

“Agenda Item is over 50 to 100 pages can be viewed in The Minutes Department”

Agenda Item No. #3K-4

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date:	January 24, 2012	Consent <input checked="" type="checkbox"/>	Regular <input type="checkbox"/>
		Public Hearing <input type="checkbox"/>	
Submitted By:	Water Utilities Department		
Submitted For:	Water Utilities Department		

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida revising the Water Utilities Department's Uniform Policies and Procedures Manual (UPAP).

Summary: The UPAP is a codification of the Department's fees, standards, legal documents, policies and procedures which govern the provision of potable water, reclaimed water, and wastewater services. The Department updates the UPAP from time to time to insure compliance with recently enacted laws and ordinances, and to insure that it continues to enable effective and efficient delivery of utility services.

This proposed revision contains no major policy changes. Changes are made to bring the UPAP into compliance with the previously passed Tampering Ordinance (R2010-014), the Annual Index Rate Ordinance (R2007-003), the Pretreatment Program Ordinance (R2011-030), and the Special Assessments and Deferred Payment Plans Policy (R2010-2145). Other revisions respond to changes in various Federal Regulations. Also included are minor changes to the Department's Design and Construction Standards as well as various minor changes and clarifications to existing customer service policies. A Summary of Proposed Changes to UPAP is shown in Attachment 3. The Water Utilities Advisory Board reviewed and unanimously approved the changes to the UPAP at their December 2, 2011, meeting. (Finance and Administration) 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 update the manual and improve the overall level of service provided by the Department.

Attachments:

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

Recommended By:  12/21/2011
Department Director Date

Approved By:  1/17/2012
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2012	2013	2014	2015	2016
Capital Expenditures	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
External Revenues	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Operating Expenses	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
In-Kind Match County	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
NET FISCAL IMPACT	<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 Rsrc

Is Item Included in Current Budget? Yes No Reporting Category N/A

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

No Fiscal Impact

C. Department Fiscal Review: See memo

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development and Control Comments:
No Fiscal Impact associated with this item. Fiscal Impact was shown prior resolutions brought to the board.

[Signature] 12/28/11
 OFMB

[Signature] 12/29/11
 Contract Development and Control

B. Legal sufficiency:
[Signature] 1/17/12
 Assistant County Attorney

C. Other Department Review:

 Department Director

RESOLUTION NO. R-2012-

**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 UPAP; and

WHEREAS, the UPAP is a codification of the Department's rates, fees, policies and procedures; and

WHEREAS, the Department is proposing various revisions to the UPAP including, but not limited to: incorporating the provisions of the Tampering Ordinance (2010-014) in relation to the unauthorized connection, use, or tampering; updating the interest rate for Special Assessments and Deferred Payment Plans as approved previously by Resolution R2010-2145; modifying Minimum Design and Construction Standards to require the use of "lead free" brass products in contact with potable water; updating the Pretreatment Program in accordance with the Pretreatment Ordinance (2011-030); updating rates and fees in accordance with the Rate Index Ordinance (2007-003); and including updates as issued by the South Florida Water Management District.

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 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 on being put to a vote, the vote was as follows:

Commissioner Shelley Vana, Chair
Commissioner Steven L. Abrams, Vice Chairman
Commissioner Karen T. Marcus
Commissioner Paulette Burdick
Commissioner Burt Aaronson
Commissioner Jess R. Santamaria
Commissioner Priscilla A. Taylor

The Chair thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2012

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

Sharon R. Bock, Clerk and Comptroller

By: _____

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: 
County Attorney

**UNIFORM POLICIES AND PROCEDURES MANUAL (UPAP)
SUMMARY OF PROPOSED CHANGES
2012**

Chapter 2 - Customer Service

- Updates service requirements to ensure water services are provided only to valid occupants of each service location
- Incorporates provisions of the Tampering Ordinance (2010-014, adopted on May 18, 2010) for unauthorized connection, use or tampering violations into UPAP
- Clarifies Adjustment of Bill for meter error
- Clarifies customer credit for damage due to acts of nature

Chapter 3 – Concurrency and Facilities Extension

- Clarifies the Department will notify the appropriate municipalities during the petition process for Special Assessments
- Amends the interest rate of 6 ½% to 5 ½% for Special Assessments and Deferred Payment Plans (2010-2145, adopted on December 21, 2010)

CHAPTER 4 – MINIMUM DESIGN AND CONSTRUCTION STANDARDS

- Updates and expands the Approved Material List
- Adds “LEAD FREE” brass products, which are in contact with potable water
- Updates WUD standards for Road Restoration and Pipe Identification Requirements to be in line with County Engineering

CHAPTER 5 – PRETREATMENT PROGRAM

- Adds the date of receipt of Industrial Monitoring Reports (IMRs) to be the postmarked date
- Updates UPAP to incorporate provisions of the Pretreatment Ordinance (2011-030, October 18, 2011), which was previously adopted by the BCC

CHAPTER 6 FEES

- Updates the Pretreatment Program (Bio-Chemical Oxygen Demand, T.S.S, Oil & Grease) calculation to allow for a 20% buffer when determining if Industrial Users have exceeded discharge standards
- Updates UPAP rates and fees chapter in accordance with the Rate Index Ordinance (2007-003) adopted by the BCC on March 13, 2007

CHAPTER 7 – CROSS-CONNECTION/BACKFLOW PREVENTION

- Amends test report and permit to be furnished to the Department within 60 days (currently 30 days)
- Upon failure by a customer to provide the Department with a passing backflow preventer test and after repeated notification attempts made by the Department, the Department may assign an employee to personally notify a customer of non-compliance. In this event, the Department may charge a notification fee of \$35.00 on the customer’s next water bill

CHAPTER 8 – WATER CONSERVATION AND WATER EMERGENCY PLAN

- Adds water restrictions imposed by the South Florida Water Management District (SFWMD) will be implemented by the Department
- Adds the limit or stop sale of Potable Water to use restrictions due to emergency water quality conditions