

Condensed Title:

An Ordinance of the Mayor and City Commission of the City of Miami Beach, Florida, Amending Chapter 110 of the Miami Beach City Code entitled "Utilities," Amending Article IV, Entitled "Fees, Charges, Rates and Billing Procedure Thereof;" Amending Division 2 Thereof;" By Amending Section 110-168 (c) Thereof, Entitled "Sanitary Sewer Service Charge," To Provide Additional Sanitary Sewer Service Charge Fees; and Also Amending Appendix A To Chapter 110, Entitled "Fee Schedule" To Increase The Water Rates and Sanitary Sewer Service Charges Imposed By The City Pursuant To Sections 110-166 (a) and (b), 110-168 (a), and Providing a Submetering Fee in Section 110-170(A); Amending Section 110-170 to be Entitled "Submetering" to create Provisions For Submeters; Providing For Codification, Repealer, Severability, and an Effective Date of October 1, 2009.

Key Intended Outcome Supported:

Ensure well maintained infrastructure.
Supporting Data (Surveys, Environmental Scan, etc.): In the 2007 Community Satisfaction Survey, 84% of residents and 86% of businesses rated the recently completed capital projects as excellent or good.

Issue:

Shall the Mayor and City Commission approve the amendment to the Ordinance on first reading and schedule a second reading public hearing?

Item Summary/Recommendation:

The City's utility rates are structured to collect the necessary revenues to meet operating and maintenance costs of the water and sewer infrastructure, to cover debt service for water and sewer bonds; to maintain adequate operating fund reserves, and to pay Miami-Dade County for wholesale water purchased, the treatment of the City's sewage and other fees.

At the September 17, 2008, Budget Hearing, the City Commission approved a combined water and sewer rate of \$9.50 per 1,000 gallons for FY 2008/09. The proposed, combined water and sewer rate increase for FY 2009/10 is \$0.90 per 1,000 gallons, or a combined water and sewer rate of \$10.40 per 1,000 gallons. Of this amount, \$0.61 or 68% is the County increase and \$0.29 or 32% is the City increase primarily for the future issuance of water and sewer bonds to continue the construction of neighborhood water and sewer improvements. It should be noted that the increase for the City portion of the combined water and sewer rate for FY 2009/10 was previously projected at \$0.82 as a result of further refinements in the rate calculation along with higher than expected revenue collections. For the average 11,000 gallons per month customer, the combined water and sewer rates result in a monthly increase of \$9.86 in FY 2009/10. For the minimum usage customer (5,000 gallons or less per month), the combined monthly impact would be a total of \$4.48.

The Administration is also recommending the implementation of a submetering program. A submeter will be used to measure water that does not enter the City's sanitary sewer system, wherein the City will then provide sewer credits on the submetered water usage. The installation of submeters will be solely for properties with cooling towers, irrigation systems and swimming pools. The program will be in place by October 1, 2009.

The Finance and Citywide Projects Committee (FCWPC) met on September 3, 2009 to review the proposed Ordinance amendment, but elected to refer the item to the full Commission for its consideration.

The Ordinance amendment was approved on first reading at the City Commission Budget Hearing of September 10, 2009. The City Commission approved the City portion of the rate increase in the amount of \$0.29, but determined that approval of the Miami-Dade Water and Sewer Department (WASD) portion of the proposed combined water and sewer rate increase would be equal to the rate increase approved by the Miami-Dade County Board of County Commissioners at their September 17, 2009 second (2nd) budget hearing. The Board deferred approval of the proposed County rate increases to their September 17, 2009 second budget hearing.

THE ADMINISTRATION RECOMMENDS APPROVING THE AMENDMENT TO THE ORDINANCE.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds		Amount	Account	Approved
OBR	1	\$1,467,012	425-8000-343310 Water	
	2	\$ 317,707	425-8000-343510 Sewer	
	Total	\$1,784,719		

City Clerk's Office Legislative Tracking:

Keith Wilder, ext 6192

Sign-Offs:

Department Director FHB <i>[Signature]</i>	Assistant City Manager PDW <i>[Signature]</i> TH	City Manager JMG <i>[Signature]</i>
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COMMISSION MEMORANDUM

TO: Mayor Matti Herrera Bower and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

