

ORDINANCE NO. C-14-25

AN ORDINANCE AMENDING SECTIONS 28-76, 28-141, 28-143, 28-144, 28-145, AND 28-197, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING FOR INCREASES TO WASTEWATER RATES, TAPPING CHARGES, WATER RATES, MASTER METER CHARGES, SERVICE AVAILABILITY CHARGES, SPRINKLING CHARGES, FIRE SERVICE CHARGES, AND STORMWATER MANAGEMENT RATES, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

WHEREAS, the City of Fort Lauderdale supplies water and sewer services on a regional basis to approximately 250,000 residents of central Broward County; and

WHEREAS, areas provided potable water service and wastewater service by the City include Fort Lauderdale, Port Everglades, Lauderdale-by-the-Sea, Oakland Park, Sea Ranch Lakes, Wilton Manors, portions of unincorporated Broward County, Davie and Tamarac; and

WHEREAS, a comprehensive water and sewer rate study was conducted by Burton & Associates, Inc., for the City, which established a plan of rate adjustments and rate structure modifications, which plan was accepted and implemented by the City; and

WHEREAS, the necessity for water main replacement and sewer rehabilitation throughout the City and other ongoing capital needs requires an increased level of fund transfers into the capital program; and

WHEREAS, to generate necessary funds for present and future needs, administration, operation and long-range projects under the Water and Sewer Master Plan, it is necessary to increase wastewater user rates, tapping charges, water rates, sprinkling meter charges, private fire service protection charges, and service availability charges; and

WHEREAS, to generate necessary funds for present and future needs, administration, operation and long-range projects in connection with the Stormwater Management Program, it is necessary to increase stormwater management program rates; and

CAM #14-0582
EXHIBIT #1

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions.

WHEREAS, the City of Fort Lauderdale has notified all customers of this Ordinance through the regular utility billing process, pursuant to Section 180.136, Florida Statutes; and

WHEREAS, the proposed amendments to the Code of Ordinances are in the best interests of the health, safety, and welfare of the City and the City's utilities customers;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the table titled Wastewater Fixed Monthly Charges contained in Subsection (b)(1) of Section 28-76 of the Code of Ordinances of the City of Fort Lauderdale, Florida, establishing wastewater fixed monthly charges, is hereby amended as follows:

Meter Sizes	Wastewater Fixed Monthly Charges 28-76 (b)(1)		
(inches)	Effective 10/1/2011		
5/8	\$7.76		
3/4	\$11.05		
1	\$17.66		
1 1/2	\$34.13		
2	\$53.92		
3	\$100.07		
4	\$166.02		
6	\$330.85		
8	\$528.66		
10	\$759.44		
12	\$1,418.80		
16	\$2,308.96		

On 10/1/2012 charges shall be adjusted by multiplying the prior year's charge by 6.75%.

*See Note 1

On 10/1/2013, and October 1 of each year thereafter, charges shall be adjusted by multiplying the prior year's charge by 5% as established and adopted by resolution.

*See Note 1

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* Note 1: By April 30th of each year, the city manager shall determine if as of September 30th of the year prior whether projected revenues based on adjusted rates exceed the following five (5) criteria: 1) annual revenues exceed annual expenses, 2) net revenue is at or above two (2.0) times annual debt service expenses, 3) there is an operating reserve at least equal to one hundred twenty (120) days of operating costs, 4) there is an unrestricted capital reserve of at least ten million dollars (\$10,000,000.00), and 5) there is replacement and repair funding of at least ten million dollars (\$10,000,000.00). If there is projected revenue that exceeds these five (5) criteria, the current customers shall receive a proportionate rebate of the excess funds on their water/wastewater bill in the same fiscal year. For purposes of this note, revenue, expenses, and net revenue are as defined in City Commission Resolution No. 03-29.

