

CE-1

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

Meeting Date: March 17, 2009      Consent [ ]      Regular [ X ]  
Public Hearing [ ]

Submitted By: Water Utilities Department  
Submitted For: Water Utilities Department

I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to adopt: a Resolution revising various chapters of the Water Utilities Department's Uniform Policies and Procedures (UPAP) Manual.

**Summary:** The UPAP is a codification of the Department's fees, standards, standard legal documents, policies, and procedures governing the provision of potable water, reclaimed water, and wastewater services. The Department performs a review of the UPAP from time to time to ensure the continued effective and efficient delivery of utility services. The proposed revisions include: a requirement for new customers to apply for service in person and pay the deposit and activation fee; a requirement for an account deposit equal to 150% of the normal deposit if service has been terminated twice in any 12-month period; deletion of language relating to bi-monthly meter reading; revised procedures for Administrative Hearings; revised formula for calculating excessive usage credits; requirement that permanent disconnects be allowed only if the dwelling no longer exists on the property and that the permanent disconnect be recorded; new penalties for moving construction meters; clarification of language relating to Utility Concurrence Letters; expansion of the approved materials list; new standards for lake discharge of reuse water for irrigation purposes; revision of pavement restoration details to match PBC Engineering standards; update of the pretreatment program's response plan; clarification of requirements for reduced pressure assemblies; new requirement that backflow re-certification be received by WUD prior to the expiration of the previous certification; and deletion of references and tables relating to water restrictions since they are available in the Florida Administrative Code and Water Management District regulations; and various other miscellaneous revisions and corrections. Countywide (MJ)

**Background and Policy Issues:** Since 1981, the Department has utilized the UPAP Manual as the guiding document for providing services to the public. The UPAP is a codification of the Department's rates, fees, policies and procedures governing the provision of potable water, reclaimed water, and wastewater services. Over the years, various revisions have been made to the UPAP in an effort to codify and improve the overall level of service provided by the Department. Revisions to the "Fees" section of the manual are being proposed as a separate Public Hearing item as required by Florida Statutes.

**Attachments:**

- 1. Resolution with Attachment "A" (Black-lined version of UPAP sections recommended for change)
- 2. Revised version of UPAP sections recommended for change
- 3. Summary of Proposed Changes

Recommended By:       3/9/09  
Department Director      Date

Approved By:       3/13/09  
Assistant County Administrator      Date

## II. FISCAL IMPACT ANALYSIS

### A. Five Year Summary of Fiscal Impact:

Fiscal Years	2009	2010	2011	2012	2013
Capital Expenditures	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Operating Revenues	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Guaranteed Revenues	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Connection Fee	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<b>NET FISCAL IMPACT</b> (Additional Revenues)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

**Budget Account No.:**      **Fund**                      **Dept**                      **Unit**                      **Object**

**Is Item Included in Current Budget?**                      **Yes**                      **No**

**Reporting Category**

### B. Recommended Sources of Funds/Summary of Fiscal Impact:

This item has no direct fiscal impact. However, new requirements that new customers appear in person to pay deposits and activation fees should help reduce bad debts.

C. Department Fiscal Review:

*Delura M West*

## III. REVIEW COMMENTS

### A. OFMB Fiscal and/or Contract Development and Control Comments:

The fiscal impact is indeterminable at this time.

*Jim [Signature]* 3-11-09  
3/11/09      OFMB      *TM CN 3/11/09*

*[Signature]* 3/12/09  
Contract and Development Control

### B. Legal Sufficiency:

*[Signature]* 3/12/09  
Assistant County Attorney

### C. Other Department Review:

\_\_\_\_\_  
Department Director

This summary is not to be used as a basis for payment.

**RESOLUTION NO. R-2009 -**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, REVISING THE WATER UTILITIES DEPARTMENT'S UNIFORM POLICIES AND PROCEDURES MANUAL (UPAP).**

**WHEREAS**, the Board of County Commissioners of Palm Beach County, Florida, has adopted the "Water Utilities Uniform Policies and Procedures Ordinance", which provides that the Board of County Commissioners may establish, by resolution, a Uniform Policies and Procedures ("UPAP") Manual to establish fees, standards, standard legal documents, policies, and procedures for the Water Utilities Department (Department); and

**WHEREAS**, the Department has recently completed a review of the UPAP; and

**WHEREAS**, the Department is proposing various revisions to the UPAP including, but not limited to: a requirement for new customers to apply for service in person and pay the deposit and activation fee; a requirement for an account deposit equal to 150% of the normal deposit if service has been terminated twice in any 12-month period; deletion of language relating to bi-monthly meter reading; revised procedures for Administrative Hearings; revised formula for calculating excessive usage credits; requirement that permanent disconnects be allowed only if the dwelling no longer exists on the property and that the permanent disconnect be recorded; new penalties for moving construction meters; clarification of language relating to Utility Concurrency Letters; expansion of the approved materials list; new standards for lake discharge of reuse water for irrigation purposes; revision of pavement restoration details to match PBC Engineering standards; update of the pretreatment program's response plan; clarification of requirements for reduced pressure assemblies; new requirement that backflow re-certification be received by WUD prior to the expiration of the previous certification; deletion of references and tables relating to water restrictions since they are available in the Florida Administrative Code and Water Management District; and various other miscellaneous revisions and corrections; and

WHEREAS, the Board of County Commissioners of Palm Beach County desires to adopt this Resolution revising the UPAP and deems adoption of same to be in the public interest.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The foregoing recitals are true and correct and incorporated as if fully set forth herein.
2. The revisions to the UPAP as set forth in Attachment "A", attached hereto and incorporated herein, are hereby adopted for inclusion in the UPAP.
3. Each and every other term and condition of the UPAP shall remain in full force and effect and the UPAP is reaffirmed as revised herein.
4. The provisions of this Resolution shall become effective upon adoption.