SECOND READING

DATE: September 24, 2009

PUBLIC HEARING

SUBJECT: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 110 OF THE MIAMI BEACH CITY CODE ENTITLED "UTILITIES," AMENDING ARTICLE IV, ENTITLED "FEES, CHARGES, RATES AND BILLING PROCEDURE THEREOF;" AMENDING DIVISION 2 THEREOF, ENTITLED "RATES, FEES AND CHARGES;" BY AMENDING SECTION 110-168 (c) THEREOF, ENTITLED "SANITARY SEWER SERVICE CHARGE," TO PROVIDE ADDITIONAL SANITARY SEWER SERVICE CHARGE FEES; AND ALSO AMENDING APPENDIX A TO CHAPTER 110, ENTITLED "FEE SCHEDULE" TO INCREASE THE WATER RATES AND SANITARY SEWER SERVICE CHARGES IMPOSED BY THE CITY PURSUANT TO SECTIONS 110-166 (a) AND (b), 110-168 (a), AND PROVIDING A SUBMETERING FEE IN SECTION 110-170(A); AMENDING SECTION 110-170 TO BE ENTITLED "SUBMETERING" TO CREATE PROVISIONS FOR SUBMETERS; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE OF OCTOBER 1, 2009.

ADMINISTRATION RECOMMENDATION

The Administration recommends approving the Ordinance amendment on second reading public hearing setting water and sewer rates for FY 2009/10.

BACKGROUND

The City's utility rates for water and sanitary sewer services are structured to collect the necessary revenues amounts to meet annual operating and maintenance costs of the water and sanitary sewer infrastructure, to cover debt service for water and sewer bonds; to maintain adequate operating fund reserves, to pay Miami-Dade County for wholesale water purchased, and the treatment of the City's sewage and other fees. Increasing the water and sanitary sewer rates in the amounts levied by the County and to pay all other costs listed above will keep the City water and sewer funds balanced.

In general, the rates for water supply and sanitary sewer services consist of a pass-through of the wholesale rate the City pays to Miami-Dade County for the purchase of potable water and treatment of sewage; the cost of debt service for the Series 2000 Water and Sewer Revenue Bonds and the 2006 Gulf Breeze Loan (which financed water and sewer projects); the estimated cost of the future water and sewer bonds; operating and maintenance costs for the water and sewer utility including reserves and reimbursement to the General Fund for administrative costs; and a 7.5% fee of previous year total revenue paid to the Miami-Dade County Environmental Resource Management Department (DERM).

Analysis

The proposed water and sewer rates for FY09/10 are \$4.36 and \$6.04 per 1,000 gallons respectively, for a combined water and sewer rate of \$10.40 per 1,000 gallons. Of this amount \$0.61 or 68% is the County pass-through wholesale customer water and sewer rate increase and \$0.29 or 32% is the proposed City increase primarily for the issuance of future bonds to continue citywide neighborhood water and sewer improvements and to cover the increased cost of operations and maintenance.

A discussion of the County and the City components of the proposed FY 2009/10 water and sewer rate increases is provided below.

FY2009/10 Miami Dade County Wholesale Water and Sewer Rate Increases

Water

The Miami-Dade Water and Sewer Department (WASD) had informed all water wholesale customers of rate changes proposed for FY2009/10. The proposed water rate would be \$1.7142 PER 1,000 gallons, an increase of approximately \$0.25 or 17% above the current rate of \$1.4649 per 1,000 gallons. The total estimated annual cost to the City of Miami Beach of the proposed County FY 2009/10 water rate increase is approximately \$1.68 million. In addition, WASD charges wholesale customers a true-up amount to account for the actual WASD's costs for the previous year. WASD's true-up for FY2007/08 is \$1,562,708 to pay for WASD's increased water production (treatment) charges, maintenance and geological survey mandated by the South Florida Water Management District, as well as security and source of supply expenses. This true-up amount becomes an expense to the City in FY 2009/10 and contributes to the rate increase.

Sewer

WASD has also notified wholesale customers that the proposed sewer rate will be \$2.0436 per 1,000 gallons, an increase of approximately \$0.36, or 21% above the current rate of \$1.6869 per 1,000 gallons. WASD has determined that the City is entitled to a true-up credit of \$1,023,675 for FY 2007/08 sewage treatment charges, which also includes a proportionate credit share that will be passed through to the Satellite Cities (Town of Surfside, Town of Bal Harbour, City of North Bay Village and Town of Bay Harbor Islands) in the total amount of \$133,078. The total cost of the proposed FY 2009/10 WASD sewer rate increase to Miami Beach is approximately \$3,092,889.