SECTION 2. That the table titled Wastewater Commodity Charges contained in Subsection (b)(2) of Section 28-76 of the Code of Ordinances of the City of Fort Lauderdale, Florida, establishing wastewater commodity charges, is hereby amended as follows:

Wastewater Commodity Charges 28-76 (b)(2)				
Block Ranges	Water (per unit)	Wastewater Monthly Usage Charges		
	(1,000 gallons per month X number of dwelling units)	Effective 10/1/2011	On 10/1/2012 charges shall be adjusted by multiplying the prior year's charge by 6.75%.	On 10/1/2013, and October 1 of each year thereafter, charges shall be adjusted <u>by multiplying the prior year's charge by 5% as established and adopted by resolution.</u>
Block 1	0 - 3,000	\$2.86	*See Note 1 at Sec. 28-76 (b)(1)	*See Note 1 at Sec. 28-76 (b)(1)
Block 2	4,000 – 20,000	\$6.33		
Block 3	>20,000	N/A		

SECTION 3. That the table titled Wastewater Commodity Charges contained in Subsection (b)(3) of Section 28-76 of the Code of Ordinances of the City of Fort Lauderdale, Florida, establishing wastewater commodity charges, is hereby amended as follows:

Wastewater Commodity Charges 28-76 (b)(3)
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Block Ranges	Water (per unit)	Wastewater Monthly Usage Charges		
	(1,000 gallons per month X number of dwelling units)	Effective 10/1/2011	On 10/1/2012 charges shall be adjusted by multiplying the prior year's charge by 6.75%. *See Note 1 at Sec. 28-76 (b)(1)	On 10/1/2013, and October 1 of each year thereafter, charges shall be adjusted <u>by multiplying the prior year's charge by 5% as established and adopted by resolution.</u> *See Note 1 at Sec. 28-76 (b)(1)
Block 1	0 - 1,000	\$2.86		
Block 2	2,000 – 8,000	\$6.33		
Block 3	>8,000	N/A		

SECTION 4. That the table titled Wastewater Commodity Charges contained in Subsection (b)(4) of 28-76 of the Code of Ordinances of the City of Fort Lauderdale, Florida, establishing wastewater commodity charges, is hereby amended as follows:

Wastewater Commodity Charges 28-76 (b) (4)			
	Effective 10/1/2011	On 10/1/2012 charges shall be adjusted by multiplying the prior year's charge by 6.75%. *See Note 1 at Sec. 28-76 (b)(1)	On 10/1/2013, and October 1 of each year thereafter, charges shall be adjusted <u>by multiplying the prior year's charge by 5% as established and adopted by resolution.</u> *See Note 1 at Sec. 28-76 (b)(1)
All Usage	\$5.09		

SECTION 5. That the table titled Wastewater Service Availability Monthly Charges contained in Subsection (l)(1) of Section 28-76 of the Code of Ordinances of the City of Fort Lauderdale, Florida, and formerly marked 28-76(j)(1), establishing wastewater service availability monthly charges, is hereby amended as follows:

Meter Sizes	Wastewater Service Availability Monthly Charges 28-76 (j) (1)

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(inches)	Effective 10/1/2011		
5/8	\$7.76	<p>On 10/1/2012 charges shall be adjusted by multiplying the prior year's charge by 6.75%.</p> <p>*See Note 1 at Sec. 28-76 (b)(1)</p>	<p>On 10/1/2013, and October 1 of each year thereafter, charges shall be adjusted <u>by multiplying the prior year's charge by 5%</u> as established and adopted by resolution.</p> <p>*See Note 1 at Sec. 28-76 (b)(1)</p>
3/4	\$11.05		
1	\$17.66		
1 1/2	\$34.13		
2	\$53.92		
3	\$100.07		
4	\$166.02		
6	\$330.85		
8	\$528.66		
10	\$759.44		
12	\$1,418.80		
16	\$2,308.96		

SECTION 6. That the table titled Tapping Charges contained in Subsection (a) of Section 28-141 of the Code of Ordinances of the City of Fort Lauderdale, Florida, establishing tapping charges, is hereby amended as follows:

Tapping Charges 28-141 (a)			
	Effective 10/1/2011		
5/8 by 3/4 -inch tap and service	\$1,082.84	<p>On 10/1/2012 charges shall be adjusted by multiplying the prior year's charge by 6.75%.</p> <p>*See Note 1 at Sec. 28-76 (b)(1)</p>	<p>On 10/1/2013, and October 1 of each year thereafter, charges shall be adjusted <u>by multiplying the prior year's charge by 5%</u> as established and adopted by resolution.</p> <p>*See Note 1 at Sec. 28-76 (b)(1)</p>
3/4-inch tap and service	\$1,125.23		
1-inch tap and service	\$1,207.55		
1 1/2-inch tap and service	\$1,955.94		
2-inch tap and service	\$2,484.07		

SECTION 7. That the table titled Water Fixed Monthly Charges contained in Subsection (a)(1) of Section 28-143 of the Code of Ordinances of the City of Fort Lauderdale, Florida, establishing water fixed monthly charges, is hereby amended as follows:

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions.

