



TOWN OF LAUDERDALE-BY-THE-SEA

AGENDA ITEM REQUEST FORM

Administration

Interim Town Manager Connie Hoffmann

Department Submitting Request

Dept Head's Signature

Commission Meeting Dates	Earliest date to turn in to Town Clerk's Office	Commission Meeting Dates	Latest date to turn in to Town Clerk's Office	Commission Meeting Dates	Latest date to turn in to Town Clerk's Office
<input type="checkbox"/> May 25, 2010	May 14 (5:00 p.m.)	<input type="checkbox"/> July 27, 2010	July 16 (5:00 p.m.)	<input type="checkbox"/> Oct 26, 2010	Oct 15 (5:00 p.m.)
<input type="checkbox"/> June 8, 2010	May 28 (5:00 p.m.)	<input type="checkbox"/> Aug 25, 2010	Aug 13 (5:00 p.m.)	<input type="checkbox"/> Nov 9, 2010	Oct 28 (5:00 p.m.)
<input type="checkbox"/> June 22, 2010	June 11 (5:00 p.m.)	<input checked="" type="checkbox"/> Sept 14, 2010	Sept 3 (5:00 p.m.)	<input type="checkbox"/> Nov 23, 2010	Nov 12 (5:00 p.m.)
<input type="checkbox"/> July 13, 2010	July 2 (5:00 p.m.)	<input type="checkbox"/> Sep 27, 2010	Sept 17 (5:00 p.m.)	<input type="checkbox"/> Dec 14, 2010	Dec 3 (5:00 p.m.)
		<input type="checkbox"/> Oct 12, 2010	Oct 1 (5:00 p.m.)		

* Subject to change

NATURE OF AGENDA ITEM

- Presentation
- Ordinance
- Old Business
- Reports
- Resolution
- New Business
- Consent Agenda
- Quasi-Judicial
- Other

SUBJECT TITLE: Notice of Sewer Rate Hike

EXPLANATION: Recommendation will be forthcoming from staff for a proposed rate increase at the meeting of September 27, 2010. Once the Commission decides they want to proceed with a rate increase, State Law requires that we provide notice to all sewer customers of the time and date that the Commission will vote on a rate hike. The City of Fort Lauderdale does our sewer billing but has advised that they are unable to print Notice of Hearing on the bills themselves as bills to Town residents are not printed separately from bills to their other customers. I have consulted with a utilities rate consultant who has indicated that many cities send the required notices to sewer customers by postcard. Since sewer rates are adopted by ordinance, the Commission would formally consider the rate hike once in October and once in November. It is recommended that the Commission determine the date you wish us to use in providing notice to sewer customers and direct the Town Manager to prepare and send notice to all Town customers of the date, time and place that the Commission will consider adopting a sewer rate increase.

RECOMMENDATION: Set a date for two public hearings, one in October and one in November for a sewer rate increase.

EXHIBITS: Ordinance 03-517 and Ordinance 2004-14

FISCAL IMPACT AND APPROPRIATION OF FUNDS:

- Amount \$ _____
- Acct # _____
- Transfer of funds required
- From Acct # _____

Town Attorney review required

- Yes
- No

Town Manager's Initials: CH

ORDINANCE NO. 03-517

1
2 AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-
3 SEA, FLORIDA REPEALING SECTION 20-19 (b) IN ITS
4 ENTIRETY AND ADOPTING A NEW SECTION 20-19 (b) OF THE
5 TOWN'S CODE OF ORDINANCES, ENTITLED "RATES AND
6 CHARGES"; MODIFYING THE SEWER USER CHARGE FOR
7 ALL SEWER CUSTOMERS WITHIN THE TOWN; PROVIDING
8 FOR CONFLICTS; PROVIDING FOR SEVERABILITY;
9 PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE
10 DATE.

11
12 WHEREAS, the Town Commission of the Town of Lauderdale-By-The-Sea is
13 charged with protecting and preserving the public health, safety and welfare of the citizens,
14 residents and guests of the Town of Lauderdale-By-The-Sea; and

15 WHEREAS, the Town Commission of the Town of Lauderdale-By-The-Sea,
16 Florida, has considered recommendations from the Town Administration regarding the
17 sewer user charge; and

18 WHEREAS, the Town Administration has recommended the increase in sewer user
19 charge in order to fund the repair, replacement and maintenance of the sewer system within
20 the Town; and

21 WHEREAS, the Town Commission has determined that a rate increase is necessary
22 to cover increased operational and administrative expenses associated with sanitary sewer
23 disposal; and

24 WHEREAS, §180.136, Florida Statutes, mandates increases in the sewer usage
25 charge rates by ordinance and requires notice to users on utility billings; and

26 WHEREAS, users have been notified that a public hearing on the proposed rates is
27 scheduled for August 26, 2003.

ORDINANCE NO. 03-517

1 SECTION 4. If any section, sentence, clause, or phrase of this Ordinance is held to
2 be invalid or unconstitutional by any court of competent jurisdiction then said holding shall in
3 no way affect the validity of the remaining portions of this Ordinance.