The Manager's proposed budget includes the increase in the City water and sewer fees in order to pass through the wholesale rate increases proposed by the County. The proposed WASD wholesale water and sewer rates are subject to approval by the Board of County Commissioners at their Public Budget Hearings, scheduled for September 3, 2009 and September 17, 2009. The Board of County Commissioners deferred their consideration of the rate increases at their meeting of September 3, 2009 to their second public budget hearing of September 17, 2009.

Rate Requirements for Additional Water and Sewer Bonds

The second component of the proposed water and sewer rates is the need for future water and sewer bonds to finance the replacement of the City's aged water and sewer infrastructure, the majority of which has been in place for over 50 years.

At the Special Finance and Citywide Projects Committee (FCWPC) meeting of June 30, 2008, a summary of future water and sewer bond funding needs for the Neighborhoods Right-of-Way projects was presented. At this meeting, the additional water and sewer funding need of \$50 million

and \$21 million respectively for CIP managed projects was presented. An additional \$8.9 million was identified for Public Works managed projects.

Subsequent to the meeting Public Works and CIP staff worked together to better define the scope of work requirements for water line replacements in future neighborhood projects and sewer improvements. In the case of the water main replacements, part of the objective is to identify water main sections in good condition, whose replacement could be deferred to at least 15 years in to the future. As part of this review, the City hired an engineering consultant to perform an updated hydraulic modeling of the City's water system; in addition, the consultant conducted soil resistivity tests to determine areas where the soil conditions would be a cause of pipe corrosion concern. Based upon the consultant's study, water main sections located in areas where soil conditions were considered corrosive were further investigated. To this end, Public Works staff took "coupons," cutting actual sections of pipe to visually examine levels of possible tuberculation, a condition that: (a) reduces the pipe's carrying capacity; (b) also causes loss of pressure; and, (c) can impact water quality.

Using the engineering consultant's report and the results of the pipe coupons, City staff developed several tiers of potential funding level requirements based on water main construction opportunities and more recent costs estimates for future neighborhood projects. Using the information provided by the City and its Financial Advisor, the City's rate consultant completed a series of pro forma analyses that provide rate increase ranges for the different tiers that differentiate capital needs from a more to less conservative perspective.

In calculating the future rates, the City's rate consultant had to provide sufficient net revenues to meet two debt service coverage tests. The first, termed **the additional bonds test**, requires that net revenues available for debt service must be not less than 110 percent of the maximum annual debt service of the outstanding plus prospective debt to be issued, for at least 12 months prior to the issuance of additional bonds. The second condition, which must be fulfilled annually, irrespective as to whether issuance of any prospective debt is contemplated, is termed **the rate covenant**. Net revenues (defined as revenues for the period less current expenses for the period); available for debt service in each fiscal year must be not less than 110 percent of the principal and interest requirements for such fiscal year to meet the rate covenant. In addition to meeting the two debt service coverage conditions, annual revenues must be sufficient to meet other funding requirements including reserves and reimbursement to the General Fund for administrative costs without resulting in a cash deficit.

At the Commission Budget hearing on September 8, 2008, the Administration recommended a proposed rate for FY 2008/09 for water of \$4.13 per 1,000 gallons and \$6.16 per 1,000 gallons for sewer, which resulted in a combined rate increase of \$2.13 per 1,000 gallons. The impact of the combined water and sewer rate increases would be \$23.43 per month for a typical user of 11,000 gallons per month. However, at the direction of the Commission, the Administration was directed to take a further look at the phasing of the projects, with the goal of reducing the impact of the initial rate increases. As part of this review, the 10% operating expense contingency was reduced to 5%, earnings in excess of \$1 million were carried forward as revenues in the subsequent year, the sewer WASD true-up credit of \$1.66 million was used to reduce operating expenses for FY 2008/09, and the issuance of the first series of bonds was moved from October 2009 to mid 2010 and the second series of bonds to 2012. As a result of these modifications, the proposed FY 2008/09 water rate was reduced to \$3.88 per 1,000 gallons and the sewer rate lowered to \$5.62 per 1,000 gallons, lowering the revised combined water and sewer rates to \$9.50. These rates were approved by the City Commission at the September 17, 2008 Budget Hearing.