Meter Sizes		Water Fixed Monthly Charges 28-143 (a)(1)	
(inches)	Effective 10/1/2011	<p>On 10/1/2012 charges shall be adjusted by multiplying the prior year's charge by 6.75%.</p> <p>*See Note 1 at Sec. 28-76 (b)(1)</p>	<p>On 10/1/2013, and October 1 of each year thereafter, charges shall be adjusted <u>by multiplying the prior year's charge by 5% as established and adopted by resolution.</u></p> <p>*See Note 1 at Sec. 28-76 (b)(1)</p>
5/8	\$5.28		
3/4	\$7.33		
1	\$11.44		
1 1/2	\$21.72		
2	\$34.06		
3	\$62.84		
4	\$103.96		
6	\$206.75		
8	\$330.11		
10	\$474.02		
12	\$885.20		
16	\$1,440.29		

SECTION 8. That the table titled Water Commodity Charges contained in Subsection (a)(2) of Section 28-143 of the Code of Ordinances of the City of Fort Lauderdale, Florida, establishing water commodity charges, is hereby amended as follows:

Water Commodity Charges Single-Family Residences 28-143 (a)(2)			
Block Ranges	Water (per unit)	Water Monthly Usage Charges	
	(1,000 gallons per month)	Effective 10/1/2011	<p>On 10/1/2012 charges shall be adjusted by multiplying the prior year's charge by 6.75%.</p> <p>*See Note 1 at Sec. 28-76 (b)(1)</p>
Block 1	0-3,000	\$1.61	
Block 2	4,000-8,000	\$3.59	
Block 3	9,000-12,000	\$4.48	
Block 4	13,000-20,000	\$6.04	
			<p>On 10/1/2013, and October 1 of each year thereafter, charges shall be adjusted <u>by multiplying the prior year's charge by 5% as established and adopted by resolution.</u></p>

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Block 5	>20,000	\$8.76		*See Note 1 at Sec. 28-76 (b)(1)
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SECTION 9. That the table titled Water Commodity Charges – Multifamily Residential Dwelling Units contained in Subsection (a)(3) of Section 28-143 of the Code of Ordinances of the City of Fort Lauderdale, Florida, establishing water commodity charges – multifamily residential dwelling units, is hereby amended as follows:

Water Commodity Charges – Multifamily Residential Dwelling Units 28-143 (a)(3)				
Block Ranges	Water (per unit)	Water Monthly Usage Charges		
	(1,000 gallons per month X number of dwelling units)	Effective 10/1/2011	On 10/1/2012 charges shall be adjusted by multiplying the prior year's charge by 6.75%. *See Note 1 at Sec. 28-76 (b)(1)	On 10/1/2013, and October 1 of each year thereafter, charges shall be adjusted <u>by multiplying the prior year's charge by 5% as established and adopted by resolution.</u> *See Note 1 at Sec. 28-76 (b)(1)
Block 1	0-1,000	\$1.61		
Block 2	2,000-3,000	\$3.59		
Block 3	4,000-5,000	\$4.48		
Block 4	6,000-8,000	\$6.04		
Block 5	>8,000	\$8.76		

SECTION 10. That the table titled Water Commodity Charges contained in Subsection (a)(4) of Section 28-143 of the Code of Ordinances of the City of Fort Lauderdale, Florida, establishing water commodity charges, is hereby amended as follows:

Water Commodity Charges 28-143(a)(4)			
	Effective 10/1/2011	On 10/1/2012 charges shall be adjusted by multiplying the prior year's charge by 6.75%. *See Note 1 at Sec. 28-76 (b)(1)	On 10/1/2013, and October 1 of each year thereafter, charges shall be adjusted <u>by multiplying the prior year's charge by 5% as established and adopted by resolution.</u> *See Note 1 at Sec. 28-76 (b)(1)
All Usage	\$3.69		

