town of Hillsboro Beach	3,000	SFWMD	1/1/2011	KGAL	N/A	N/A	N/A
CHARLOTTE	Charlotte County	146,459	SWFWMD	10/1/2015	KGAL	$53.17	$89.49	$127.23
	City of Punta Gorda	30,000	SWFWMD	10/22/2015	KGAL	$45.47	$63.79	$83.52
CITRUS	Citrus County Utilities	53,210	SWFWMD	12/1/2015	KGAL	$21.72	$43.68	$57.28
	City of Crystal River	2,485	SWFWMD	10/1/2015	KGAL	$24.81	$57.73	$93.59
CLAY	City of Green Cove Springs	7,000	SJRWMD	11/1/2014	KGAL	$28.07	$35.65	$55.53
	Town of Orange Park	2,955	SJRWMD	10/1/2014	KGAL	$40.29	$66.73	$95.41
	Town of Penney Farms	180	SJRWMD	10/1/2015	KGAL	$47.18	$69.14	$119.88
COLLIER	City of Marco Island	-	SFWMD	11/1/2015	KGAL	$62.43	$101.79	$130.07
	City of Naples	17,132	SFWMD	12/1/2014	KGAL	$27.71	$48.55	$69.91
	Collier County	200,000	SFWMD	10/1/2015	KGAL	$51.01	$79.45	$112.09
	Golden Gate	8,750	-	10/1/2015	KGAL	$62.09	$114.53	$154.13
	Immokalee Water & Sewer District	30,294	SFWMD	10/1/2014	KGAL	$46.08	$75.28	$104.48
COLUMBIA	City of Lake City	67,857	SRWMD	10/1/2015	KGAL	$54.46	$79.30	$107.23
DUVAL	City of Jacksonville Beach	10,205	SJRWMD	10/1/2015	KGAL	$23.62	$58.78	$104.22
	City of Neptune Beach	7,250	SJRWMD	10/1/2015	KGAL	$32.38	$78.22	$121.34
	JEA	916,507	SJRWMD	10/1/2012	KGAL	$26.70	$53.14	$85.08

	WATER CHARGE				WASTEWATER CHARGE				
UTILITY NAME	MINIMUM CHARGE	MINIMUM GALLONS INCLUDED	4,000 GAL (5.35 CCF)	8,000 GAL (10.70 CCF)	MINIMUM CHARGE	MINIMUM GALLONS INCLUDED	4,000 GAL (5.35 CCF)	8,000 GAL (10.70 CCF)	RES. CAP (GAL)
City of Alachua	$8.66	-	$15.90	$25.34	$10.04	-	$31.12	$52.20	-
City of High Springs	$9.08	-	$20.19	$33.16	$37.41	5,000	$37.41	$58.02	-
City of Newberry	$8.00	-	$16.00	$26.80	$8.00	-	$29.60	$51.20	15,000
Gainesville Regional Utilities	$9.20	-	$18.60	$33.60	$9.00	-	$33.80	$58.60	-
City of Macclenny	$10.78	-	$14.66	$19.47	$15.36	-	$25.80	$38.85	-
Brevard County	$14.95	3,000	$19.63	$38.35	$19.25	-	$35.53	$51.81	12,000
City of Cape Canaveral	N/A	N/A	N/A	N/A	$19.36	-	$41.92	$58.84	7,000
City of Cocoa	$13.66	-	$25.02	$41.58	$13.20	-	$38.24	$63.28	12,000
City of Melbourne	$8.00	-	$26.28	$44.56	$11.83	-	$39.23	$66.63	-
City of Palm Bay	$13.62	-	$27.98	$45.58	$18.68	-	$40.28	$61.88	10,000
City of Titusville	$9.31	-	$21.39	$38.00	$13.57	-	$42.33	$71.09	15,000
City of West Melbourne	$13.88	-	$39.13	$65.43	$13.87	-	$33.59	$53.31	-
Broward County	$15.54	-	$22.51	$39.75	$18.12	-	$33.08	$48.04	15,000
City of Coconut Creek	$16.50	-	$33.58	$56.96	$12.10	-	$25.64	$43.08	10,000
City of Cooper City	$11.82	-	$23.54	$36.61	$25.56	-	$37.24	$48.92	10,000
City of Coral Springs	$12.16	-	$18.24	$27.60	$20.08	-	$35.36	$50.64	-
City of Deerfield Beach	$15.00	-	$25.60	$38.24	$10.98	-	$21.82	$32.66	12,000
City of Fort Lauderdale	$6.53	-	$16.96	$35.78	$9.58	-	$28.00	$59.32	20,000
City of Hallandale Beach	$19.00	-	$23.26	$28.65	$17.00	-	$31.16	$46.01	-
City of Hollywood	$6.76	-	$20.50	$47.13	$6.48	-	$44.73	$82.99	14,960
City of Margate	$11.40	-	$25.04	$40.38	$28.94	-	$28.94	$28.94	-
City of Miramar	$14.58	-	$26.14	$39.65	$17.07	-	$33.03	$48.99	-
City of North Lauderdale	$13.90	-	$27.38	$40.86	$25.19	-	$41.03	$56.87	-
City of Pembroke Pines	$12.97	3,000	$18.02	$38.22	$16.61	3,000	$21.66	$41.86	-
City of Plantation	$12.44	-	$19.52	$33.68	$15.40	-	$32.64	$49.88	-
City of Pompano Beach	$12.88	-	$21.84	$30.80	$11.91	-	$22.99	$34.07	10,000
City of Sunrise	$18.62	-	$33.22	$47.82	$26.48	-	$41.32	$56.16	16,000
City of Tamarac	$11.77	-	$19.44	$31.28	$18.75	-	$37.95	$57.15	12,000
City of Wilton Manors	$35.61	-	$52.53	$69.45	$15.26	-	$40.34	$65.42	15,000
Town of Hillsboro Beach	$24.00	2,000	$30.80	$44.40	N/A	N/A	N/A	N/A	N/A
Charlotte County	$22.05	-	$41.01	$61.39	$31.12	-	$48.48	$65.84	10,000
City of Punta Gorda	$14.75	-	$26.95	$40.56	$30.72	-	$36.84	$42.96	10,000
Citrus County Utilities	$7.57	-	$12.81	$18.05	$14.15	-	$30.87	$39.23	6,000
City of Crystal River	$9.08	-	$21.08	$36.02	$15.73	-	$36.65	$57.57	-
City of Green Cove Springs	$10.60	-	$14.02	$21.22	$17.47	-	$21.63	$34.31	27,500
Town of Orange Park	$17.85	-	$26.77	$37.93	$22.44	-	$39.96	$57.48	12,000
Town of Penney Farms	$23.48	2,000	$34.56	$60.14	$23.70	2,000	$34.58	$59.74	-
City of Marco Island	$34.39	-	$51.59	$68.79	$28.04	-	$50.20	$61.28	6,000
City of Naples	$7.91	-	$13.39	$19.39	$19.80	-	$35.16	$50.52	10,000
Collier County	$20.18	-	$31.26	$46.54	$30.83	-	$48.19	$65.55	15,000
Golden Gate	$26.94	-	$51.30	$76.86	$35.15	-	$63.23	$77.27	6,000
Immokalee Water & Sewer District	$16.84	-	$26.48	$36.12	$29.24	-	$48.80	$68.36	15,000
City of Lake City	$18.59	-	$26.71	$37.92	$35.87	-	$52.59	$69.31	16,000
City of Jacksonville Beach	$11.26	-	$24.02	$40.74	$12.36	-	$34.76	$63.48	15,000
City of Neptune Beach	$12.14	999	$23.10	$35.34	$20.24	999	$55.12	$86.00	16,000
JEA	$12.60	-	$17.80	$26.34	$14.10	-	$35.34	$58.74	20,000

COUNTY	UTILITY NAME	APPROX. SERVICE POP.	WMD	RATES EFFECTIVE DATE	UNITS	COMBINED CHARGE		
						MINIMUM CHARGE	4,000 GAL (5.35 CCF)	8,000 GAL (10.70 CCF)
ESCAMBIA	Emerald Coast Utilities Authority	222,000	NWFWMD	10/1/2015	KGAL	$24.06	$47.22	$84.34
FLAGLER	City of Bunnell	2,400	SJRWMD	10/1/2015	KGAL	$43.41	$102.77	$162.13
GADSDEN	City of Chattahoochee	3,600	NWFWMD	1/1/2007	KGAL	$27.30	$43.99	$60.68
HAMILTON	City of Jasper	1,230	SRWMD	11/1/2007	KGAL	$20.15	$20.15	$42.75
HARDEE	City of Bowling Green	3,000	SWFWMD	12/8/2015	KGAL	$48.20	$48.20	$61.00
	Town of Zolfo Springs	1,803	SWFWMD	4/20/2015	KGAL	$38.60	$55.42	$88.98
HERNANDO	City of Brooksville	4,800	SWFWMD	10/1/2015	KGAL	$45.92	$52.25	$77.57
	Hernando County	162,000	SWFWMD	10/1/2015	KGAL	$23.40	$42.84	$62.91
HIGHLANDS	City of Sebring	17,403	SWFWMD	10/1/2007	KGAL	$30.29	$39.49	$48.69
	Town of Lake Placid	7,977	SWFWMD	8/1/2008	KGAL	$32.00	$53.60	$75.20
HILLSBOROUGH	City of Plant City	39,034	SWFWMD	10/1/2015	KGAL	$23.06	$51.66	$81.88
	City of Tampa	591,000	SWFWMD	10/1/2011	CCF	$0.00	$35.04	$71.96
	Hillsborough County	552,590	SWFWMD	6/1/2015	KGAL	$26.08	$58.08	$93.77
INDIAN RIVER	City of Vero Beach (Indian River Shores)	3,995	SJRWMD	-	KGAL	$24.92	$45.38	$67.93
	Indian River County	100,000	SJRWMD	10/1/1999	KGAL	$24.92	$45.38	$67.93
JEFFERSON	City of Monticello	3,200	NWFWMD	6/3/2010	CCF	$25.50	$57.77	$90.02
LAKE	City of Clermont	33,000	SJRWMD	10/1/2015	KGAL	$20.75	$33.19	$45.63
	City of Eustis	34,400	SJRWMD	6/1/2014	KGAL	$33.39	$53.43	$73.47
	City of Groveland	-	SJRWMD		KGAL	$37.63	$37.63	$57.03
	City of Leesburg	45,000	SJRWMD	11/1/2015	KGAL	$32.04	$42.41	$53.72
	City of Mascotte	-	SJRWMD	10/6/2014	KGAL	N/A	N/A	N/A
	City of Minneola	-	SJRWMD	8/24/2004	KGAL	$22.40	$40.94	$63.63
	City of Mount Dora	30,400	SJRWMD	4/1/2016	CCF	$35.38	$56.30	$77.22
	City of Tavares	14,582	SJRWMD	10/1/2015	KGAL	$36.27	$55.01	$76.47
	City of Umatilla	4,000	SJRWMD	10/1/2015	KGAL	$39.99	$66.03	$93.57
	Town of Lady Lake	6,115	SJRWMD	10/1/2014	KGAL	$27.14	$51.06	$77.18
	Town of Montverde	1,500	SJRWMD	4/27/2016	KGAL	N/A	N/A	N/A
LEE	Bonita Springs Utilities, Inc.	51,000	SFWMD	9/1/2010	KGAL	$40.65	$70.09	$101.09
	City of Cape Coral	-	SFWMD	10/1/2013	KGAL	$38.39	$90.15	$143.86
	City of Fort Myers	-	SFWMD	10/1/2015	KGAL	$23.53	$95.13	$180.68
	Lee County	342,584	SWFWMD	10/1/2014	KGAL	$33.04	$69.52	$107.64
	Lehigh Acres	32,000	-	10/1/2015	KGAL	$40.09	$96.61	$137.49
	North Fort Myers	5,000	-	10/1/2015	KGAL	$34.43	$96.03	$141.39
	Town of Fort Myers Beach	6,900	SFWMD	10/15/2014	KGAL	N/A	N/A	N/A
LEON	City of Tallahassee	248,000	NWFWMD	1/1/2016	KGAL	$27.58	$51.70	$80.31
LEVY	City of Williston	2,500	SWFWMD	1/19/2016	KGAL	$33.42	$37.82	$46.12
LIBERTY	Liberty County	2,214	NWFWMD	3/1/2015	KGAL	N/A	N/A	N/A
MANATEE	City of Bradenton	50,389	SWFWMD	10/1/2014	KGAL	$34.45	$54.24	$84.80
	City of Palmetto	12,000	SWFWMD	10/1/2015	KGAL	$24.88	$62.01	$102.17
	Manatee County	-	SWFWMD	1/1/2016	KGAL	$29.57	$56.61	$84.69
	Town of Longboat Key	20,000	SWFWMD	1/4/2016	KGAL	$30.41	$63.61	$93.70
MARION	City of Belleview	3,113	SJRWMD	1/1/2015	KGAL	$31.79	$54.31	$78.06
	City of Ocala	65,000	SJRWMD	1/1/2016	CCF	$32.47	$48.41	$64.36
	Marion County Utilities	63,156	SJRWMD	-	KGAL	$35.28	$63.00	$80.06
MARTIN	Martin County Utilities	89,575	SFWMD	10/1/2014	KGAL	$33.75	$59.03	$84.31
MIAMI-DADE	City of Hialeah	-	SFWMD	10/1/2015	KGAL	$9.82	$38.74	$69.37
	City of Homestead	60,500	SFWMD	12/1/2010	KGAL	$21.21	$36.76	$53.24
	City of Miami Beach	-	SFWMD	10/1/2015	KGAL	$22.15	$55.07	$101.82
	City of North Miami	-	SFWMD	11/1/2014	KGAL	$29.39	$54.59	$82.07
	City of North Miami Beach	170,000	SFWMD	10/1/2014	KGAL	$30.92	$63.16	$98.37
	Miami Dade County	2,266,092	SFWMD	10/1/2015	KGAL	$6.45	$18.33	$66.53

	WATER CHARGE				WASTEWATER CHARGE				
UTILITY NAME	MINIMUM CHARGE	MINIMUM GALLONS INCLUDED	4,000 GAL (5.35 CCF)	8,000 GAL (10.70 CCF)	MINIMUM CHARGE	MINIMUM GALLONS INCLUDED	4,000 GAL (5.35 CCF)	8,000 GAL (10.70 CCF)	RES. CAP (GAL)
Emerald Coast Utilities Authority	$11.25	-	$20.45	$29.65	$12.81	2,000	$26.77	$54.69	15,000
City of Bunnell	$20.43	-	$47.79	$75.15	$22.98	-	$54.98	$86.98	-
City of Chattahoochee	$7.00	-	$11.28	$15.56	$20.30	-	$32.71	$45.12	12,000
City of Jasper	$9.35	4,000	$9.35	$19.95	$10.80	4,000	$10.80	$22.80	-
City of Bowling Green	$16.85	4,000	$16.85	$29.65	$31.35	8,000	$31.35	$31.35	-
Town of Zolfo Springs	$10.63	-	$17.33	$30.69	$27.97	-	$38.09	$58.29	-
City of Brooksville	$21.47	3,000	$23.85	$33.37	$24.45	3,000	$28.40	$44.20	-
Hernando County	$6.31	-	$11.03	$16.38	$17.09	-	$31.81	$46.53	10,000
City of Sebring	$8.14	-	$17.34	$26.54	$22.15	-	$22.15	$22.15	-
Town of Lake Placid	$13.00	-	$22.60	$32.20	$19.00	-	$31.00	$43.00	-
City of Plant City	$7.22	-	$14.02	$22.44	$15.84	-	$37.64	$59.44	15,000
City of Tampa	$0.00	-	$11.49	$24.86	$0.00	-	$23.55	$47.10	-
Hillsborough County	$12.47	-	$26.95	$45.12	$13.61	-	$31.13	$48.65	8,000
City of Vero Beach (Indian River Shores)	$9.05	-	$18.07	$29.18	$15.87	-	$27.31	$38.75	12,000
Indian River County	$9.05	-	$18.07	$29.18	$15.87	-	$27.31	$38.75	12,000
City of Monticello	$7.50	-	$15.53	$23.55	$18.00	-	$42.24	$66.47	-
City of Clermont	$5.48	-	$9.88	$14.28	$15.27	-	$23.31	$31.35	16,000
City of Eustis	$9.96	-	$18.28	$26.60	$23.43	-	$35.15	$46.87	10,000
City of Groveland	$10.50	4,000	$10.50	$21.50	$27.13	4,000	$27.13	$35.53	-
City of Leesburg	$8.72	-	$12.63	$17.47	$23.32	-	$29.78	$36.25	15,000
City of Mascotte	$28.00	1,000	$38.00	$56.00	N/A	N/A	N/A	N/A	N/A
City of Minneola	$7.00	2,000	$10.70	$18.55	$15.40	-	$30.24	$45.08	15,000
City of Mount Dora	$8.44	-	$14.33	$20.21	$26.94	-	$41.97	$57.01	8,976
City of Tavares	$16.12	-	$21.54	$29.68	$20.15	-	$33.47	$46.79	14,000
City of Umatilla	$10.39	-	$18.43	$27.97	$29.60	-	$47.60	$65.60	20,000
Town of Lady Lake	$11.64	-	$21.36	$33.28	$15.50	-	$29.70	$43.90	-
Town of Montverde	$12.26	3,000	$16.56	$33.74	N/A	N/A	N/A	N/A	N/A
Bonita Springs Utilities, Inc.	$12.17	-	$26.81	$43.01	$28.48	-	$43.28	$58.08	16,000
City of Cape Coral	$17.32	-	$32.92	$50.47	$21.07	-	$57.23	$93.39	-
City of Fort Myers	$8.63	-	$27.23	$59.78	$14.90	-	$67.90	$120.90	-
Lee County	$12.59	-	$25.67	$40.39	$20.45	-	$43.85	$67.25	9,000
Lehigh Acres	$14.96	-	$36.88	$60.46	$25.13	-	$59.73	$77.03	6,000
North Fort Myers	$16.91	-	$46.03	$75.15	$17.52	-	$50.00	$66.24	6,000
Town of Fort Myers Beach	$15.55	-	$35.15	$56.65	N/A	N/A	N/A	N/A	N/A
City of Tallahassee	$10.55	2,500	$12.91	$19.76	$17.03	-	$38.79	$60.55	-
City of Williston	$6.67	-	$11.07	$16.07	$26.75	5,000	$26.75	$30.05	-
Liberty County	$12.50	3,000	$16.25	$31.55	N/A	N/A	N/A	N/A	N/A
City of Bradenton	$13.90	999	$23.94	$37.94	$20.55	999	$30.30	$46.86	25,000
City of Palmetto	$8.53	-	$32.02	$57.46	$16.35	-	$29.99	$44.71	12,000
Manatee County	$8.73	-	$17.17	$26.65	$20.84	-	$39.44	$58.04	10,000
Town of Longboat Key	$14.37	-	$23.93	$36.29	$16.04	-	$39.68	$57.41	7,000
City of Belleview	$10.57	-	$19.93	$29.79	$21.22	-	$34.38	$48.27	-
City of Ocala	$9.48	-	$13.44	$17.40	$22.99	-	$34.97	$46.96	9,724
Marion County Utilities	$12.75	-	$17.51	$23.09	$22.53	-	$45.49	$56.97	6,000
Martin County Utilities	$16.57	-	$25.09	$33.61	$17.18	-	$33.94	$50.70	10,000
City of Hialeah	$4.83	-	$13.71	$23.13	$4.99	-	$25.03	$46.24	-
City of Homestead	$7.01	-	$10.52	$14.96	$14.20	-	$26.24	$38.28	-
City of Miami Beach	$22.15	5,000	$22.15	$35.98	$0.00	-	$32.92	$65.84	-
City of North Miami	$12.51	-	$20.07	$29.91	$16.88	-	$34.52	$52.16	-
City of North Miami Beach	$10.71	-	$23.59	$36.84	$20.21	-	$39.57	$61.53	-
Miami Dade County	$3.20	-	$6.11	$23.11	$3.25	-	$12.22	$43.42	-

						COMBINED CHARGE		
COUNTY	UTILITY NAME	APPROX. SERVICE POP.	WMD	RATES EFFECTIVE DATE	UNITS	MINIMUM CHARGE	4,000 GAL (5.35 CCF)	8,000 GAL (10.70 CCF)
MONROE	City of Marathon		SFWMD	10/1/2012	KGAL	N/A	N/A	N/A
	Florida Keys Aqueduct Authority	73,300	SFWMD	10/1/2015	KGAL	$41.90	$107.66	$178.78
	Key Largo Wastewater Treatment District	-	SFWMD	-	KGAL	N/A	N/A	N/A
	Key West Resort Utilities Corp.	-	SFWMD	-	KGAL	N/A	N/A	N/A
	Village of Islamorada	-	SFWMD	10/1/2013	KGAL	N/A	N/A	N/A
OKALOOSA	City of Crestview	22,500	NWFWMD	6/13/1994	KGAL	$25.50	$39.20	$66.75
	City of Fort Walton Beach	20,300	NWFWMD	10/1/2015	KGAL	$32.77	$53.27	$96.99
	City of Mary Esther	3,844	NWFWMD	10/1/2015	KGAL	$32.00	$65.01	$103.93
	Destin Water Users	42,000	NWFWMD	1/1/2016	KGAL	$40.33	$58.61	$77.73
	Okaloosa County	36,000	NWFWMD	10/1/2015	KGAL	$30.96	$57.74	$87.34
OKEECHOBEE	Okeechobee Utility Authority	20,000	SFWMD	10/1/2010	KGAL	$40.65	$86.15	$137.83
ORANGE	City of Maitland	16,500	SJRWMD	10/1/2015	KGAL	$25.15	$52.15	$80.35
	City of Ocoee	36,700	SJRWMD	10/1/2015	KGAL	$30.90	$47.06	$63.84
	City of Winter Park	45,000	SJRWMD	10/1/2015	KGAL	$18.81	$41.97	$67.41
	Oakland Water System	2,538	SJRWMD	10/1/2014	KGAL	N/A	N/A	N/A
	Orange County Utilities	501,660	SJRWMD	10/1/2015	KGAL	$22.43	$41.39	$61.55
	Orlando Utilities Commission	425,000	SJRWMD	3/1/2009	KGAL	N/A	N/A	N/A
	Reedy Creek Improvement District	150,000	SFWMD	9/27/2015	KGAL	$26.50	$47.64	$68.78
OSCEOLA	Toho Water Authority	73,000	SFWMD	10/1/2015	KGAL	$18.02	$36.68	$69.59
PALM BEACH	City of Boca Raton	84,400	SFWMD	10/1/2015	KGAL	$24.79	$33.61	$36.77
	City of Boynton Beach	105,169	SFWMD	10/1/2015	KGAL	$31.05	$46.25	$59.30
	City of Delray Beach	66,000	SFWMD	10/1/2009	KGAL	$33.76	$48.58	$67.14
	City of West Palm Beach	100,000	SFWMD	10/1/2015	CCF	$32.68	$64.19	$97.35
	Palm Beach County	569,000	SFWMD	10/1/2015	KGAL	$28.18	$40.78	$69.62
	Town of Jupiter	80,000	SFWMD	10/1/2015	KGAL	N/A	N/A	N/A
	Town of Lantana	3,420	SFWMD	10/1/2014	KGAL	$33.23	$56.55	$81.79
	Village of Tequesta	6,500	SFWMD	2/1/2016	KGAL	N/A	N/A	N/A
PASCO	Aloha Gardens	7,500	-	10/1/2015	KGAL	$19.61	$76.77	$133.93
	City of Dade City	5,119	SFWMD	3/1/2009	KGAL	$19.95	$41.11	$63.26
	City of New Port Richey	10,000	SWFWMD	10/1/2013	KGAL	$19.60	$45.48	$73.46
	City of San Antonio	1,150	SWFWMD	12/1/2008	KGAL	N/A	N/A	N/A
	City of Zephyrhills	21,000	SWFWMD	10/1/2015	KGAL	$19.18	$44.46	$73.46
	Pasco County	-	SWFWMD	10/1/2014	KGAL	$25.17	$56.37	$89.43
	Seven Springs	-	-	10/1/2015	KGAL	$37.20	$87.24	$137.28
PINELLAS	City of Clearwater	110,000	SWFWMD	10/1/2015	KGAL	$46.20	$62.99	$130.15
	City of Dunedin	42,824	SWFWMD	10/1/2010	KGAL	$13.08	$50.48	$93.64
	City of Gulfport	-	SWFWMD	10/1/2015	KGAL	$31.05	$63.46	$135.16
	City of Largo	-	SWFWMD	-	KGAL	N/A	N/A	N/A
	City of Oldsmar	13,500	SWFWMD	10/1/2013	KGAL	$25.00	$60.67	$108.23
	City of Safety Harbor	15,000	SWFWMD	10/1/2009	KGAL	$25.86	$54.66	$86.96
	City of St. Petersburg	346,072	SWFWMD	11/1/2015	KGAL	$23.46	$58.46	$95.91
	City of Tarpon Springs	24,000	SWFWMD	10/1/2015	KGAL	$38.06	$67.78	$119.82
	City of Treasure Island	6,790	SWFWMD	10/1/2014	KGAL	N/A	N/A	N/A
	Pinellas County	375,000	SWFWMD	10/1/2015	KGAL	$19.72	$58.52	$97.32

	WATER CHARGE				WASTEWATER CHARGE				
UTILITY NAME	MINIMUM CHARGE	MINIMUM GALLONS INCLUDED	4,000 GAL (5.35 CCF)	8,000 GAL (10.70 CCF)	MINIMUM CHARGE	MINIMUM GALLONS INCLUDED	4,000 GAL (5.35 CCF)	8,000 GAL (10.70 CCF)	RES. CAP (GAL)
City of Marathon	N/A	N/A	N/A	N/A	$35.97	-	$68.13	$100.29	12,000
Florida Keys Aqueduct Authority	$13.90	-	$37.26	$65.98	$28.00	-	$70.40	$112.80	10,000
Key Largo Wastewater Treatment District	N/A	N/A	N/A	N/A	$33.60	-	$54.68	$75.76	-
Key West Resort Utilities Corp.	N/A	N/A	N/A	N/A	$39.57	-	$56.49	$73.41	10,000
Village of Islamorada	N/A	N/A	N/A	N/A	$39.03	-	$64.11	$89.19	12,000
City of Crestview	$9.00	2,000	$12.70	$20.25	$16.50	2,000	$26.50	$46.50	16,000
City of Fort Walton Beach	$10.21	2,000	$16.29	$31.17	$22.56	2,000	$36.98	$65.82	16,000
City of Mary Esther	$13.00	-	$26.13	$41.69	$19.00	-	$38.88	$62.24	-
Destin Water Users	$12.36	-	$22.72	$33.92	$27.97	-	$35.89	$43.81	20,000
Okaloosa County	$10.20	-	$21.02	$34.66	$20.76	-	$36.72	$52.68	10,000
Okeechobee Utility Authority	$18.94	-	$37.40	$62.04	$21.71	-	$48.75	$75.79	-
City of Maitland	$9.75	-	$14.55	$20.55	$15.40	-	$37.60	$59.80	-
City of Ocoee	$11.03	-	$15.83	$21.25	$19.87	-	$31.23	$42.59	12,000
City of Winter Park	$8.62	-	$13.34	$20.34	$10.19	-	$28.63	$47.07	14,000
Oakland Water System	$16.50	3,000	$18.97	$28.85	N/A	N/A	N/A	N/A	N/A
Orange County Utilities	$6.72	-	$11.40	$17.28	$15.71	-	$29.99	$44.27	14,000
Orlando Utilities Commission	$7.50	-	$10.48	$15.30	N/A	N/A	N/A	N/A	N/A
Reedy Creek Improvement District	$23.38	-	$27.44	$31.50	$3.12	-	$20.20	$37.28	8,000
Toho Water Authority	$5.17	-	$9.45	$20.08	$12.85	-	$27.23	$49.51	-
City of Boca Raton	$13.44	-	$16.60	$19.76	$11.35	-	$17.01	$17.01	-
City of Boynton Beach	$12.35	-	$18.95	$25.55	$18.70	-	$27.30	$33.75	7,000
City of Delray Beach	$15.72	3,000	$16.97	$21.97	$18.04	-	$31.61	$45.17	12,000
City of West Palm Beach	$20.91	-	$33.86	$48.45	$11.77	-	$30.33	$48.90	11,968
Palm Beach County	$13.28	-	$18.64	$30.48	$14.90	-	$22.14	$39.14	10,000
Town of Jupiter	$20.14	-	$24.86	$30.44	N/A	N/A	N/A	N/A	N/A
Town of Lantana	$19.98	-	$24.98	$31.90	$13.25	-	$31.57	$49.89	10,000
Village of Tequesta	$15.75	-	$25.71	$35.67	N/A	N/A	N/A	N/A	N/A
Aloha Gardens	$3.86	-	$26.94	$50.02	$15.75	-	$49.83	$83.91	10,000
City of Dade City	$5.70	-	$13.58	$22.45	$14.25	-	$27.53	$40.81	-
City of New Port Richey	$8.72	-	$18.68	$30.74	$10.88	-	$26.80	$42.72	15,000
City of San Antonio	$16.65	2,000	$24.15	$39.15	N/A	N/A	N/A	N/A	N/A
City of Zephyrhills	$4.22	-	$11.58	$22.66	$14.96	-	$32.88	$50.80	-
Pasco County	$7.83	-	$18.63	$31.29	$17.34	-	$37.74	$58.14	10,000
Seven Springs	$14.42	-	$42.18	$69.94	$22.78	-	$45.06	$67.34	10,000
City of Clearwater	$19.44	3,000	$27.31	$58.79	$26.76	3,000	$35.68	$71.36	-
City of Dunedin	$6.54	-	$21.90	$43.02	$6.54	-	$28.58	$50.62	10,000
City of Gulfport	$13.84	2,000	$28.59	$62.73	$17.21	2,000	$34.87	$72.43	-
City of Largo	N/A	N/A	N/A	N/A	$24.80	3,000	$26.92	$35.40	8,000
City of Oldsmar	$12.25	1,000	$28.66	$50.54	$12.75	1,000	$32.01	$57.69	-
City of Safety Harbor	$13.53	-	$21.65	$33.27	$12.33	-	$33.01	$53.69	15,000
City of St. Petersburg	$11.01	-	$26.93	$45.30	$12.45	-	$31.53	$50.61	-
City of Tarpon Springs	$18.10	-	$31.78	$55.66	$19.96	-	$36.00	$64.16	-
City of Treasure Island	N/A	N/A	N/A	N/A	$14.00	-	$47.84	$86.96	-
Pinellas County	$6.46	-	$25.90	$45.34	$13.26	-	$32.62	$51.98	10,000