Commission Memo
September 24, 2009
Water and Sewer Rate Ordinance Memo
Page 4 of 5

To create a phased rate increase, the Administration reviewed ways to spread out the bond issuance for the remaining water and sewer funded projects. The recommended approach was to secure an interim financing method for some of the utility projects using a line of credit. On May 13, 2009, the City Commission approved a \$60 million line of credit for this purpose. The City plans to use this line to award scheduled projects during FY 2009/10 while spending existing bond proceeds on both existing projects as well as those secured by the line of credit. This strategy should allow the City the time to both build the necessary capacity to issue bonds through rate increases and also spend down the current fully committed but unspent bond proceeds. Additionally, increased utility rates need to be in place in early fiscal year 2010 to pay increased operation and maintenance costs as well as provide sufficient debt service coverage to allow the first issuance of bonds as the City has committed that it will issue long term debt to refund the lines of credit prior to maturity.

Following a thorough review of the expected timing of funding needs for remaining water and sewer projects, it was decided to issue bonds in two series. The first series of bonds to cover projects in the amount of \$27.2 million plus any costs required to refund any draws against the line of credit is planned for FY 2009/10. If the existing fully committed bond proceeds have not been expended by the time additional capital is required or beyond the capacity or term of the current line of credit, the issuance may have to be done on a taxable, rather than tax exempt basis. The second series of bonds, for water projects only, in the estimated amount of \$28 million, is currently planned for FY 2011/12. The estimated amount of the second series of bonds may be able to be reduced, if there are savings on projects awarded or currently under construction. These bond issues are forecast based on current understanding of the capital needs and timing of projects, both of which are subject to change.

The proposed, combined water and sewer rate increase for FY 2009/10 is \$0.90 per 1,000 gallons. Of this amount, \$0.61 or 68% is the County increase and \$0.29 or 32% is the City increase for the future issuance of water and sewer bonds. It should be noted that the increase for the City portion of the combined water and sewer rate for FY 2009/10 was previously projected at \$0.82 and has been reduced to \$0.29 as a result of further refinements in the rate calculation along with higher than expected revenue collections. For the average 11,000 gallons per month customer, the combined water and sewer rates result in a monthly increase of \$9.90 in FY2009/10. For the minimum usage customer (5,000 gallons or less per month), the combined monthly impact would be a total of \$4.50.

	FY 2009/10 Proposed Fees				
Fee (per thousand gallons)	FY 2008/09 Fee	Proposed FY10 CMB Debt Svc	Proposed FY10 M-D County Incr.	Prop. FY 2009/10 Fee	Difference From FY 2008/09
Water	\$3.88	\$0.23	\$0.25	\$4.36	\$0.48
Sewer	\$5.62	\$0.06	\$0.36	\$6.04	\$0.42
Total Increase		\$0.29	\$0.61		\$0.90
Combined Fee	\$9.50			\$10.40	
Monthly Cost to 11,000 gallon Customer	\$104.50	\$3.19	\$6.71	\$114.40	\$9.90
Monthly Cost to 5,000 gallon Customer	\$47.50	\$1.45	\$3.05	\$52.00	\$4.50

The Administration will continue to work on the financing needs and continue to seek financing opportunities that will benefit the City and that would allow rates to be maintained at the minimum amount possible to accomplish the required goals.

Submetering

The Administration is also recommending converting the existing pilot submetering program for irrigation to a permanent and expanded program. A submeter will be used to measure water that is not entering the City's sanitary sewer system, wherein the city will then provide sewer credits on the submetered water usage. The installation of submeters will be solely for properties with cooling towers, irrigation systems and swimming pools. The permanent program will be in place by October 1, 2009.

Finance and Citywide Projects Committee Meeting - September 3, 2009

The FCWPC met on September 3, 2009 to review the proposed Utilities Ordinance amendment for water and sewer, but elected to refer the item to the full City Commission for its consideration.

First Reading – September 10, 2009

The proposed Utilities Ordinance amendment was approved on first reading at the City Commission Budget Hearing of September 10, 2009. The City Commission approved the City portion of the rate increase in the amount of \$0.29, but determined that approval of the WASD portion of the proposed combined water and sewer rate increase would be equal to the rate increase approved by the Miami-Dade County Board of County Commissioners at their September 17, 2009 second (2nd) budget hearing. The City Commission also requested additional information regarding the burn rates of the Water, Sewer, and Stormwater projects.

