

ORDINANCE NO. 2018-007

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AMENDING CHAPTER 20 OF THE CODE OF ORDINANCES, "UTILITIES," BY AMENDING ARTICLE V, "RATES AND CHARGES," BY AMENDING SECTION 20-82, "SCHEDULE OF RATES, FEES AND CHARGES," BY AMENDING SUBSECTION 20-82(9), "AUTOMATIC ANNUAL RATE ADJUSTMENT," TO POSTPONE THE EFFECTIVE DATE OF THE AUTOMATIC ANNUAL ADJUSTMENT FOR WATER AND WASTEWATER CHARGES UNTIL APRIL 1, 2019; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City's Code of Ordinances provides for an automatic adjustment of water and wastewater rates on April 1 of each year, of the greater of 2.5 percent or inflation, based on the consumer price index (CPI); and

**WHEREAS**, the City Commission finds it to be in the best interest of the customers serviced by the City of Coconut Creek to postpone the effective date of the automatic annual adjustment until April 1, 2019 and to provide for future waivers of the automatic increase as approved by resolution of the City Commission.

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

**Section 1:** 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. All Exhibits attached hereto are incorporated herein and made a specific part of this Ordinance.

**Section 2:** That Chapter 20 of the Code of Ordinances of the City of Coconut Creek "Utilities," Article V, "Rates and Charges," Section 20-82, "Schedule of rates, fees and charges," Subsection 20-82(9), "Automatic annual rate adjustment," shall be amended 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 two and one-half (2 ½) percent or inflation based on consumer price index (CPI) published by Bureau of Labor Statistics for Miami-Fort Lauderdale metropolitan area. These rate adjustments shall apply to all bills rendered April 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 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:** That all Ordinances or parts of Ordinances, all City Code sections or parts of City Code sections, in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**Section 4:** 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:** 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.

**Section 6:** That this Ordinance shall become effective upon its passage on the second and final reading.

**PASSED FIRST READING THIS 22<sup>ND</sup> day of FEBRUARY, 2018.**

**PASSED SECOND READING THIS 8<sup>TH</sup> day of MARCH, 2018.**

/s/ Rebecca A. Tooley

Rebecca A. Tooley, Mayor

Attest:

/s/ Leslie Wallace May  
Leslie Wallace May, City Clerk

	<u>1st</u>	<u>2nd</u>
Tooley	<u>Aye</u>	<u>Aye</u>
Rydell	<u>Aye</u>	<u>Aye</u>
Sarbone	<u>Aye</u>	<u>Aye</u>
Belvedere	<u>Aye</u>	<u>Aye</u>
Welch	<u>Aye</u>	<u>Aye</u>