COUNTY	UTILITY NAME	APPROX. SERVICE POP.	WMD	RATES EFFECTIVE DATE	UNITS	COMBINED CHARGE		
						MINIMUM CHARGE	4,000 GAL (5.35 CCF)	8,000 GAL (10.70 CCF)
POLK	City of Auburndale	10,990	SWFWMD	10/1/2015	KGAL	$46.97	$46.97	$54.45
	City of Bartow	20,000	SWFWMD	12/1/2011	KGAL	$31.87	$48.75	$67.41
	City of Eagle Lake	2,500	SWFWMD	10/1/2014	KGAL	$39.90	$52.29	$77.45
	City of Fort Meade	2,100	SWFWMD	10/1/2015	KGAL	$23.91	$43.99	$64.97
	City of Frostproof	2,900	SWFWMD	10/1/2012	KGAL	$69.90	$79.67	$118.75
	City of Lake Alfred	6,000	SWFWMD	11/1/2014	KGAL	$53.49	$53.49	$55.49
	City of Lake Wales	19,000	SWFWMD	10/1/2015	KGAL	$31.77	$55.81	$90.11
	City of Winter Haven	75,000	SWFWMD	10/1/2015	KGAL	$17.62	$45.06	$76.70
	Lakeland Water Utilities	171,951	SWFWMD	10/1/2015	KGAL	$25.30	$48.14	$71.42
	Polk County	59,834	SWFWMD	10/1/2014	KGAL	$45.83	$79.72	$108.96
	Town of Dundee	-	SWFWMD	10/1/2003	KGAL	$77.95	$81.75	$85.55
PUTNAM	City of Crescent City	2,200	SJRWMD	8/12/2010	KGAL	$60.55	$62.71	$72.97
SANTA ROSA	City of Gulf Breeze	6,838	NWFWMD	1/1/2015	KGAL	$29.00	$59.64	$90.28
SARASOTA	City of North Port	45,759	SWFWMD	1/1/2016	KGAL	$45.76	$85.28	$132.36
	City of Sarasota	52,000	SWFWMD	9/1/2015	KGAL	$39.73	$80.05	$127.53
	City of Venice	22,000	SWFWMD	10/1/2015	KGAL	$45.22	$94.20	$152.89
	Sarasota County	200,000	SWFWMD	11/19/2013	KGAL	$30.96	$70.88	$113.36
SEMINOLE	City of Altamonte Springs	41,000	SJRWMD	10/1/2014	KGAL	$10.80	$28.92	$58.67
	City of Casselberry	21,000	SJRWMD	10/1/2015	KGAL	$22.75	$51.95	$90.91
	City of Oviedo	30,000	SJRWMD	10/1/2015	KGAL	$34.83	$56.98	$82.58
	City of Sanford	51,000	SJRWMD	10/1/2013	KGAL	$30.95	$46.13	$77.79
	City of Winter Springs	34,000	SJRWMD	10/1/2014	KGAL	$16.95	$39.83	$62.71
	Sanlando Utilities Corporation	-	SJRWMD	-	KGAL	$19.43	$30.67	$42.85
	Seminole County	154,700	SJRWMD	10/1/2015	KGAL	$33.38	$56.38	$79.38
ST. JOHNS	City of St. Augustine	17,000	SJRWMD	10/1/2015	KGAL	$23.30	$58.35	$101.83
	St. Johns County - Main System	82,000	SJRWMD	10/1/2015	KGAL	$26.28	$56.48	$88.96
	St. Johns County - Ponte Vedra System	26,500	SJRWMD	10/1/2015	KGAL	$32.12	$49.84	$68.46
ST. LUCIE	City of Port St. Lucie	190,000	SFWMD	10/1/2014	KGAL	$24.01	$69.29	$118.14
	Fort Pierce Utilities Authority	42,000	SFWMD	3/1/2015	KGAL	$39.13	$64.54	$100.30
	St. Lucie County Utilities	25,958	SFWMD	6/1/2015	KGAL	$48.30	$90.46	$140.75
SUMTER	Little Sumter Service Area	24,753	SWFWMD	10/1/2015	KGAL	$21.56	$36.04	$50.52
	Village Center Service Area	18,122	SJRWMD	10/1/2015	KGAL	$35.71	$40.67	$45.63
VOLUSIA	City of Daytona Beach	88,000	SJRWMD	10/1/2015	KGAL	$27.91	$69.75	$124.39
	City of DeLand	40,000	SJRWMD	10/1/2015	KGAL	$41.02	$67.18	$93.34
	City of Deltona	85,000	SJRWMD	11/1/2015	KGAL	$27.99	$90.43	$170.24
	City of Edgewater	20,958	SJRWMD	10/1/2015	KGAL	$24.86	$62.78	$112.88
	City of Orange City	-	SJRWMD	10/1/2015	KGAL	$31.31	$73.79	$118.06
	City of Ormond Beach	28,497	SJRWMD	10/1/2015	KGAL	$29.87	$45.09	$76.71
	City of Port Orange	70,000	SJRWMD	4/1/2015	KGAL	$21.60	$49.72	$82.64
	Town of Ponce Inlet	3,100	SJRWMD	1/1/2015	KGAL	$32.93	$67.69	$115.45
	Volusia County - Softened	8,150	SJRWMD	1/1/2015	KGAL	$33.34	$65.34	$99.92
	Volusia County - Unsoftened	23,000	SJRWMD	1/1/2015	KGAL	$33.34	$58.34	$84.81
WAKULLA	City of St. Marks	330	NWFWMD	1/1/2011	KGAL	$50.00	$57.71	$88.55
WALTON	City of DeFuniak Springs	4,400	NWFWMD	10/1/2015	KGAL	$43.00	$72.32	$110.19
	South Walton Utility Company	16,000	NWFWMD	10/1/2015	KGAL	$24.69	$52.97	$82.18

	WATER CHARGE				WASTEWATER CHARGE				
UTILITY NAME	MINIMUM CHARGE	MINIMUM GALLONS INCLUDED	4,000 GAL (5.35 CCF)	8,000 GAL (10.70 CCF)	MINIMUM CHARGE	MINIMUM GALLONS INCLUDED	4,000 GAL (5.35 CCF)	8,000 GAL (10.70 CCF)	RES. CAP (GAL)
City of Auburndale	$10.36	4,000	$10.36	$17.84	$36.61	4,000	$36.61	$36.61	4,000
City of Bartow	$10.55	-	$20.31	$31.85	$21.32	-	$28.44	$35.56	10,000
City of Eagle Lake	$15.75	4,000	$15.75	$24.39	$24.15	1,000	$36.54	$53.06	-
City of Fort Meade	$8.11	-	$13.27	$19.33	$15.80	-	$30.72	$45.64	10,000
City of Frostproof	$14.31	3,000	$16.54	$25.46	$55.59	3,000	$63.13	$93.29	-
City of Lake Alfred	$12.95	6,000	$12.95	$14.95	$40.54	-	$40.54	$40.54	-
City of Lake Wales	$6.98	-	$18.02	$31.97	$24.79	-	$37.79	$58.14	15,000
City of Winter Haven	$8.93	-	$17.11	$29.51	$8.69	-	$27.95	$47.19	14,000
Lakeland Water Utilities	$8.39	-	$16.07	$24.19	$16.91	-	$32.07	$47.23	12,000
Polk County	$9.69	-	$17.66	$27.46	$36.14	-	$62.06	$81.50	7,000
Town of Dundee	$17.00	-	$20.80	$24.60	$60.95	-	$60.95	$60.95	-
City of Crescent City	$19.46	3,000	$21.62	$31.88	$41.09	-	$41.09	$41.09	-
City of Gulf Breeze	$12.00	-	$25.44	$38.88	$17.00	-	$34.20	$51.40	-
City of North Port	$17.80	-	$33.00	$55.76	$27.96	-	$52.28	$76.60	12,000
City of Sarasota	$16.72	-	$30.24	$46.16	$23.01	-	$49.81	$81.37	-
City of Venice	$21.43	-	$43.53	$75.34	$23.79	-	$50.67	$77.55	-
Sarasota County	$16.07	-	$25.83	$38.15	$14.89	-	$45.05	$75.21	10,000
City of Altamonte Springs	$3.61	-	$9.94	$20.52	$7.19	-	$18.98	$38.15	11,000
City of Casselberry	$8.10	-	$14.14	$24.18	$14.65	-	$37.81	$66.73	-
City of Oviedo	$11.36	-	$16.27	$24.63	$23.47	-	$40.71	$57.95	10,000
City of Sanford	$10.90	2,000	$15.14	$24.92	$20.05	2,000	$30.99	$52.87	12,000
City of Winter Springs	$5.72	-	$11.04	$16.36	$11.23	-	$28.79	$46.35	10,000
Sanlando Utilities Corporation	$4.45	-	$8.21	$12.91	$14.98	-	$22.46	$29.94	10,000
Seminole County	$12.89	-	$17.25	$21.61	$20.49	-	$39.13	$57.77	-
City of St. Augustine	$11.53	-	$24.34	$45.58	$11.77	-	$34.01	$56.25	10,000
St. Johns County - Main System	$12.08	-	$24.36	$38.92	$14.20	-	$32.12	$50.04	10,000
St. Johns County - Ponte Vedra System	$12.85	-	$18.61	$25.27	$19.27	-	$31.23	$43.19	10,000
City of Port St. Lucie	$8.31	-	$23.87	$43.00	$15.70	-	$45.42	$75.14	8,000
Fort Pierce Utilities Authority	$23.83	3,000	$27.28	$41.08	$15.30	-	$37.26	$59.22	10,000
St. Lucie County Utilities	$22.25	-	$36.05	$57.98	$26.05	-	$54.41	$82.77	10,000
Little Sumter Service Area	$7.38	-	$13.14	$18.90	$14.18	-	$22.90	$31.62	10,000
Village Center Service Area	$7.38	-	$12.34	$17.30	$28.33	-	$28.33	$28.33	-
City of Daytona Beach	$15.25	1,000	$30.31	$50.39	$12.66	900	$39.44	$74.00	-
City of DeLand	$11.89	-	$19.57	$27.25	$29.13	-	$47.61	$66.09	15,000
City of Deltona	$11.22	-	$17.50	$28.52	$16.77	-	$72.93	$141.72	10,000
City of Edgewater	$10.14	-	$24.90	$51.84	$14.72	-	$37.88	$61.04	-
City of Orange City	$10.43	-	$24.71	$40.78	$20.88	-	$49.08	$77.28	9,000
City of Ormond Beach	$13.08	2,000	$19.44	$33.34	$16.79	2,000	$25.65	$43.37	-
City of Port Orange	$9.90	-	$20.62	$36.14	$11.70	-	$29.10	$46.50	12,000
Town of Ponce Inlet	$18.30	2,000	$31.30	$57.30	$14.63	-	$36.39	$58.15	12,000
Volusia County - Softened	$13.14	-	$28.02	$45.48	$20.20	-	$37.32	$54.44	14,000
Volusia County - Unsoftened	$13.14	-	$21.02	$30.37	$20.20	-	$37.32	$54.44	14,000
City of St. Marks	$22.46	3,000	$25.30	$36.66	$27.54	3,000	$32.41	$51.89	-
City of DeFuniak Springs	$17.88	2,000	$25.32	$41.31	$25.12	-	$47.00	$68.88	-
South Walton Utility Company	$9.28	-	$16.44	$24.53	$15.41	-	$36.53	$57.65	10,000

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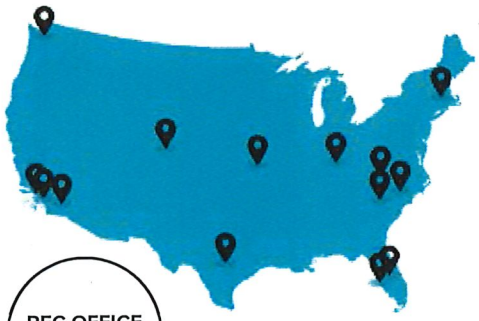
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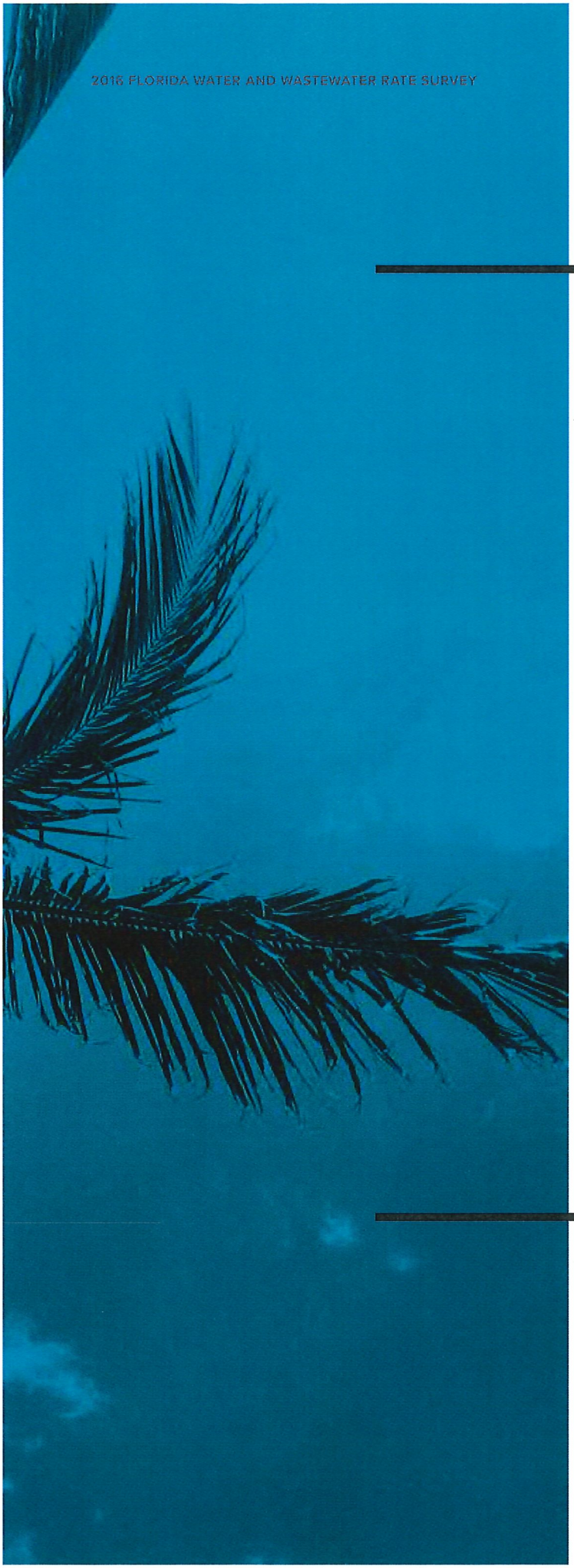
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- *Water and Wastewater Rate Survey*, co-published with the American Water Works Association (AWWA)
- *Utility Financial Information Survey*, published by the Association of Metropolitan Water Agencies (AMWA)
- *Florida Water and Wastewater Rate Survey*
- *California-Nevada Water and Wastewater Rate Survey*, co-published with the CA-NV AWWA
- *Water and Wastewater Residential Rate Survey*, published by the Water Infrastructure Finance Authority of Arizona
- *Washington/Oregon Water and Wastewater Rate Survey*



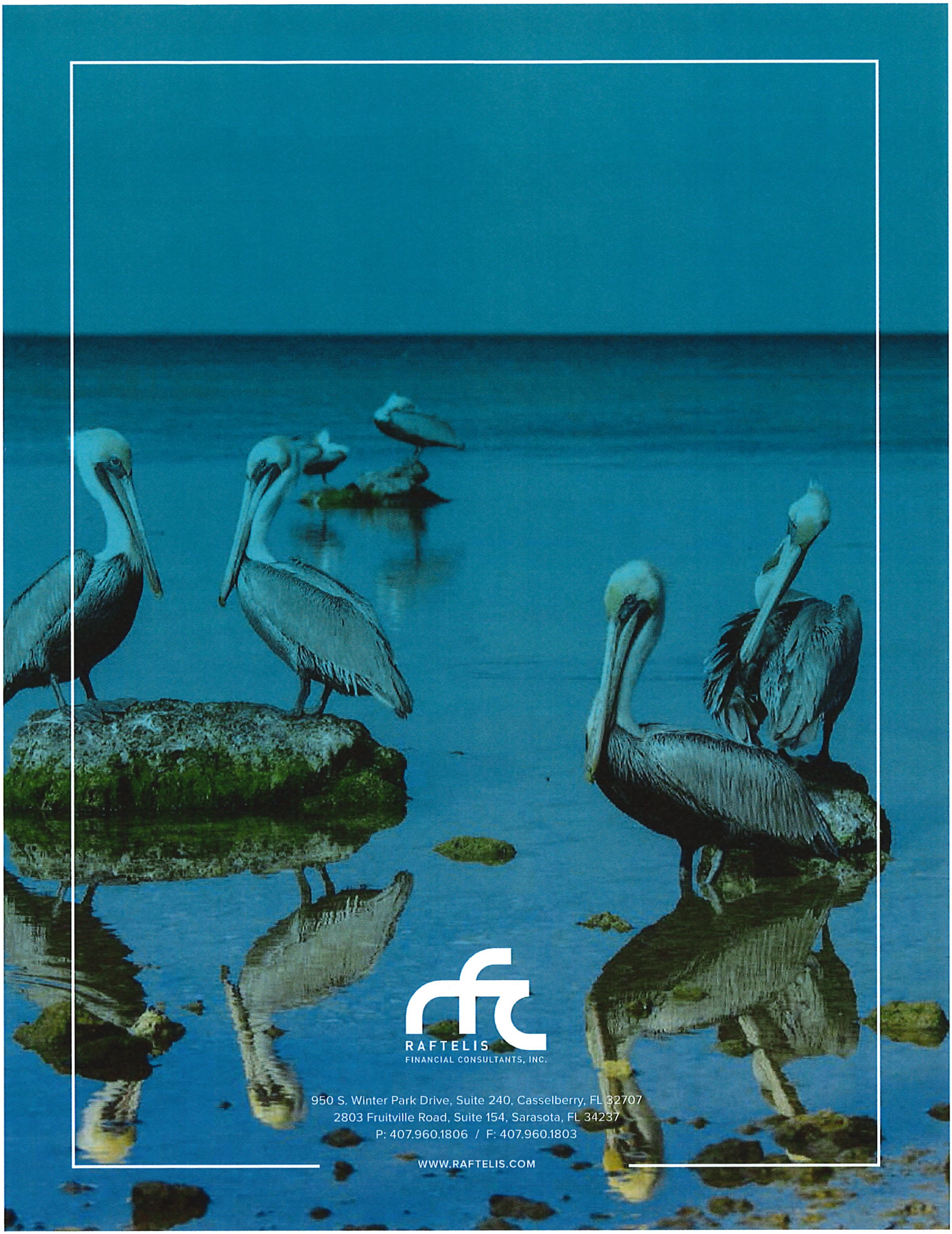
RFC OFFICE LOCATIONS

FOR MORE INFORMATION, PLEASE VISIT: WWW.RAFTELIS.COM



The *2016 Florida Water and Wastewater Rate Survey* includes information for more than 180 utilities throughout Florida, each with its own unique characteristics including rate structures that vary in complexity and cost. This document includes highlights from the survey and illustrates why rates may differ among communities. We hope the survey provides a resource for utilities to compare themselves with their peer communities throughout Florida, and to stay abreast of industry trends.

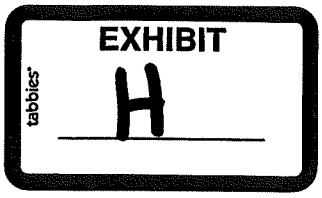
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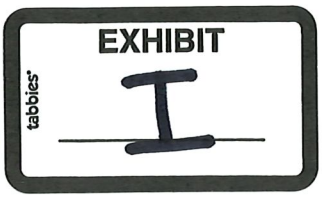
Water Rate Comparison

Based on a residential account with a 5/8" meter and 6 kgals (8 ccf) of monthly usage. Estimated bill amounts based on rates available from the various utilities websites as of May 1, 2017. Total amounts do not include any applicable taxes or fees.

Location	Water	Sewer	Total
Atlanta, GA	$42.64	$108.08	$150.72
Birmingham, AL	$45.86	$70.36	$116.21
Brevard County, FL	$34.68	$71.89	$106.57
Collier County, FL	$40.12	$59.73	$99.85
Charleston, SC	$22.48	$73.01	$95.49
Melbourne, FL	$35.42	$52.93	$88.35
Citrus County, FL	$19.39	$68.47	$87.86
Lee County, FL	$32.21	$55.55	$87.76
Jacksonville Beach, FL	$33.84	$51.12	$84.96
West Palm Beach, FL	$41.32	$41.20	$82.52
St. Petersburg, FL	$35.30	$45.10	$80.40
Hillsborough County, FL	$35.69	$40.52	$76.21
Gainesville, FL	$26.75	$46.90	$73.65
St. Johns County, FL	$31.49	$41.43	$72.92
Seminole County, FL	$20.00	$49.90	$69.90

Pensacola, FL	$25.81	$42.67	$68.48
Charlotte, NC	$20.44	$46.62	$67.06
JEA - Jacksonville, FL **Location**	**$20.40** **Water**	**$45.96** **Sewer**	**$66.36** **Total**
Tallahassee, FL	$16.16	$50.12	$66.28
Mobile, AL	$20.60	$45.56	$66.16
Clay County, FL	$18.02	$42.44	$60.46
Naples, FL	$16.14	$42.86	$59.00
Orlando, FL	$12.63	$45.85	$58.48
Greenville, SC	$13.34	$44.66	$58.00
Orange County, FL	$14.75	$38.26	$53.01
Miami, FL	$14.14	$38.86	$53.00
Tampa, FL	$17.67	$25.19	$42.86

Important Rate Information for Residential and Non-Demand Customers



Please note this important information about your 2018 electric bill, including changes to fuel charges.

Effective January 2018, your bill will reflect slightly higher fuel prices and other factors approved by the Florida Public Service Commission as part of an annual adjustment. Fuel costs are passed through from fuel suppliers to our customers with no markup or profit to Tampa Electric.

Effective January 2018			
Standard Residential Rate (RS)			
Basic Service Charge:	$16.62 per month		
Energy Charge:			
Usage up to 1,000 kWh	5.855 ¢ per kWh		
Usage over 1,000 kWh	6.963 ¢ per kWh		
Fuel Charge:			
Usage up to 1,000 kWh	2.818 ¢ per kWh		
Usage over 1,000 kWh	3.818 ¢ per kWh		
Residential Service Variable Pricing (RSVP-1)			
Basic Service Charge:	$16.62 per month		
Energy Charge:	4.900 ¢ per kWh		
Fuel Charge:	3.132 ¢ per kWh		
Standard General Service, Non-Demand (GS)			
Basic Service Charge:	$19.94 per month		
Energy Charge:	6.184 ¢ per kWh		
Fuel Charge:	3.132 ¢ per kWh		
Time-of-Day General Service, Non-Demand (GST)			
Basic Service Charge:	$22.16 per month		
	On-Peak (¢ per kWh)	Off-Peak (¢ per kWh)	
Energy Charge:	15.823	1.665	
Fuel Charge:	3.330	3.047	

The rate schedules above are subject to gross receipts taxes, city and state taxes, and franchise fees, where applicable. A late payment charge may be applied to any unpaid balance on your electric bill that is not paid by the past-due date.

The energy charge includes 0.655 cents per kWh for rate schedule RS, (0.649) cents per kWh for rate schedule RSVP-1 (based on P2 pricing – rate can vary based on rate tier), 0.635 cents per kWh for rate schedules GS and GST for the conservation, environmental and capacity cost recovery charges.

About your bill

Basic Service Charge

The monthly basic service charge covers the cost of maintaining your electric meter and the wires that bring electrical service to your home or business. The basic service charge also covers the cost of reading the meter and maintaining customer records and accounting for bill payments, credit and other transactions affecting your account. Basic service charges are incurred even if no electricity is used during the month.

Energy Charge

The energy charge includes all other costs of producing the electricity you purchase, except fuel. This also includes conservation, environmental and capacity cost recovery charges. Effective January 2018, residential customers will be billed 5.855 cents per kilowatt-hour (kWh) for the first 1,000 kWh of energy usage and 6.963 cents per kWh for any usage over 1,000 kWh under Tampa Electric's tiered rate structure.

Fuel Charge

This is the cost of fuel used to produce your electricity. Fuel costs are passed through from fuel suppliers to our customers with no markup or profit to Tampa Electric. Effective January 2018, residential customers will be billed 2.818 cents per kWh for fuel usage up to 1,000 kWh, and 3.818 cents per kWh for any usage over 1,000 kWh.

To learn more about our rates and how you can make managing energy costs easier, visit **tampaelectric.com** for energy-savings tips that can help you lower your monthly electric bill. If you prefer to speak with a representative, please call:

Hillsborough County
(813) 223-0800

Polk County
(863) 299-0800

All other counties and out-of-state
1-888-223-0800

TECO
TAMPA ELECTRIC
AN EMERA COMPANY

Important rate information for commercial and industrial customers

Please note this important information about your 2018 electric bill, including changes to fuel charges.

Effective January 2018, your bill will reflect slightly higher fuel prices and other factors approved by the Florida Public Service Commission as part of an annual adjustment. Fuel costs are passed through from fuel suppliers to our customers with no markup or profit to Tampa Electric.

We have several rate schedules for our commercial and industrial customers. Depending on the actual maximum electricity load your facility requires, we will select the appropriate rate schedule. (Your rate schedule appears in the center portion of your bill under "New Charges").

Tampa Electric's Business and Industry department can discuss any questions you have regarding your account and the charges involved. Please contact us at one of the following numbers:

Hillsborough County
(813) 228-1010

Polk County
(863) 299-0800

All other counties and out-of-state
(888) 223-0800

To learn more about our rates and how you can make managing energy costs easier, visit **tampaelectric.com** for energy-savings tips that can help you lower your monthly electric bill.

Effective January 2018

Standard General Service, Demand (GSD)

Basic Service Charge:	$33.24 per month
Demand Charge:	$ 10.25 per kW
Energy Charge:	1.754 ¢ per kWh
Fuel Charge:	3.132 ¢ per kWh
Capacity Charge:	$ 0.20 per kW
Energy Conservation Charge:	$ 0.87 per kW
Environmental Charge:	0.342 ¢ per kWh

Optional General Service, Demand (GSD-option)

Basic Service Charge:	$33.24 per month
Energy Charge:	6.660 ¢ per kWh
Fuel Charge:	3.132 ¢ per kWh
Capacity Charge:	0.047 ¢ per kWh
Energy Conservation Charge:	0.201 ¢ per kWh
Environmental Charge:	0.342 ¢ per kWh

Time-of-Day General Service, Demand (GSDT)

Basic Service Charge:	$33.24 per month	
Demand Charge:	$ 3.46 per kW of billing demand	
	$ 6.79 per kW of peak billing demand	
	On-Peak	Off-Peak
Energy Charge:	3.211 (¢ per kWh)	1.159 (¢ per kWh)
Fuel Charge:	3.330 (¢ per kWh)	3.047 (¢ per kWh)
Capacity Charge	$ 0.20 per kW	
Energy Conservation Charge:	$ 0.87 per kW	
Environmental Charge	0.342 ¢ per kWh	

Interruptible Service (IS) - Closed to new customers

Basic Service Charge:	$689.11 per month
Demand Charge:	$ 1.61 per kW
Energy Charge:	2.774 ¢ per kWh
Fuel Charge:	3.101 ¢ per kWh
Capacity Charge:	$ 0.14 per kW
Energy Conservation Charge:	$ 0.67 per kW
Environmental Charge:	0.333 ¢ per kWh

Interruptible Service Time-of-Day (IST) - Closed to new customers

Basic Service Charge:	$689.11 per month	
Demand Charge:	$ 1.61 per kW of billing demand	
	On-Peak	Off-Peak
Energy Charge:	2.774 (¢ per kWh)	2.774 (¢ per kWh)
Fuel Charge:	3.297 (¢ per kWh)	3.017 (¢ per kWh)
Capacity Charge:	$ 0.14 per kW	
Energy Conservation Charge:	$ 0.67 per kW	
Environmental Charge:	0.333¢ per kWh	

The fuel charge is used to pay the fuel suppliers and does not profit Tampa Electric.

Rate schedules are subject to gross receipts taxes, city and state taxes, and franchise fees, where applicable. A late payment charge may be applied to any unpaid balance on your electric bill that is not paid by the past-due date.

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EXHIBIT
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EXHIBIT A

EXAMPLES OF OTHER FLORIDA MUNICIPAL ELECTRIC UTILITIES

CITY	DISTRIBUTION
Fort Pierce	6% of "gross revenues" defined as: "all the income derived from retail sales of electricity, gas, and wastewater disposal; wholesale and retail sales of water; gains on sales of assets, interest, rents, royalties, dividends, and management fees" Where a power cost adjustment or purchase gas adjustment is utilized, "gross income" shall mean the amount billed based upon the applicable rate without a debit or credit for the cost adjustment.
Jacksonville	Charter §21.07: Assessment against Utility, calculated as follows: (c): "The combined assessment for the electric system and the water and sewer system shall equal, but not exceed the greater of (A) the sum of (i) the amount calculated by multiplying 7.468 mills by the gross kilowatt-hours delivered by JEA to retail users of electricity in JEA's service area and to wholesale customers under from contracts having an original term of more than one year (other than sales of energy to Florida Power and Light Company from JEA's St. Johns River Power Park System) during the twelve-month period ending on April 30 of the fiscal year immediately preceding the fiscal year for which such assessment is applicable plus (ii) the amount calculated by multiplying 389.20 mills by the number of K-Gals (1=1000 gallons) potable water and sewer service, excluding reclaimed water service, provided to consumers during the twelve-month period ending on April 30 of the fiscal year immediately preceding the fiscal year for which such assessment is applicable or (B) a minimum calculated amount which increases by 1% per year from fiscal year 2016-2017 through fiscal year 2020-2021 using the fiscal year 2015-16 combined assessment of $114,187,538 as the base year. The amounts applicable to clause (B) above are: for fiscal year 2016-2017 - $115,329,413; for fiscal year 2017-2018 - $116,482,708; for fiscal year 2018-2019 - $117,647,535; for fiscal year 2019-2020 - $118,824,010; and for fiscal year 2020-2021 - $120,012,250." (d): Commission may change assessment calculation by ordinance (e): Commission also has power to appropriate annually a portion of available revenues based on a formula agreed upon by JEA and commission (l): Franchise fee of 3% of revenues electric and sewer; can be increased to 6% by ordinance
Kissimmee	Charter §§10-11: The annual budget shall contain an amount anticipated to be transferred to the general fund of the city, but not less than, as a minimum, 6.24 mils per kilowatt hour (kWh) of the retail sales (sales not for resales) of electricity. This anticipated transfer figure shall be furnished to the city within one hundred twenty (120) days prior to the beginning of the fiscal year, and the monetary "transfer" may be made monthly at the option of the commission.
Newberry	Code §98-68: All revenues received, collected and derived from the electric charges imposed by ordinance shall be placed as received from the customer by the city into a special fund to be known and designated as the "electric revenue fund", which fund shall be kept separate and apart from all other funds of the city. The monies in such fund shall be used for the following purposes:

	(1) Operation, repair and maintenance of the electric system of the city; (2) Construction or acquisition of any electrical system and the construction or acquisition of extensions, additions, renewals or replacements to the existing electric system of the city; and (3) Paying all or any part of the debt service requirements of bonds issued to finance the cost of construction or acquisition of capital improvements described in subsection (2) of this section, in such amounts or proportions of such monies as may be pledged by ordinance. Remaining monies may be transferred to the city general fund for any authorized use.
New Smyrna Beach	Code §218: The commission shall have the exclusive power and authority to bill and collect the prescribed fees or charges for all services and utilities under its control and when collected, the flow of funds shall be: First, the payment of all operating and maintenance expenses of said utilities; second, the funding of all reserves required by revenue certificates issued by the city or said commission for projects under commission control including the debt service payments of all such revenue certificates as same become due; third, the payment to the general fund of the city a sum equal to six (6) percent of the gross revenues from utilities under commission control; such payments shall be made monthly. The surplus shall be paid annually to the general fund of the city after reserving an adequate fund for operation and maintenance expenses, capital improvements and line extensions as determined by the commission.