CONCLUSION:

The Administration recommends approving the Ordinance amendment on second public hearing setting water and sewer rates for FY 2009/10.

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 110 OF THE MIAMI BEACH CITY CODE ENTITLED "UTILITIES," AMENDING ARTICLE IV, ENTITLED "FEES, CHARGES, RATES AND BILLING PROCEDURE THEREOF;" AMENDING DIVISION 2 THEREOF, ENTITLED "RATES, FEES AND CHARGES;" BY AMENDING SECTION 110-168 (c) THEREOF, ENTITLED "SANITARY SEWER SERVICE CHARGE," TO PROVIDE ADDITIONAL SANITARY SEWER SERVICE CHARGE FEES; AND ALSO AMENDING APPENDIX A TO CHAPTER 110, ENTITLED "FEE SCHEDULE" TO INCREASE THE WATER RATES AND SANITARY SEWER SERVICE CHARGES IMPOSED BY THE CITY PURSUANT TO SECTIONS 110-166 (a) AND (b), 110-168 (a), AND PROVIDING A SUBMETERING FEE IN SECTION 110-170(A); AMENDING SECTION 110-170 TO BE ENTITLED "SUBMETERING" TO CREATE PROVISIONS FOR SUBMETERS; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE OF OCTOBER 1, 2009.

WHEREAS, the City implemented a Water and Sewer System Improvement Program ("Program"), which is funded by Water and Sewer Revenue Bonds; and

WHEREAS, in 1995, the first series of Water and Sewer Revenue Bonds were issued to construct Phase I improvements for the Program; and

WHEREAS, in 2000, the Series 2000 Water and Sewer Revenue Bonds were issued to continue the Program; and

WHEREAS, the rate increases proposed herein are for the payment of the phased in debt instruments to continue improvements to the water and sewer infrastructure; and

WHEREAS, the rate increases provided herein include the increases for water supply imposed by Miami-Dade County; and

WHEREAS, with ongoing drought restrictions, the City anticipates a continuation of its decrease in water consumption and its corresponding decrease in water and sewer revenues; and

WHEREAS, a submetering program is being implemented to allow customers to consume water solely for irrigation, swimming pools, and cooling towers without requiring the use of the city's sanitary sewer system; and

WHEREAS, the City Commission approved the Ordinance on first reading at its meeting on September 10, 2009; and

WHEREAS, on first reading approval, the City approved its portion of the rate increase, in the amount of \$0.29, but also provided that, on second and final reading of the Ordinance, the approval of the Miami-Dade Water and Sewer Department portion of the proposed combined water and sewer rate increase must be equal to the corresponding increase approved by the Miami-Dade County Board of County Commissioners at its September 17, 2009 meeting.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, as follows:

SECTION 1.

That Chapter 110, Article IV, Division 2, Section 110-168 of the Miami Beach City Code is hereby amended as follows:

Chapter 110.

UTILITIES

* * *

Article IV FEES, CHARGES, RATES AND BILLING PROCEDURE

* * *

Division 2. RATES, FEES AND CHARGES

* * *

Sec. 110-168 Sanitary Sewer Service Charge

* * *

For the purpose of irrigation, the customer may apply for an irrigation meter. Sanitary sewer charges will not be applied to consumption metered through irrigation meters.

(b)(c) The provisions of this section shall not be applicable to any water sold, and delivered through separate meters measuring water delivered and consumed solely for swimming pools, lawn sprinkler systems, cooling towers or other purposes not requiring the use of sanitary sewer system facilities of the city.

SECTION 2.

That Sec.110-170 of Division 2, of Article IV, of Chapter 110 of the Miami Beach City Code to be entitled "Submetering", is hereby created as follows:

Sec. 110-170. Submetering

(a) The provision of this section shall be applicable to any water sold, and delivered through separate meters measuring water delivered and consumed solely for swimming pools, lawn sprinkler systems, and cooling towers and not requiring the use of sanitary sewer system facilities of the city. Every submeter installed by the owner of the property shall be at the owner's expense and based upon the size of the service pipe required. The submeter shall be purchased, installed, and maintained in accordance with the policies and procedures of the Public Works Department. The submeter is to register only that portion of potable water that does not enter the city's sanitary sewer system. Submeters that are to be installed only for the purpose of measuring water delivered and consumed solely for swimming pools, lawn sprinkler systems, and cooling towers shall be subject to an installation inspection service charge as specified in Appendix A.

