

**RESOLUTION NO. 10-32**

**A RESOLUTION OF THE CITY OF MARCO ISLAND, FLORIDA AMENDING EXHIBIT "A" UTILITY RATE SCHEDULE TO ORDINANCE 2003-19; EXPRESSING INTENT TO CONSIDER MODIFICATIONS TO THE RATE STRUCTURE IMPACTING INDIVIDUAL SYSTEM CUSTOMERS OR CUSTOMER CLASSES DURING FISCAL YEAR 2010-2011 FOLLOWING REQUISITE NOTICE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Marco Island, Florida (the "City") pursuant to Ordinance No. 2003-19 has established rates, fees, and charges for the operations of the water and wastewater utility within the City of Marco Island and the urban service area; and

**WHEREAS**, Section 3 of Ordinance 2003-19 provides that rates, fees, and charges shall be reviewed and adjusted by resolution; and

**WHEREAS**, during a special-called meeting of the City Council held on November 9, 2009, City Council unanimously accepted and approved various recommendations of the Ad-Hoc Advisory Committee including (1) increases in water and wastewater utility rates and the percentages of such increases in subsequent fiscal years, (2) incorporation of the rate increases into the rate structure for future City Council approval, and (3) the City's issuance of its Series 2010 Bonds to provide System-related financing including the financing of a portion of the capital improvement projects described in the Capital Improvement Plan (CIP) through the fiscal year ending September 30, 2014; and

**WHEREAS**, on March 1, 2010 prior to authorizing the issuance of public bonds, City Council adopted Future Rate Resolution No. 10-07 which affirmed the Ad-Hoc Utility Advisory Committee's recommended rate adjustments through fiscal year 2014 necessary to meet capital improvement needs as described in the CIP for the operation and maintenance of the system and to satisfy debt service requirements for the Series 2010 Bonds and other planned indebtedness; and

**WHEREAS**, during a budget workshop and special-called meeting of the City Council held on August 16, 2010, City Council confirmed that the fiscal year 2011 budget would move forward with a 10.5% rate increase with no change to the existing rate structure; and

**WHEREAS**, on September 7, 2010 prior to tentatively adopting the City's operating millage rate and fiscal year 2011 budget, City Council amended its August 16, 2010 decision and intends to approve by resolution in December 2010 a revision to the rate structure in order to obtain the same dollar value to produce a 10.5% increase in overall revenue by using such methodology to impact rates charged to individual System customers or various customer classes; and

**WHEREAS**, the City Council now wishes to ratify and confirm its intent to formally adopt said rate structure revisions to be effective during fiscal year 2010-2011 following requisite notice.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Marco Island, Florida:

**Section 1. Rates, Fees, and Charges.** That Exhibit "A" – Utility Rate Schedule, attached hereto and made a part hereof, is hereby approved.

**Section 2. Implementation of Rate Structure Changes.** The City Council hereby expresses its intent to consider modifications to the rate structure impacting individual system customers or customer classes as recommended by the Utility Advisory Committee at a duly noticed public hearing to be held during fiscal year 2010-2011 and to implement any approved modifications to the structure by resolution considered at the conclusion of such public hearing.

**Section 3. Effective Date.** This resolution shall take effect immediately upon approval.

Passed in open and regular session through roll call vote by the City Council of the City of Marco Island, Florida this 20<sup>th</sup> day of September 2010.

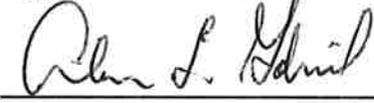
**ATTEST:**

  
\_\_\_\_\_  
Laura Litzan, City Clerk

**CITY OF MARCO ISLAND, FLORIDA**

  
By: \_\_\_\_\_  
Frank R. Recker, Chairman

**Approved as to Form:**

  
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Alan L. Gabriel, City Attorney