CITY	STRUCTURE AND MANAGEMENT
Alachua Bartow Blountstown Bushnell Chattahoochee Clewiston Fort Meade Green Cove Springs Havana Homestead Jacksonville Beach Lakeland Leesburg Moore Haven Mount Dora Ocala Quincy Tallahassee Wauchula Williston Winter Park	Departments within City
Fort Pierce Jacksonville New Smyrna Beach Orlando	Separate utilities board with plenary authority
Gainesville	Charter §3.06(1): General manager for utilities appointed by and responsible to commission; Code § 2-356-2-362: Utilities advisory board w/7 members with the following membership requirements: "All members shall reside within the utility service area and receive utility service. A minimum of one member shall reside outside the Gainesville city limits. The membership shall be comprised of the following: A representative of a major business (defined as having 25 or more employees) that is a utility commercial customer; A person with utility management experience; A person with investment banking, financial or certified public accounting experience; A licensed attorney with business, contract or corporate law experience; A person with engineering experience; and Two persons with any qualifications the city commission deems relevant or beneficial to serviceon the board."
Kissimmee	Charter Art. IX, §1: Kissimmee Utility Authority that is a separate unit of the city government and has exclusive jurisdiction, control and management of the utilities of the city and its operations and facilities free from the jurisdiction, direction, and control of other city officers and of the commission. §2: Board composed of 5 members appointed by a 4/5 of entire commission. Members must have demonstrated a successful business or professional management career, but 2 of the 5 may be members that reside outside the city limits of the City of

	Kissimmee, and who purchase electricity from the city's utilities and who portray the above attributes. In addition to said 5 members, the mayor serves as ex officio member of the Kissimmee Utility Authority without a vote. §14: The Board appoints a utilities director to be responsible to the Board and who shall serve at its pleasure.
Lake Worth	Electric Utilities Department within the City that has a Utilities Director who reports to the City Manager. Code §2-237: The City also has a 7 member Electric Utility Advisory Board which advises the commission on electric utilities policies, plans and programs. 4 at large members appointed by each commissioner, 1 appointed by mayor, 1 appointed by commission business owner, whose business is located in the city, and 1 appointed by the commission representing the utility service areas of or in a portion of the Village of Palm Springs and unincorporated Palm Beach County. The 4 district members and the 1 at-large member appointed by the commissioners and the mayor, respectively, must be residents of the city, and all members of the electric utility advisory board must be customers of the city utilities. Preference for membership shall be accorded, but not limited to, those residents who are knowledgeable or possess expertise in the following areas: engineering, management, accounting and finance, traditional energy generation and distribution, renewable energy generation and/or energy conservation.
Reedy Creek Improvement District (special taxing district)	The District presently owns and operates all utility systems within the District. The systems include wastewater collection and treatment system, a reclaimed water distribution system, an electric generation and distribution system, a solid waste collection and transfer system, a solid waste recycling collections and disposal system, a potable water production and distribution system, a natural gas distribution system, a high temperature hot water system, and a chilled water system. By contract, Reedy Creek Energy Services operates these systems on behalf of the District. (https://www.rcid.org/doing-business/utilities/)
St. Cloud	Interlocal agreement with Orlando Utilities Commission
Starke	Code §102-1 - Utilities department with a utilities director and assistant utilities director appointed by the commission

3.06. - General manager for utilities.

(1) *Appointment; administrative head of municipal utilities; qualifications; terms.* The commission shall appoint a general manager for utilities ("general manager") who shall be responsible to the commission. The general manager shall be responsible for the efficient administration of the Utility System. The general manager for utilities shall serve at the will of the commission.

(2) *Powers and duties generally.* The general manager:

(a) Shall be responsible for and have exclusive management jurisdiction and control over operating and financial affairs of the Utility System including, but not limited to, the planning, development, production, purchase, sale, exchange, interchange, transmission and distribution of all electricity; the planning, development, purchase, sale, exchange, interchange, transmission and distribution of all natural gas; the planning, development, supply, treatment, transmission, distribution and sale of all potable water; and the planning, development, collection, treatment, disposal and billing of all wastewater now or hereafter provided by the city;

(b) Shall submit to the commission for its consideration a yearly budget for the operation of the Utility System;

(c) Shall be the purchasing agent for all equipment, materials, supplies and services necessary for operating and maintaining the Utility System subject to policies promulgated by the commission;

(d) Shall propose ordinances to designate the job titles of subordinates that are to be considered directors of department;

(e) Shall appoint and, except as otherwise provided in this charter, remove all directors of departments at will;

(f) Shall recommend to the commission all measures necessary and expedient for the proper governance and management of the Utility System;

(g) Shall keep the commission fully advised as to the management, governance and needs of the Utility System;

(h) Shall perform all other duties prescribed by law, this charter, ordinance, or direction of the commission.

DIVISION 7. - UTILITY ADVISORY BOARD[13]

Sec. 2-356. - Intent.

It is the intent of the city commission to create, empower, staff, and fund a utility advisory board to advise and make recommendations to the city commission regarding all aspects of the governance of the city's electric, gas, telecommunications, water, and wastewater utilities.

(Ord. No. 140384 , § 2, 11-19-15)

Sec. 2-357. - Definitions.

[The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Customer means the natural person or legal entity that has a utility services account in his/her/its name and is responsible for payment for utility services at that specific location.

Utility means the city doing business as Gainesville regional utilities.

Utility board means the advisory board created by this division.

Utility governance means the making and administering of the utility's course of action. Governance decisions are those decisions designed to influence and guide management's decisions, actions and other matters of the utility. The responsibilities of utility governance are more specifically described in Subsections 1.04(2), (3), (4), (5), (6), (7), and (8), of the City Charter.

Utility management means the directing, supervising or carrying on of utility business affairs in a manner as directed by the city commission. The responsibility for utility management is more specifically described in Section 3.06 of the City Charter.

Utility services means the electric, gas, telecommunications, water, and wastewater services provided by the city doing business as Gainesville regional utilities.

(Ord. No. 140384 , § 2, 11-19-15)

Sec. 2-358. - Creation.

(a) *Establishment.* The utility board is hereby created as an advisory board to advise the city commission regarding all matters of utility governance as more fully described in section 2-360.

Sec. 2-359. - Utility board; membership; terms; officers; procedural rules.

(a) *Membership.* The utility board shall have seven members. All members shall reside within the

utility service area and receive utility service. A minimum of one member shall reside outside the Gainesville city limits. The membership shall be comprised of the following:

(1) A representative of a major business (defined as having 25 or more employees) that is a utility commercial customer;

(2) A person with utility management experience;

(3) A person with investment banking, financial or certified public accounting experience;

(4) A licensed attorney with business, contract or corporate law experience;

(5) A person with engineering experience; and

(6) Two persons with any qualifications the city commission deems relevant or beneficial to service on the board.

(b) *Term.*

(1) Each member shall be appointed to a four-year term, provided however that for the first seven appointees, three will serve an initial term of two years and four will serve an initial term of four years. The city commission will designate which of its initial appointees will serve the two-year terms.

(2) Members may be reappointed for consecutive terms and may hold office after expiration of their term until a successor has been appointed and qualified. Members may serve no more than three consecutive terms.

(3) When a position becomes vacant before the end of the term, the city commission shall appoint a substitute member to fill the vacancy for the duration of the vacated term.

(c) *Officers.* The members of the utility board shall annually elect a chair and vice-chair from among their membership.

(d) *Compensation of members.* The utility board members shall not be deemed employees of the city, nor entitled to compensation, pension, or other retirement benefits on account of service on the utility board. Utility board members may be paid for mileage, travel and any other such expenses incurred on board business from funds budgeted by the city commission pursuant to city financial policies and procedures.

(e) *Attendance.* Utility board members are required to attend all regular and special meetings of the utility board. Each utility board member may be granted four excused absences per calendar year. A utility board member shall notify the board secretary of an absence prior to the meeting, if practicable.

(f) *Removal from board.* A utility board member may be removed for cause by the city commission.

(g) *Rules of procedure.*

(1) The utility board shall adopt rules of procedure to carry out its purposes. All rules must conform to this code and state law and must be approved by the city

commission.

(2) The utility board shall meet at least once each calendar month, unless cancelled by the board or its chair. The utility board may meet more often at the call of the chair, the city commission, or two or more members of the utility board. When the most efficient use of utility staff time and city resources dictate, the utility board may meet concurrently with the city commission.

(3) A quorum shall consist of a majority of the members of the utility board; however, a smaller number may adjourn a meeting. Official action may be taken by majority vote when a quorum is present.

(4) The utility board and its members shall be subject to the provisions of Florida's Government in the Sunshine Law (F.S. § 286.012), Florida's Code of Ethics for Public Officers and Employees (F.S. Ch. 112, Pt. III), and Florida Public Record's Law (F.S. Ch. 119), all as may be amended from time to time.

(Ord. No. 140384 , § 2, 11-19-15; Ord. No. 160130 , § 1, 9-15-16)

Sec. 2-360. - Functions, powers and duties of the utility board.

The utility board shall serve as an advisor to the city commission on all policy and governance decisions to be made by the city commission regarding utility services. The utility board has full authority to make and shall make independent recommendations regarding all aspects of utility governance to the city commission and the general manager for utilities. Utility board recommendation prior to city commission consideration of an item is not required if the utility business item is an emergency or a time-sensitive item. If the utility board fails to timely make recommendations to the city commission or the general manager for utilities, the city commission or general manager for utilities may take action on the item as either deems necessary. The utility board shall serve as a channel of communications between the city commission, utility staff, and the utility customers. The functions, powers, and duties of the utility board include, but are not limited to:

(a) *Rates and charges.* The utility board shall consider and make recommendations regarding proposed changes in fees, rates or charges for utility services.

(b) *Rate structure.* The utility board shall consider and make recommendations regarding a proposed change to the rate structure for utility services.

(c) *Budget.* The utility board shall consider and make recommendations regarding the utility's budget.

(d) *Energy advisory duties.* The utility board shall provide recommendations on energy including but not limited to:

(1) Promoting public access to information regarding the city facilities, services, policies, and programs concerning energy;

(2) Considering the future energy needs of the community with respect to the

electric and gas utilities; and

(3) Assisting utility staff by suggesting and reviewing policies, programs and services that affect acquisition, delivery, or utilization of energy resources within the community.

(e) *Water and wastewater advisory duties.* The utility board shall serve as a water and wastewater advisory board to provide information and make recommendations regarding trending issues with the provision of water and wastewater collection services; including the need to conserve water resources, the need for capital infrastructure improvements and the funding thereof; and the cost of additional regulations by local, state and federal agencies.

(f) *Telecommunications advisory duties.* The utility board shall serve as a telecommunications advisory board to provide recommendations on the expansion, reduction or sale of telecommunication services.

(g) *City commission referrals.* The city commission may refer issues, questions of interests, or areas of study to the utility board. Upon receipt of the referral, the utility board shall meet, review, and study the referred issue and shall subsequently provide a recommendation to the city commission within six months (or sooner if so specified by the city commission) of the referral.

(h) *General manager for utilities items.* The utility board shall review and make a recommendation on all items the general manager of utilities intends to place on a city commission agenda.

(Ord. No. 140384 , § 2, 11-19-15)

Sec. 2-361. - Utility board guidelines.

(a) In carrying out its functions, powers, and duties, the utility board shall foremost consider the need to operate the utility in a manner that provides safe and reliable utility services, at fair, just and reasonable rates, which includes a reasonable return on the City of Gainesville's investment.

(b) Utility board members are expected to actively engage in the collection and evaluation of information related to utility management and governance. The utility board members shall conduct research, gather information and learn from the experiences of industry experts and board members from throughout the state in order to make informed and independent recommendations to the city commission. The utility board members may consider information from sources such as, but not limited to, the American Public Power Association, the Florida Municipal Power Association, the Warrington School of Business's Public Utility Research Center, National Association of Regulatory Utility Commissioners' Rate School and other public utilities in the state and throughout the United States.

(Ord. No. 140384 , § 2, 11-19-15)

Sec. 2-362. - City resources.

(a) The utility board may request information and assistance from the general manager for utilities and such other city charter officers as the utility board finds necessary. At the direction of the city charter officers, city staff shall prepare such reports, analysis, and recommendations as the utility board deems necessary to remain fully informed and to carry out its responsibilities as set forth in this division.

(b) The utility board may make requests to the city auditor for specified audits of utility services.

(c) The city attorney, or designee, shall serve as legal advisor to the utility board.

(d) The general manager for utilities shall designate a staff member to serve as clerk to the utility board. The clerk shall prepare notices of meetings, shall prepare an agenda and shall record and keep minutes of each utility board meeting.

(Ord. No. 140384 , § 2, 11-19-15)

Secs. 2-363—2-375. - Reserved.

ARTICLE 21. - JEA

Section 21.01. - JEA created and continued.

There is hereby created and established a body politic and corporate to be known as JEA, which is authorized to own, manage and operate a utilities system within and without the City of Jacksonville. JEA is created for the express purpose of acquiring, constructing, operating, financing and otherwise having plenary authority with respect to electric, water, sewer, natural gas and such other utility systems as may be under its control now or in the future. Such utilities may be owned, operated or managed by JEA separately or in such combined or consolidated manner as JEA may determine and JEA may use such name or names in the conduct of its business in connection therewith as it may determine. It is the specific purpose of this article 21 to repose in JEA all powers with respect to electric, water, sewer, natural gas and such other utilities which are now, in the future could be, or could have been but for this article, exercised by the City of Jacksonville. JEA created and established by this article is the same Jacksonville Electric Authority previously created and established by chapter 67-1569, Laws of Florida, as amended, (including as added to Chapter 67-1320, Laws of Florida by Chapter 78-538, Laws of Florida and, as amended and readopted by Chapters 80-515, and 92-341, Laws of Florida) and, except as otherwise provided or authorized by this article, JEA shall continue to function under this article the same as it previously functioned under chapter 67-1569, Laws of Florida, as amended (including as added to Chapter 67-1320, Laws of Florida by Chapter 78-538, Laws of Florida and, as amended and readopted by Chapters 80-515 and 92-341, Laws of Florida).

(Laws of Fla., Ch. 78-538, § 1; Laws of Fla., Ch. 80-515, § 1; Ord. 84-1307-754, § 25; Laws of Fla., Ch. 92-341, § 1; Ord. 93-82-1385, § 1; Ord. 97-12-E, § 2; Ord. 98-253-E, § 1)

Section 21.02. - Definitions.

In the interpretation of this article, unless the context otherwise requires:

(a) The term "utilities systems" means the electric utility system and the water and sewer utility system now operated by JEA which shall include, except where inconsistent with Chapter 80-513, Laws of Florida, as amended, or where the context otherwise requires, any "system" or "project" authorized pursuant to the provisions of Chapter 80-513, Laws of Florida, as amended and any natural gas utility system to be operated in the future by JEA together with any other additional utility systems as may be hereafter designated as a part of the utilities systems operated by JEA as provided in section 21.04(v) herein.

(b) The term "member" means a member of JEA.

(c) The term "managing director" means the managing director of JEA.

(d) The term "utility system" shall mean any of the separate utility systems operated by JEA such as its electric utility system, its water utility system, its wastewater utility system or its natural gas utility system.

(e) The terms "sewer utility system" and "wastewater utility system" shall each have the same meaning as the other and these terms shall be interpreted as meaning the same.

(Laws of Fla., Ch. 78-538, § 1; Laws of Fla., Ch. 80-515, § 1; Ord. 84-1307-754, § 25; Laws of Fla., Ch. 92-341, § 1; Ord. 93-82-1385, § 1; Ord. 97-12-E, § 2; Ord. 98-253-E, § 1; Ord. 2015-764-E , § 2)

Section 21.03. - Composition; compensation; officers; meetings.

(a) The governing body of JEA shall consist of 7 members, appointed by the mayor, subject to confirmation by the council, for a term of 4 years or until such member's successor has been appointed and has qualified. Each member

of JEA shall have been a resident and elector of the city for at least 6 consecutive months prior to such member's appointment. No member of JEA shall hold any other public office or position. If at any time during a member's tenure on JEA, such member shall cease to possess the qualifications required for membership on JEA, such member shall cease to be a member and a vacancy shall exist on JEA. Any vacancy on JEA, however created, shall be filled for the unexpired term in the same manner as the position was originally filled, and the person filling the vacancy shall have and retain all the qualifications prescribed for membership on JEA. Any member appointed to JEA for 2 consecutive full terms shall not be eligible for the succeeding term. The members may be removed by the mayor at any time with or without cause, but a removal must be approved by a two-thirds vote of the council.

(b) The members of JEA shall not be entitled to compensation, pension, or other retirement benefits on account of service on JEA, but members and employees shall be entitled to payment of reasonable expenses as provided by the council. Members of JEA shall be subject to the provisions of s. 286.012, Florida Statutes, relating to voting at meetings of JEA, and to the provisions of ss. 112.311 through 112.3175, inclusive, Florida Statutes, as from time to time amended, relating to financial disclosure and conflicts of interest.

(c) JEA shall elect a chairperson, vice-chairperson and secretary and may elect one or more assistant secretaries, each of whom shall serve for one year or until such officer's successor is chosen. JEA may meet at such times and places designated by it but shall hold regular meetings as necessary, and generally once a month. Special meetings may be held upon the call of the chairperson or any 3 members of JEA. A majority of the membership shall constitute a quorum for the purpose of meeting and transacting business. Each member of JEA shall have one vote. JEA may adopt bylaws and make rules and regulations not inconsistent with this article or general law.

(Laws of Fla., Ch. 75-538, § 1; Laws of Fla., Ch. 80-515, § 1; Ord. 83-693-582, § 1; Ord. 84-1307-754, § 25; Laws of Fla., Ch. 92-341, § 1; Ord. 93-82-1385, § 1; Ord. 98-253-E, § 1; Ord. 2016-764-E , § 2)

Section 21.04. - Powers.

JEA shall have the following powers, in addition to powers otherwise conferred:

(a) To construct, own, acquire, establish, improve, extend, enlarge, reconstruct, reequip, maintain, repair, finance, manage, operate and promote the utilities system.

(b) To acquire for the use of the utilities system by grant, purchase, gift, devise, condemnation by eminent domain proceedings, exchange, lease or in any other manner, all property, real or personal, or any estate or interest therein, including without limitation, property used:

(1) In connection with the generation, transmission and distribution of electric power and energy,

(2) In connection with the collection, storage, treatment, processing, disposal, transmission and distribution of water and wastewater including, but not limited to, raw water, potable water, non-potable water, chilled water and reused water; however, JEA shall have no power or authority for the function of stormwater runoff and drainage management.

(3) In connection with the production, procurement, extraction, manufacture, transmission, transportation, distribution, and storage of natural gas.

(4) In connection with the production of steam, the mining, extraction, development, production, manufacture, procurement, transportation, handling, storage, processing or reprocessing of fuel of any kind, to likewise acquire any facility or rights with respect to the supply of water, any rights with respect to minerals, including but not limited to coal, petroleum coke, natural gas and oil and bio-mass facilities for the processing of by-products derived from the operation of the utilities system, solid waste disposal and environmental protection facilities, communication and computer facilities, and any other property, equipment, facilities or property rights whatsoever determined by JEA to be necessary or convenient in connection with the operation, promotion, financing, construction,

management, improvement, extension, enlargement, reconstruction, re-equipment, maintenance, repair, decommissioning or disposal of the utilities system or any part thereof, and to sell, lease or otherwise transfer, with or without consideration, any such property when in JEA's discretion it is no longer needed or useful, or such sale, lease or transfer otherwise is in the best interest of JEA, all upon such terms and conditions as JEA shall by resolution fix and determine.

The right of eminent domain conferred herein shall be exercised by JEA in the manner provided by law. If JEA leases any real property to another agency, firm, corporation, or individual, it shall cause said lease or leases to be recorded with the clerk of the circuit court as a matter of public record. JEA shall not sell real property for less than the appraised value as recorded by the property appraiser for Duval County, unless approved by the council. If there is no recorded appraised value, then JEA shall request the property appraiser for Duval County to provide an appraisal prior to the sale of the real property.

(c) To furnish electricity, water, sanitary sewer service, natural gas and other utility services as authorized herein to any person or entity, public or private, within or without the city and for said purposes shall have the right to construct and maintain electric lines, pipelines, water and sewer mains, natural gas lines and related facilities in and along all public highways and streets within or without the city.

(d) To sell power and energy, water, sanitary sewer service, natural gas and other utility services as authorized herein at wholesale and retail and/or to provide transmission or other services of any kind to any person or entity, public or private, within or without the State of Florida, directly by JEA, indirectly through other entities and jointly through associations with other utilities or entities engaged in these activities.

(e) To enter into contracts with any person or entity, public or private, deemed necessary or desirable by JEA in connection with carrying out its powers and duties.

(f) To fix, pledge to establish or establish, levy, regulate, impose and collect rates, assessments, fees and charges for the use or benefit of the utilities system and to alter and amend same from time to time, which rates, assessments, fees and charges shall result in JEA receiving or possessing an amount which, together with accumulated balances from prior years available therefore is not less than is required to operate and maintain a self-liquidating or self-sustaining utilities system. When establishing or altering rates, assessments, fees or charges for retail service, JEA shall first give notice of and hold a public hearing in the City of Jacksonville. The notice shall be published not less than one (1) week in advance in at least one (1) newspaper of general circulation in the city. Said notice shall be at least one-fourth page in size, inviting the public to be present and heard. JEA shall have the power to impose sanctions to enforce compliance with any rule or regulation which JEA may adopt in the management and operation of, or the sale or use of any utility service provided by JEA from the utilities system including, without limitation, electricity, water, sewer and natural gas services. The city and other public bodies shall be required to pay for any utility services provided by JEA upon the same basis as other users.

(g) To sue and be sued, implead and be impleaded, complain and defend in all courts, to adopt and use a corporate seal, to apply for, hold and own patents and copyrights, to sell or license patents, copyrights, patented or copyrighted materials to other public or private entities. Prices or fees for such sales or licensing may be based upon market considerations. JEA may designate how proceeds from such sales or licensing shall be used. Prices or fees for the sale of copyrighted data processing software, as defined in section 119.083, Florida Statutes, shall be established pursuant to section 119.083, Florida Statutes.

(h) To make or cause to be made such surveys, investigations, studies, borings, maps, drawings and estimates of cost and revenues as it may deem necessary, and to prepare and adopt a comprehensive plan or plans for the location, relocation, construction, improvement, revision and development of the utilities system.

(i) (1) To issue revenue bonds or revenue certificates of JEA for the purpose of financing or refinancing the utilities system, including without limitation the financing of any one or more enlargements, expansions, developments, replacements, acquisitions or modernization of the utilities system, any expenses of the utilities system, any reserves deemed necessary or desirable by JEA and any other purpose not otherwise prohibited by law, and retiring any bond, note or revenue certificate issued under this article, or any bond, note or revenue certificate issued by or on behalf of the city to finance the water and sewer utilities previously owned or operated by the city, and for any combination of one or more such purposes in any single issue of revenue bonds or revenue certificates. At the discretion of JEA, such bonds or revenue certificates may be issued for any one or more of the several utility systems of JEA (or any combination thereof).

(2) The bonds or revenue certificates of each issue shall be authorized by resolution of JEA, which resolution shall contain such provisions relating to the protection and security of the holders of the bonds or revenue certificates, including their rights and remedies, and the rights, powers, privileges, duties and obligations of JEA with respect to the same. Such resolution may also contain provisions providing for the pledge of all or any part of the revenues of the utilities system, to which may, at JEA's discretion, be limited to the revenues of one or more of the several utility systems, to secure the payment of the bonds or revenue certificates of any issue and may provide for the pledge of other funds and accounts of JEA. Such resolution also shall determine the timing and manner of sale, which may be public or private; maturities; rate or rates of interest, which may be fixed or may vary at such time or times as provided or in accordance with a specified formula or method of determination (subject to any legal limitations on interest, as established by s. 215.84, Florida Statutes, or according to said section as it may from time to time be amended); and other terms and conditions of the bonds or revenue certificates, provided that JEA may delegate to the chairperson, managing director or other officer or employee of JEA designated by JEA the power to determine any such terms or conditions. However, the amounts and maturities of such bonds or revenue certificates and the interest rate or rates of such bonds or revenue certificates shall be within the limits prescribed by JEA and its resolution delegating to the chairperson, managing director or such other officer or employee of JEA the power to authorize the issuance and sale of such bonds or revenue certificates, and, in the case of the total aggregate amount of bonds or revenue certificates issued by JEA, within the limits prescribed by ordinance of the council. In case any officer whose signature or facsimile of whose signature shall appear on any bonds or revenue certificates shall cease to be such officer before the delivery of such bonds or revenue certificates, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery. All bonds and revenue certificates issued under the provisions of this article shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the negotiable instruments law of the state. The issuance of such bonds and revenue certificates shall not be subject to any limitations or conditions contained in any other law.

(3) Bonds or revenue certificates and refunding bonds or refunding revenue certificates issued pursuant to this article if sold by bid shall be sold to the bidder whose bid produces the lowest true interest cost to JEA. JEA may restrict the bidders in any sale by pre-qualification or otherwise and may reserve the right to reject any or all bids. Prior to any sale by bid of bonds or revenue certificates JEA shall cause notice to be given in such manner and at such time as JEA shall determine. Said notice shall specify such matters relating to the bonds or revenue certificates offered for sale as JEA shall determine and shall state the manner in which bids shall be given. JEA may reserve the right to waive any informalities or irregularities if JEA determines that such actions

are in its best interest. In no event shall said bonds or revenue certificates be sold at a net interest cost to JEA in excess of the legal limit, as established by s. 215.84, Florida Statutes, or according to said section as it may from time to time be amended.

(4) In no event shall general obligation bonds be issued hereunder.

(5) Bonds or revenue certificates may be issued by resolution of JEA, subject only to the approval by ordinance of the council of the aggregate principal amount of such bonds or revenue certificates.

(j) To borrow money and to issue notes for any purpose or purposes for which bonds or revenue certificates may be issued under the provisions of this article, in accordance with the provisions of this article relating to the issuance of bonds or revenue certificates, and to refund the same and to issue notes in anticipation of the receipt of the proceeds of the sale of any such bonds or revenue certificates.

(k) To borrow money from the city, for any period not to exceed one year, to provide JEA with working capital to meet routine or emergency cash requirements and to maintain adequate inventories, at such interest rates and upon such conditions concerning the method of borrowing, the time and manner of payment and the maximum amount that may be on loan at any time, as are determined by ordinance of the council; to lend money from one of its utilities operations to another of its utilities operations for such period, at such interest rates and upon such other conditions concerning the method of borrowing, the time and manner of payment and the maximum amount that may be on loan at any time, all as determined by JEA; and to borrow money from lending institutions, including, without limitation, borrowing as part of a commercial paper or other short-term note financing program which may include provision for payment upon demand by the purchaser or purchasers, as authorized by resolution of JEA. When authorized by resolution of JEA, such notes, including renewals thereof, may be sold or placed by officers of JEA at public or private sale and delivered by such officers to the purchaser or purchasers thereof within the limitations and restrictions contained in such resolution. Such loans between utility systems and such borrowings from lending institutions, or between one or more of the utility systems, including borrowing as part of a commercial paper or other short-term note financing program, will not require the approval of the council.

(l) To enter into contracts determined by JEA to be necessary or desirable for the prudent management of JEA's funds, debt or fuels, and any and all other commodities used for the several utility systems including, without limitation, interest rate swaps, option contracts, futures contracts, contracts for the future delivery or price management of power, energy, natural gas or other related commodities, hedging contracts, other risk management techniques, securities lending agreements and forward purchase contracts.

(m) To invest money of JEA not required for immediate use, including proceeds from the sale of any bonds, revenue certificates or notes, in such obligations, securities, and other investments as JEA shall deem prudent, subject to any agreement with bondholders, revenue certificate holders or note holders.

(n) To enter into joint project agreements as provided by part II of chapter 361, Florida Statutes, for the purpose of implementing a project, as such term is defined in Part II of Chapter 361, Florida Statutes. A copy of all such joint project agreements shall be filed with the council and the mayor at least thirty days prior to the effective date of the agreement. Anything in this provision to the contrary notwithstanding, (i) any joint project agreement that involves a transfer of any function or operation that comprises more than ten percent of the total of the utilities system by sale, lease or otherwise to any other utility, public or private, or (ii) any joint project agreement that involves the issuance of debt not previously authorized by s. 21.04(i)(2), shall require prior approval of the council.

(o) To enter into agreements with one or more other electric utilities, public or private, and related contracts with respect to joint electric power projects as provided in section 2 of chapter 80-513, Laws of Florida, as

amended. The provisions of said chapter 80-513 shall govern and control JEA in all respects in the carrying out of a joint electric power project authorized thereunder notwithstanding any provision of the charter or of the Ordinance Code of the City of Jacksonville which may be in conflict therewith.

(p) To transfer, sell, finance, lease or otherwise provide services or products, or by-products, developed or used by JEA incident to the exercise of the powers conferred by this article, including but not limited to, energy performance contracting, water, sewer and natural gas (and any other utility service hereafter provided by JEA) contracting, power marketing services, the testing and maintenance of customer-owned facilities such as transformers, capacitors, lighting, HVAC systems, water cooling and heating systems, energy management systems, etc.; the temporary leasing of JEA facilities such as oil storage tanks; the supply of steam or other thermal energy; the provision of specially conditioned power on the premises of customers and the provision of services or products to build, transfer, lease, finance, operate or sell cogeneration facilities, small power production facilities, specially conditioned power, energy conservation, energy efficiency and dispersed generation to other electric utilities both within and without the state or to any wholesale or retail customers of JEA, upon such terms and conditions as JEA shall by resolution fix and determine; and to transfer, sell, finance, lease or otherwise provide services, products or by-products developed or used by JEA incident to the exercise of the powers conferred by this article, in the delivery of water, wastewater and natural gas services, including but not limited to the financing, testing, maintenance and operation of customer owned facilities used in water, wastewater and natural gas functions; provided, however, that JEA will not enter into any activity pursuant to this section in addition to those activities listed herein without first providing written notice of such activities to the council auditor no less than 30 days before the commencement of such activity. Nothing in this article shall authorize or be construed to authorize JEA to transfer any function or operation which comprises more than ten percent of the total of the utilities system by sale, lease or otherwise to any other utility, public or private without approval of the council. So long as there are outstanding any of the city's "Capital Project Revenue Bonds" as originally authorized pursuant to Ordinance 97-1054-E, the council may approve only such transfer which does not materially adversely affect future receipts of JEA contributions as defined therein.

(q) (1) To collect from customers and ratepayers monthly or one-time voluntary contributions to be deposited into an elderly and/or handicapped or low income customer emergency trust fund administered by JEA. The proceeds of such trust fund may be expended periodically by JEA for the purpose of providing financial assistance to elderly and/or handicapped or otherwise needy low income residents living within the service area of JEA for the payment of their utilities needs. The method of administration of such trust fund, including the collection and distribution thereof, shall be as provided by ordinance of the council.

(2) Upon the unanimous approval of the Board, and a two-thirds vote of the City Council, to collect monthly or one-time voluntary contributions from customers and ratepayers, for a charitable, scholastic, or public service community giving program. - Contributions from any such program shall be passed through to an appropriate non-profit entity for administration and distribution and shall not be administered by JEA. The results of such giving program shall be reported annually each July 1st to the Council.

(3) Upon approval of the Board, to collect monthly or one-time voluntary contributions from customers, ratepayers or other contributors for other customer assistance programs directly related to services or utilities provided by JEA. The results of such giving program(s) shall be

reported annually each July 1st to the Council. Contributions from any such program shall be passed through to an appropriate non-profit entity for administration and distribution and shall not be administered by JEA.

(r) To jointly or separately plan, finance, operate, use, share costs of, sponsor, publicize or otherwise participate in projects, systems, programs or measures to promote or implement electric and natural gas energy, electrotechnologies, water, wastewater and natural gas conservation and efficiency, power conditioning and load management, including, but not limited to, energy, water and wastewater conservation, energy efficiency and conditioning or load reducing or load shaping modifications to the maintenance and operating procedures and facilities of a building or facility or in the installation therein; energy, water and wastewater conserving and energy efficiency modifications to windows and doors, pipes, pumps and motors; caulking and weatherstripping; insulation; automatic energy control systems; load management systems; hot water systems; replacements or modifications of lighting fixtures; and energy recovery and recycling systems; and research and development relating thereto within or without the state.

(s) To delegate any act authorized pursuant to this article to any officer, employee or agent of JEA as it may deem necessary or desirable for the prudent management of JEA.