(b) It shall be unlawful to tamper with a submeter installation. Tampering will result in the discontinuance of service.

Sec. 110-170.110-171-110-190. Reserved.

SECTION 3.

That Appendix A to Chapter 110, entitled "Utilities," of the Miami Beach City Code is hereby amended as follows:

APPENDIX A

FEE SCHEDULE

* * *

Chapter 110 Utilities

Article III Stormwater Utility

* * *

Division 2. Rates, Fees and Charges

* * *

*Section
this Code*

Description

110-166(a) Minimum service charge:

<u>Size of Meter</u>	<u>Gallons of Water per Month</u>	<u>Minimum Monthly Service Charge (effective for billings on or after October 1, 2009)</u>
<u>3/4"</u>	<u>5,000</u>	<u>21.80</u>
<u>1"</u>	<u>7,000</u>	<u>30.52</u>
<u>1.5"</u>	<u>11,000</u>	<u>47.96</u>
<u>2"</u>	<u>17,000</u>	<u>74.12</u>
<u>3"</u>	<u>40,000</u>	<u>174.40</u>
<u>4"</u>	<u>80,000</u>	<u>348.80</u>
<u>6"</u>	<u>120,000</u>	<u>523.20</u>
<u>8"</u>	<u>200,000</u>	<u>872.00</u>

110-166 (b) Water in excess of subsection 110-166(a), shall be as follows: \$2.21 per 1,000 gallons, effective with billings on or after October 1, 2000; \$2.26 per 1,000 gallons, effective with billings on or after October 1, 2001; \$2.31 per 1,000 gallons, effective with billings on or after October 1, 2002; \$2.44 per 1,000 gallons, effective with billings on or after October 1, 2003; \$2.49 per 1,000 gallons, effective with billings on or after October 1, 2004; and \$2.54 per 1,000 gallons, effective with billings on or after October 1, 2005; and \$2.79 per 1,000 gallons, effective with billings on or after October 1, 2006; and \$3.23 per 1,000

gallons, effective with billings on or after October 1, 2007; and \$3.88 per 1,000 gallons, effective with billings on or after October 1, 2008. ; and \$4.36 per 1,000 gallons, effective with billings on or after October 1, 2009.

* * *

110-168(a) Sanitary sewer service charge, shall be as follows: \$3.73 per 1,000 gallons, effective with billings on or after October 1, 2000; \$3.81 per 1,000 gallons, effective with billings on or after October 1, 2001; \$3.90 per 1,000 gallons, effective with billings on or after October 1, 2002; \$4.03 per 1,000 gallons, effective with billings on or after October 1, 2003; \$4.12 per 1,000 gallons, effective with billings on or after October 1, 2004; and \$4.21 per 1,000 gallons, effective with billings on or after October 1, 2005; and \$4.25 per 1,000 gallons, effective with billings on or after October 1, 2006; and \$4.93 per 1,000 gallons, effective with billings on or after October 1, 2007; and \$5.62 per 1,000 gallons, effective with billings on or after October 1, 2008; and \$6.04 per 1,000 gallons, effective with billings on or after October 1, 2009.

* * *

Amount

110-170(a) Sub-meter service inspection 50.00

SECTION 3. CODIFICATION

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article" or other appropriate word.

SECTION 4. REPEALER

All ordinances or parts of ordinances in conflict herewith are and the same are hereby repealed.

SECTION 5. SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity or constitutional, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity or constitutionality of the remaining portions of this Ordinance.

SECTION 6. EFFECTIVE DATE

This Ordinance shall take effect on the 1st day of October, 2009.

PASSED and ADOPTED this _____ day of _____, 2009

ATTEST:

APPROVED AS TO
FORM & LANGUAGE
MATTI HERRERA BOWER, MAYOR & FOR EXECUTION

ROBERT PARCHER, CITY CLERK

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[Signature]
City Attorney
9-17-09
Date



MIAMI BEACH

CITY OF MIAMI BEACH

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY given that second readings and public hearings will be held by the Mayor and City Commission of the City of Miami Beach, Florida, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **Thursday, September 24, 2009**, to consider the following:

5:05 p.m.

