

RESOLUTION NO. 2023-033

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, WAIVING 7.4 PERCENT OF THE 9.9 PERCENT AUTOMATIC ANNUAL INCREASE FOR WATER AND WASTEWATER CHARGES FOR FISCAL YEAR 2023 EFFECTIVE ON APRIL 1, 2023; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City's Code of Ordinances, Chapter 20, "Utilities," Article V, "Rates and charges," Section 20-82(9), "Automatic annual rate adjustment," provides for an automatic annual rate adjustment of the greater of 2.5 percent or the consumer price index (CPI) published by the Bureau of Labor Statistics applied to all bills rendered April 1st of each year beginning on April 1, 2023; and

WHEREAS, the Code of Ordinances also provides that the automatic rate adjustment may be waived by the City Commission via resolution, based upon an annual review and recommendation by the City Manager, if it is determined that the City's water and wastewater fund is financially stable and is able to meet current ongoing obligations; and

WHEREAS, after considering the current economic environment, increases in operating costs, and the overall financial position of the Water and Wastewater Fund, the City Manager recommends waiving 7.4 percent of the scheduled 9.9 percent rate increase, resulting in an increase of 2.5 percent, effective April 1, 2023; and

WHEREAS, the City Commission finds it to be in the best interests of the customers serviced by the City of Coconut Creek to waive 7.4 percent of the 9.9 percent annual increase in the Water and Wastewater rates set to go into effect on April 1, 2023.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

Section 1: That the foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this resolution.

Section 2: That the City Commission hereby approves waiving 7.4 percent of the scheduled 9.9 percent annual rate increase, resulting in a rate increase of 2.5 percent, as set forth in this resolution on the April 1, 2023.

Section 3: That if any clause, section, other part or application of this resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or applications of this resolution.

Section 4: That this resolution shall be in full force and effect immediately upon its adoption.

Adopted this 23rd day of February, 2023.

Joshua Rydell, Mayor

Attest:

Joseph J. Kavanagh, City Clerk

Rydell	<u>Aye</u>
Welch	<u>Aye</u>
Tooley	<u>Aye</u>
Railey	<u>Aye</u>
Brodie	<u>Aye</u>