(t) To do all acts and deeds necessary, convenient or desirable, incidental to the exercise and performance of the powers and duties granted to JEA in this article.

(u) Express authority is given JEA to enter into any contracts, leases or other agreements with other governmental bodies (either local, state or federal) for the purpose of carrying out any of the provisions, powers or purposes of this article. JEA is expressly prohibited from appropriating or expending any of its funds for payments, contributions or transfer to any non-profit organization or any other group, association or entity other than those whose primary purpose directly involves the electric, water, wastewater and natural gas utility, (or any other utility which may, in the future, be operated by JEA) industries, or electric energy, water, wastewater and natural gas (or any other utility which may, in the future, be operated by JEA) related matters.

(v) If JEA determines that it is necessary or appropriate for it to provide, operate or maintain any other utility system or function other than electric, water wastewater and natural gas, JEA shall by resolution identify such additional utility system or systems or function or functions and indicate its desire to provide such utility service or services or function or functions to the council. The JEA resolution to be provided to council for adoption and approval shall address relative real property tax treatment of JEA providing, operating or maintaining the additional utility system. Upon the adoption and approval of this resolution by JEA and the council, voting as separate entities, JEA, with respect to the specified system or systems, shall be vested with all powers set forth herein or in general law that would, but for the provisions of this article, apply to such specified utility system or systems.

(w) To exercise all powers granted to the city with regard to sewage collection and disposal and to water supply pursuant to chapters 170 and 180, Florida Statutes, including the issuance of bonds or notes in anticipation thereof payable from special assessments under said chapter 170, Florida Statutes.

(x) To coordinate carefully with the Department of Public Works of the City of Jacksonville and the Jacksonville Transportation Authority the planning and execution of engineering and construction projects involving underground work and streets and highways to seek to minimize the total cost of such projects and to reduce disruption to the citizens of the city to the maximum extent possible.

(y) To expend JEA funds up to one and one-half (1.5) percent of the prior year's gross revenues to promote the efficient use of JEA's services through public education including exhibits, conferences, displays, tours and other events customary to the utilities industry and also to publicize, advertise and promote the

objects of this article and to promote the objectives of JEA in the manner set forth by resolution of JEA. Accordingly, JEA may expend its funds to make known to the users, potential users and public in general the advantages, facilities, resources, products, attractions and attributes of the services provided by JEA and to further create a favorable climate of opinion concerning the activities and projects authorized and indicated by this article. JEA may also, to the extent permitted by the laws of the State of Florida, expend funds in cooperative efforts to and with other agencies, both public and private, in accomplishing the purposes enumerated and indicated by this article; and in furtherance thereof. JEA may also authorize expenditures for any and all of the purposes herein enumerated, including but not limited to, meals, hospitality and entertainment of persons in the interest of promoting and engendering good will toward the activities and projects herein authorized. Whenever an expenditure of funds for any of the foregoing purposes is made by a member or employee of JEA, JEA may reimburse such member or employee therefor, but only after such expenditures have been duly authorized by JEA or its managing director if so delegated to do so. JEA will provide a list of proposed promotional expenditures each year to the council auditors.

(z) To allocate costs between the electric, water, sewer, natural gas and any other utility system operated now or in the future by JEA on a cost accounted basis.

(aa) To assist the City of Jacksonville and any of its departments and independent agencies in the development of joint financing programs for the purpose of financing capital improvement programs for the City of Jacksonville and any of its departments and independent agencies.

(bb) To enter into such interlocal agreements authorized by, and to become a member of such separate legal entity or entities created pursuant to chapter 163, Florida Statutes, as JEA shall determine by resolution are necessary or desirable to accomplish the purposes enumerated and indicated by this article; and, to the extent permitted by the laws of the State of Florida, to enter into such joint ventures, partnerships, joint ownership arrangements, or other similar arrangements with other persons or entities, public or private, as JEA shall determine by resolution are necessary or desirable to accomplish the purposes enumerated and indicated by this article.

(cc) To allocate and allot the sums appropriated by the council in JEA's annual budget for more specific purposes and to transfer from time to time during the fiscal year, without further council approval, appropriated funds including capital outlay funds from one of the purposes for which funds are appropriated to another of such purposes, if, in the discretion of JEA, such transfer is necessary to carry out all of the purposes for which funds were appropriated, subject to applicable law; provided however, nothing in this section shall authorize JEA to transfer appropriated funds from its operating budget to its capital outlay budget or vice versa, without prior approval of the council. This includes the financing of power conditioning and energy conservation equipment for both residential and nonresidential customers providing that the receivables at any point in time will not exceed ten (10) percent of the prior year's utilities system's revenues. A written summary of all budget transfers shall be provided to the council auditor at the end of each quarter.

(dd) To the extent permitted by the laws of the State of Florida, to have ownership and membership in separate organization entities, including but not limited to corporations, to conduct utility related activities and functions. A copy of all such ownership agreements shall be filed with the council and the mayor at least thirty (30) days prior to the effective date of the agreement.

(ee) (1) To shut off and discontinue the supplying of services of one utility system, to any and all users of the utilities system, for the nonpayment, when due, of the rates, assessments, fees or charges, for facilities or services of that particular utility system, or for facilities or services of any other utility system.

(2) To deny any application for services of one utility system, to any and all users or potential users of the nonpayment, when due, of rates, assessments, fees or charges for facilities or services of that particula facilities or services of any other utility system.

(Laws of Fla., Ch. 78-538, § 1; Laws of Fla., Ch. 80-515, § 1; Laws of Fla., Ch. 82-312, § 15; Ord. 84-1307-754, § 25; Ord. 86-164-454, § 1; Ord. 86-1458-879, § 1; Laws of Fla., Ch. 92-341, § 1; Ord. 93-82-1385, § 1; Ord. 94-1268-757, § 1; Ord. 97-12-E, § 2; Ord. 98-253-E, § 1; Ord. 2005-1032, § 1; Ord. 2015-764-E , § 2)

Section 21.05. - Construction.

The powers of JEA shall be construed liberally in favor of JEA. No listing of powers included in this article is intended to be exclusive or restrictive and the specific mention of, or failure to mention, particular powers in this article shall not be construed as limiting in any way the general powers of JEA as stated in Section 21.04. It is the intent of this article to grant to JEA full power and right to exercise all authority necessary for the effective operation and conduct of JEA. It is further intended that JEA should have all implied powers necessary or incidental to carrying out the expressed powers and the expressed purposes for which JEA is created. The fact that this article specifically states that JEA possesses a certain power does not mean that JEA must exercise such power unless this article specifically so requires. JEA's power to levy special assessments shall not be deemed to be the power to levy taxes.

(Ord. 93-82-1385, § 1; Ord. 97-12-E, § 2; Ord. 98-253-E, § 1)

Section 21.06. - Bonds and revenue certificates eligible for legal investments.

Notwithstanding any provisions of any other law or laws to the contrary, all revenue bonds and revenue certificates including refunding bonds and refunding revenue certificates, issued pursuant to this article shall constitute legal investments for savings banks, trust companies, executors, administrators, trustees, guardians, and other fiduciaries, and for any board, body, agency or instrumentality of the State of Florida, or of any county, municipality, or other political subdivision of the State of Florida; and shall be eligible as security for deposits of state, county, municipal and other public funds.

(Laws of Fla., Ch. 78-538, § 1; Laws of Fla., Ch. 80-515, § 1; Ord. 84-1307-754, § 25; Ord. 93-82-1385, § 1)

Editor's note— Former § 21.06, relative to transfer of property by the city, was deleted by § 1 of Ord. 93-82-1385, and former § 21.05 was subsequently renumbered as s. 21.06. The provisions of former § 21.06 derived from Laws of Fla., Ch. 78-538, § 1; Laws of Fla., Ch. 80-515, § 1; Ord. 84-1307-754, § 25 and Laws of Fla., Ch. 92-341, § 1.

Section 21.07. - Fiscal and budgetary functions.

JEA shall have fiscal and budgetary functions, subject to the limitations herein expressed:

(a) The fiscal year of JEA shall commence on October 1 of each year and end on the following September 30.

(b) JEA shall prepare and submit its budget for the ensuing year to the city on or before July 1 of each year, setting forth its estimated gross revenues and other available funds, and estimated requirements for operations and maintenance expenses, capital outlay, debt service, and depreciation and reserve account. The council and the mayor shall approve or disapprove such budget in the manner provided in article 14 for budgets of independent agencies.

(c) As consideration for the unique relationship between the City of Jacksonville and JEA, as a tax-exempt entity within the consolidated government, and in recognition of the shared attributes with the consolidated City of Jacksonville in connection with its electric, water, and sewer distribution systems, there shall be assessed upon JEA in each fiscal year, for the uses and purposes of the city, from the

revenues of the electric system and the water and sewer system operated by JEA available after the payment of all costs and expenses incurred by JEA in connection with the operation of such electric system and water and sewer system (including, without limitation, all costs of operation and maintenance, debt service on all obligations issued by JEA in connection with such electric system and water and sewer system and required reserves therefore and the annual deposit to the depreciation and reserve account required pursuant to section 21.07(g)), an amount as provided herein. Effective October 1, 2016, consistent with the provisions of this section 21.07(c), JEA shall pay the city combined assessment for the electric system and the water and sewer system. The combined assessment for the electric system and the water and sewer system shall equal, but not exceed the greater of (A) the sum of (i) the amount calculated by multiplying 7.468 mills by the gross kilowatt-hours delivered by JEA to retail users of electricity in JEA's service area and to wholesale customers under firm contracts having an original term of more than one year (other than sales of energy to Florida Power and Light Company from JEA's St. Johns River Power Park System) during the twelve-month period ending on April 30 of the fiscal year immediately preceding the fiscal year for which such assessment is applicable plus (ii) the amount calculated by multiplying 389.20 mills by the number of K-Gals (1=1000 gallons) potable water and sewer service, excluding reclaimed water service, provided to consumers during the twelve-month period ending on April 30 of the fiscal year immediately preceding the fiscal year for which such assessment is applicable or (B) a minimum calculated amount which increases by 1% per year from fiscal year 2016-2017 through fiscal year 2020-2021 using the fiscal year 2015-16 combined assessment of $114,187,538 as the base year. The amounts applicable to clause (B) above are: for fiscal year 2016-2017 - $115,329,413; for fiscal year 2017-2018 - $116,482,708; for fiscal year 2018-2019 - $117,647,535; for fiscal year 2019-2020 - $118,824,010; and for fiscal year 2020-2021 - $120,012,250.

(d) The assessment calculations for the electric system and the water and sewer system shall be in effect until September 30, 2021. The council may reconsider the assessment calculations after October 1, 2020 and changes, if any, shall become effective October 1, 2021. The council may change the assessment calculations by ordinance within the provisions of this section 21.07. Should the council not reconsider the assessment calculations, the assessments shall be calculated using the existing formulas specified in Section 21.07(c), including a minimum calculated amount in clause (B) therein, which increases by one percent per year for each fiscal year computed as provided in Section 21.07(c). In addition to the annual assessment as calculated in Section 21.07(c), JEA pursuant to the terms of an Interagency Agreement with the City, agreed to provide total nitrogen water quality credit to the City to assist the City in meeting its Basin Management Action Plan load reduction goal (BMAP Credit). If JEA cannot provide the BMAP Credit pursuant to the terms of the Interagency Agreement, council and JEA shall work cooperatively to address the BMAP Credit shortfall or council may reconsider the assessment calculations.

(e) The council shall have the power to appropriate annually a portion of the available revenues of each utility system (other than the electric, water and sewer systems) operated by JEA for the uses and purposes of the city. This appropriation shall be based on a formula to be agreed upon by JEA and the council. Any covenants or pledges to lenders associated with such proposed additional utility system which impair council's ability to appropriate revenues from that additional utility system, other than a pledge of gross revenues to bondholders, shall be included in the JEA resolution required in s. 21.04(v) or any future resolution allowing for financing of activities associated with that additional utility system.

(f) JEA shall pay over to the city (i) the amounts assessed upon JEA pursuant to section 21.07(c) and (ii) such portions of the funds actually appropriated by the council pursuant to section 21.07(e) at such time as the council may request, but not in advance of collection. Although the calculation for (i) the amounts assessed upon JEA pursuant to section 21.07(c) and (ii) the annual transfer of available revenue from JEA

to the city pursuant to section 21.07(e) is based upon formulas that are applied specifically to the respective utility systems operated by JEA, JEA, in its sole discretion, may utilize any of its revenues regardless of source to satisfy its total annual obligation to the city mandated by said sections 21.07(c)and (e).

(g) JEA shall be required to set aside each year in a depreciation and reserve account established for each utility system it operates, an amount equal to not less than 10 percent of its annual net revenues for the previous year attributable to each such system. For such purpose, "annual net revenue" shall mean annual gross revenues derived by JEA from the operation of such system reduced by expenses for operation and maintenance allocable to such system and debt service allocable to such system. Funds set aside in each such depreciation and reserve account shall be used exclusively for enlargements, extensions, improvements and replacements of capital assets of the utility system for which such account was established or to pay or provide for the payment of JEA's bonds, notes or revenue certificates relating specifically to such system; provided, however, that if JEA by resolution determines that it is in the best interests of JEA to use all or any portion of the funds set aside in the depreciation and reserve account established with respect to a particular utility system for the purposes of another utility system, then such funds may be so applied.

(h) JEA shall not be required to utilize the personnel, motorpool, purchasing, communication or information systems services of the city. By mutual agreement of JEA and the city such services may be provided from one party to the other but only on a cost-accounted basis. JEA shall be required to use the legal services of the city on a cost-accounted basis except in those cases when the chief legal officer of the city determines that the city legal staff cannot or should not provide legal services in the required legal area. JEA shall appropriate the funds necessary to meet the obligations for outside legal services as determined by the chief legal officer of the city. Such chief legal officer shall consult with JEA before he or she selects outside counsel.

(i) Unless otherwise determined by JEA, all revenues and service charges receivable by JEA as payment for the sale of utilities services shall be collected and received by the tax collector. The tax collector shall deposit to the account of or otherwise turn over to JEA such funds at such times and in such manner as JEA may from time to time designate by resolution. JEA may provide for the collection of such revenues and service charges directly by JEA, provided that the council auditor shall be notified in writing of any proposed change from the current collection process utilizing the Tax Collector and that such change shall not take place until the next fiscal year after such notice is given.

(j) JEA shall employ and fix the compensation of the managing director, who shall manage the affairs of the utilities system under the supervision of JEA. The entire working time of such managing director shall be devoted to the performance of the duties of such office and the managing director shall have no outside employment or business. The managing director shall be a graduate of an accredited college or university, or have at least ten years' managerial experience in a consumer-oriented industry or comparable enterprise. JEA may appoint and fix the compensation of 48 staff assistants to the managing director, to serve at the pleasure of JEA. JEA shall employ and fix the compensation of the department heads, deputy directors of departments, division chiefs and assistant division chiefs of the utilities system. JEA may adopt position titles different from those recited herein, consistent with utility industry practice. The managing director, department heads, deputy directors of departments, staff assistants, division chiefs and assistant division chiefs shall not be included within the civil service system of the city. JEA may employ such certified public accountants, consultants and other employees for special purposes, not within the civil service system, as it may require, and fix and pay their compensation. Whenever used in this s. 21.07(i), "compensation" shall mean both salary and benefits, exclusive of city pension benefits.

All personnel appointed by JEA pursuant to this s. 21.07(i) shall participate in the City of Jacksonville pension plan in the same manner as other employees of JEA who participate in such plan. However JEA shall have the option to establish an employee deferred compensation program separate from the city's employee deferred compensation program.

(k) JEA is authorized to pay over to other local governmental units outside the city annually a portion of available revenues derived from operations in such local governmental units' territories, for the uses and purposes of such local governmental units, an amount not to exceed that which would be calculated using the procedures in Sections 21.07(c)and (e), but only to the extent that JEA is able to, and does, include in the rates imposed only upon the customers in such local governmental units' territories the total amounts in respect of such payments.

(l) In addition to all other sums paid by JEA to the City of Jacksonville, JEA shall pay to the City of Jacksonville a franchise fee in an amount equal to three percent (3%) of the revenues of the electric system and the water and sewer system as set forth in Section 21.07(c) herein. The franchise fee will commence for revenues derived effective April 1, 2008 and shall be paid monthly with the first payment payable on June 1, 2008. The franchise fee shall be limited to (1) revenues derived within Duval County not including Urban Service Districts 2-5, and (2) per customer, total water and sewer rate revenues, and (3) up to a per customer maximum of $2,400,000 per fiscal year of electric rate revenues. The franchise fee shall be calculated each month by multiplying three percent (3%) by the sum of JEA's base rate electric revenues, fuel rate revenues, water rate revenues and sewer rate revenues for that month excluding unbilled revenues and uncollectible accounts. The franchise fee shall be calculated on revenues derived from the sale of gross kilowatt-hours and number of cubic feet of potable water and cubic feet of sewer service as set forth in Section 21.07(c). Notwithstanding the foregoing, no franchise fee shall be paid on franchise fees, state utility taxes, fuel related interchange sales, sales for resale, City of Jacksonville accounts, JEA accounts, investment income and other revenues. JEA shall be authorized to pass-through the amount of the franchise fees set forth herein and associated charges resulting from the stated three percent (3%) franchise fee calculation on rate revenues notwithstanding the $2,400,000 limit set forth herein to the customers of JEA, in accordance with the customers' proportionate share of rate revenues as calculated above. This franchise fee is in consideration of the administrative costs incurred by the City to coordinate functions and services with JEA, for the exclusive right to serve electric, water and sewer customers, for use by JEA of the public rights-of-way used by it in connection with its electric distribution system and its water and sewer distribution and collection system, and in further consideration of the unique relationship of JEA and the City, in which JEA is a wholly owned public utility, and such other good and valuable consideration that has been agreed to between JEA and the City of Jacksonville. The gross franchise fee and the amount of the pass-through set forth herein may be increased by ordinance, initiated by the Mayor and approved by two-thirds supermajority of the City Council, but the franchise fee shall not exceed six percent (6%) of the gross utility revenues as calculated above. The JEA and the City shall enter into a Franchise Fee Agreement for the administration of the Franchise Fee.

(Laws of Fla., Ch. 78-538, § 1; Laws of Fla., Ch. 80-515, § 1; Ord. 81-921-490, § 1; Ord. 84-1307-754, § 25; Ord. 89-1001-632, § 1; Laws of Fla., Ch. 92-341, § 1; Ord. 93-82-1385, § 1; Ord. 97-12-E, § 2; Ord. 98-253-E, § 1; Ord. 2003-1320-E, § 1; Ord. 2007-838-E, § 1; Ord. 2007-1132-E, § 1; Ord. 2015-764-E , § 2)

Section 21.08. - Employees.

All employees of the utilities system shall be employees of JEA and shall be subject to articles 16 and 17 unless otherwise provided by the council, which shall be and continue to be the legislative body as provided in section 447.203(10), Florida Statutes. JEA shall be fully responsible for the administration and operation of all utility services as set out in this article and in order to meet its administrative and operational responsibilities, JEA shall have full and independent authority to hire, transfer, promote, discipline, terminate and evaluate employees engaged to provide any and all of the utilities services for which it is responsible and accordingly, consistent with the provisions of article 17, JEA may establish employment policies relating to hiring, promotion, discipline and termination, and other terms and conditions of employment, and enter into negotiations with employee organizations with respect to wages, hours and terms and conditions of employment and take such other employment related action as needed to assure effective and efficient administration and operation of the utilities system. In order to effectively implement the foregoing, JEA shall perform all functions with regard to its own employees that are performed by the City department or division which oversees city employees in regard to personnel matters. JEA, at its expense, shall provide accidental death benefits for all employees engaged in hazardous duty as determined by JEA, in the amount of $50,000 payable to the beneficiary named by the employee, or as otherwise provided, in the event said employee dies as a result of an accident occurring to any employee in the course of his/her employment. Nothing contained in this section 21.08 shall be construed to supersede or repeal any provision of section 12 of Chapter 80-513, Laws of Florida, as amended.

(Laws of Fla., Ch. 78-538, § 1; Laws of Fla., Ch. 80-515, § 1; Ord. 84-1307-754, § 25; Ord. 87-203-345, § 1; Laws of Fla., Ch. 92-341, § 1; Ord. 97-12-E, § 2; Ord. 98-253-E, § 1; Ord. 2011-732-E; Ord. 2015-764-E , § 3)

Editor's note— Ordinance 2007-839-E, § 18, authorized updated department/division names pursuant to reorganization.

Section 21.09. - Awards of contracts.

(a) JEA shall not be subject to the provisions of Chapter 126, Ordinance Code of the City of Jacksonville, as the same may be amended from time to time, however, JEA in entering into any contracts relating to the construction, reconstruction, repair, operation or maintenance of the utilities system or the purchase of supplies, equipment, machinery and materials for the utilities system or the contracting or otherwise purchasing for any advisory, professional or any other services may establish such rules, regulations or procedures as it may deem desirable or necessary in connection therewith. In the absence of such specific authority, rules, regulations or procedures, JEA shall follow the provisions of Chapter 126 of the Ordinance Code of the City of Jacksonville, as the same may be amended from time to time. JEA shall have the right to reject any and all bids, in whole or in part, in the best interests of JEA. Nothing in this chapter shall be construed to limit the power of JEA to construct, repair, or improve the utilities system, or any part thereof, or any addition, betterment or extension thereto, directly by the officers, agents, and employees of JEA, or otherwise by contract. JEA is authorized to implement and to take all actions necessary to administer a purchasing and procurement program directed to Minority Business Enterprises including, but not limited to, prime contractors, subcontractors, consultants, subconsultants, and suppliers. Any such Minority Business Enterprise program shall be implemented by JEA to remedy discrimination or the present effects of past discrimination, if any, suffered by Minority Business Enterprises in the business community in the area served by JEA. For purposes of this chapter, the term "Minority Business Enterprise" shall be defined by JEA and shall include, at a minimum, those business entities that are legitimately owned, operated and controlled by persons who have been shown to have been discriminated against or who suffer from the present effects of past discriminations, if any, in the business community in the area served by JEA. Such program shall be used to redress and remedy discrimination or the present effects of past discrimination, if any, as may be determined by JEA, and which are shown to have been suffered by Minority Business Enterprises, in the business community in the area served by JEA.

(b) No member of JEA or officer or employee thereof shall either directly or indirectly be a party to, or be in any manner interested in, any contract or agreement with JEA for any matter, cause or thing whatsoever in which such member shall have a financial interest or by reason whereof any liability or indebtedness shall in any way be created against

JEA. If any contract or agreement shall be made in violation of the provisions of this section the same shall be null and void and no action shall be maintained thereon against JEA.

(Laws of Fla., Ch. 78-538, § 1; Laws of Fla., Ch. 80-515, § 1; Ord. 80-113-169, § 1; Ord. 81-921-490, § 2; Ord. 84-1307-754, § 25; Ord. 84-229-307, § 1; Ord. 86-1475-875, § 1; Ord. 88-989-705, § 1; Ord. 91-678-447, § 1; Laws of Fla., Ch. 92-341, § 1; Ord. 93-82-1385, § 1; Ord. 97-12-E, § 2; Ord. 98-253-E, § 1)

Section 21.10. - Execution of instruments; examination of claims; funding through revenue bonds or revenue certificates.

All instruments in writing necessary to be signed by JEA shall be executed by the chairperson and secretary or assistant secretary, or by such officer, agent or employee of JEA as it may by resolution designate. JEA shall provide for the examination of all payrolls, bills, and other claims and demands against JEA to determine before the same are paid that they are duly authorized, in proper form, correctly computed, legally due and payable, and that JEA has funds on hand to make payment. Funds on hand to make payment shall be deemed to have been provided when revenue bonds or revenue certificates of JEA (or notes issued in anticipation thereof) to finance the acquisition and construction of plants and facilities for the production and/or transmission of electricity, the production and transmission of water, the transmission and treatment of wastewater and the transmission of natural gas, costing in excess of $10,000,000.00 have been duly authorized as provided in this article whereupon JEA may enter into instruments in writing for the acquisition and construction of such plants and facilities and may sell such revenue bonds or revenue certificates (or notes issued in anticipation thereof) in the manner provided in this article in installments to provide funds as obligations of JEA under such instruments in writing become due.

(Laws of Fla., Ch. 78-538, § 1; Laws of Fla., Ch. 80-515, § 1; Ord. 84-1307-754, § 25; Laws of Fla., Ch. 92-341, § 1; Ord. 93-82-1385, § 1; Ord. 97-12-E, § 2; Ord. 98-253-E, § 1)

Section 21.11. - Legislative authority of council.

Notwithstanding any provision of this charter to the contrary, the council may repeal or amend any portion of this article, by two-thirds vote of the membership of the council. A public hearing on the adoption of the ordinance shall be advertised in substantially the same manner as the council is required to advertise its intention pursuant to s. 200.065, Florida Statutes, and held not earlier than 30 days after the introduction of the ordinance into the council. The council shall take final action on the ordinance only after the expiration of 60 days after the advertised public hearing, and no ordinance shall be enacted except by a two-thirds vote of the entire council. If the mayor disapproves the ordinance, the council may enact it notwithstanding such disapproval only by a four-fifths vote of the entire council.

(Laws of Fla., Ch. 78-538, § 1; Laws of Fla., Ch. 80-515, § 1; Ord. 84-1307-754, § 25; Laws of Fla., Ch. 92-341, § 1)

Section 21.12. - Severability.

If any provisions of this article or the application thereof to any person or circumstance is held invalid by a court of competent jurisdiction, the invalidity shall not affect other provisions or applications of this article which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

(Ord. 93-82-1385, § 1)

Print

Kissimmee, FL Code of Ordinances

ARTICLE IX. UTILITY AUTHORITY

Editor's note:

Ordinance No. 1285, adopted by the city commission on Feb. 19, 1985, and ratified at referendum March 26, 1985, to be effective Oct. 1, 1985, amended the Charter but did not specify the exact manner of inclusion of its provisions. However, upon the advice of the city, the editor had included the provisions of Ord. No. 1285, §§ 1 19 and 21, as a new Article IX.

Cross-reference:

Electrical code, Ch. 10; utilities, Ch. 29.

SECTION 1 [GENERAL PROVISIONS.]

There is hereby created and made a part of the government of the City of Kissimmee a utility authority to be known and designated as "Kissimmee Utility Authority," City of Kissimmee, Florida, which shall be responsible for the development, production, purchase, sale, exchange, interchange, transmission and distribution of all electricity and such other utility services as may be designated by resolution by the city commission. The authority shall have exclusive jurisdiction, control and management of the said utilities of the city and all its operations and facilities. The authority shall have all the powers and duties possessed by the city to construct, acquire, expand and operate said utility systems, and to do any and all acts or things that are necessary, convenient or desirable in order to operate, maintain, enlarge, extend, preserve and promote an orderly, economic and businesslike administration of the said utility systems. The authority shall operate as a separate unit of the city government; and except as otherwise provided in this ordinance [article], the authority shall be free from the jurisdiction, direction, and control of other city officers and of the city commission. The authority may sue or be sued in its own name. All damage claims arising from the operations of the authority and the said utilities shall be the responsibility of and be liquidated by the authority from the appropriate funds of the utility systems. For the purposes of this ordinance [article], unless otherwise designated or the context requires, the word "authority" shall mean the Kissimmee Utility Authority, and the word "city" shall mean the City of Kissimmee, Florida.

(Ord. No. 1285, § 1, 2-19-85)

SECTION 2 AUTHORITY T O CONSIST OF FIVE MEMBERS.

The City Commission shall, within fifteen (15) days of the determination of the election results as provided for in Section 22 of this ordinance [not codified herein], appoint by majority vote of the entire commission a group of five (5) citizens of the City of Kissimmee who shall act as a nominating committee. The responsibility of this nominating committee is to recommend within sixty (60) days three (3) qualified electors who have demonstrated a successful business or professional management career, except that two (2) of the three (3) persons may reside outside the city limits of the City of Kissimmee, and who purchases electricity from the city's utilities and who portrays the above attributes. Within fifteen (15) days of receipt of nominations, the city commission by majority vote of the entire commission shall elect individuals to serve on the Kissimmee Utility Authority for one term of three (3) years, four (4) years, and five (5) years, respectively. If any nominee is not elected by the commission, the nominating committee shall present another nominee within fifteen (15) days. In addition to said three (3) persons, the city commission shall direct the mayor commissioner, hereinafter referred to as mayor, to serve as ex officio member of the

Kissimmee Utility Authority without a vote. Further, the city commission shall appoint the two (2) most senior members of the then active city commissioners to serve a one-year and a two-year term, respectively; the most senior member of the city commission to serve a one-year term on the Kissimmee Utility Authority. After this period no active city commissioner shall serve on the authority. Further, no member of the city commission, except the mayor of the City of Kissimmee and those members of the city commission named as initial members of the authority shall serve on the authority. Neither employees of the City of Kissimmee or any elected official shall be qualified to serve as a member of the said utility authority. No member of the authority shall, except the mayor of the City of Kissimmee, serve more than two (2) successive terms on the authority.

All terms of the initial authority members shall expire as if they had begun on October 1, 1985. All future full terms shall begin on October 1st.

From the time of their election by the city commission until this ordinance [article] becomes law on October 1, 1985, the Kissimmee Utility Authority is charged with developing and approving policies, bylaws and procedures to facilitate the orderly transition as contemplated in this ordinance [article] on October 1, 1985.

If a member is elected to fill a vacancy created by death, disability, resignation or removal, he or she shall serve the remaining term of the member causing such vacancy. Any elected member may be removed from office upon a four-fifths vote of the entire city commission for malfeasance, misfeasance, nonfeasance, or upon recommendation to the city commission by a four-fifths vote of the entire members constituting the Kissimmee Utility Authority and affirmative action thereon by the city commission. Any member of the authority who is arrested, informed against, or indicted may be suspended or removed as authorized by law.

The utility authority by majority vote shall elect from among its members a chairperson, who shall preside over the meetings of the utility authority, a vice-chairperson who shall act for the chairperson during his or her absence, and a secretary. An election of officers of the utility authority shall be held at the first regular meeting at which all members are present following the appointment of a new member for a full term, but not later than the fourth meeting following the appointment. The utility authority shall adopt rules for the conduct of its meetings. No action shall be taken by the utility authority except by the affirmative vote of at least three (3) members. Three (3) members shall constitute a quorum. The utility authority shall hold a regular meeting at least once each month. All meetings shall be open to the public and minutes shall be kept of all meetings. Copies of such minutes shall be furnished to members of the city commission within seven (7) days of such meeting. Special meetings may be called upon six (6) hours' written notice thereof by the chairman or any three (3) members.

(Ord. No. 1285, § 2, 2-19-85; Am. Ord. 2762, § 1, passed 6-1-10; Am. Ord. 2763, § 1, passed 6-15-10)

SECTION 3 RESER VED.

SECTION 4 ELECTION OF MEMBERS AFTER INITIAL ORGANIZA TION.

After the initial membership of the Kissimmee Utility Authority is filled as provided in Section 2 of this Article, all subsequent members shall be appointed in the following manner. The Kissimmee Utility Authority shall be composed of five (5) members possessing the qualifications as set out in Section 2. Each Kissimmee Utility Authority member will be appointed by a 4/5 vote of the entire city commission, sixty (60) days prior to a regular vacancy or within thirty (30) days of an unforeseen vacancy.

(Ord. No. 1285, § 4, 2-19-85; Am. Ord. 2825, passed 5-1-12)

SECTION 5 COMPENSA TION.

No member shall be paid; however, members shall be entitled to be reimbursed for travel or other expenses in carrying out their duties.

(Ord. No. 1285, § 5, 2-19-85)

SECTION 6 INDEMNIFICA TION.

The authority shall provide adequate liability insurance coverage for its members. The authority shall hold harmless and indemnify its members, utility director, agents and employees to the full extent permitted by law, including, but not limited to, all liabilities, expenses and losses incurred by its members, utility director, agents and employees in connection with acts of error or omissions, other than willful violations of laws, committed within the scope of their duties, and shall defend, at the authority's expense, all claims and suits in connection therewith.

