ORDINANCE NO. 2025-007

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 20, "UTILITIES," ARTICLE V, "RATES AND CHARGES," SECTION 20-82, "SCHEDULE OF RATES, FEES AND CHARGES," SUBSECTION 20-82(9), "AUTOMATIC ANNUAL RATE ADJUSTMENT," IN ORDER TO ALLOW FOR ANNUAL RATE ADJUSTMENTS EFFECTIVE JUNE 1 OF EACH YEAR BASED ON THE HIGHER OF TWO AND ONE-HALF PERCENT (2.5%), THE CONSUMER PRICE INDEX (CPI), OR BROWARD COUNTY WATER AND WASTEWATER SERVICES FEE ADJUSTMENTS AND TO PROVIDE THE CITY COMMISSION THE ABILITY TO WAIVE SAID FEES IN WHOLE OR IN PART; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City's Code of Ordinances currently provides for an automatic rate adjustment of water and wastewater rates of the greater of two and one-half percent (2.5%), or inflation based on the Consumer Price Index (CPI), which rate increase goes into effect on April 1 of each year; and

WHEREAS, the City does not maintain its own water and wastewater plant but contracts with Broward County Water and Wastewater Services to purchase water and to transmit and treat wastewater, which accounts for a major portion of the City's water and wastewater operating budget; and

WHEREAS, the County's annual fee adjustments are based on projected costs to operate the water and wastewater system, which may vary significantly from year to year based on regulatory changes and capital needs and may exceed two and one-half percent (2.5%) and the CPI; and

WHEREAS, the City Commission desires to update the automatic annual rate adjustment to ensure the recovery of all costs associated with the water and wastewater

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utility system, including the fees charged by Broward County Water and Wastewater Services, provide the ability to waive these fees in whole or in part, and move the effective date of the rate increase from April 1 to June 1 of each year.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF COCONUT CREEK HEREBY ORDAINS:

Section 1: Ratification. That the forgoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this ordinance.

Section 2: Amendment. That the Code of Ordinances of the City of Coconut Creek, Florida, shall be amended by amending Chapter 20, "Utilities," Article V, "Rates and Charges," Section 20-82, "Schedule of rates, fees and charges," Subsection 20-82(9), "Automatic annual rate adjustment*,"* to read as follows:

(9) *Automatic annual rate adjustment*. All residential and commercial/industrial rates established in subsections (1) through (4) above shall be adjusted the greater of (i) two and one-half (2 ½) percent ~~or~~, (ii) inflation based on consumer price index (CPI) published by Bureau of Labor Statistics for Miami-Fort Lauderdale metropolitan area, or (iii) the percentage increase in water and wastewater costs approved by Broward County Water and Wastewater Services for the previous fiscal year. These rate adjustments shall apply to all bills rendered ~~April~~ June 1 of each year, and thereafter, ~~beginning on April 1, 2019,~~ regardless of when water/sewer services may have been used. The automatic rate adjustment for each year may be waived in whole or in part by the City Commission via resolution, after review and recommendation by the City Manager, or designee, based upon an annual review that the City's Water and Wastewater Fund is financially stable and is able to meet current ongoing obligations for the year in which such rate increase is proposed to be waived.

Section 3: Conflicts. That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4: Severability. That should any section or provision of this ordinance or any portion thereof, any paragraph, sentence, clause or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part hereof other than the part declared invalid.

Section 5: Codification. That the provisions of this ordinance shall be codified within the Code of Ordinance of the City of Coconut Creek, Florida, and any paragraph or section may be renumbered to conform to the Code of Ordinances.

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Section 6: Effective Date. That this ordinance shall become effective upon its passage on the second and final reading.

PASSED FIRST READING THIS ____ DAY OF _____, 2025.

PASSED SECOND READING THIS ____ DAY OF _____, 2025.

_____
Jacqueline Railey, Mayor

Attest:

_____
Joseph J. Kavanagh, City Clerk

	1st	2nd
Railey	_____	_____
Wasserman	_____	_____
Welch	_____	_____
Rydell	_____	_____
Brodie	_____	_____

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