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SECTION 11. That the table titled Master Meter Water Fixed Monthly Charges contained in Subsection (b)(1) of Section 28-143 of the Code of Ordinances of the City of Fort Lauderdale, Florida, establishing master meter water fixed monthly charges, is hereby amended as follows:

Meter Sizes		Master Meter Water Fixed Monthly Charges 28-143 (b)(1)	
(inches)	Effective 10/1/2011	<p>On 10/1/2012 charges shall be adjusted by multiplying the prior year's charge by 6.75%.</p> <p>*See Note 1 at Sec. 28-76 (b)(1)</p>	<p>On 10/1/2013, and October 1 of each year thereafter, charges shall be adjusted <u>by multiplying the prior year's charge by 5% as established and adopted by resolution.</u></p> <p>*See Note 1 at Sec. 28-76 (b)(1)</p>
5/8	\$17.21		
3/4	\$24.61		
1	\$39.41		
1 1/2	\$76.83		
2	\$121.64		
3	\$225.67		
4	\$374.94		
6	\$747.87		
8	\$1,194.82		
10	\$2,146.28		
12	\$3,450.96		
16	\$5,832.11		

SECTION 12. That the table titled Master Meter contained in Subsection (b)(2) of Section 28-143 of the Code of Ordinances of the City of Fort Lauderdale, Florida, establishing master meter charges, is hereby amended as follows:

Master Meter 28-143 (b)(2)			
	Effective 10/1/2011	On 10/1/2012 charges shall be adjusted by multiplying the prior year's charge by 6.75%.	On 10/1/2013, and October 1 of each year thereafter, charges

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All Usage	\$3.36	*See Note 1 at Sec. 28-76 (b)(1)	shall be adjusted by multiplying the <u>prior year's charge by 5%</u> as established and adopted by resolution. *See Note 1 at Sec. 28-76 (b)(1)
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SECTION 13. That the table titled Water Service Availability Monthly Charges contained in Subsection (f)(1) of Section 28-143 of the Code of Ordinances of the City of Fort Lauderdale, Florida, and formerly marked 28-143(e)(1), establishing water service availability monthly charges, is hereby amended as follows:

Meter Sizes	Water Service Availability Monthly Charges 28-143 (ef)(1)		
(inches)	Effective 10/1/2011	On 10/1/2012 charges shall be adjusted by multiplying the prior year's charge by 6.75%. *See Note 1 at Sec. 28-76 (b)(1)	On 10/1/2013, and October 1 of each year thereafter, charges shall be adjusted <u>by multiplying the prior year's charge by 5%</u> as established and adopted by resolution. *See Note 1 at Sec. 28-76 (b)(1)
5/8	\$5.28		
3/4	\$7.33		
1	\$11.44		
1 1/2	\$21.73		
2	\$34.06		
3	\$62.84		
4	\$103.96		
6	\$206.75		
8	\$330.11		
10	\$474.02		
12	\$885.20		
16	\$1,440.29		

SECTION 14. That the table titled Service Availability Reconnection Charge contained in Subsection (f)(2)d. of Section 28-143 of the Code of Ordinances of the City of Fort Lauderdale, Florida, and formerly marked 28-143(e)(2), establishing service availability reconnection charge, is hereby amended as follows:

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Service Availability Reconnection Charge 28-143(ef)(2)d.	
	Effective 10/1/2011
To re-establish active service for both water and sewer for all size meters	\$150.00

SECTION 15. That the table titled Sprinkling Fixed Monthly Charges contained in Subsection (a) of Section 28-144 of the Code of Ordinances of the City of Fort Lauderdale, Florida, establishing sprinkling fixed monthly charges, is hereby amended as follows:

Meter Sizes		Sprinkling Fixed Monthly Charges 28-144(a)	
(inches)	Effective 10/1/2011		
5/8	\$5.28	On 10/1/2012 charges shall be adjusted by multiplying the prior year's charge by 6.75%. *See Note 1 at Sec. 28-76 (b)(1)	On 10/1/2013, and October 1 of each year thereafter, charges shall be adjusted by <u>multiplying the prior year's charge by 5%</u> as established and adopted by resolution. *See Note 1 at Sec. 28-76 (b)(1)
3/4	\$7.33		
1	\$11.44		
1 1/2	\$21.72		
2	\$34.06		
3	\$62.84		
4	\$103.96		
6	\$206.75		
8	\$330.11		
10	\$474.02		
12	\$885.20		
16	\$1,440.29		

SECTION 16. That the table titled Commodity Charges – Sprinkling Meter Services contained in Subsection (b) of Section 28-144 of the Code of Ordinances of the City of Fort Lauderdale, Florida, establishing commodity charges – sprinkling meter services, is hereby amended as follows:

Commodity Charges - Sprinkling Meter Services 28-144 (b)

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Block Ranges	Water	Water Monthly Usage Charges		
	(1,000 gallons per month X Meter Equivalency Factor)	Effective 10/1/2011	On 10/1/2012 charges shall be adjusted by multiplying the prior year's charge by 6.75%. *See Note 1 at Sec. 28-76 (b)(1)	On 10/1/2013, and October 1 of each year thereafter, charges shall be adjusted <u>by multiplying the prior year's charge by 5% as established and adopted by resolution.</u> *See Note 1 at Sec. 28-76 (b)(1)
Block 1	0-12,000	\$4.48		
Block 2	13,000-20,000	\$6.04		
Block 3	>20,000	\$8.76		

SECTION 17. That the table titled Fire Service Fixed Monthly Charges contained in Subsection (a) of Section 28-145 of the Code of Ordinances of the City of Fort Lauderdale, Florida, establishing fire service fixed monthly charges, is hereby amended as follows:

Meter Sizes	Fire Service Fixed Monthly Charges 28-145 (a)		
(inches)	Effective 10/1/2011	On 10/1/2012 charges shall be adjusted by multiplying the prior year's charge by 6.75%. *See Note 1 at Sec. 28-76 (b)(1)	On 10/1/2013, and October 1 of each year thereafter, charges shall be adjusted <u>by multiplying the prior year's charge by 5% as established and adopted by resolution.</u> *See Note 1 at Sec. 28-76 (b)(1)
2	\$34.06		
3	\$62.84		
4	\$103.96		
6	\$206.75		
8	\$330.11		
10	\$474.02		
12	\$885.20		
16	\$1,440.29		

SECTION 18. That the table titled Fire Service Tapping Charges contained in Subsection (c) of Section 28-145 of the Code of Ordinances of the City of Fort Lauderdale, Florida, establishing fire service tapping charges, is hereby amended as follows:

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Fire Service Tapping Charges 28-145 (c)			
	Effective 10/1/2011		
2-inch tap and service	\$2,974.34	On 10/1/2012 charges shall be adjusted by multiplying the prior year's charge by 6.75%. *See Note 1 at Sec. 28-76 (b)(1)	On 10/1/2013, and October 1 of each year thereafter, charges shall be adjusted <u>by multiplying the prior</u> year's charge by 5% as established and adopted by resolution. *See Note 1 at Sec. 28-76 (b)(1)
4-inch tap and service	\$7,030.28		
6-inch tap and service	\$7,841.48		
8-inch tap and service	\$11,356.62		

SECTION 19. That the table titled Monthly Stormwater Management Rate contained in Section 28-197 of the Code of Ordinances of the City of Fort Lauderdale, Florida, establishing monthly stormwater management rates, is hereby amended as follows:

Customer Category	Monthly Stormwater Management Rate 28-197	
	Effective 8/1/2010	On 10/1/2012, and October 1 of each year thereafter, charges shall be adjusted by multiplying the prior year's charge by 5% as established and adopted by resolution. *See Note 1 at Sec. 28-76 (b)(1)
Category I - Per unit	\$3.53	
Category II - Per acre	\$35.70	
Category III - Per acre	\$11.32	

SECTION 20. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 21. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 22. That this Ordinance shall be in full force and effect on October 1, 2014.

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PASSED FIRST READING this the _____ day of _____, 2014.
PASSED SECOND READING this the _____ day of _____, 2014.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH
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