(Ord. No. 1285, § 6, 2-19-85)

SECTION 7 ISSUING DEBT .

(a) The authority is authorized by resolution to issue revenue bonds from time to time (hereinafter referred to as "bonds") to provide funds for any of its corporate purposes to pay all or part of the cost of any project as above described or for the purpose of refunding bonds or other obligations issued for such purpose. Such bonds may be in such denomination or denominations, may bear interest at such rate or rates, which may be a floating rate, shall mature at such time or times, all as may be determined by the authority. The bonds may be redeemable before maturity, at the option of the authority, at such price or prices and under such terms and conditions as may be fixed by the authority prior to their issuance. The authority shall determine the form of bonds, including any interest coupons to be attached thereto, the manner of execution of the bonds, and the place or places of payment of principal and interest, which may be at any bank or trust company within or without the State of Florida. The resolution authorizing the issuance of the bonds shall contain such provisions relating to the use of proceeds from the sale of the bonds and for the protection and security of holders of the bonds, including, but not limited to, the source of payment for the bonds, their rights and remedies, and the rights, powers, privileges, duties and obligations of the authority with respect to the same, as shall be determined by the authority. In case any officer whose signature or facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery.

All bonds issued under the provisions of this act shall be and are hereby declared to have all the qualities and incidents of negotiable instruments under the laws of the State of Florida. The bonds may be issued in the coupon or in fully registered form, or both, as the authority may determine, and provisions may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest and for the reconversion into coupon bonds of any bonds registered as to both principal and interest. The bonds shall be sold at public or private sale at such price or prices as the authority shall determine to be in its best interest.

(b) When bonds have been authorized by resolution of the authority, bond anticipation notes may be authorized and issued from time to time, to temporarily finance the costs, or any part thereof, of the project for which the bonds are to be issued, in anticipation of the issuance of said bonds. Such bond anticipation notes (hereinafter called "notes"), which shall include bond anticipation notes which may be issued as part of a tax exempt commercial paper program, or other short-term note financing program, shall be authorized by a resolution of the authority which resolution shall fix the maximum amount of notes to be issued, the maximum interest rate such notes may bear, which may be a floating rate, the denomination or denominations thereof, the redemption provisions thereof, which may include provisions for payment on demand of the purchaser or purchasers, and such other details, including the form of such notes, provisions

for the renewal thereof and the security for payment thereof as shall be determined by the authority. Such notes shall have such qualities and incidents of negotiable instruments and shall be executed in the manner provided herein for the bonds and shall be payable from the proceeds of said bonds unless sooner paid from the revenues of the project for which they are issued or from any other sources. Each such note, including any renewals thereof, shall mature on such date or dates that shall be determined by the authority. When authorized by resolution such notes, including renewals, may be sold by officers of the authority at public or private sale and delivered by such officers to the purchaser or purchasers thereof within the limitations and restrictions contained in such resolution.

All bonds of the City of Kissimmee validated by court decree, and all bond anticipation notes and all indebtedness evidenced by written instrument and remaining unpaid are hereby ratified and confirmed as valid obligations of the Kissimmee Utility Authority.

The rates of interest payable on revenue bonds and revenue anticipation certificates and all other obligations issued by the Kissimmee Utility Authority shall be set by the authority notwithstanding any interest rate limitation prescribed by general law or any other special law.

(Ord. No. 1285, § 7, 2-19-85)

SECTION 8 AGREEMENTS AND SHOR T-TERM DEBT .

The authority:

(a) May join with any other electric utility located within or without the state or any group of such electric utilities, public or private, for the purpose of jointly financing, acquiring, building, constructing, erecting, extending, enlarging, leasing (as lessor or as lessee), improving, furnishing, owning and operating any project in accordance with the provisions of this act, and may contract with any such utility or group of electric utilities for any such purpose;

(b) May contract for a specified period of years for:

(1) The purchase by take-or-pay contracts, or otherwise, of capacity or energy, or both, in any quantity from any project owned or operated directly or indirectly under lease, by any person, trust or corporation, including contracts or other arrangements between or among the existing electric system of the authority and one or more separate systems of the authority for the allocation to said existing electric system and/or any one or more such systems of the output, capacity, energy or services of projects of the authority, and for the allocation of the authority's costs related to such projects, on a take-or-pay basis or otherwise;

(c) May contract for a specified period of years for the purchase of fuel, fuel supply or source and fuel transportation facilities for use in the operation of the system;

(d) May purchase, sell, lease, sublease, own, maintain and operate coal, oil, gas and other fuel reserves, together with any and all mines, wells, pipelines and other facilities as well as facilities for transportation of such reserves, including, but not limited to, hopper cars and other rolling stock, both within and without the State of Florida, as are necessary to provide economical, long-term and reliable fuel supply for projects to be accomplished under this act;

(e) May borrow money from the city, for any period not to exceed one year, to provide the authority with working capital to meet routine or emergency cash requirements at such interest rates, which may be a floating rate, and upon such conditions concerning the method of borrowing, the time and manner of payment and the maximum amount that may be on loan at any time, as are determined by ordinance of the commission; and to borrow money from lending institutions or persons or other entity, including borrowing as part of a tax-exempt commercial paper or other short-term note financing program, which may be a floating rate, which may include provisions for payment upon demand by the purchaser or purchasers, as authorized by resolution of the authority. When authorized by resolution of the authority such notes, including renewals, may be sold by officers of the authority at public or private sale and delivered by such

officers to the purchaser or purchasers thereof within the limitations and restrictions contained in such resolution;

(f) May lend money to the city, for any period not to exceed one year, to provide the city with working capital to meet routine or emergency cash requirements at such interest rates, which may be a floating rate, and upon such conditions concerning the method of borrowing, the time and manner or payment, and the maximum amount that may be on loan at any time, as may be determined by the authority.

(Ord. No. 1285, § 8, 2-19-85)

SECTION 9 PENSION OR RETIREMENT SYSTEM.

All employees of the City of Kissimmee on the effective date of this ordinance [article] who shall be under the supervision of the authority shall continue without any loss of right or benefits as employees under the pension plans and civil service merit system of the city existing on the effective date of this ordinance [article] or hereafter.

The authority shall have power to create or regulate a pension or retirement system. It may utilize the existing city pension and retirement plans for its employees and shall make contribution to the cost of pension and retirement plans as may be, from time to time, required which cost shall be paid in the same manner as any other operating expense.

(Ord. No. 1285, § 9, 2-19-85)

SECTION 10 REPOR TING REQUIREMENTS T O CITY .

The authority, in addition to the reports and accounting it may otherwise be required by law to make, within one hundred eighty (180) days after the close of the fiscal year, [shall] furnish the city commission its annual report which shall include financial statements as of the end of the preceding fiscal year presented in accordance with generally accepted accounting principles applicable to public utilities; and any additional supporting statements or schedules deemed necessary and desirable by the city commission to make a clear and informative presentation of the financial position of the authority. The reports shall be kept on file in the city manager's office and shall be open to public inspection. The financial statements of the authority shall be audited annually by a certified public accountant. The authority shall also annually prepare and adopt a budget for the ensuing year and furnish a copy to the city commission at least forty-five (45) days prior to the beginning of the next fiscal year. The fiscal year of the authority shall be the same as the City of Kissimmee. The annual budget shall contain an amount anticipated to be transferred to the general fund of the city, but not less than, as a minimum, 6.24 mils per kilowatt hour (kWh) of the retail sales (sales not for resales) of electricity. This anticipated transfer figure shall be furnished to the city within one hundred twenty (120) days prior to the beginning of the fiscal year, and the monetary “transfer” shall be made as provided for in Section 11.

(Ord. No. 1285, §10, 2-19-85; Am. Ord. 2762, § 1, passed 6-1-10)

SECTION 1 1 PAYMENT OF OBLIGA TION.

The authority may authorize reasonable expenditures to advertise and otherwise promote the use of the utility services and to acquaint the public with the operations, programs and planned expansion of the utilities.

The authority may invest idle funds in order to return the highest yield possible consistent with proper safeguards as outlined in statutes, bond covenants, and procedures to be specified and from time to time

amended by the authority. Such procedures shall include, as a minimum:

Designation of a custodian of funds;

Reporting requirements;

Classes and types of authorized investments;

Designation of maximum maturities;

Method for evaluation and selection of securities;

Maximum maturities for investments;

Provisions for safekeeping;

Provisions for collateralization.

The authority shall have the exclusive power and authority to manage and operate its financial affairs in accordance with the provisions of existing revenue certificate ordinances and the provisions of the present City Charter of the City of Kissimmee, except that transfers of net revenues by the authority to the city may be made monthly at the option of the city commission. In no event shall the amount transferred be less than 6.24 mils per kilowatt hour (kWh) of retail sales of electricity.

Contracts for services, construction, materials, supplies, equipment or machinery where the cost, value or amount exceeds an amount specified by the authority shall not be entered into or purchases made without competitive bidding. Bids shall not be required to purchase patented and manufactured products offered for sale in a noncompetitive market or when the product can be obtained only from a sole source of supply, or where the service cannot be contracted for upon the basis of competitive bidding, or where an operational emergency exists as declared by the utility director. Such noncompetitive purchases shall require ratification by the authority at the next meeting following the purchase. The provisions of this section shall not apply to any contract or agreement between the authority and any engineers, architects, accountants, attorneys, or for other professional services; or to agents, or investment bankers, relating to financing herein authorized; or to contracts of a continuing nature where an extension thereof without bids shall be in the best interest of the authority.

All purchases are to be made in accordance with statutes and a set of purchasing procedures to be established and from time to time amended by the authority, such procedures to include, as a minimum:

Dollar limitation for competitive bidding;

Method for obtaining and evaluating competitive bids and quotations;

Dollar limitations and types of purchase orders to be issued;

Designation of an individual responsible for purchasing.

(Ord. No. 1285, § 11, 2-19-85)

SECTION 12 INTEREST IN CONTRACTS WITH THE AUTHORITY MEMBERS AND OFFICERS.

If a member or officer of the Kissimmee Utility Authority is employed by any person, firm or corporation which is substantially interested in having or proposing to have any contractual relation with or rendering or proposing to render for any consideration services to the Kissimmee Utility Authority, such member shall not participate in any discussion before or action by the Kissimmee Utility Authority relating to such proposal. General law, however, shall control with respect to any conflict with this section. Any violation of the provisions of this section shall subject the person to removal as provided by law.

(Ord. No. 1285, § 12, 2-19-85)

SECTION 13 SAME EMPLOYEES.

No employee of the Kissimmee Utility Authority shall be directly or indirectly employed by any person, firm or corporation, nor be substantially interested, directly or indirectly, in any firm or corporation having or proposing to have any contractual relationship with or rendering or proposing to render for any consideration services to the Kissimmee Utility Authority when the approval, decision, recommendation or advice of the employee shall be sought, obtained or required in any connection with such contract or services, except that prior thereto full disclosure of the same shall have been made by such employee to the authority or to the State of Florida as required by law.

(Ord. No. 1285, § 13, 2-19-85)

SECTION 14 MANAGEMENT AND CONTROL OF UTILITIES F ACILITIES.

The Kissimmee Utility Authority shall have full and complete authority over the management and control of the electric facilities of the City of Kissimmee and all operations incident or related thereto. As incident thereto, the Kissimmee Utility Authority shall, but not by way of limitation, have full authority to plan, finance, acquire, construct, purchase, operate, maintain, lease, manage and control the electric facilities of the City of Kissimmee and to enter into contractual agreements for the acquisition and supply of fuel therefor.

All contracts shall be executed by the chairman or vice-chairman and secretary or assistant secretary. All other instruments in writing necessary to be signed by the authority shall be executed by the chairman or vice-chairman and secretary or assistant secretary, or by such officer, agent or employee of the authority as it may designate.

The authority shall have the power to appoint a utilities director to be responsible to the authority and who shall serve at its pleasure. There shall be such other officers and employees as may be provided by the authority. The officers shall be appointed or removed by the utilities director subject to confirmation by the authority. The employees shall be appointed and removed by the utilities director. The authority shall fix the salary of the utilities director and shall have the power to fix the salaries of all other officers and employees of the authority. The authority shall also have the power to employ or appoint engineers, accountants, lawyers and such other personnel as may be required for the operation and management of the utilities and to fix their compensation.

The authority may require surety bonds for any of the officers and employees in such amounts as the authority deems necessary. The premiums for the bonds shall be paid in the same manner as any other operating expense.

(Ord. No. 1285, § 14, 2-19-85)

SECTION 15 SER VICE T O CUST OMERS.

The utility authority is hereby authorized to acquire, establish, construct, maintain and operate electric generating plants, electric lines, and facilities incident thereto anywhere within the State of Florida; to furnish electricity, to persons, firms and corporations in any part of Osceola County and where otherwise hereafter provided; and to construct and maintain electric lines, and other facilities in, along, under and above all public highways, streets and easements through Osceola County for the purpose of conveying electricity.

Said utility authority may connect its facilities with facilities of other utility systems and may enter into contracts with these utility systems whereby the utility authority shall agree to sell, purchase or interchange electric energy.

(Ord. No. 1285, § 15, 2-19-85)

SECTION 16 RA TES FOR MUNICIP AL USE.

It shall be the duty of the utility authority to set rates for supplying the City of Kissimmee with electricity and to collect from the city for the supplying of said utilities, and in all other respects the City of Kissimmee shall meet its obligations and observe the rules and regulations of said utility authority the same as any individual consumer of said utilities.

(Ord. No. 1285, § 16, 2-19-85)

SECTION 17 RULES, RA TES AND REGULA TIONS FOR PRIV ATE USE.

The utility authority is hereby given the full power and authority to prescribe rules, rates and regulations governing the sale and use of electricity wherever furnished by said utility authority, and to change the same at its pleasure.

(Ord. No. 1285, § 17, 2-19-85)

SECTION 18 EMINENT DOMAIN.

The Kissimmee Utility Authority is hereby authorized and empowered to exercise the right and power of eminent domain to appropriate real and personal property, except state and federal, for the purpose of obtaining, constructing and maintaining, water lines, transmission and distribution lines for electric or other utilities, transportation and storage for fuel supply and other associated facilities on, over, under and/or above any and all such lands in State of Florida without limitation and as otherwise provided by law and conferred upon municipal corporations under Chapter 166, Florida Statutes.

(Ord. No. 1285, § 18, 2-19-85)

SECTION 19 SER VICE DISCONTINUANCE.

Said Kissimmee Utility Authority shall have authority to discontinue the supplying of electricity or any other public facilities or services, now or hereafter under the control, management or jurisdiction of said utilities authority, to any and all users of the utility systems of the Kissimmee Utility Authority for nonpayment, when due, of the fees, rentals or other charges for facilities and services of said utility authority and any other utility systems. Regulations governing such discontinuance of any of such public facilities and services, and the terms and conditions for the restoration of such facilities and services, including penalties, interest and charges for the discontinuance or the restoration of such facilities and services, may be adopted by said utility authority.

(Ord. No. 1285, § 19, 2-19-85)

SECTION 20 [TRANSFER OF ASSETS AND LIABILITIES.]

Upon the passage of this ordinance [article] and approval by referendum, the city commission on behalf of the City of Kissimmee is hereby authorized and directed to transfer to the Kissimmee Utility Authority all of the assets and liabilities of the electric system as it exists on the effective date of this ordinance [article]. Said transfer shall be pursuant to the authority set forth in Article II, Chapter 1, Section 5 of the Kissimmee City Charter. After the transfer as aforesaid, the Kissimmee Utility Authority is not authorized to sell the assets so transferred or any acquired under their authority to any third entity without compliance with Article II, Chapter 1, Section 5 of the Kissimmee City Charter.

(Ord. No. 1285, § 21, 2-19-85)

SECTION 21 AUTHORITY T O SELL MUNICIP AL ELECTRIC SYSTEM.

Whenever a majority of the qualified electors of the City of Kissimmee, in an election called and held for that purpose, shall approve and ratify the sale by the city of its entire electric generating plant and distribution system, including all engines and power plant apparatus, all wires, meters, poles, transformers, right-of-way and street lighting equipment, electric stores and supplies owned and used by the city for the generating and distribution of electricity, the city is hereby authorized and empowered to barter, sell and transfer said property.

Prior to the holding of any election, the mayor-commissioner and the city manager shall issue their proclamation, calling such election, which proclamation shall contain a brief synopsis of the proposed sale. Such proclamation shall be advertised, once a week for four (4) consecutive weeks prior to the date set for such election, in a newspaper of general circulation in the city of Kissimmee. Such election shall, in all other respects, be held in the same manner as other elections are now held, under the laws of the state and the ordinances of the city.

Should such election be held and a majority of the qualified electors of the city in such election ratify and approve a proposed sale, then the city commission is hereby authorized, empowered and directed to consummate such sale and transfer and deliver such property to the purchaser thereof, upon compliance by the purchaser with the terms and conditions of such proposed sale.

(Ord. 2754, § 1, passed 4-20-10)

SECTION 22 JOINT OWNERSHIP AND OPERA TION OF ELECTRICAL ENERGY PRODUCTION F ACILITIES WITH ST . CLOUD, FLORIDA.

The City of Kissimmee, Florida, in addition to the authority it now possesses under its present charter, be, and it is hereby further authorized to jointly, with the city of St. Cloud, Florida, purchase, hire, construct, own, maintain and operate, both inside and outside the limits of said city, land and facilities necessary to produce electrical energy and to transmit such energy over joint or separate transmission facilities in conjunction with the city of St. Cloud, Florida, and to make such contracts as may be necessary in relation thereto, and to establish by ordinances of the city, if necessary, an authority or agency to accomplish the acquisition, construction, enlargement, improvement, operation and maintenance of the facilities with the city of St. Cloud, Florida, with the power to issue revenue obligations for the financing thereof.

(Ord. 2754, § 1, passed 4-20-10)

CHAPTER 15. - UTILITIES COMMISSION

Sec. 209. - Created; definitions.

There is hereby created and made a part of the government of the City of New Smyrna Beach a utilities commission to be known and designated as "Utilities Commission, City of New Smyrna Beach, Florida," which shall consist of five (5) members. For the purposes of this act, unless otherwise designated, the word "commission" shall mean the utilities commission of New Smyrna Beach and the word "commissioner" shall mean a member of the said utilities commission. Except as otherwise authorized, the utilities commission shall function the same as it previously functioned under Laws of Fla., ch. 67-1754. This act shall not supersede or alter the general law in effect and agreements entered into prior to the effective date of this act [June 12, 1985].

(Laws of Fla., ch. 67-1754, § 1; Ord. No. 25-84, § 2, 10-2-1984; Laws of Fla., ch. 85-503, § 1)

Sec. 210. - Members—Appointment; term; vacancy; removal.

The commission shall consist of five (5) members to be appointed by the city commission. One (1) commissioner shall serve until the first Wednesday in September, 1967, one (1) shall serve until the first Wednesday in September 1968, one (1) shall serve until the first Wednesday in September 1969, one (1) shall serve until the first Wednesday in September 1970 and one (1) shall serve until the first Wednesday in September 1971. The city commissioners shall appoint a replacement for any commissioner whose term expires and the replacement shall be appointed for a term of three (3) years. Should a vacancy occur on the utilities commission by virtue of resignation, death or removal, the unexpired term shall be filled as provided above. Any commissioner may be removed from office upon a majority vote of the city commissioners for malfeasance, misfeasance, nonfeasance, conviction of a felony or upon recommendation of a majority of the utilities commissioners.

(Laws of Fla., ch. 67-1754, § 2; Ord. No. 25-84, § 2, 10-2-1984; Laws of Fla., ch. 85-503, § 2)

Sec. 211. - Same—Qualifications.

Each commissioner shall be a qualified elector and freeholder in New Smyrna Beach, but no employee or elected or appointed officer of the city shall be a commissioner and no commissioner shall serve more than three consecutive terms.

(Laws of Fla., ch. 67-1754, § 3; Ord. No. 25-84, § 2, 10-2-1984; Laws of Fla., ch. 85-503, § 3)

Sec. 212. - Meetings; rules and regulations; officers.

The commission shall meet at least once each month at the offices of the commission. All meetings of the commission shall be open to the public and minutes shall be kept of all meetings. The commission shall have authority to promulgate rules and regulations for the conduct of its meetings and the operation of its business. At the regular meeting of the commission in September of each year, the commissioners shall elect a chairman, a vice-chairman, a secretary and a treasurer from its membership; however, the office of secretary and treasurer may be combined.

(Laws of Fla., ch. 67-1754, § 4; Laws of Fla., ch. 85-503, § 4)

Sec. 213. - Authority to appoint and employ necessary personnel.

The commission shall have the power to appoint and employ engineers, auditors, attorneys and such other personnel as may be necessary for the efficient operation of the city's utilities and the management of its business and affairs.

(Laws of Fla., ch. 67-1754, § 5; Laws of Fla., ch. 85-503, § 5)

Sec. 214. - Authority over city's utilities.

The commission shall, pursuant to the New Smyrna Beach Charter, manage, operate and control all of the city's utilities and shall employ and discharge at their pleasure all employees whose services are performed in any manner in connection with said utilities.

(Laws of Fla., ch. 67-1754, § 6; Ord. No. 25-84, § 2, 10-2-1984; Laws of Fla., ch. 85-503, § 6)

Sec. 215. - Commissioners' salary, expenses.

The commissioners shall be paid such salary as may from time to time be set by the city commission of the City of New Smyrna Beach, but no more than one hundred dollars ($100.00) each month, and in addition shall be paid necessary expenses incurred in carrying on and conducting the business of the commission subject to the approval of the city commission.

(Laws of Fla., ch. 67-1754, § 7; Laws of Fla., ch. 85-503, § 7)

Sec. 216. - Monthly statements; fiscal year; annual audit.

The commission shall submit to the city commission a monthly statement showing all sums or amounts received, operating expenses, amount charged to depreciation and extensions, reserve fund and amount appropriated to interest and sinking fund. The fiscal year of the commission shall begin October 1 and end September 30 of each year and the books and records of the commission shall be audited by an independent certified public accountant as of the close of business of each fiscal year.

(Laws of Fla., ch. 67-1754, § 8; Laws of Fla., ch. 85-503, § 8)

Sec. 217. - General powers and authority.

The commission shall have full and exclusive power and authority to prescribe rules, rates and regulations governing the sale and use of electricity, water, gas and sewage collection and treatment wherever such services are furnished by said commission and to change the same at its pleasure, after conducting a public hearing or hearings pertaining to rate changes. The commission is authorized to furnish electricity, power, water, gas and sewage collection and treatment to private individuals and corporations wherever the same may be required and feasible as determined by the commission and for said purpose the commission shall have the right to acquire, construct, maintain, extend, improve and develop electric production and distribution systems, water production and distribution facilities and systems, gas production and distribution systems and sanitary sewer facilities and systems, including the right to construct and maintain electric lines, water and gas mains and sewers in, along and under all public streets and highways and to contract with and receive grants and contributions from the United States or any of its agencies or departments, the state and any municipality, public body, corporation, partnership or individual for such purposes. The commission may extend city utilities beyond the corporate limits of the City of New Smyrna Beach in conformance with the requirements of Chapter 366, Florida Statutes, only upon approval by ordinance of the city commission and the commission may enter into a contract for a term of more than four (4) years only after approval by ordinance of the city commission. The city commission may not withhold its approval or deny passage of an ordinance where such withholding or denial would cause the commission to violate any of the covenants or terms of its bond resolutions and related contracts, resolutions, and documents. The commission shall prepare and submit its budget for the ensuing year to the city commission on or before June 1 of each year, setting forth its estimated gross revenues and estimated requirements for operations and maintenance expenses, debt service, and depreciation. A copy of the budget shall be published once in a newspaper of general circulation in the city during the month of June. The commission shall adopt the budget for the ensuing year only upon approval by ordinance of the city commission. The city commission may not withhold its approval or deny passage of an ordinance approving the budget where such withholding or denial would cause the commission to violate any of the covenants or terms of its bond resolutions and related contracts, resolutions, and documents.

(Laws of Fla., ch. 67-1754, § 9; Ord. No. 25-84, § 2, 10-2-1984; Laws of Fla., ch. 85-503, § 9)

Sec. 218. - Billing and collection of fees and charges; disposition of funds collected.

The commission shall have the exclusive power and authority to bill and collect the prescribed fees or charges for all services and utilities under its control and when collected, the flow of funds shall be: First, the payment of all operating and maintenance expenses of said utilities; second, the funding of all reserves required by revenue certificates issued by the city or said commission for projects under commission control including the debt service payments of all such revenue certificates as same become due; third, the

payment to the general fund of the city a sum equal to six (6) percent of the gross revenues from utilities under commission control; such payments shall be made monthly. The surplus shall be paid annually to the general fund of the city after reserving an adequate fund for operation and maintenance expenses, capital improvements and line extensions as determined by the commission.

(Laws of Fla., ch. 67-1754, § 10; Laws of Fla., ch. 85-503, § 10)

Sec. 219. - Acquisition of property by eminent domain; title.

The commission is empowered, by its duly constituted authorities, to exercise the right of eminent domain to appropriate property, except state or federal, for the purpose of obtaining, constructing and maintaining electric plants, substations and distribution lines; water or gas mains; reservoirs and pumping stations; sewer lines, pumping stations and disposal or processing plants; and to acquire all such lands, waters and lands adjacent to waters which the commission judges may be necessary for the full and complete construction, maintenance and operation of any utility. The title to all property, real or personal, owned or acquired by the commission shall be vested in the City of New Smyrna Beach.

(Laws of Fla., ch. 67-1754, § 11; Laws of Fla., ch. 85-503, § 11)

Sec. 220. - Authority to shut off and discontinue water, electricity, etc.

The commission shall have the power to shut off and discontinue the supplying of water, electricity or any other utilities or services now or hereafter under the control, management or jurisdiction of the commission to any and all users for violation of any of the rules or regulations pertaining to the sale, distribution or use of such utilities and services and for nonpayment, when due, of the fees, rentals or other charges for utilities and services. Regulations governing the shutting off and discontinuance of any of such utilities and services and the terms and conditions for the restoration of such utilities and services, including interest and charges for shutting off and discontinuance or the restoration of said utilities and services may be adopted by the commission.

(Laws of Fla., ch. 67-1754, § 12; Laws of Fla., ch. 85-503, § 12)

Sec. 221. - Agreements with holders of revenue bonds and other obligations.

The commission shall have power and authority to make agreements and covenants with the City of New Smyrna Beach and the holders of any revenue bonds or other obligations issued to finance, in whole or in part, any repairs, extensions or improvements of any utility with respect to the filing and collecting of fees, rentals and other charges for services and utilities. All such agreements and covenants shall constitute and be deemed valid contracts between the commission and the holders of any revenue bonds or other obligations and may be enforced by any holder of such revenue bonds or any other obligations in any court

of competent jurisdiction subject, however, to any provision for enforcement which may be contained in such agreements or covenants or in the resolution or resolutions of the governing body of the city or the commission pursuant to which such obligations were issued.

(Laws of Fla., ch. 67-1754, § 13; Laws of Fla., ch. 85-503, § 13)

Sec. 222. - Borrowing money.

The commission, upon a majority vote, is hereby authorized to borrow at any time an amount of money equal to ten (10) percent of the book value of the electric and water plants for any six (6) month period and to pay interest on such sum borrowed at a rate not to exceed the then prevailing interest rate and to issue its promissory note or notes as evidence of said indebtedness, which notes shall be signed by the chairman of the commission and the secretary thereof, provided that at no time shall such promissory note or notes exceed ten (10) percent of the book value of such plants and provided further that money so borrowed shall be expended only for current operating expenses.

(Laws of Fla., ch. 67-1754, § 14; Laws of Fla., ch. 85-503, § 14)

Sec. 223. - Revenue certificates and promissory notes.

The commission shall, upon the approval by ordinance of the city commission, after conducting a public hearing or hearings, have the right, power and authority to issue revenue certificates or promissory notes for the purpose of paying all or a part of the cost of acquisition, construction, repairing, extensions, additions, equipping and the reconstruction of any of the city's utilities. The city commission shall not withhold its approval or deny passage of an ordinance where such a withholding or denial would cause the commission to violate any of the covenants or terms of its bond resolutions and related contracts, resolutions and documents. All of such revenue certificates or promissory notes while authorized and issued by the commission shall be obligations of the city of New Smyrna Beach and no referendum or freeholder election shall be required as a condition precedent to the issuance of such revenue certificates or promissory notes. All revenue certificates shall be offered for sale to not less than three (3) responsible bond brokers and the best bid excepted unless, in the discretion of the commission, a better bid can be obtained by negotiation. In such cases the commission shall have the right to reject all bids and sell said certificates upon the best terms offered therefor.

(1) Revenue certificates issued under the provisions of this act shall be payable from the revenues derived from the operation of the city's utilities or services under the supervision, operation and control of the commission and from any other funds legally available therefor.

(2) The commission shall not convey or mortgage any property or facility or any part thereof as security for the payment of revenue certificates.

(3) In the discretion of the commission, each or any issue of such revenue certificates

may be secured by a trust agreement by and between the commission and a corporate trustee which may be any trust company or bank having the powers of a trust company within or outside of the state. Such trust agreement may pledge or assign the revenues to be received by the commission. The resolution providing for the issuance of revenue certificates or such trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the certificate holders as may be reasonable, proper and not in violation of law, including covenants setting forth the duties of the commission in relation to the acquisition, construction, improvements, maintenance, operation, repair, equipping and insurance of the facilities, and the custody, safeguarding and application of all monies. It shall be lawful for any bank or trust company incorporated under the laws of this state to act as such depository and to furnish such indemnifying bonds or to pledge such securities as may be required by the commission. Such resolution or such trust agreement may restrict the individual right of action by certificate holders as is customary in trust agreements securing bonds or debentures of corporations. In addition to the foregoing, such resolution or trust agreement may contain such other provisions as the commission may deem reasonable and proper for the security of certificate holders. Except as this chapter otherwise provides, the commission may provide, by resolution or by trust agreement, for the payment of the proceeds of the sale of the revenue certificates and the revenues of the utilities and services to such officer, board or depository as it may determine for the custody thereof and for the method of disbursement thereof with such safeguards and restrictions as it may determine. All expenses incurred in carrying out such trust agreement may be treated as a part of the cost of operation of the utilities affected by such trust agreement.

(4) The resolution or trust agreement providing for the issuance of the revenue certificates may also contain such limitations upon the issuance of additional revenue certificates as the commission may deem proper and such additional certificates shall be issued under such restrictions or limitations as may be prescribed by the resolution or trust agreement.

(Laws of Fla., ch. 67-1754, § 15; Ord. No. 25-84, § 2, 10-2-1984; Laws of Fla., ch. 85-503, § 15)

Sec. 224. - Refunding revenue certificates.

The commission, upon approval by ordinance of the city commission is authorized to provide by resolution for the issuance of refunding revenue certificates for the purpose of refunding any revenue certificates heretofore issued by the city of New Smyrna Beach then outstanding or issued under the

provisions of this chapter. The commission is further authorized, upon approval by ordinance of the city commission, to provide by resolution for the issuance of revenue certificates for the combined purpose of:

(1) Paying the cost of any acquisition, construction, extension, addition, improving, equipping or reconstruction of a facility or facilities of the commission;

(2) Refunding revenue certificates heretofore issued by the city of New Smyrna Beach and of the commission which shall theretofore have been issued under the provisions of this chapter and shall then be outstanding.

The issuance of such obligations, the maturities and other details thereof, the rights and remedies of the holders thereof, the rights, powers, privileges, duties and obligations of the commission with respect to the same shall be governed by the foregoing provisions of this chapter insofar as the same may be applicable. The city commission shall not withhold its approval or deny passage of an ordinance where such a withholding or denial would cause the commission to violate any of the covenants or terms of its bond resolutions and related contracts, resolutions and documents.

