

Meeting Date: 7/27/10

Agenda Item 26

REQUESTED COMMISSION ACTION:

Consent     Ordinance     Resolution     Consideration     Workshop

SHORT TITLE Amending Code of Ordinances Chapter 51, "Sewers", Section 51.05 "Sewer Tariff"

OR MOTION:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Summary of Purpose and Why:

Based on the study submitted by the City's rate consultant, Raftelis Financial Consultants, Inc., the existing wastewater rate will not produce sufficient revenues to meet the utility system's requirements.

After a workshop and presentation held on May 25, 2010, the City Commission directed the increases to be phased in two steps and time the increases for August 1, 2010 and January 1, 2011.

QUESTIONS TO BE ANSWERED BY ORIGINATING DEPARTMENT:

- (1) Origin of request for this action: Staff
  - (2) Primary staff contact: A. Randolph Brown, Utilities Director Ext. 7044
  - (3) Expiration of contract, if applicable: N/A
  - (4) Fiscal impact and source of funding: N/A
- \_\_\_\_\_  
\_\_\_\_\_

DEPARTMENTAL COORDINATION	DATE	DEPARTMENTAL RECOMMENDATION	DEPARTMENTAL HEAD SIGNATURE OR ATTACHED MEMO NUMBER
City Attorney	6/10/2010	Approve	Per attached Ordinance
Utilities Director	6/11/2010	Approve	<i>[Signature]</i>
Finance	6/17/10	<i>[Signature]</i>	<i>[Signature]</i>
Budget	6/21/10	<i>[Signature]</i>	<i>[Signature]</i>

Advisory Board  
 Development Services Director  
 City Manager

*[Signature]*

ACTION TAKEN BY COMMISSION:

Ordinance	Resolution	Consideration	Workshop
1st Reading <u>7/13/2010</u> APPROVED	1st Reading _____	Results: _____	Results: _____
2nd Reading <u>7/27/2010</u>	_____	_____	_____
_____	_____	_____	_____

**CITY OF POMPANO BEACH**  
**Broward County, Florida**

**AN ORDINANCE AMENDING CHAPTER 51, "SEWERS," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH BY AMENDING SECTION 51.05, "SEWER TARIFF," TO PROVIDE FOR AN INCREASE IN THE MONTHLY OPERATION AND FLOW CHARGE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City's rate consultant, Raftelis Financial Consultants, Inc., has conducted a rate study and reviewed the City's water and wastewater rates and charges for Fiscal Years 2010 through 2011; and

WHEREAS, based upon the water and wastewater rate study, the City's consultant has advised the need for periodic increases to the City's water and sewer rates to ensure adequate funding to meet the utility system's requirements; and

WHEREAS, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of its proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

WHEREAS, a public hearing before the City Commission has been held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had the opportunity to be and were, in fact, heard; now, therefore,

**BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:**

**SECTION 1.** That Section 51.05, "Wastewater Tariff," of Chapter 51, "Sewers" of the Code of Ordinances of the City of Pompano Beach is hereby amended to as follows.

**§ 51.05 WASTEWATER TARIFF.**

...

(D) There is hereby levied and established a system of rates and charges against each and every person, firm, partnership, corporation, or other legal entity requiring sewer service in accordance with the following schedule:

...

(1) Single-Family Residential Classification.

Territory: Applicable within the incorporated limits of the city.

- (a) Monthly service charge: ~~\$10.56~~  
Effective 8/1/2010      \$11.19  
Effective 1/1/2011      \$11.91

- (b) Flow charge per 1,000 gallons:

<i>Charge Effective 10/1/06</i>	<i>Charge Effective 10/1/07</i>	<i>Charge Effective 10/1/08</i>	<i><u>Charge Effective 8/1/10</u></i>	<i><u>Charge Effective 1/1/11</u></i>
\$2.01	\$2.14	\$2.28	<u>\$2.46</u>	<u>\$2.77</u>

- (c) Maximum monthly billable flow: 10,000 gallons.

(2) Multiple-Family Residential Classification.

Territory: Applicable within the incorporated limits of the city.

- (a) Monthly service charge per unit: ~~\$10.12~~  
Effective 8/1/2010      \$10.73  
Effective 1/1/2011      \$11.41

- (b) Flow charge per 1,000 gallons:

<i>Charge Effective 10/1/06</i>	<i>Charge Effective 10/1/07</i>	<i>Charge Effective 10/1/08</i>	<i><u>Charge Effective 8/1/10</u></i>	<i><u>Charge Effective 1/1/11</u></i>
\$2.01	\$2.14	\$2.28	<u>\$2.46</u>	<u>\$2.77</u>

- (c) Maximum monthly billable flow per unit: 10,000 gallons.

(3) Commercial Classification.

Territory: Applicable within the incorporated limits of the city.

(a) Monthly service charge per unit: ~~\$11.58~~.  
Effective 8/1/2010      \$12.27  
Effective 1/1/2011      \$13.06

(b) Flow charge per 1,000 gallons – all usage:

<i>Charge Effective 10/1/06</i>	<i>Charge Effective 10/1/07</i>	<i>Charge Effective 10/1/08</i>	<i>Charge Effective 8/1/10</i>	<i>Charge Effective 1/1/11</i>
\$2.01	\$2.14	\$2.28	<u>\$2.46</u>	<u>\$2.77</u>

...

**SECTION 2.** If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

**SECTION 3.** This Ordinance shall become effective on August 1, 2010.

**PASSED FIRST READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

**PASSED SECOND READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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**LAMAR FISHER, MAYOR**

**ATTEST:**

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**MARY L. CHAMBERS, CITY CLERK**

jrm  
6/8/10  
l:ord/ch51/2010-283