4 SECTION 5. It is the intention of the Town Commission of the Town of
5 Lauderdale-by-the-Sea that the provisions of this Ordinance shall become and be made a part
6 of the Code of Ordinances of the Town and that the Sections of this Ordinance may be
7 renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article" or
8 such other work or phrase in order to accomplish such intention.

9 SECTION 6. This ordinance shall become effective on October 1, 2003.

Passed on the first reading, this 26 day of August, 2003.

Passed on the second reading, this 9 day of September, 2003.

Reconsidered on this 23 day of September, 2003


MAYOR OLIVER PARKER

	First Reading	Second Reading	Reconsideration
Mayor Oliver Parker	yes	yes	yes
Vice-Mayor Yanni	yes	yes	yes
Commissioner Furth	yes	no	yes
Commissioner Kennedy	yes	yes	yes
Commissioner Wessels	no	no	yes

Attest:

Jonda K. Joseph, Town Clerk

ORDINANCE NO. 2004-14

1
2 **AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-**
3 **SEA, FLORIDA, AMENDING SECTION 20-19(b) OF THE**
4 **TOWN'S CODE OF ORDINANCES, ENTITLED "RATES AND**
5 **CHARGES," TO INCLUDE DUPLEXES WITHIN THE SINGLE**
6 **FAMILY HOME CATEGORY FOR SEWER USER CHARGES;**
7 **PROVIDING FOR CONFLICTS; PROVIDING FOR**
8 **SEVERABILITY; PROVIDING FOR CODIFICATION;**
9 **PROVIDING AN EFFECTIVE DATE.**

10
11 **WHEREAS**, the Town Commission of the Town of Lauderdale-By-The-Sea is
12 charged with protecting and preserving the public health, safety and welfare of the
13 citizens, residents and guests of the Town of Lauderdale-By-The-Sea; and

14 **WHEREAS**, the Town Commission of the Town of Lauderdale-By-The-Sea,
15 Florida, has considered recommendations from the Town Administration regarding the
16 sewer user charge; and

17 **WHEREAS**, the Town Administration has recommended that duplexes be
18 charged at the same rate as single family homes within the Town; and

19 **WHEREAS**, the Town Commission has determined that changing the manner of
20 charges to duplexes is fair and reasonable; and

21 **WHEREAS**, §180.136, Florida Statutes, mandates increases in the sewer usage
22 charge rates by ordinance and requires notice to users on utility billings; and

23 **WHEREAS**, notwithstanding that rates are not increasing for any users as a result
24 of this ordinance, users have been notified that a public hearing on the proposed rates is
25 scheduled for August 24, 2004.

26 **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF**
27 **LAUDERDALE-BY-THE-SEA, FLORIDA, THAT:**

28 **SECTION 1.** The foregoing "Whereas" clauses are hereby ratified and
29 confirmed as being true and correct and are hereby incorporated herein.

30 **SECTION 2.** That City Code Section 20-19(b) is hereby amended to read as
31 follows:

ORDINANCE NO. 2004-14

MONTHLY BASE CHARGE

All single family and duplexes

All Customers (1) \$ 7.60

Multi-family and commercial

5/8 x 3/4 (meter size) \$ 7.60

3/4 " 19.00

1.0 " 38.00

1.5 " 60.80

2.0 " 121.60

4.0 " 190.00

Consumption Rate Per 1,000 Gallons

All Customer Classes (2) \$ 3.00

(1) Includes 2,000 Gallons Per Month

(2) Single Family and duplexes capped @ 12,000 Per Month

SECTION 3. All prior ordinances or resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

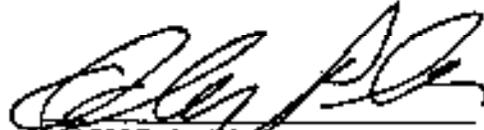
SECTION 5. It is the intention of the Town Commission of the Town of Lauderdale-by-the-Sea that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the Town and that the Sections of this Ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article" or such other work or phrase in order to accomplish such intent.

ORDINANCE NO. 2004-14

1 **SECTION 6.** This ordinance shall become effective on October 1, 2004.

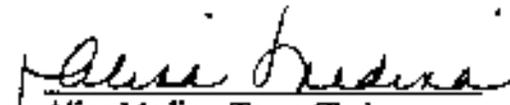
Passed on the first reading, this 10th day of August, 2004.

Passed on the second reading, this 13th day of September, 2004.


MAYOR OLIVER PARKER

	First Reading	Second Reading
Mayor Oliver Parker	<u>yes</u>	<u>yes</u>
Vice-Mayor Kennedy	<u>yes</u>	<u>yes</u>
Commissioner Clark	<u>yes</u>	<u>yes</u>
Commissioner Wessels	<u>yes</u>	<u>yes</u>
Commissioner Yanni	<u>absent</u>	<u>yes</u>

Attest:


Alina Medina, Town Clerk