(Laws of Fla., ch. 67-1754, § 16; Ord. No. 25-84, § 2, 10-2-1984; Laws of Fla., ch. 85-503, § 16)

Sec. 225. - Legal status of revenue certificates or other obligations.

Any revenue certificates or other obligations issued pursuant to this chapter shall be and constitute legal investments for bonds, savings banks, trustees, executors, administrators and all other fiduciaries for all state, municipal and public funds and shall also be and constitute securities eligible for deposit as security for all state, municipal or other public funds notwithstanding the provisions of any other law or laws to the contrary.

(Laws of Fla., ch. 67-1754, § 17; Laws of Fla., ch. 85-503, § 17)

APPENDIX [7]

Sec. 6. - Establishment of new municipality; boundaries.

A municipality to be known and designated as the "City of New Smyrna Beach," is hereby created, established, organized and constituted in the County of Volusia, and State of Florida, the territorial boundaries of which shall be as follows:

Beginning at an old stake situated ninety-seven feet (97) east of the center of the bridge South Canal, Gabordy's Canal at its junction with the Indian River North, and the southeast corner of the Pedro De Cala Grant also being the southeast corner of the Seymour Pickett Grant, supposed to be located within a few feet of the northeast corner of said bridge, and on the north shores of said canal, in Township 17 South, Range 34 East; thence westerly along the south line of said Pickett Grant to the southwest corner of said Pickett Grant; thence northerly on the west line of said Pickett Grant to the northwest corner of said Pickett

Grant; thence easterly along the north line of said Pickett Grant to the southeast corner of Lot 1, Model Land Company's Subdivision as recorded in Map Book 4, page 9 of the Public Records of Volusia County, Florida; thence northerly along the east line of said Lot 1, to the northeast corner of said Lot 1; thence westerly along the north line of said Lot 1 to an intersection with the southerly prolongation of the west line of a street platted in said Model Land Company's Subdivision, said street being between Lots 28 to 33, inclusive, and Lots 21 to 26 inclusive of said Model Land Company's Subdivision, said street now known as Alma Street; thence northerly along said southerly prolongation and the west right-of-way of Alma Street to the southeast corner of Block 8, Cotton Shed Addition as recorded in Map Book 6, page 180 of the Public Records of Volusia County, Florida; thence along the northerly right-of-way of Field Street S 72°48'54" W, 320.00 feet to an intersection with the easterly right-of-way of Jones Street; thence along the easterly right-of-way of Jones Street N 01°15'23" W, 202.30 feet; thence continue along said easterly right-of-way N 19°05'48" W, 444.46 feet; thence S 70°54'12" W, 87.04 feet to a point on the southerly right-of-way of Railroad Avenue; thence along said southerly right-of-way S 35°57'29" W, 48.72 feet to an intersection with the easterly right-of-way of Ingham Road; thence along said easterly right-of-way N 00°02'14" E, 219.08 feet to a point on the southerly right-of-way of New State Road 44 (100-foot right-of-way) said point being on a curve concave to the north, said curve having a central angle of 01°45'36" and a radius of 5,779.78 feet; thence easterly along the arc of said curve 177.54 feet to the end of said curve; thence continue along said southerly right-of-way N 66°20'42" E, 4.51 feet; thence N 19°08'24" W, 137.38 feet to a point on the southerly right-of-way line of the vacated Florida East Coast Railway, Orange City Branch, 100-foot right-of-way, said right-of-way being now the Utilities Commission, City of New Smyrna Beach Transmission Line; thence along said right-of-way S 77°42'31" W 1,349.15 feet to an intersection with the north right-of-way of Walden Street; thence along said right-of-way S 89°43'33" E, 176.97 feet; thence S 00°23'33" E along the East line of Lot 109, C. T. Roper's Subdivision as recorded in Map Book 4, page 125 of the Public Records of Volusia County, Florida, and its northerly prolongation, 330.00 feet to the southeast corner of said Lot 109; thence easterly along the southerly line of a 20 foot alley to the southwesterly corner of Lot 72, said Roper's Subdivision; thence N 00°23'33" W along the westerly line of said Lot 72, a distance of 52.10 feet to a point on the southerly R/W of State Road #44 as shown on State Road R/W map Section 79070-2516, sheets 10 and 11; thence N 69°47'27" E along the southerly R/W of said State Road #44, a distance of 299.17 feet to a point of R/W change; thence S 35°42'32" E along said R/W, a distance of 29.75 feet to a point of R/W change; thence S 00°04'27" W, a distance of 28.00 feet to a point of R/W change; thence S 89°55'33" E, a distance of 1.55 feet to a point on the easterly line of Lot 67, said Roper's Subdivision; thence S 00°23'33" E, a distance of 104.72 feet along the easterly line of said Lot 67 to the southeast corner of said Lot 67; thence N 89°43'33" W along the southerly line of said Lots 67 through 72, a distance of 320.00 feet to the said southeast corner of Lot 109; thence along the south line of Lots 109, 110 and 111, said Roper's Subdivision N 89°43'33" W, 109.95 feet to a point on the south right-of-way of aforesaid New State Road 44; thence S 69°47'29" W along said Southerly R/W, a distance of 223.81 feet to the intersection of the westerly right-of-way line of First Street as shown on map of Woodland No. 2, per Map Book 11, page 124 of the Public Records of Volusia County, Florida; thence S 01°13'01" E, along the said westerly right-of-way line of First Street, a distance of 924.87 feet; thence S 89°59'03" W, a distance of 336.72 feet; thence S 00°39'57" W, a distance of 440.00 feet; thence

S 89°59'40" E, a distance of 311.00 feet; thence S 00°39'57" W, a distance of 401.99 feet to a point in the northeasterly line of Lot 1, J. Thurbur Conner's Subdivision; thence along said Northerly line of Lot 1, N 51°56'57" W, a distance of 247.11 feet to the northwest corner of Lot 1 of J. Thurbur Conner's Subdivision as shown on map in Map Book 8, page 78 of the Public Records of Volusia County, Florida; thence along the northerly line of said Lot 1, S 38°07'41" W, a distance of 310.17 feet to a point in the easterly R/W of Mission Drive; thence along said easterly R/W N 23°59'11" W, a distance of 1,021.95 feet; thence S 66°02'29" W, and at 90° to the westerly line of said Mission Drive, a distance of 42.99 feet to a point on the said westerly line of Mission Drive; thence S 23°57'31" E, along the said westerly line of Mission Drive, a distance of 11,051 feet to a point on the southeasterly line of Lot 7, T. J. Murray's Subdivision as recorded in Map Book 4, page 43 of the Public Records of Volusia County, Florida; thence S 37°37'49" W, along the southeasterly line of Lots 7 and 9, T. J. Murray's Subdivision a distance of 439.54 feet to the southeast corner of said Lot 9; thence N 89°34'08" W along the southerly line of said Lot 9, a distance of 648.27 feet to the southwesterly corner of said Lot 9; thence N 0°36'32" E along the westerly line of Lots 1, 3, 5, 7 and 9, said T. J. Murray's Subdivision, a distance of 11,320.96 feet to the northwest corner of said Lot 1; thence north along the East line of U.S. Lot 2, Section 24, Township 17 South, Range 34 East to the south line of Block 2, L. D. Buck's Subdivision as per map thereof recorded in Map Book 8, page 71 Public Records of Volusia County, Florida; thence N 89°52'10" W, along the south line of said Block 2, said line also being the northerly R/W of Paige Avenue formerly Royal Avenue to the intersection of the centerline of Holmes Street, now vacated per OR Book 224, page 714; thence N 23°59'07" W along said centerline of Holmes Street, a distance of 239.17 feet to the southerly R/W of State Road No. 44; thence northeasterly along said R/W and along a curve concave northerly, said curve having a central angle of 01°59'53", a radius of 3,869.83 feet, an arc distance of 134.95 feet to a point of R/W change; thence S 81°01'24" E along said R/W, a distance of 23.84 feet to a point of R/W change; thence S 24°00'18" E along said R/W, a distance of 43.06 feet to a point of R/W change; thence N 65°59'42" E along said R/W, a distance of 10.00 feet to the easterly line of said Block 2, said line also being the westerly R/W of Coates Drive formerly Nelson Street, a 30-foot R/W as shown on said Bucks Subdivision; thence S 23°59'07" E along said easterly line of Block 2, a distance of 250.77 feet to the southeast corner of said Block 2; thence N 89°52'10" W, to the said east line of said U.S. Lot 2, Section 24; thence south along said east line to the northwest corner of Lot 1, said T. J. Murray Subdivision; thence N 89°58'16" E along the northerly line of said Lot 1, a distance of 468.05 feet to the said westerly line of Mission Drive; thence S 23°57'31" E along said westerly line a distance of 19.08 feet; thence N 66°02'29" E, a distance of 42.99 feet to the said easterly line of Mission Drive; thence N 25°10'27" W, along said easterly right-of-way line a distance of 225.35 feet to the southwest corner of J. Mier Lot per Map Book 16, page 100 of the Public Records of Volusia County, Florida; thence N 25°51'53" W along the westerly line of said J. Mier Lot a distance of 190.48 feet to a point on the said new State Road No. 44 R/W line; thence N 65°53'37 E along said R/W, a distance of 13.85 feet; thence N 24°06'23" W along R/W, a distance of 31.00 feet; thence N 04°15'14" W along said R/W, a distance of 27.35 feet to a point on said southerly R/W line; thence leaving said southerly R/W N 26°15'59" W along said State Road #44, a distance of 101.82 feet to a point on the northerly R/W of said State Road #44; thence N 77°02'48" W along said R/W, a distance of 16.70 feet to the easterly line of Wallace Road; thence westerly to the intersection of the westerly right-of-way line of said Wallace Road and the northerly line of

said State Road #44; thence S 04°30'25" W along said northerly right-of-way, a distance of 23.42 feet to a point lying on a 3,769.83-foot radius curve concave northwesterly having a chord bearing of S 63°58'16" W, said point lying on the northerly right-of-way line of State Road No. 44; thence southwesterly along the arc of said curve and said northerly right-of-way through a central angle of 02°55'30", a distance of 192.45 feet; thence continuing southwesterly along said northerly R/W, an arc distance of 48.78 feet to the east line of U.S. Lot 2, Section 24, Township 17 South, Range 34 East; thence S 00°28'29" E along the east line to the southerly R/W of S.R. 44; thence southwesterly along a curve concave to the northwest, said curve having a radius of 3,869.83 feet, a central angle of 08°11'10", an arc distance of 552.90 feet; thence leaving said R/W along a nonradial line S 10°34'50" E, a distance of 69.73 feet to the centerline of Turnbull Avenue, as shown on L. D. Buck Subdivision per Map Book 8, page 71, now vacated; thence S 51°36'31" W along said centerline, a distance fa 137.21 feet; thence S 10°38'49" E, a distance of 23.32 feet; thence S 32°21'19" W, a distance of 5.00 feet to the northeast corner of Lot 3, Block 4, Woodland Subdivision as per Map Book 6, page 134 of the Public Records of Volusia County, Florida; thence S 58°01'22" E along the easterly line of Lots 1, 2 and 3, said Block 4, a distance of 334.34 feet to the southeasterly corner of said Lot 1; thence S 37°44'25" W along the southerly line of said Lot 1, said line also being the northerly R/W of Paige Avenue; a distance of 719.71 feet to the easterly line of the Napier and Hull Grant, Sections 43 and 44, Township 17 South, Range 33 East; thence S 30°08'56" E, along said easterly line, a distance of 27.39 feet to the southeast corner of Lot 73, Block 21, said Napier and Hull Grant; thence S 59°03'58" W along the southerly line of said Lot 73 and along the southerly line of Lot 74, said Napier and Hull Grant, a distance of 847.43 feet to the centerline of Turnbull Creek; thence N 29°52'32" W along said centerline, a distance of 295.44 feet; thence N 30°24'08" E along said centerline, a distance of 133.81 feet; thence N 12°23'06" W along said centerline, a distance of 52.73 feet; thence N 43°40'11" W along said centerline a distance of 205.03 feet to the southerly line of Lot 71, said Napier and Hull Grant; thence S 59°04'21" W along said southerly line of Lot 71, a distance of 181.60 feet to the westerly line of the east ½ of said Lot 71; thence N 30°09'34" W along said westerly line, a distance of 412.35 feet to a point, said point being 439.00 feet southerly of State Road #44, a 110-foot R/W as now laid out; thence S 58°56'00" W and parallel with the northerly line of Lot 71, said Napier and Hull Grant, a distance of 190.00 feet to a point; thence N 29°37'00" W, a distance of 93.50 feet to a point; thence S 58°56'00" W and parallel to the northerly line of said Lot 71, a distance of 139.50 feet to a point in the easterly line of Lot 70, said Napier and Hull Grant; thence S 29°37'00" E along the easterly line of said Lot 70 to the centerline of the existing canal, approximately 60 feet more or less; thence northerly along said centerline of canal to a point in the southerly line of Lot 57, said Napier and Hull Grant, said point being 253.2 feet west of the southeast corner of said Lot 57; thence N 52°06'50" W along the said centerline of [the] canal a distance of 85.69 feet; thence N 61°27'50" W along the said centerline of the canal, a distance of 168.05 feet to a point; thence S 58°56'00" W, a distance of 63.00 feet to a point in the easterly R/W of Walker Drive, a 50-foot R/W as now laid out; thence N 29°37'00" W, along the said easterly R/W of Walker Drive, a distance of 230.95 feet to a point; thence N 14°03'10" W along the easterly R/W of said Walker Drive, a distance of 136.15 feet to a point on the southerly R/W of said State Road #44; thence N 88°46'40" E along said southerly R/W, a distance of 57.93 feet to a point of R/W change; thence N 01°13'20" W along said R/W change a distance of 30.00 feet to a point on said southerly R/W, a 110-foot R/W as now laid out; thence

westerly along said southerly R/W to the westerly R/W line of said Walker Drive; thence S 15°22′57″ E along said westerly R/W of Walker Drive, a distance of 198.88 feet; thence S 30°57′16″ E along said westerly R/W of Walker Drive, a distance of 2.13 feet; thence S 58°48′48″ W along the northerly line of the southerly 450 feet of Lot 57, said Napier and Hull Grant, a distance of 148.00 feet to the westerly line of said Lot 57; thence S 29°52′12″ E along said westerly line of said Lot 57, a distance of 123.61 feet to a point; thence S 58°48′48″ W along the southerly line of the northerly 326.75 feet of Lot 58, said Napier and Hull Grant, a distance of 535.98 feet to the southeast corner of Lot 16, Kennedy Park, as recorded in Map Book 19, page 282 of the Public Records of Volusia County, Florida; thence N 29°46′12″ W along the easterly line of said Lot 16, a distance of 81.69 feet; thence S 58°48′48″ W along the southerly line of Lot 15, said Kennedy Park, a distance of 122.47 feet to the easterly R/W of Corbin Park Road; thence N 29°46′12″ W along said easterly R/W, a distance of 390.41 feet to the northwest corner of Lot 11, said Kennedy Park; thence N 58°48′48″ E along the northerly line of said Lot 11, a distance of 137.67 feet; thence N 29°46′12″ W along the easterly line of Lot 10, said Kennedy Park, a distance of 72.66 feet; thence N 58°48′48″ E, along the southerly line of Lot 9, said Kennedy Park, a distance of 50.68 feet; thence N 88°34′48″ E along the southerly line of Lots 4 and 5, said Kennedy Park, a distance of 147.22 feet to the southeast corner of said Lot 4; thence N 01°25′12″ W along the easterly line of said Lot 4; a distance of 127.3 feet to the southerly R/W of State Road #44, a 100-foot R/W as now laid out; thence; N 88°34′48″ E along said southerly R/W, a distance of 50.00 feet to the northwest corner of Lot 3, said Kennedy Park, thence S 01°25′12″ E along the westerly line of said Lot 3, a distance of 127.30 feet; thence N 88°34′48″ E along the southerly line of Lots 2 and 3, said Kennedy Park, a distance of 157.2 feet to the southeast corner of said Lot 2; thence N 01°25′12″ W along the easterly line of said Lot 2, a distance of 127.30 feet to the southerly R/W of said State Road #44; thence N 88°34′40″ E along said southerly R/W, a distance of 50.00 feet to the northwesterly corner of Lot 1, said Kennedy Park, thence S 01°25′12″ E along the westerly line of said Lot 1, a distance of 147.54 feet to the southwest corner of said Lot 1 thence N 58°48′48″ E along the southerly line of said Lot 1, a distance of 123.07 feet to the southeast corner of said Lot 1; thence N 29°52′12″ W along the easterly line of said Lot 1, a distance of 98.31 feet to the said southerly R/W of State Road #44; thence N 88°34′48″ E along said southerly R/W, a distance of 225.00 feet to the said westerly R/W of Walker Drive; thence westerly along the southerly line of said State Road #44 to a point of intersection of the westerly line of the westerly 88.13 feet of the easterly 128.13 feet of Lot 50, said Napier and Hull Grant and said southerly R/W of State Road 44; thence S 29°58′31″ E along said westerly line of the westerly 88.13 feet, a distance of 270.60 feet; thence N 58°46′20″ E, a distance of 88.13 feet to the westerly line of Corbin Park Road, a 40-foot R/W as now laid out; thence S 29°58′31″ E along said westerly line of Corbin Park Road, a distance of 210.07 feet; thence S 58°46′20″ W a distance of 198.36 feet to the southwest corner of Lot 1, Building 120, Hidden Pines Phase 3 as recorded in Plat Book 42, pages 144 and 145 of the Public Records of Volusia County, Florida; thence N 31°13′40″ W along the westerly line of said Lot 1 and its northwesterly prolongation thereof, a distance of 160.03 feet to the northerly line of said Hidden Pines Phase 3; thence S 58°46′20″ W along said northerly line a distance of 352.21 feet to the easterly R/W of Hidden Pines Blvd., an 80-foot R/W as now laid out; thence northerly along a curve, said curve concave easterly and having a central angle of 25°12′04″, a radius of 260.00 feet, an arc distance of 114.36 feet to the PT of said curve; thence N 01°36′30″ W along the tangent of the previously described

curve and along the said easterly R/W of Hidden Pines Blvd., a distance of 366.68 feet to the PC of a curve; thence northeasterly along a curve, said curve being concave southeasterly and having a central angel [angle] of 90°00'00", a radius of 35.00 feet, an arc distance of 54.96 feet to the PT of said curve, said PT being on the southerly R/W of State Road #44; thence S 88°23'30" W along said R/W, a distance of 150.00 feet to the PC of a curve; thence southeasterly along a curve concave southwesterly and along the westerly R/W of said Hidden Pines Blvd. and along a curve, said curve having a central angle of 90°00'00", a radius of 35.00 feet, an arc distance of 54.98 feet to the PT of said curve; thence S 01°36'30" E along the tangent of the previously described curve and along the said westerly R/W of Hidden Pines Blvd., a distance of 366.68 feet to the PC of a curve; thence southeasterly along a curve concave easterly, said curve having a central angle of 17°23'27", a radius of 340.00 feet, an arc distance of 103.20 feet; thence leaving said Westerly R/W along a non radial line S 58°46'20" W a distance of 318.49 feet to the easterly line of the west ½ of Lot 49, said Napier and Hull Grant; thence N 29°43'23" W along said easterly line of the west ½ of Lot 49, a distance of 51.59 feet; thence S 61°56'20" W a distance of 119.98 feet to the southeast corner of Lot 109, Block 2, Hammock Gardens, Unrecorded Plat #116; thence N 29°47'12" W along the easterly line of said Block 2, a distance of 560.00 feet to a point, said point being S 29°45'12" E and a distance of 200.00 feet from the southerly R/W of said State Road #44, and also being the southeast corner of Lot 1, said Block 2; thence S 88°36'25" W along the southerly line of Lots 1, 2, and 3, a distance of 227.29 feet to the easterly line of Lot 6, said Block 2; thence S 29°45'35" E along said easterly line of said Lot 6, a distance of 32.01 feet to the southeast corner of said Lot 6; thence S 60°14'25" W along the southerly line of said Lot 6, Block 2, a distance of 200.00 feet to the easterly line of Wild Orange Drive, a 50-foot R/W as shown on said Hammock Gardens; thence N 29°45'35" W along said easterly line of Wild Orange Drive, a distance of 340.00 feet to the southerly line of said State Road #44; thence S 88°34'48" W along said southerly line of State Road #44 to the westerly R/W of said Wild Orange Drive; thence S 29°47'12" E along the westerly line of said Wild Orange Drive, a distance of 200.00 feet to the southeast corner of Lot 1, Block 1, said Hammock Gardens Unrecorded Subdivision; thence S 88°34'48" W along the southerly line of Lots 1, 2, 3, 4 and 5, a distance of 454.58 feet to the southwest corner of Lot 5, said Block 1; thence N 29°47'00" W along the easterly line of Wildwood Drive, a 50-foot R/W as now laid out; a distance of 200.00 feet to the said southerly R/W of State Road #44; thence S 88°34'48" W along said southerly R/W to the westerly line of said Wildwood Drive; thence S 29°47'00" E along said westerly R/W of Wildwood Drive, a distance of 600.00 feet; thence S 88°35'00" W, a distance of 150.00 feet; thence N 29°47'00" W a distance of 151.76 feet; thence S 68°33'00" W, a distance of 453.12 feet to a point on the easterly line of Timberlane Drive, a 50-foot R/W as now laid out, said point being S 30°31'30" E and a distance of 79.00 feet from the north line, of Lot 44, said Napier and Hull Grant; thence N 31°24'30" E along the said easterly line of Timberlane Drive, a distance of 635.94 feet to the said southerly R/W of State Road #44; thence S 88°35'00" W along the southerly line of State Road #44 to the intersection of the westerly line of said Timberlane Drive, a 50-foot R/W as now laid out; thence S 30°39'00" E along said westerly line, a distance of 350.00 feet; thence S 89°39'01" W a distance of 642.17 feet to the easterly line of Oliver Drive a 60-foot R/W as now laid out and as shown on Oliver Estates according to plat thereof recorded in Map Book 27, page 119 of the Public Records of Volusia County, Florida; thence S 88°33'54" W along the southerly R/W of State Road #44 to the westerly line of said Oliver Drive; thence S

30°55'03" E along said westerly line, a distance of 171.96 feet; thence S 00°02'33" E along the westerly line of Lots 49 through 73, inclusive, said Oliver Estates, a distance of 2,106.34 feet; thence S 88°31'57" W along the northerly line of Lots 135, 136 and 137, said Oliver Estates, a distance of 297.12 feet to the easterly R/W line of Glencoe Road, a 50-foot R/W as now laid out; thence N 34°16'00" W along said easterly R/W, a distance of 461.67 feet to the PC of a curve; thence northwesterly along a curve, said curve being concave northeasterly, and having a central angle of 23°59'03", a radius of 650.00 feet, an arc distance of 272.09 feet to the PT of said curve; thence N 10°16'57" W along the said easterly R/W of Glencoe Road, a distance of 631.84 feet; thence N 80°30'02" E, a distance of 300.00 feet; thence N 10°16'57" W a distance of 400.00 feet; thence S 80°30'02" W, a distance of 300.00 feet to the said easterly R/W of Glencoe Road; thence N 10°16'57" W, along said easterly R/W a distance of 50.00 feet; thence N 80°30'02" E, a distance of 300.00 feet; thence N 10°16'57" W, a distance of 200.00 feet; thence S 80°30'02" W, a distance of 300.00 feet to the said easterly R/W of Glencoe Road; thence N 10°16'57" W along said easterly R/W, a distance of 352.81 feet to the said southerly R/W of State Road #44; thence northeasterly along the southerly R/W of said State Road #44 to a point, said point being on the westerly line of the east ½ of Lot 56, said Napier and Hull Grant; thence S 30°09'34" E along the centerline of said Lot 56 and the centerline of said Lot 71, a distance of 250.00 feet; thence S 87°03'29" E, a distance of 145.00 feet; thence N 23°49'49" W, a distance of 250.00 feet to the southerly line of said State Road No. 44; thence N 88°36'25" E along said southerly line, a distance of 763.05 feet to the PC of a curve; thence northeasterly along said curve and said southerly R/W line, an arc distance of 1,470.94 feet to the said easterly line of U.S. Lot 2, Section 24, Township 17 South, Range 33 East; thence N 00°28'29" W along said easterly line to the northerly R/W of said S.R. 44; thence northeasterly along said northerly R/W along a curve concave to the northwest, said curve having a radius of 3,769.83 feet, an arc distance of 48.78 feet; thence N 25°47'47" W, a distance of 272.44 feet; thence S 67°50'31" W, a distance of 172.27 feet; thence S 25°47'47" E, a distance of 275.68 feet to the said northerly line of S.R. 44; thence westerly along the said northerly line and along a curve concave to the north, said curve having a radius of 3,769.83 feet, an arc distance of 111.5 feet; thence N 25°47'47" W, a distance of 273.59 feet; thence S 67°50'31" W, a distance of 505.22 feet; thence S 71°37'32" W, a distance of 97.77 feet; thence S 66°54'55" W, a distance of 144.34 feet; thence S 25°47'47" E, a distance of 175.57 feet to the said northerly R/W of State Road 44; thence westerly along said northerly R/W and along a curve concave to the north, said curve having a central angle of 01°40'04", a radius of 3,769.83 feet, an arc distance of 109.73 feet to a point of R/W change; thence N 06°59'52" W along said R/W, a distance of 10.00 feet; thence continue westerly along said northerly R/W and along a curve concave to the north, said curve having a central angle of 05°35'28", a radius of 3,759.83 feet, an arc distance of 366.90 feet to the PT of said curve; thence S 88°35'36" W along the tangent of the previously describe [described] curve, a distance of 32.96 feet to the easterly line of Eddie Road, a 40-foot R/W as shown on Ellison Acres Unit 2 per Map Book 8, page 249 of the Public Records of Volusia County, Florida; thence N 30°08'09" W along said easterly R/W, a distance of 568.42 feet; thence N 59°54'51" E, a distance of 145.00 feet to the easterly line of Lot 1, Block A, said Ellison Acres Unit No. 2; thence N 30°08'09" W, along the said easterly line a distance of 18.63 feet; thence S 89°12'52" E, a distance of 141.10 feet; thence N 00°35'33" W, a distance of 387.48 feet; thence S 89°30'44" E, a distance of 264.16 feet; thence S 00°35'33" E, a distance of 101.65 feet; thence S 89°12'52" E, a distance of 209.16 feet; thence N

00°47'08" E, a distance of 350 feet to the north line of said U.S. Govt. Lot 2; thence S 89°12'52" E, along said north line, a distance of 573.80 feet to the southwesterly R/W of Wallace Road; thence along said southwesterly R/W, S 66°21'09" E, a distance of 72.67 feet to a point of curvature of a curve to the right; thence continuing along said R/W curve to the right, having a radius of 463.21 feet a central angle of 20°41'51", an arc length of 167.33 feet, said arc being subtended by a chord bearing of S 56°00'12" E, a distance of 166.42 feet to a point; thence S 40°17'27" E, on a chord bearing for a distance of 86.48 feet to a point of tangency of said curve; thence continue S 34°56'11" E along the southwesterly R/W of Wallace Road for a distance of 720.79 feet to the intersection of the said westerly right-of-way and the northerly right-of-way of State Road No. 44; thence easterly to the easterly line of said Wallace Road; thence N 34°45'59" W along said easterly line, a distance of 246.48 feet to the southerly line of Ross Lane; thence N 58°06'46" E along said southerly line of Ross Lane, a distance of 259.54 feet; thence S 40°27'44" E, a distance of 264.30 feet to the said northerly R/W of State Road #44; thence westerly along said northerly line and along a curve to the right, said curve having a radius of 3,769.83 feet, an arc distance of 274.81 feet; thence leaving said northerly R/W S 26°15'59" E across said State Road 44, a distance of 101.82 feet; thence N 63°09'57" E as shown on R/W plats and along said southerly right-of-way line, a distance of 563.18 feet to the point of curvature of a curve concaved southeasterly having a radius of 2,814.79 feet; thence continue northeasterly along the arc of said curve; through a central angle of 3°31'37", an arc distance of 173.27 feet; thence N 0°30'0" W 258.70 feet; thence N 40°19'17" W, 14.33 feet; thence N 0°30'0" W, 273.13 feet to a point on the north right-of-way of aforesaid vacated Florida East Coast Railway, Orange City Branch; thence along said right-of-way S 89°43'33" E, 34.64 feet to the PC of a curve to the left; said curve having a central angle of 02°07'00" and a radius of 2,814.93 feet; thence easterly along the arc of said curve and along said right-of-way 103.99 feet to the PT of said curve; thence continue along said right-of-way N 77°42'31" E, 1,915.10 feet to the PC of a curve to the left, said curve having a radius of 5,679.65 feet; thence easterly along the arc of said curve and along said right-of-way to a point which is 10 feet easterly of the southwest corner of Lot 8, Sapps Resubdivision as recorded in Map Book 19, page 7 of the Public Records of Volusia County, Florida; thence northerly and parallel to the west line of said Lot 8 through Lots 8, 7 and 6 of said Sapps Resubdivision to the north line of said Lot 6; thence westerly along the north line of said Lot 6 and its westerly prolongation to the east line of the northwest ¼ of Section 19, Township 17 South, Range 34 East; thence north on said east line to the north right-of-way line of Canal Street; thence westerly along said north right-of-way line to the east right-of-way line of Bay Street; thence northerly along said east right-of-way line to the south right-of-way line of Woodland avenue; thence easterly along said south right-of-way line to an intersection with the southerly prolongation of the west right-of-way line of Short Street; thence northerly along said southerly prolongation and westerly right-of-way line of Short Street to the northeast corner of Lot 11, Block 29, Inwood Subdivision as recorded in Map Book 4, page 115 of the Public Records of Volusia County, Florida; thence westerly along the north line of said Lot 11 to the northwest corner of said Lot 11; thence north on the east line of Lots 2 and 1, Block 29, said Inwood Subdivision to the south right-of-way line of Julia Street; thence west along said south right-of-way line to the east right-of-way line of Bay Street; thence north along said east right-of-way line to the west right-of-way line of Milford Place; thence northerly along said west right-of-way to the south right-of-way line of Enterprise Avenue; thence westerly along said

south right-of-way line to an intersection with the southerly prolongation of the west line of Lot 5, Block 2, Brooks Subdivision as recorded in Map Book 5, page 81 of the Public Records of Volusia County, Florida; thence northerly along said southerly prolongation and the west line of said Lot S [5] to the northwest corner of said Lot 5; thence westerly along the north line of Lot 4, Block 2, said Brooks Subdivision to the southwest corner of Lot 7, Block 2, said Brooks Subdivision; thence northerly along the east line of Lots 8 and 10, Block 2, said Brooks Subdivision to the northeast corner of said Lot 10; thence westerly along, the south line of said Lot 10 to Greenlawn Avenue; thence westerly to the northeast corner of Lot 6, Block 1, said Brooks Subdivision; thence westerly along the south line of Lot 7, Block 1, said Brooks Subdivision and its westerly prolongation to the west right-of-way line of Oleander Avenue (formerly Pine Street); thence southerly along said west right-of-way line to the south right-of-way line to [of] South Street; thence westerly along said south right-of-way line to the east line of Section 13, Township 17 South, Range 33 East; thence south along the east line of Section 13, Township 17 South, Range 34 East to the northerly line of Enterprise Avenue, thence S 89°07'30" W along the said northerly line of Enterprise Avenue to the easterly R/W line of Halleck Street (formerly Brown Street); thence N 15°02'02" W along said easterly R/W a distance of 907.12 feet to the south line of U.S. Lot 2, Section 13, Township 17 South, Range 33 East; thence continue along the easterly R/W of Halleck Street to the southerly R/W of Wayne Avenue; thence N 74°03'30" E along said southerly R/W of Wayne Avenue to a point, said point being 195 feet from the southwest corner of the Henry B. Martin Grant, Section 38, Township 17 South, Range 33 East; thence N 15°56'30" W, a distance of 60.00 feet to the northerly R/W of said Wayne Avenue; thence S 74°03'30" W along said northerly R/W, a distance of 200.16 feet to the point of intersection of the northwesterly extension of the westerly R/W of said Halleck Street; thence S 15°04'23" E along said westerly R/W of Halleck Street, a distance of 211.09 feet to the said southerly line of U.S. Lot 2, Section 13, Township 17 South, Range 33 East; thence S 15°02'02" E along the said westerly R/W of Halleck Street, a distance of 887.28 feet to the northerly line of Enterprise Road; thence S 89°14'33" W, a distance of 59.38 feet to a point of curvature of a curve concave southerly and having a radius of 616.75 feet, a chord bearing of S 79°40'18" W, a chord distance of 205.09 feet; thence westerly along the arc of said curve through a central angle of 19°08'30" for an arc distance of 206.05 feet to a point of tangency; thence S 70°06'03" W, a distance of 104.95 feet to a point of curvature of a curve concave northerly having a radius of 950.00 feet, a chord bearing of S 77°31'12" W, a chord distance of 249.37 feet; thence westerly along the arc of said curve through a central angle of 15°05'00" for an arc distance of 250.09 feet to the westerly line, of the northeast ¼ of the southeast ¼ of Section 13, Township 17 South, Range 33 East, also being the east line of Mill Run Subdivision, as recorded in Map Book 39, page 149 of the Public Records of Volusia County, Florida; thence northwesterly along the southerly line of said Mill Run Subdivision to the westerly line of said Mill Run Subdivision; thence N 00°45'48" E along the westerly line of said Mill Run Subdivision and its northerly extension thereof to a point, said point being the northwest corner of Lot 1, Block 1, Ward's Subdivision, according to plat thereof recorded in Map Book 2, page 4 of the Public Records of Volusia County, Florida, and said point also being on the south line of U.S. Lot 2, Section 13, Township 17 South, Range 33 East; thence westerly along the said south line of U.S. Lot 2 and continue westerly along the south line of the northwest ¼ of said Section 13 to the northeast corner of Lot 3, J. T. Hammond's Resubdivision as per map recorded in Map Book 5, page 86 of the Public Records of