An Ordinance Amending Miami Beach City Code Chapter 2, Article VII, Entitled "Standards Of Conduct"; Amending Section 2-482, Entitled "Registration"; Amending Section 2-482(A) And 2-482(F) Thereof, To Respectively Increase The "Per Issue" And Annual Lobbyist Registration Fees; And Also Amending Appendix "A" Thereto, Entitled "Fee Schedule."

Inquiries may be directed to the City Clerk's Office at (305) 673-7411.

5:05 p.m.

An Ordinance Amending Article XI, Entitled "Dangerous Intersection Safety," Of Chapter 106, Entitled "Traffic And Vehicles," Of The Miami Beach City Code, By Amending Section 106 - 490, Entitled "Penalties" To Amend The Fines For Violations.

Inquiries may be directed to the City Manager's Office at (305) 673-7010.

5:05 p.m.

An Ordinance Amending The Code Of The City Of Miami Beach, By Amending Chapter 106, Entitled "Traffic And Vehicles," By Amending Article II, Entitled "Metered Parking," By Amending Division 1, Entitled "Generally," By Amending Section 106-55, Entitled "Parking Rates, Fees, And Penalties;" By Amending Parking Meter/Rates North Of 23rd Street.

Inquiries may be directed to the Parking Department at (305) 673-7275.

5:05 p.m.

An Ordinance Amending Chapter 110 Of The Miami Beach City Code, Entitled "Utilities;" Amending Article III Thereof, Entitled "Stormwater Utility," Amending Section 110-109 Thereof Entitled "Stormwater Utility Fees," By Amending Appendix A Thereto Entitled "Fee Schedule," To Increase The Stormwater Utility Service Charge Imposed By The City As Of October 1, 2009.

Inquiries may be directed to the Public Works Department at (305) 673-7080.

5:05 p.m.

An Ordinance Amending Chapter 110 Of The Miami Beach City Code Entitled "Utilities," Amending Article IV, Entitled "Fees, Charges, Rates And Billing Procedure Thereof;" Amending Division 2 Thereof, Entitled "Rates, Fees And Charges;" By Amending Section 110-168 (C) Thereof, Entitled "Sanitary Sewer Service Charge," To Provide Additional Sanitary Sewer Service Charge Fees; And Also Amending Appendix A To Chapter 110, Entitled "Fee Schedule" To Increase The Water Rates And Sanitary Sewer Service Charges Imposed By The City Pursuant To Sections 110-166 (A) And (B), 110-168 (A), And Providing A Submetering Fee In Section 110-170(A); Amending Section 110-170 To Be Entitled "Submetering" To Create Provisions For Submeters.

Inquiries may be directed to the Public Works Department at (305) 673-7080.

5:05 p.m.

An Ordinance Amending Chapter 86 Of The Miami Beach City Code Entitled "Sales," By Amending Article III Thereof, Entitled "Nonprofit Vending And Distribution," By Amending Division 2, Entitled "Permit," By Amending Section 86-174, Entitled "Processing Fee," To Add A \$50.00 Permit Application Fee.

Inquiries may be directed to the Finance Department at (305) 673-7466.

5:05 p.m.

An Ordinance Amending Chapter 102 Of The City Code, Entitled "Taxation," By Amending Division V Therein, Entitled "Local Business Tax," Amending Section 102-379 Therein, Entitled "Schedule Of Taxes"; Said Amendment Providing For A \$15.00 Business Tax Receipt Application Fee.

Inquiries may be directed to the Finance Department at (305) 673-7466.

INTERESTED PARTIES are invited to appear at this meeting, or be represented by an agent, or to express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. Copies of these ordinances are available for public inspection during normal business hours in the City Clerk's Office, 1700 Convention Center Drive, 1st Floor, City Hall, and Miami Beach, Florida 33139. This meeting may be continued and under such circumstances additional legal notice would not be provided.

Robert E. Parcher, City Clerk
City of Miami Beach

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that: if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in accessible format, sign language interpreters, information on access for persons with disabilities, and/or any accommodation to review any document or participate in any city-sponsored proceeding, please contact (305) 604-2489 (voice), (305) 673-7218 (TTY) five days in advance to initiate your request. TTY users may also call 711 (Florida Relay Service).

Ad #559