The foregoing resolution was offered by Commissioner \_\_\_\_\_ who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_, and upon being put to a vote, the motion passed as follows:

Commissioner Jeff Koons, Chairman  
Commissioner Karen T. Marcus  
Commissioner Shelley Vana  
Commissioner Burt Aaronson, Vice Chairman  
Commissioner Jess R. Santamaria  
Commissioner Addie L. Greene

The Chair thereupon declared the resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

PALM BEACH COUNTY, FLORIDA,  
BY ITS BOARD OF COUNTY COMMISSIONERS

Sharon R. Bock, Clerk and Comptroller

By \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By  \_\_\_\_\_  
County Attorney

**UNIFORM POLICIES AND PROCEDURES MANUAL  
SUMMARY OF PROPOSED CHANGES  
MARCH 2009**

**CHAPTER 1 – OVERVIEW AND DEFINITIONS**

- Page 6 – Revised definition of Customer Account Fee  
Page 10 – Added definition of “Limited Service Multi-Family Residential Dwelling Unit and “National Categorical Pretreatment Standards”.  
Page 13 – Added definition of “Pretreatment Requirements”.  
Page 14 – Added definition of “Prohibitive Discharge Standards or Prohibited Discharge”.

**CHAPTER 2 – CUSTOMER SERVICE**

- Page 1 – Added new requirement to apply for service in person and pay deposit and activation fee for any new customers or previous customers who have not previously provided positive identification, which is now required by federal law.  
Page 4 – Establishes Limited Service Multi-Family Residential Dwelling Units at .4 ERCs.  
Page 5 – Provides for Customers to sign a release for repairs done on Customer’s property.  
Page 8 – Authorizes the Department to require an account deposit equal to 150% of the normal deposit if service has been terminated twice in any 12-month period.  
Page 9 – Added language that leases do not relieve the Property Owner from paying Base Facility Fees and other fees if the tenant vacates the property.  
Page 10 – Deleted language relating to bi-monthly meter reading.  
Page 12 – Clarified Administrative Hearing information.  
Page 13 – Deleted provision for a consent agenda for Administrative Hearings.  
Page 16 – Changed formula for calculating Excessive Usage Credit. Customer will be required to pay his average bill plus an amount equal to the lowest tier rate times the amount exceeding his average.  
Page 17 – Authorizes the Department to establish payment plans in extreme events. Also, authorizes the Department Director, Deputy Department Director, or Finance & Administration Director to apply credits in extenuating circumstances provided the circumstances are explained in the comments on the account.  
Page 17 – In the case of permanent disconnects, authorizes the Department to accept previously unpaid Base Facility Fees, if such fees are less than service initiation fees that would otherwise be required. Requires proof that a dwelling no longer exists on the property and provides recording the permanent disconnect.  
Page 20 – Added notary certificate and PCN Number to Request for Permanent Disconnect.  
Page 22 – Authorizes penalties for moving construction water meters.  
Page 23 – Provides that temporary meters for model homes be billed at residential, rather than non-residential rates.  
Page 24 – Added application form for residential service.  
Page 25 – Added application form for non-residential service.

Page 26 – Added Release form.

### **CHAPTER 3 – FACILITIES EXTENSION**

Page 1 – Clarified language regarding UCL time limit.

Page 5 – Deleted language regarding SDA's entered into between 7-1-96 and 10-2-01.  
Paragraph is no longer applicable.

Page 8 – Deleted oversizing credit calculations. Moved to Chapter 6.

Page 126 – Added "Exhibit II", "Reclaimed Water Service Agreement – Lake Discharge Irrigation System". Provides that service initiation must occur within one year.

Page 134 - Added "Exhibit JJ", "Reclaimed Water Service Agreement – Direct Irrigation System".

Throughout – Standardized notary certificate.

### **CHAPTER 4 – MINIMUM DESIGN AND CONSTRUCTION STANDARDS**

Expanded the approved materials list.

Page 9 – Authorizes Department Director to add, delete, or substitute a product due to certain engineering circumstances for one year, provided that the circumstances are documented in the project file.

Page 239 – Added new standards for lake discharge of reuse water for irrigation purposes.

Page 116, 222, and 276 - Revised pavement restoration details to match PBC Engineering Standards

Page 285 – Allows inspections after normal working hours at additional fee.

### **CHAPTER 5 – PRETREATMENT PROGRAM**

Page 49 – Updated Response Plan

### **CHAPTER 6 – FEES**

No changes. Changes to Chapter 6 are contained in a separate Public Hearing item.

### **CHAPTER 7 – CROSS-CONNECTION/BACKFLOW PREVENTION**

Page 1 – Requires assembly to be same size as the service line if service line is smaller than the meter.

Page 2 – Clarifies requirements for reduced pressure assemblies.

Page 2 – Deletes requirement for Certificate of Completion for installation, maintenance, and re-certification.

Page 3 – Added statutory references; added minimum requirements for backflow assembly re-certification.

Page 4 – Added requirement that re-certification be received by WUD prior to the expiration date of the previous certification. Reinforces language that non-compliance will result in service being turned off.

## **CHAPTER 8 – EMERGENCY POTABLE WATER USE RESTRICTIONS**

Page 1 – Added references to the SFWMD’s Administrative Manual and Emergency Operations Plan.

Page 1 – Deleted reference to exhibits showing water restrictions.

Page 3 – Deleted all tables. Information is available in the Florida Administrative Code and District regulations.

Note: Page numbers refer to the black-line version of the UPAP.