Volusia County, Florida; thence southerly along the easterly line of Lot 3 and its southerly prolongation thereof to the southerly line of Pioneer Trail; thence easterly along said southerly line of Pioneer Trail to the intersection of the easterly line of Lot 7, Hammond's Subdivision as recorded in Map Book 5, page 86 of the Public Records of Volusia County, Florida; thence S 00°32'45" E along the easterly line of said Lot 7, a distance of 1,699.25 feet to the southerly line of said Lot 7; thence S 88°46'18" W along the southerly line of said Lot 7, a distance of 81.14 feet to the easterly line of said Oldfield Manor Subdivision; thence S 30°03'47" E along said easterly line a distance of 1,305.14 feet to the northerly line of Jungle Road; a 50-foot R/W as now laid out, thence N 88°07'35" W along said northerly line, a distance of 508.30 feet to the easterly line of said Block "S" Oldfield Manor; thence N 30°03'23" W along said easterly line of Block "S," a distance of 402.45 feet to the northeast corner of Lot 31, said Block "S"; thence S 59°49'36" W along the northerly line of Lots 13 and 31, said Block "S," a distance of 205.00 feet to the northwest corner of said Lot 13; thence S 30°03'23" E along the westerly line of said Block "S," a distance of 274.28 feet to the said northerly line of Jungle Road; thence N 88°07'35" W along said northerly line, a distance of 317.44 feet; thence S 60°18'29" W along said northerly line of Jungle Road a distance of 223.05 feet; thence S 59°59'32" W along said northerly line of Jungle Road a distance of 561.25 feet; thence S 81°30'43" W along said northerly line of Jungle Road a distance of 293.62 feet to the westerly line of said Lot 34, Block 12, Napier and the north part of the Hull Grants, thence N 29°49'54" W along the westerly line of said Lot 34, a distance of 565.69 feet to the northwest corner of said Lot 34; thence S 59°55'28" W along the southerly line of Lot 22, said Block 9, Napier and north part of the Hull Grants a distance of 658.71 feet to the southwesterly corner of said Lot 22; thence N 30°17'09" W along the westerly line of said Lot 22, a distance of 654.20 feet to the northwest corner of said Lot 22; thence N 30°16'40" W along the westerly line of Lot 15, said Block 9 and Lot 4 said Block 2, Napier and north part of the Hull Grant, a distance of 1,316.03 feet to the northwest corner of said Lot 4, Block 2; thence N 59°46'33" E along the northerly line of said Lots 3 and 4, Block 2, a distance of 719.83 feet to the southeast corner of Section 13, Township 17 South, Range 33 East; thence continuing along the northerly line of said lot 3, Block 2 N 59°47'19" E a distance of 605.54 feet tort [sic] the southwest corner of Lot 5, said John T. Hammond's Subdivision; thence N 00°37'51" E along the westerly line of said Lot 5, a distance of 987.45 feet to the southerly line of bridge #794111 as shown on FDOT R/W Map Section 79550-2605; thence along the southerly line of Pioneer Trail per said FDOT R/W Map N 76°46'46" E a distance of 18.66 feet; thence N 13°13'14" W along said R/W, a distance of 29.43 feet; thence S 81°43'14" E along said R/W, a distance of 137.01 feet; thence N 60°43'21" E along said R/W, a distance of 11.48 feet; thence S 81°43'14" E along said R/W, a distance of 58.08 feet; thence S 79°33'21" E along said R/W to the said southerly prolongation of the easterly line of Lot 3, Hammond's Subdivision; thence northerly to the southeast corner of said Lot 3, said corner also described as the southeast corner of Lot 1, Turnbull Plantation Phase I as recorded in Plat Book 39, page 181 of the Public Records of Volusia County, Florida; thence northwesterly along the southerly line of said Lot 3, said line also described as the southerly line of said Turnbull Plantation Phase I to the centerline of Turnbull Creek; thence northerly along said centerline to a point of intersection of the northerly line of said Lot 3 said point being 920 feet westerly of the southeast corner of the southwest ¼ of the northwest ¼ of said Section 13; thence N 10° E along said Turnbull Creek, a distance of 680 feet; thence northeasterly to a point on the north line of said southwest ¼

of the northwest ¼, said point being 150 feet westerly of the northeast corner of said southwest ¼ of the northwest ¼; thence northeasterly to a point on the north line of the northeast ¼ of the northwest ¼, said Section 13, said point being 900 feet westerly of the northeast corner of said northeast ¼ of the northwest ¼; thence northwesterly to the northwest corner of the southeast ¼ of the southwest ¼ of Section 12, Township 17 South, Range 33 East; thence east along the north line of said southeast ¼ of the southwest ¼ to the northeast corner thereof; thence along said west line of the southeast ¼ of Section 12, Township 17 South, Range 33 East, N 00°33'46" W, a distance of 299.08 feet; thence leaving said last described line N 82°53'49" W, a distance of 276.69 feet; thence N 44°23'26" W, a distance of 132.94 feet; thence N 05°42'38" W, a distance of 617.12 feet; thence N 54°56'03" E, a distance of 219.20 feet; thence S 69°43'28" E, a distance of 160.57 feet; thence by a curve to the left, having a radius of 1,250 feet, a central angle of 4°24'13.6", an arc length of 96.08 feet to its intersection with the west line of the southeast ¼, Section 12, aforementioned; thence northerly along the said west line of the southeast ¼, of Section 12, to the northwest corner of said southeast ¼ of Section 12; thence easterly along the north line of said southeast ¼ of Section 12 to a point that is 628.63 feet westerly of the southwest corner of U.S. Lot 2, Section 12, Township 17 South, Range 33 East; thence northerly along the easterly line of the westerly 723.3 feet of the southwest ¼ of the northeast ¼ of Section 12, Township 17 South, Range 33 East to the north line of the southwest ¼ of the northeast ¼, Section 12, Township 17 South, Range 33 East; thence easterly along the said north line of the southwest ¼ of the northeast ¼, Section 12, Township 17 South, Range 33 East to the west R/W line of the FEC Railway; thence northerly along said west R/W to the center of Turnbull Bay Creek; thence northerly along the center of said Turnbull Bay Creek to a point that is perpendicular to the intersection of the easterly line of the east ½ of the southwest ¼ of Section 35, Township 16 South, Range 33 East and the westerly bank of said Turnbull Bay Creek; thence southwesterly along said perpendicular line to the said easterly line of the east ½ of the southwest ¼; thence southerly along said easterly line to the southeast corner of said east ½ of the southwest ¼; thence westerly along the southerly line of Township 16 South, Range 334 East, a distance of 200.00 feet; thence southerly and parallel to the easterly line of the northeast ¼ of Section 2, Township 17 South, Range 33 East, a distance of 100.00 feet; thence easterly and parallel to the northerly line of Section 2, Township 17 South, Range 33 East, a distance of 200.00 feet to the said easterly line of the northwest ¼, Section 2; thence southerly along said easterly line of the northwest ¼, Section 2, a distance of 2,483.35 feet to the northerly R/W of Turnbull Bay Road as shown on said Turnbull Acres Subdivision; thence S 89°16'05" W along said northerly R/W, a distance of 855.94 feet; thence N 52°16'15" W along the northeasterly R/W of said Turnbull Bay Road and parallel to the said FEC Railway, a distance of 679.49 feet; thence S 57°26'55" W, a distance of 53.12 feet to the said easterly R/W of the FEC Railway; thence southeasterly along said easterly R/W to the southerly line of said Turnbull Bay Road; thence easterly along said southerly line of Turnbull Bay Road, a distance of 938.12 feet to the easterly line of said Lot 4, Block 3, F. G. Lindberg Subdivision; thence southeasterly along said easterly line of Lot 4, 454.16 feet to a point, said point being 210.00 feet northerly of the southerly line of said Lot 1, Block 3, F. G. Lindberg Subdivision; thence easterly and parallel to the southerly line of said Lot 1, a distance of 428.84 feet to the easterly line of said Lot 1; thence southeasterly along the easterly line of said Lots 1 and 2, Block 3, 790.24 feet to the southerly line of said Lot 2, Block 3; thence southwesterly along the southerly line of said Lot 2, 203.59 feet to the said easterly R/W of the FEC

Railway; thence northwesterly along said easterly R/W of the FEC Railway to the westerly line of said Section 2, Township 17 South, Range 33 East; thence northerly along said westerly line 874.79 feet to the northwest corner of said northwest ¼ of Section 2; thence westerly along the northerly line of Township 17 South, Range 33 East to the said easterly R/W of the FEC Railway; thence northwesterly along said easterly R/W of the FEC Railway to the intersection of the westerly R/W of the Florida East Coast Railway and the northerly line of U.S. Lot 4, Section 34, Township 16 South, Range 33 East; thence N 60°00'00" E (Gov't) along the northerly line of said U.S. Lot 4, Section 34, and the northerly line of Gov't Lot 4, Section 35, Township 16 South, Range 33 East to the northeast corner of said U.S. Lot 4, Section 35; thence southerly along the easterly line of said U.S. Lot 4, Section 35 to the northwest corner of the east ½ of the southwest ¼ of said Section 35, Township 16 South, Range 33 East; thence easterly along the northerly line of said east ½ of the southwest ¼ and along the south line of U.S. Lot 2, Section 35, Township 16 South, Range 33 East; thence east along said south line of U.S. Lot 2 to the southeast corner of U.S. Lot 2 also described as the southwest corner of U.S. Lot 1, Section 35, Township 16 South, Range 33 East; thence northerly along the westerly line of said U.S. Lot 1, Section 35 to the southerly line of the Palmas Grant, Section 38, Township 16 South, Range 33 East; thence northeasterly along said southerly line of Palmas Grant to the southerly line of U.S. Highway No. 1 and/or State Road 5; thence southeasterly along said southerly R/W line said U.S. Highway No. 1 to its intersection with the northerly line of U.S. Lot 1, Section 36, Township 16 South, Range 33 East; thence westerly along said northerly line of U.S. Lot 1, Section 36 to the midline of the main stream of Murray Creek; thence southerly along the said midline of the main stream of Murray Creek to a point, said point being S 01°20'29" E and a distance of 99.00 feet from the north line of U.S. Lot 2, Section 36, Township 16 South, Range 33 East; thence run along an assumed bearing of N 88°39'31" E and parallel with said north line of U.S. Lot 2, a distance of 810.83 feet to a State Road Dept. monument marking the westerly R/W of U.S. Highway No. 1 (160-foot R/W); thence along said R/W, S 13°37'00" E, a distance of 344.68 feet; thence parallel to the said north line of U.S. Lot 2, S 88°39'31" W to the east bank of said Murray Creek; thence southerly along said east bank to a point on the south line of the north 680 feet of said U.S. Lot 2, Section 36, Township 16 South, Range 33 East; thence westerly along the said south line of the north 680 feet to the west line of said U.S. Lot 2; thence southerly along the said west line of U.S. Lot 2 to the southwest corner of said U.S. Lot 2; thence easterly along the southerly line of U.S. Lot 2, Section 36, Township 16 South, Range 33 East to the point of intersection of the southerly line of Art Center Avenue, said point being 63.86 feet westerly of the northwest corner of U.S. Lot 3, Section 36, Township 16 South, Range 33 East; thence N 72°40'46" E, along the south line of Art Center Avenue, a distance of 482.59 feet to the westerly R/W of U.S. Highway No. 1; thence S 30°47'26" E along said westerly R/W, a distance of 173.61 feet to the said southerly line of said U.S. Lot 2, Section 36, Township 16 South, Range 33 East; thence easterly along the southerly line of U.S. Lot 2, and continuing east along the easterly prolongation of the south line of said Lot 2 to its intersection with the confluence of the Halifax River, the Ponce de Leon Inlet and the United States Government Main Channel of the Indian River North; thence along the centerline of the Ponce de Leon Inlet easterly to an intersection with the northerly prolongation of the low water line of the Atlantic Ocean; thence southeasterly along said low water line of the Atlantic Ocean to a point at the intersection of the low water line of the Atlantic Ocean and the south line of Section 26, Township 17 South, Range 34 East; thence

westerly along the south line of said Section 26 and continuing westerly along the westerly prolongation of the south line of said Section 26 to the point of its intersection with the United States Government Channel of the Indian River North; thence northerly along the centerline of the United States Government Main Channel of the Indian River North to the intersection with the prolongation of the south line of the Pedro De Cala Grant; thence westerly to the point of beginning.

Sec. 199. - Zone boundaries.

Zone 1: All that portion of the city lying south of the northeastern most point of the northeastern city limits of the City of New Smyrna Beach, bounded on the east by the Atlantic Ocean and bounded on the south by the centerline of 7th Avenue from its easterly boundary to its intersection with the centerline of State Highway A1A; thence northerly and westerly along the centerline of A1A to its intersection with the centerline of Indian River North; thence northerly along the centerline of Indian River North to its intersection with the southerly prolongation of the southerly centerline of Smyrna Creek; thence westerly and northerly along the centerline of Smyrna Creek to its intersection with the centerline of the North Causeway as presently located; thence westerly along the centerline of the North Causeway to its intersection with the centerline of North Riverside Drive as presently located; thence northerly along the centerline of North Riverside Drive to its intersection with the southerly centerline of Ronnoc Lane as presently located; thence westerly along the centerline of Ronnoc Lane to its intersection with the centerline of the Florida East Coast Railway track as presently located; thence northerly along the centerline of the Florida East Coast Railway track to its intersection with the southerly centerline of Richard Street as presently located; thence westerly along the centerline of Richard Street to its intersection with the northern terminus of Myrtle Avenue and western terminus of Richard Street and eastern terminus of Martin Street; thence westerly along the centerline of Martin Street to its intersection with the southerly centerline of Wayne Avenue; thence westerly along the centerline of Wayne Avenue to its intersection with the easterly centerline of Fairway Drive as presently located; thence northerly along the centerline of Fairway Drive to its intersection with the southerly centerline of Fairgreen Avenue as presently located; thence easterly along the centerline of Fairgreen Avenue to its intersection with the centerline of the Florida East Coast Railway; thence southerly along the centerline of the Florida East Coast Railway track to its intersection with the northerly centerline of Wayne Avenue as presently located; thence easterly to a point north and east of the eastern terminus of Wayne Avenue westerly prolongation of the westerly centerline of Smyrna Creek; thence westerly and northerly along the centerline of Smyrna Creek to a point where it would intersect with the northern boundary of the City of New Smyrna Beach, Florida; thence in a northeasterly direction to the northeastern most point of the northeastern city limits of the City of New Smyrna Beach.

Zone 2: All that portion of the City of New Smyrna Beach, Florida, bounded on the east by the Atlantic Ocean, south to the city limits of the City of New Smyrna Beach, Florida; thence following the south city limits to its intersection with the centerline of 10th Street as presently located; thence westerly along said centerline of 10th Street westerly and northerly, following the southerly boundaries of the City to the intersection of the southerly centerline of Joel Street and westerly centerline of Stacey Lane as presently

located; thence northerly along the centerline of Stacey Lane to the intersection with the southerly centerline of Cavedo Street as presently located; thence easterly along the centerline of Cavedo Street to the intersection with the easterly centerline of Myrtle Avenue as presently located; thence northerly along the centerline of Myrtle Avenue to the intersection with the southerly centerline of State Road 44 (Lytle Avenue) as presently located; thence easterly along the centerline of State Road 44 (Lytle Avenue) to its intersection with the centerline of Florida East Coast Railway tracks as presently located; thence northerly along the centerline of Florida East Coast Railway tracks to its intersection with the southerly centerline of Ronnoc Lane as presently located; thence easterly along the centerline of Ronnoc Lane to its intersection with the westerly centerline of Riverside Drive as presently located; thence southerly along the centerline of Riverside Drive to its intersection with the northerly centerline of the North Causeway as presently located; thence northeasterly and easterly along the centerline of North Causeway to the intersection of the centerline of Smyrna Creek; thence southerly and easterly along the prolongation of the centerline of Smyrna Creek to its intersection with the centerline of Indian River North; thence southerly along the centerline of Indian River North to its intersection with the centerline of State Highway A1A; thence easterly along the centerline of State Highway A1A to the centerline of 7th Avenue; thence easterly along said centerline of 7th Avenue to the Atlantic Ocean.

Zone 3: All of that portion of the City of New Smyrna Beach, Florida, bounded on the east by Smyrna Creek to a point where it would intersect with the northernmost boundary of the City of New Smyrna Beach, Florida; thence easterly and southerly along the centerline of Smyrna Creek to its intersection with the northern terminus of North Riverside Drive and eastern terminus of the northerly centerline of Wayne Avenue, as presently located; thence westerly along said centerline of Wayne Avenue to its intersection with the centerline of the Florida East Coast Railway tracks as presently located; thence northerly along said centerline of the Florida East Coast Railway tracks to its intersection with the southerly centerline of Fairgreen Avenue; thence westerly along the centerline of Fairgreen Avenue to its intersection with the westerly centerline of Fairway Drive as presently located; thence southerly along said centerline of Fairway Drive to a point south of Birdie Drive and north of Sea Street; thence westerly to the City boundary line; thence northerly and westerly along the City boundary, as located east of Interstate Highway 95 and north of Cemetery Road as presently located; thence northerly and westerly along the city limits to the point where said city limits intersects with the centerline of County Road 4118 (Pioneer Trail) as presently located; thence northwesterly and easterly along the city limits to the northernmost point of the north city limits; thence northerly and easterly along the city limits to the point where said city limits intersects with the centerline of Smyrna Creek where it would intersect with the northern boundary of the City of New Smyrna Beach.

Zone 4: Beginning at the northwestern most boundary of the City of New Smyrna Beach, Florida; thence easterly along the northern most boundary of the City to the intersection of the centerline of Interstate Highway 95 as presently located; thence southerly along the said centerline of Interstate Highway 95 to the intersection of the northern centerline of State Road 44 as presently located; thence easterly and northerly to a point located west and between Birdie Drive and Sea Street as presently located; thence easterly to the

westerly centerline of Fairway Drive as presently located; thence southerly along said centerline of Fairway Drive to the southerly centerline of Wayne Avenue as presently located; thence easterly along said centerline of Wayne Avenue to the western terminus of Martin Street as presently located; thence easterly along the centerline of Martin Street to the western terminus of Richard Street as presently located; thence easterly along the centerline of Richard Street to the westerly centerline of the Florida East Coast Railway tracks as presently located; thence southerly along the centerline of the Florida East Coast Railway tracks to the northerly centerline of State Road 44 (Lytle Avenue) as presently located; thence westerly along said centerline of State Road 44 (Lytle Avenue) to the westerly centerline of Myrtle Avenue as presently located; thence southerly along the said centerline of Myrtle Avenue to the northerly centerline of Cavedo Street; thence westerly and southerly to the southwestern most boundary of the City of New Smyrna Beach, Florida; thence in a northerly direction along the west city limits following the west city limits to its intersection with the northwestern most boundary of the City of New Smyrna Beach, Florida, as located at the centerline of County Road 4118 (Pioneer Trail).

(Ord. No. 55-11, § 2(Exh. B), 6-28-2011)

Editor's note— Ord. No. 55-11, § 3, adopted June 28, 2011, provides that the adjustment of the boundaries of city commission zones adopted above shall be effective for the conduct of every city election after the adoption of this ordinance. Said adoption shall not affect the terms of any incumbent city commissioner so long as the commissioner remains a qualified elector at the commissioner's residence at the time of adoption of this ordinance or changes residence to a location within the commissioner's zone as adjusted in Section 199 above.

Sec. 185. - Service of utilities to consumers outside of city.

The city shall have power to supply water, electricity, garbage and trash collections, and gas for domestic and other purposes, to individuals, firms and corporations outside said city, and to charge and collect reasonable rates, prices and compensation therefor, but the city may charge a rate not more than twenty-five (25) percent higher to such consumers than is charged for a like class of service to a like class of consumers within the city limits.

State Law reference— Surcharge on service outside the city authorized, F.S. § 180.191.

Chapter 15 - ORLANDO UTILITIES COMMISSION[1]

Sec. 1. - Utilities Commission Created.

There is hereby created and made a part of the government of the City of Orlando, Florida, a utilities commission to be known and designated as the Orlando Utilities Commission, which shall consist of five (5) members.

(Laws of Fla. ch. 9861(1923), § 1)

Sec. 2. - Members of Commission.

The Orlando Utilities Commission shall consist of C.A. Johnson, who shall serve until December 31, 1955; E.L. Brewton, who shall serve until December 31, 1956; A.P. Clark, who shall serve until December 31, 1957; R.T. Overstreet, who shall serve until December 31, 1958; and thereafter the City Council shall elect one member of said Utilities Commission in January of each year to serve a term of four (4) years. The Mayor of the City of Orlando shall be ex officio a member of the said Commission.

(Laws of Fla. ch. 9861(1923), § 2; Laws of Fla. ch. 10968(1925); Laws of Fla. ch. 31075(1955), § 1; Laws of Fla. Ch. 86-421, § 1)

Sec. 3. - President; Minutes of Meetings; Public Meetings; Notice.

The said Utilities Commission shall in January of each year elect one of its members to be president and minutes shall be kept of all meetings of said Commission. Meetings of the Commission shall be held in accordance with the provision of Florida Statutes § 286.011, relating to public meetings. Notice of date, time and place of regular meetings shall be posted in conspicuous places in the lobbies of the Commission and the City Hall no less than five days prior to the regular meetings. Notice of any special meetings shall be posted in the same places at least twenty-four hours prior to the special meetings. Notices of the regular meetings shall include the proposed agenda for such meetings and notices of special meetings shall state the purpose for which the meeting is being called.

(Laws of Fla. ch. 9861(1923), § 3; Laws of Fla. Ch. 86-421, § 1)

Sec. 4. - Selection of Members.

New members of the Orlando Utilities Commission shall be chosen in the following manner: The Nominating Board of the City of Orlando shall submit three persons for consideration to the Commission who will nominate one of the three persons to the City Council or reject all three nominees. The City Council shall elect or reject the Utilities Commission's nominee, to serve a term of four years. All vacancies on the Commission shall be filled in like manner. In the event the Nominating Board of the City of Orlando ceases to exist, the City Council shall appoint a nine-member committee to submit the three persons for the consideration of the Commission, in lieu of the Nominating Board.

(Laws of Fla. ch. 9861(1923), § 4; Laws of Fla. ch. 31076(1955), § 1; Laws of Fla. Ch. 86-421, § 1)

Sec. 5. - Qualification of Members; Expenses; Voting Requirements; Financial Disclosure; Suspension and Removal from Office.

Every member elected to the Utilities Commission shall be both a customer of the Orlando Utilities Commission and a qualified elector residing within the area served by the Orlando Utilities Commission, and no officer, whether elected or appointed, and no employee of a county or municipality within the said service area, shall be qualified to serve as a member of said Commission, and provided that no member who has served two successive terms of four years each shall be eligible to succeed himself, except for the mayor of the City of Orlando. The mayor and at least two members of the Utilities Commission shall reside in the City of Orlando and, effective upon the vacancy to be filled in January 1987, at least one member of the

Commission shall reside in the unincorporated service area of the Orlando Utilities Commission. The members of the Commission shall be entitled to payment of reasonable expenses on account of service on the Commission. Members of the Commission shall be subject to the provisions of Florida Statutes § 286.012, relating to voting at meetings of the Commission, and to the provision of Florida Statutes § § 112.311—112.3175, inclusive, relating to financial disclosure and conflicts of interest, and to the provisions of Florida Statutes § 112.501, relating to suspension and removal from office.

(Laws of Fla. ch. 9861(1923), § 5; Laws of Fla. ch. 31078(1955), § 1; Laws of Fla. Ch. 86-421, § 1)

Sec. 6. - Management and Control of Utilities Plants.

The Utilities Commission shall have full authority over the management and control of the electric light and water works plants of the City of Orlando and shall elect and discharge at their pleasure all employees of said City whose services are performed in any manner in connection with said electric light and water works plants or the operation thereof.

(Laws of Fla. ch. 9861(1923) §6; Laws of Fla. ch. 31092(1955), §1)

Sec. 7. - Power to Borrow Money, Incur Indebtedness and Issue Notes; Competitive Bidding Procedure.

(1) In addition to the power and authority to borrow money otherwise provided by any other provision of this Act or of general law, the Orlando Utilities Commission shall also have power to borrow money and incur indebtedness from time to time with a maturity date of not more than 3 years for the purposes of paying current operating expenses of the Utilities Commission and expenses in connection with the acquisition, operation, maintenance, repair, extension, or improvement of any project relating to electric and water facilities which indebtedness shall be evidenced by notes of the Utilities Commission issued in the manner and subject only to the limitations hereinafter set forth in this section.

(2) Notes issued by the Utilities Commission pursuant to this section may be negotiable or non-negotiable, and all such notes shall be payable both as to principal and interest solely out of rates, fees, revenues, receipts, charges, or other income including investment income of the Utilities Commission. The notes shall not constitute indebtedness of the Utilities Commission or the City of Orlando within the meaning of any constitutional, statutory or charter provisions or limitations. Such requirement, however, shall not preclude payment from the proceeds of sale of other notes issued pursuant to this section or from amounts drawn on lines of credit pursuant to this section or from any other lawfully available source of funds.

(3) In order to exercise the power to borrow money pursuant to this section, the Utilities Commission shall adopt a resolution authorizing the sale and issuance of notes for such purpose, which resolution shall specify:

  (a) The purpose or purposes for which the proposed notes are to be issued;

  (b) The maximum principal amount of the notes which may be outstanding at any one time;

  (c) The maximum interest rate or interest rate formula, to be determined in the manner specified in the resolution, to be incurred through the issuance of such notes; and

  (d) The obligations to holders of notes while such notes are outstanding.

(4) The Utilities Commission may also provide in the resolution, at its discretion, but subject to the limitations contained in this section:

  (a) For the sale and issuance of notes at such times, and in such manner (either through public or private sale), in such amounts, with such maturities, at such rate of discount or interest, and with such other terms and conditions, as may be deemed appropriate by the President of the Utilities Commission or such other officer as may be designated by the Utilities Commission;

  (b) For the appointment of one or more banks or trust companies, either inside or outside the State of Florida, as depository for safekeeping, and as agent for the delivery and payment, of the notes;

(c) For the employment of one or more persons or firms to assist the Utilities Commission in the sale of the notes;

(d) For the refunding of the notes, from time to time, without further action by the Utilities Commission, unless and until the Utilities Commission specifically revokes such authority to refund, provided that in no event shall any refunding note be issued with a maturity date later than 3 years from the date of issuance of the original note; and

(e) For such other terms and conditions as the Utilities Commission may deem appropriate.

(5) The Utilities Commission may arrange for credit for the purpose of providing an additional source of repayment for indebtedness incurred under this section. Amounts drawn on available lines of credit may be evidenced by negotiable or nonnegotiable promissory notes or other evidences of indebtedness. Such notes or other evidences of indebtedness shall have such terms and conditions as the Utilities Commission may authorize in the resolution approving the same.

(6) No amount shall be borrowed under the authority of this section which, when added to the amount of all notes or other evidences of indebtedness previously issued pursuant to the authority of this section and then outstanding, shall exceed 50 percent of the total assets of the Utilities Commission as shown on its most recently prepared balance sheet.

(7) This section is complete authority for the issuance of notes as herein provided and the obtaining of credit hereunder, and no action or proceeding not required by this section shall be necessary for the valid authorization of such indebtedness. The powers conferred by this section are in addition and supplemental to, and are not in substitution for, and the limitations imposed by this section shall not affect, the powers conferred by any other section of this Act or by law. (Laws of Fla. ch. 9861(1923), § 7; Laws of Fla. ch. 80-560, § 1; Laws of Fla. ch. 82-343, § 1; Laws of Fla. ch. 82-415, § 2)

(8) The Commission shall develop and maintain a competitive bidding procedure which shall be published and made a part of its administrative procedures manual.

(Laws of Fla. ch. 86-421, §1)

Sec. 8. - Monthly Statements to Council.

The Utilities Commission shall submit to the City Council of Orlando a monthly statement on the 15th day of each and every month, showing the amount received per month, operating expenses, amount charged to depreciation and extensions, reserve fund and amount appropriated to interest and sinking fund, in all a complete statement, and shall at the time of making such report pay into the interest and sinking fund account of the Utilities Bonds such monthly appropriations, and shall on the first of July of each and every year file with the City Council a complete detailed report of all its transactions for the previous year. Said Utilities Commission shall file a copy of such reports with the City Clerk who shall record same in his office in a book kept for that purpose.

(Laws of Fla. ch. 9861(1923), §8; Laws of Fla. ch. 10968 (1925), §3)

Sec. 9. - Utilities, General; Conveyance and Services.

(1) The said Utilities Commission is hereby authorized to acquire, establish, construct, maintain and/or operate electric generating plants, electric lines and facilities incident thereto within the boundaries of Orange County and Brevard County and within any existing municipal electric service territory in Osceola County on the effective date of this act or as said territory may be amended as authorized by general law; to furnish electricity, power, and energy services to persons, firms and corporations in any part of Orange County and within any existing municipal electric service territory in Osceola County on the effective date of this act or as said territory may be amended as authorized by

general law, and otherwise as hereinafter provided; to construct and maintain electric lines and facilities solely associated with energy services in, along and under all public highways and streets throughout Orange County and Osceola County for the purpose of conveying electric current or energy services. The Utilities Commission is also authorized to furnish water, including raw water, potable water, non-potable water, chilled water, and reused water, to persons, firms, and corporations in Orange County and in any existing municipal service area in Osceola County located within Sections 28, 29, 30, 31, 32, 33, 34, 35 and 36 in Township 25S, Range 30E; Sections 31 and 32 in Township 25S, Range 31E; Sections 13,24,25, 26 and 36 in Township 26S, Range 29E; Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36 in Township 26S, Range 30E; and Sections 5, 6, 7, 8, 17, 18, 19, 20, 29, 30, 31 and 32 in Township 26S, Range 31E, and otherwise as hereinafter provided; and to construct and maintain water mains along and under all public highways and streets throughout Orange County and Osceola County located within Sections 28, 29, 30, 31, 32, 33, 34, 35 and 36 in Township 25S, Range 30E; Sections 31 and 32 in Township 25S, Range 31E; Sections 13, 24, 25, 26 and 36 in Township 26S, Range 29E; Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36 in Township 26S, Range 30E; and Sections 5, 6,7,8,17,18,19,20,29,30,31, and 32 in Township 26S, Range 31E; and may contract with any other municipality in Orange County and Osceola County for furnishing electric power, energy services, and all kinds of water as described herein, provided said Commission shall not serve any consumer outside the boundaries of Orange County or any electrical consumer outside the boundaries of any existing municipal electric service territory in Osceola County on the effective date of this act or as said territory may be amended as authorized by general law or serve any water consumers outside the area in Osceola County located within Sections 28, 29, 30, 31, 32, 33, 34, 35, and 36 in Township 25S, Range 30E; Sections 31 and 32 in Township 25S, Range 31E; Sections 13, 24, 25, 26 and 36 in Township 26S, Range 29E; Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36 in Township 26S, Range 30E; and Sections 5, 6, 7, 8, 17, 18, 19, 20, 29, 30, 31 and 32 in Township 26S, Range 31E, except:

(a) Its own facilities or employees located on property owned, leased, managed or controlled by it, or by the City of Orlando, and used in conjunction with such facilities; and

(b) Said Utilities Commission may connect with facilities of one or more electric utilities, to include, but not be limited to, any municipal electric utility, investor-owned utility, rural electric cooperative, cogeneration facility, nonutility generator, and other form of electric producer or marketer, and may enter into contracts with one or more electric utilities as referenced above whereby the said Utilities Commission shall agree to sell, purchase or interchange electric energy on a firm, scheduled, economy or emergency basis or otherwise through connections or interchange facilities. This act shall not supersede or otherwise alter the terms of any water service territorial agreement entered into by the Commission and Orange County.

(2) The Orlando Utilities Commission and the City of Orlando be and they are hereby authorized to do all things necessary or required to carry into effect the provisions of this act.

(Laws of Fla. ch 9861(1923), § 9; Laws of Fla. ch. 61-2589,§1; Laws of Fla. ch. 97-334,§1)

Sec. 10. - Rates for Municipal Use.

It shall be the duty of the Utilities Commission to agree upon rates for supplying the City of Orlando with both water and electricity and to collect from the said City for the supplying of said Utilities and in all other respects the said City of Orlando shall meet its obligations and observe the rules and regulations of said Utilities Commission the same as any individual consumer of said Utilities.

(Laws of Fla. ch. 9861(1923), §10; Laws of Fla. ch. 82-343, §1; Laws of Fla. ch. 82-415, §1)

Sec. 11. - Rules, Rates and Regulations for Private Use.

The said Utilities Commission is hereby given the full power and authority to prescribe rules, rates and regulations governing the sale and use of electricity, power and water wherever furnished by said Commission, and to change the same at its pleasure.

(Laws of Fla. ch. 9861 (1923), §11; Laws of Fla. ch. 31077 (1955), §1)

Sec. 12. - Eminent Domain for Water Supply.

The City of Orlando is hereby authorized and empowered by its duly constituted authorities to exercise the right of eminent domain to appropriate property, except State or Federal, for the purpose of obtaining, constructing and maintaining water works, reservoirs, any and all such lands, waters, and lands adjacent to waters, as in the judgment of the governing authority of the City of Orlando may be necessary for the full and complete police protection of any such water supply of the City of Orlando to safeguard the health, sanitation and interest of said City in supplying the said City and its inhabitants a wholesome and pure water supply for all purposes.

(Laws of Fla. ch. 13198 (1927), §1)

Sec. 13. - Sewer Service Billing—Authorized.

That the Utilities Commission of the City of Orlando, in the County of Orange, shall have power, with the consent of the governing body of the City of Orlando, to bill and collect fees, rentals or other charges for the facilities and services of the sewer system of the City of Orlando, as said sewer system now exists or as the same shall hereafter be improved or extended, and to perform any other duties or acts in the management, control and operation of such sewer system of said City, upon such terms and conditions as shall be agreed upon between said Utilities Commission and the governing body of the City of Orlando.

(Laws of Fla. ch. 24758 (1947), §1)

Sec. 14. - Service Discontinuance.

That said Utilities Commission shall have power, with the consent of the governing body of the City of Orlando, to shut off and discontinue the supplying of water, electricity or any other public facilities or services now or hereafter under the control, management or jurisdiction of said Utilities Commission, to any and all users of the sewer system of the City for non-payment when due of the fees, rentals or other charges for facilities and services of such sewer system. Regulations governing such shutting off and discontinuance of any of such public facilities and services, and the terms and conditions for the restoration of such facilities and services, including penalties, interest and charges for the shutting off and discontinuance or the restoration of such facilities and services, may be adopted by said Utilities Commission.

(Laws of Fla. ch. 24758 (1947), §2)

Sec. 15. - Revenue Bonds and Agreements.

(1) The Orlando Utilities Commission is authorized to issue revenue bonds for the purpose of financing or refinancing its electric power, fuel supply and water supply facilities, and may exercise all powers in connection with the authorization, issuance and sale of bonds as the same are conferred upon municipalities by Chapter 166, Part II, Florida Statutes, provided, however, that such bonds may be validated in accordance with Chapter 75, Florida Statutes.

(2) The Utilities Commission shall have power by resolution to make agreements and covenants with the City of Orlando and the holders of any revenue bonds or other obligations issued to finance, in whole or in part, any repairs,

extensions or improvements of the sewer system of the City with respect to the billing and collecting of fees, rentals or other charges for the facilities and services of such sewer system, or any other duties or acts delegated to and assumed by such Utilities Commission with respect to said sewer system of the City. All such agreements and covenants shall constitute and be deemed valid contracts between the said Utilities Commission and the holders of any revenue bonds or other obligations issued to finance, in whole or in part, any repairs, extensions or improvements of such sewer system, and may be enforced by any holder of such revenue bonds or other obligations in any court of competent jurisdiction; subject, however, to any provisions for enforcement thereof which may be contained in such agreements or covenants or in the resolution or resolutions of the governing body of the City of Orlando pursuant to which such revenue bonds or other obligations were issued.

(Laws of Fla. ch. 24758 (1947), §3; Laws of Fla. ch. 86-421, §2)

Sec. 16. - Interest in Contracts with Commission or City Members and Officers.

No member or officers of the Orlando Utilities Commission shall be directly or indirectly employed by any person, firm or corporation nor be interested directly or indirectly in any firm or corporation having, or proposing to have, any contractual relation with or rendering, or proposing to render, for any consideration, services to the Orlando Utilities Commission or the City of Orlando or any department or agency of either.

(Laws of Fla. ch. 31080 (1955), §1)

Sec. 17. - Same—Employees.

No employee of the Orlando Utilities Commission shall be directly or indirectly employed by any person, firm or corporation nor be interested directly or indirectly in any firm or corporation having, or proposing to have, any contractual relation with or rendering, or proposing to render, for any consideration, services to the Orlando Utilities Commission when the approval, decision, recommendation or advice of the employee shall be sought, obtained or required in any connection with such contract or service.

(Laws of Fla. ch. 31080 (1955), §2)

Sec. 18. - Same—Penalty.

Any violation of the provisions of this Act shall constitute a misdemeanor and the person found guilty thereof shall be punished as provided by law and shall be subject to removal as may be provided by law.

(Laws of Fla. ch. 31080 (1955), §3)

Charter Review Commission
Unrestricted Funds

Unrestricted Funds

- What are unrestricted funds? Unrestricted funds are equity in pooled cash and investments that can be used for any utility purpose. They are essentially liquid cash.
- How does FPUA utilize unrestricted cash? FPUA uses unrestricted cash as day to day operating funds and other purposes as needed. For example, Hurricane IRMA restoration costs ($1.4M) came out of unrestricted funds. PCA/PGA comes out of unrestricted funds
- How much does FPUA have in unrestricted funds? Latest audited figure is ~$25M

FPUA Responsibilities

- By Charter FPUA “shall have all the powers and duties possessed by the city to construct, acquire, expand and operate utility systems ……..to operate maintain, enlarge, extend, preserve, and promote an orderly, economic and businesslike administration of utility systems.”
- FPUA is responsible “for the development, production, purchase and distribution of all electricity, gas, water, sanitary sewer collection and disposal….
- No other specific responsibilities are identified.

Uses of Unrestricted Funds

- Can unrestricted funds be used for non-utility purposes? According to our Bond attorney, the answer is NO.
- “Pursuant to section 3.03(b)(11) of the resolution, all such excess and accumulated revenue (unrestricted cash)…….shall be used for any lawful system purpose”.
- Use of unrestricted funds for non-utility purposes would result in bond default

Working Capital Requirements

- From the GFOA Best Practice "Working Capital Targets for Enterprise Funds" the baseline recommendation is 90 days of working capital
- 90 days of operating expenses is (@$203K/day) = $18.6M
- Best Practice recommends making adjustments based on factors such as:

  - Support from general government -Transfers out
  - Cash cycles -Customer concentration
  - Control over rates and revenues -Asset age
  - Debt position -Control over expenses

Adjustments to Working Cash

– Support from general government	+
– Transfers out	+
– Cash cycles	+
– Customer concentration	neutral
– Control over rates and revenues	+
– Asset age	+
– Debt position	-
– Control over expenses	+

+ adds days to working capital

- Subtracts days from working capital

Neutral, no effect on working capital

Adjustments to Working Capital (Cont'd)

- Evaluating potential adjustments:
  - City Distribution (non-operating expense) $5.8M
  - PCA/PGA over-recovery ~$3.5M

  Just these two items would add $9.3M to working capital requirements

  Total working capital = $18.6M + $9.3M= ~$28M

  From a sound fiscal standpoint FPUA's working capital should be at least to the $28M level

  Our current level of unrestricted funds (unaudited) is ~$ 26.7M (9/30/17)

Water & Wastewater
Expansion Program

Fort Pierce Utilities Authority
Water/Wastewater Engineering

Agenda

- Current Expansion Programs
  - Where we are now
- Proposed Expansion Program
  - Where we are going
- Pilot Project
  - How We Are Going to Get There
- Wastewater Projects
  - Support Growth & Steps to MWRF

CURRENT PROJECT TYPES

- Developer Supply Agreements/Amendments
- MSBUs- Municipal Services Benefit Units
  - System Expansion
- Oversizing of Developer Water Mains
- Water Main Looping

Developer Supply Agreements/Amendments

- ✓ Portofino Landings: 72 new apartment units
- ✓ Bent Creek: 187 new single family homes *
- ✓ Palm Breezes: 126 new single family homes*
- ✓ Celebration Point: 318 new single family homes*
- ✓ Carriage Point: 132 new single family homes

- ✓ Total Connections: 835

* Current Phase

MSBUs

- ✓ Noa MSBU: 2015
  - 21 of 35 Homes Connected: 60%
  - FPUA Contribution: $51K
- ✓ Parkland: 2016
  - 40 of 59 Homes Connected: 68%
  - FPUA Contribution: $92K
- ✓ Jenkins/Starcher: 2016
  - 10 of 24 Homes Connected: 42%
  - FPUA Contribution: $35K
- ✓ Fra/Mar: 2017
  - Potential: 4 Single Family, 50 Duplexes, 4 Commercial, 5 Vacant Lots
  - FPUA Contribution: $66K
- ✓ Iroquois: 2018
  - Potential: 62 Single Family
  - FPUA Contribution: $68K

Oversizing of Developer Water Mains

✓ Precast Specialties- East of Selvitz Road

- FPUA Contribution: $13,000
- Oversizing of 8” water main to 12” water main
- Infrastructure added: 3900 lf of 12” pipe
- Providing needed water main loop in southwest service area and facilitate connection of Precast Specialities
- Completion: 2018

Water Main Looping

✓ Buckeye Drive

- Cost: $60,000
- Infrastructure added: 1300 lf of 6” WM
- Loop Between Citrus & Oleander
- 15 of 20 Homes Connected
- Completion: 2009

Proposed Expansion - GOALS

- Turn FPUA into an Economic Engine That Will Better Support and Grow the City of Fort Pierce and Fund Otherwise Unobtainable Goals.
- Invest Capital Funds into System Expansion to Increase our Customer Base and Annexation into the City of Fort Pierce.
- Provide Utility Infrastructure to our Entire Service Territory

Funding & Construction

- ✓Initial Years Funding at $1 Million and Increase in Out Years
- ✓Efficient Engineering & Construction Practices
  - Bid Several Projects Together
    - Economies of Scale
    - More Efficient Use of Staff Time
  - Piggyback Contracts
  - Design-Build Contractors
  - Additional Unit Price Contractors

Location Selection

- ✓Select the Order of Neighborhoods Based on Established Criteria to Identify the Best Cost-Benefit Ratio.
  - Cost of Infrastructure
    - Paved Streets
    - Conflicts w/ Drainage & Other Utilities (coms. power, etc.)
    - Proximity to Existing Utilities
  - Contiguous
  - Looping or Reliability Enhancements
  - Future Expansions
  - Property Values – Potential Tax Base
  - Public Interest

Pilot Project

Southeast Corner of Edwards Rd. & S. 25th St.



Water Costs

Water System Cost: $470K

Income from CICs: -$166K

Net Cost: $304K

- Modeled @ Conservative 10% Connection Rate
- 13 Year Payback - System Life of 100 YR+
- FPUA Income @ 100% Connection: $35K/yr.

Wastewater Costs

Wastewater System Cost: $110K

Income from CICs: -$253K

Net Cost: -$153K

- Modeled @ Conservative 5% Connection Rate
- 5 Year Payback – System Life of 100 YR+
- FPUA Income @ 100% Connection: $48K yr.
- Lower than Typical Cost for Wastewater System

City Income

Tax Base – Annex @ yr 10

- Avg. Taxable Value is $32K
- Avg. Tax Income is $218/yr.
- Annual Tax Income $20K/yr.

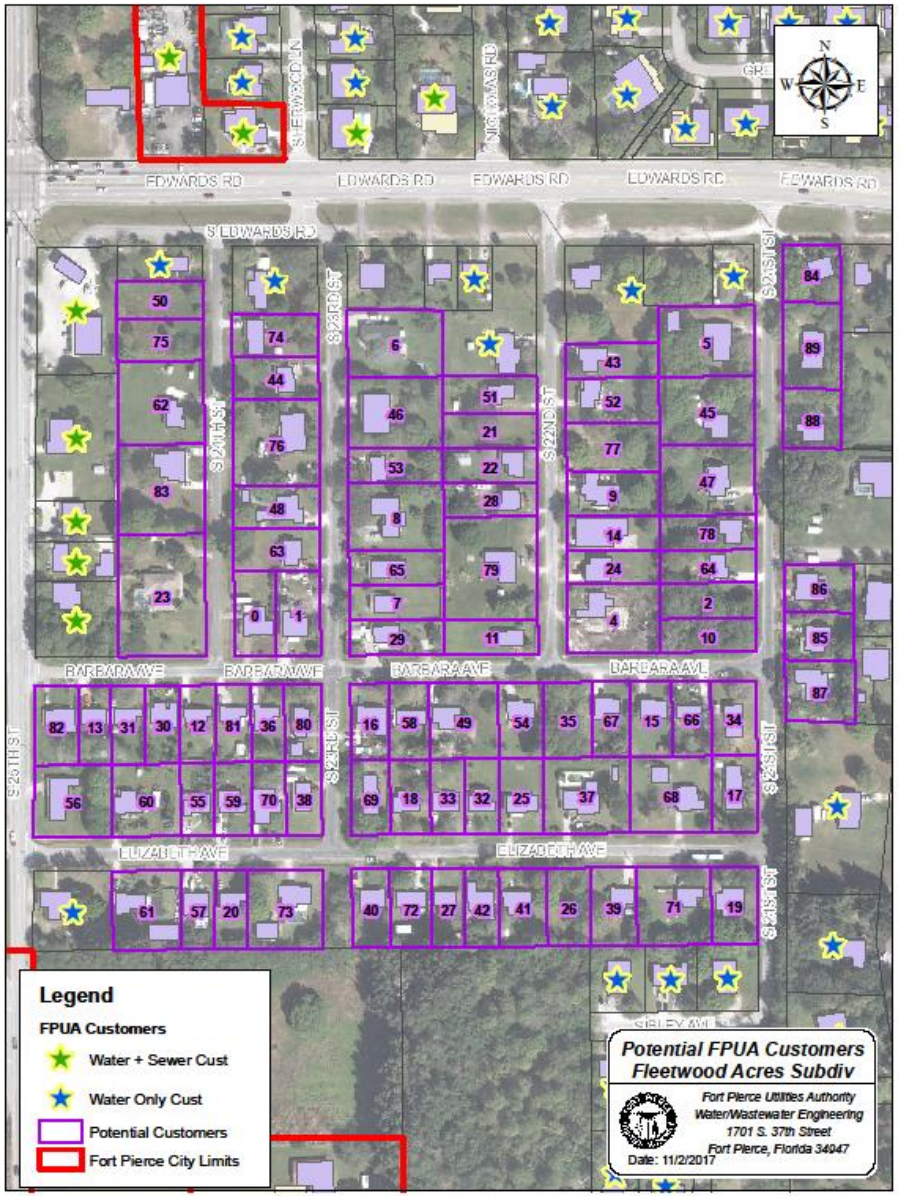
Pre-Annexation City Income

- 6% Transfer $5K

Annexed City Income

- 10% City Water Tax $4K
- 6% Transfer $7K
- Tax Income $20K

Total $31K



Customer Costs

Water – Avg. Bill: $35

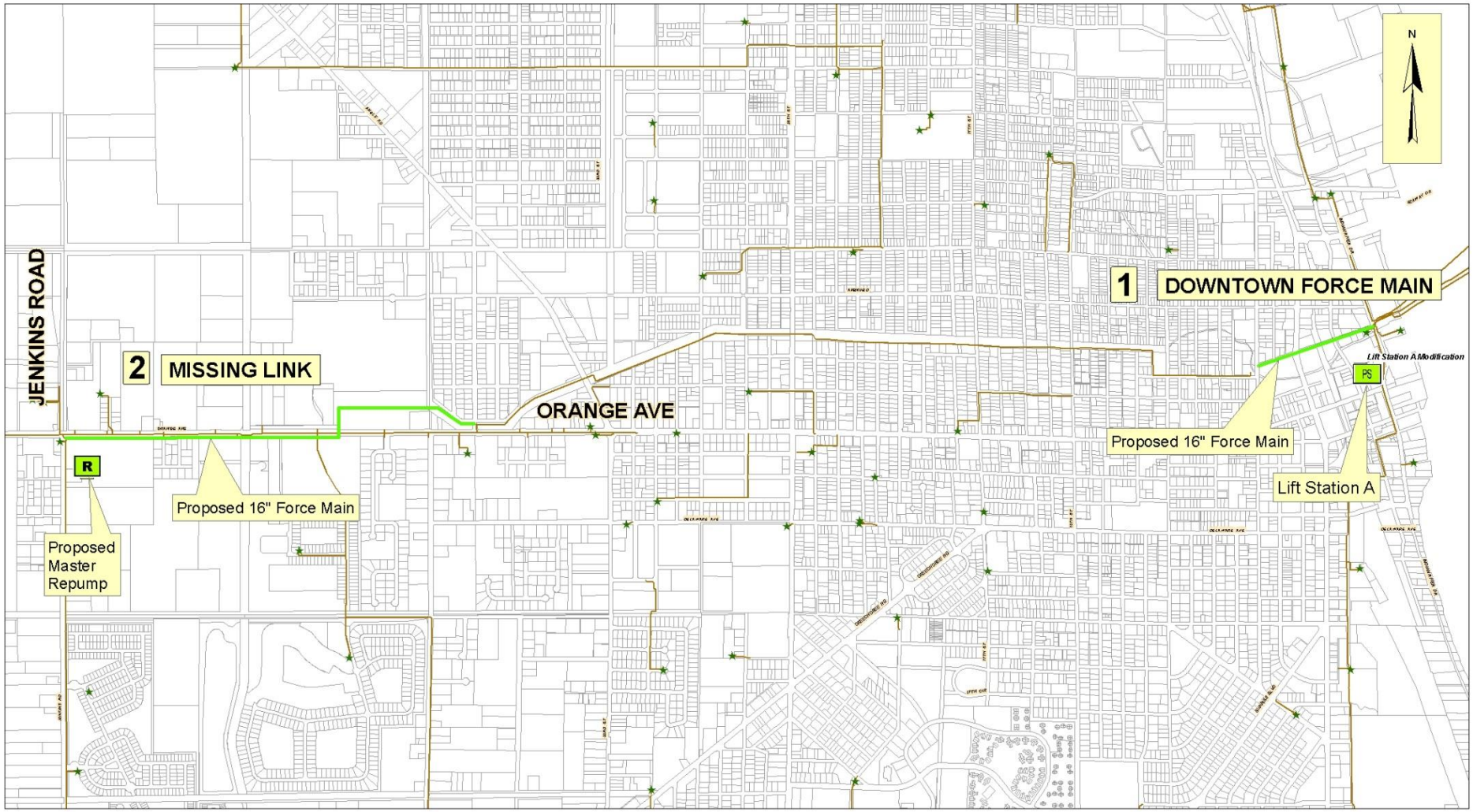
CIC:	$1850 (Est. new CIC, current $920)
Connection & Deposit	$100
Legal Fee	$60
Meter & Service	$800 (Waived as Connection Incentive)
Plumbing	$300
Water Total	$3110/$2310

Wastewater – Avg. Bill: $48

CIC:	$2815
Connection & Deposit	$110
Lift Station & Plumbing	$6500
Wastewater Total	$9425

Wastewater Projects

Support MWRF



Missing Link

- ✓16” FM along Orange Ave. from Jenkins to 39th
  - ➢Est. Cost $1.7M
  - ➢Design In-House & Bid FY 18
  - ➢Construct FY 19
- ✓Currently Needed to Support Growth in our Western Territory
- ✓Reroute Flows from Mid-Territory to Allow for Increased Southwestern Flows
- ✓Needed in the Future as the Westerly Trunk Main to the 24” FM on Jenkins Road

Downtown Force Main

- ✓16” FM along Ave. C from 10th to LS A
  - ✓Est. Cost $2.5M
  - ✓Design by Consultant & Bid FY 19
  - ✓Construct FY 20
- ✓Relieve Additional Flows from the Ave. C Gravity Sewer When the Missing Link is Completed
- ✓Needed in the Future as the Westerly Trunk Main to the 24” FM on Jenkins Road

Steps Taken to MWRF

✓ Purchased Property for Plant Site	$ 1.1 M
✓ Purchased Property for Master Repump	$ .5 M
✓ Constructed 2 Deep Injection Wells	$12.5 M
✓ Plant Designed	$ 2.2 M
✓ Constructed 24” FM Along Jenkins Road	$ 1.8 M
✓ All Master Planned Wastewater System Components Are Designed to Go Both Ways	
✓ Missing Link (FY 19)	$ 1.7 M*
✓ Downtown Force Main (FY 20)	$ 2.5 M*
Total Investment	$22.3 M

*Proposed Projects

Summary

- ✓ Biggest Political Challenge to FPUA is Moving the Wastewater Plant.
- ✓ Biggest Challenge to Moving the Wastewater Plant is Funding.
- ✓ Expansion Program Creates Funding.

"Change the Denominator" (Dan Delulio, 2017)

Questions?

Charter Review Committee **5.a.**

Meeting Date: 01/23/2018

Re:

SUBJECT:

Discussion and decision on recommendations to be included in the final report to the City Commission in accordance with Section 11 of Resolution 17-R17.

Attachments

Res. 17-R17

RESOLUTION NO. 17-R17

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **ESTABLISHING A LIMITED CHARTER REVIEW COMMISSION**; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the existing Charter became effective on April 24, 1972; and

WHEREAS, since then, there has been no review of the Charter; and

WHEREAS, the City Commission desires to have a Limited Charter Review Commission review provisions of Article XII of the Charter regarding the Fort Pierce Utilities Authority ("Authority"), and propose any amendments or revisions that may be advisable for placement on the general election ballot on November 6, 2018.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. CREATION OF THE CHARTER REVIEW COMMISSION. The City of Fort Pierce, Florida hereby establishes a Limited Charter Review Commission ("CRC").

SECTION 2. CHARGE OF THE LIMITED CHARTER REVIEW COMMISSION.

The City of Fort Pierce CRC shall be charged with the task of undertaking a review of provisions of Article XII, "Fort Pierce Utilities Authority", of the Fort Pierce Charter as set forth in section 3, "Scope of Review," of this Resolution. The CRC shall make recommendations to the City Commission at the conclusion of its deliberations.

The CRC is authorized to make recommendations regarding any and all issues related to the amendment of the provisions of the Charter outlined in section 3 of this Resolution, and the deletion or creation of new provisions relating to the same. The City Commission has chosen not to limit the scope of the CRC's authority with regard to the provisions outlined in section 3 of this Resolution.

The CRC shall prepare its recommendations for amendments, deletions, or new provisions as a single item in a final report ("Final Report") to the City Commission. The CRC shall not issue interim or partial recommendations to the City Commission.

The Final Report of recommendations of the CRC shall be approved by a vote of not less than a majority of the voting members of the CRC.

This Charge shall expire and the CRC shall cease to exist forty-five (45) days after issuance of its final report, unless extended by majority vote of the City Commission.

SECTION 3. SCOPE OF REVIEW. The CRC is directed to render recommendations including but not limited to the following Charter provisions of Article XII, "Fort Pierce Utilities Authority":

1) Section 169, relating to the relationship between the Authority and the City;
2) Section 176, relating to the enumeration of specific powers and duties, including but not limited to service territory; and
3) Section 178, relating to the percentage of revenue paid to the City and/or methodology for calculating amount paid to the City.

SECTION 4. MEMBERSHIP. The CRC shall be composed of seven (7) members: five (5) appointed members, and a first and second alternate member. The City Manager and the Director of Utilities of the Authority, or their designees, shall serve as ex officio members without vote.

All members of the CRC shall either be residents of the City of Fort Pierce or St. Lucie County residents and an FPUA rate payer at the time of their appointment to the CRC and shall remain residents and/or rate payers during the entirety of the CRC's tenure. Any member who experiences a change in status as a resident or rate payer during the tenure of the CRC shall forfeit his or her membership on the CRC and shall be replaced by appointment of the appropriate alternate.

Each member of the City Commission shall appoint one (1) member. Two (2) alternate members shall be appointed by majority vote of the City Commission. The Chairperson shall be appointed by majority vote of the CRC.

If a member of the CRC resigns, the appropriate alternate shall be appointed to replace the resigning member.

Both alternate members shall attend all meetings of the CRC in order to be knowledgeable of the issues in the event that an appointment to the CRC occurs. However, during their tenure as alternates, the alternates shall not be actively involved in the deliberations of the CRC and shall not have any vote on the CRC.

The City Attorney or his designee shall be legal counsel to the CRC and attend meetings when requested by the Chairperson.

SECTION 5. TIMELINE. The following timeline shall apply to proceedings of the CRC:

1) The City Commission will appoint members to the CRC by September 5, 2017.
2) The first meeting of the CRC shall occur on or about September 11, and thereafter the CRC shall set its own meeting schedule.
3) No later than six (6) months after its first meeting, the CRC shall issue a Final Report containing its findings and recommendations to the City Commission.
4) After issuance of the Final Report, a joint meeting of the City Commission and CRC shall be scheduled to discuss the CRC's findings and recommendations.

SECTION 6. GENERAL PROVISIONS. The CRC is encouraged to undertake and complete its work in a timely fashion, while at the same time taking all necessary steps to ensure that it has conducted a thorough and responsible review of the provisions outlined in section 3 above. The CRC shall meet no less frequently than once each month and shall meet more often at its discretion. The CRC is encouraged to establish meeting times that will allow maximum opportunity for community participation.

All meetings will be scheduled by the CRC in coordination with and noticed by the Office of the City Clerk.

In order to ensure that the work of the CRC remains comprehensive and coordinated, the CRC shall conduct all of its meetings as a committee of the Whole. The CRC shall not establish committees or sub-committees.

A majority of the members of the CRC entitled to vote shall constitute a quorum for the transaction of business. All recommendations from the CRC for either approval or disapproval shall be by majority vote of the members of the board entitled to vote.

SECTION 7. ATTENDANCE. All members of the CRC shall attend all meetings of the CRC. Any member who shall miss more than two meetings consecutively, or more

than three meetings cumulatively, shall be automatically removed from membership on the CRC and shall be replaced by the designated alternate. The designated first and second alternate shall attend all meetings and shall be subject to the provisions of the preceding paragraph.

SECTION 8. PUBLIC INPUT. All meetings of the CRC shall be subject to the requirements of the Florida Government in the Sunshine Law. The CRC shall provide an opportunity for public comment at each of its regularly scheduled meetings and may adopt rules governing such public comment. The CRC shall hold a meeting early in its schedule that will solicit community input prior to initiating its deliberations on the substantive issues of the Charter review. The CRC shall hold a similar meeting to provide public input after it has produced its final version of any Charter amendments, prior to submitting its Final Report to the City Commission.

SECTION 9. CONDUCT OF MEETINGS. The CRC shall use the Roberts Rules of Order for Small Boards and Committees for the conduct of its business. The rules should be sufficient to allow for the efficient and effective conduct of its business but not so restrictive or complex as to hamper the free flow of opinion, or to prevent the open expression and examination of positions on issues under consideration.

SECTION 10. EXPERT WITNESSES, STAFFING AND CLERICAL SUPPORT. The CRC is encouraged to solicit participation at its meeting from expert witnesses qualified by specialized knowledge, skill, experience, training, and/or education in matters that will assist the CRC in its charge, including but not limited to municipal government generally, or specifically, the history and creation of the relevant Charter provisions, and/or the organizational and financial relationship between the Authority and the City.

If recommended by the CRC, and contingent upon approval of the City Commission or its designee, the City will retain a consultant to provide technical assistance and guidance to the CRC in its review and deliberations and provide principal assistance with drafting any proposed revisions to the Charter. The City Clerk shall provide public notice and keep minutes of all CRC meetings and shall provide all clerical support. The City Manager's staff will provide additional clerical support to the work of the CRC as needed.

SECTION 11. FINAL REPORT. The CRC shall issue a Final Report containing its findings and recommendations to the City Commission at any time but no later than six (6) months after the first meeting of the CRC.

The Final Report shall include, but not be limited to, (1) the substance of any recommendations of proposed amendments, revisions, or repeals to the Charter, (2) the policy reasons for each recommendation, (3) estimated budget impacts for each recommendation, (4) the impacts of each recommendation on existing City laws, practices, and procedures, and (5) proposed ballot language for each recommendation.

Section 12. COMPLIANCE WITH APPLICABLE LAWS. The CRC, its members, and all of its proceedings shall be governed by and comply with the provisions of the Florida Sunshine Law, F.S. Ch. 286, the Florida Public Records Law, F.S. Ch. 119, and the Florida Code of Ethics, F.S. Ch. 112, and all other applicable local or state statutes, ordinances, or rules.

SECTION 13. EFFECTIVE DATE. This resolution shall take effect immediately upon its adoption.

IN WITNESS WHEREOF, this Resolution has been duly adopted this 7th day of August, 2017.

_____
Linda Hudson
Mayor Commissioner

ATTEST:

_____
Linda W. Cox, City Clerk

Approved as to Form
And Correctness:

_____
James M. Messer, Esq.
City Attorney

Charter Review Committee **7.a.**

Meeting Date: 01/23/2018

Re:

SUBJECT:

Schedule public input meeting on Final Report prior to submission to the City Commission as required by Section 8 of Resolution 17-R17.