

RESOLUTION NO. 2016-100

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA REAFFIRMING THE CURRENT RATE OF 10% OF ALL SALES OF WATER AND 7.5% OF ALL SALES OF WASTEWATER SERVICE WITHIN THE CITY AS PAYMENT IN LIEU OF FRANCHISE FEE PURSUANT TO HIALEAH, FLA. CODE §94-163, AS AMENDED BY HIALEAH, FLA. ORDINANCE 2015-68 (NOVEMBER 16, 2015) FOR FISCAL YEAR 2016-17.

WHEREAS, Section 94-163 of the Code of Ordinances of the City of Hialeah, Florida, as amended, provides for the payment in lieu of franchise fee by the Utility for the use and occupation of the City's rights-of-way and public lands within the City; and

WHEREAS, the payment is based on a percentage of all sales of water and wastewater services in the City in an amount equal to no less than 7.5% and no greater than 10% of the bi-monthly rates, fees and charges; and

WHEREAS, the rate must be set and adopted each year concurrently with the adoption of the budget; and

WHEREAS, the Council must reaffirm the rate by resolution where no upward or downward adjustment to the current rate is proposed; and

WHEREAS, the current rate is 7.5% for all sales of water and 10% for all sales of wastewater service and no upward or downward adjustment to this rate is proposed;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The foregoing recitations in the preamble to this Resolution are hereby incorporated and adopted by reference as if fully set forth herein.

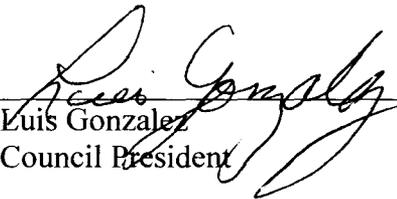
Section 2: The City of Hialeah, Florida hereby reaffirms and approves the current rate of 10% for all sales of water and 7.5% for all sales of wastewater service provided within the

City as payment in lieu of franchise fee pursuant to Hialeah, Fla. Code §94-163, as amended by Hialeah, Fla. Ordinance 2015-68 (November 16, 2015) for fiscal year 2016-17.

Section 3: Effective date.

This resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

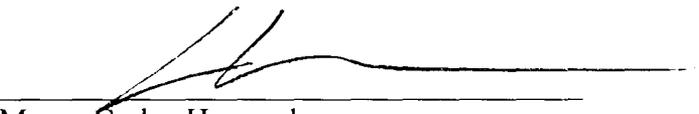
PASSED AND ADOPTED this 12 day of September, 2016.


Luis Gonzalez
Council President

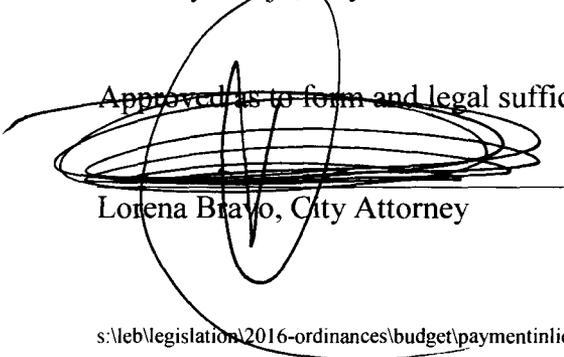
Attest:

Approved on this 20 day of September, 2016.


Marbelys Fatjo, City Clerk


Mayor Carlos Hernandez

Approved as to form and legal sufficiency:


Lorena Bravo, City Attorney

Resolution was adopted by a 6-1 vote with Councilmembers, Caragol, Lozano, Gonzalez, Cue-Fuente, Hernandez and Casáls-Muñoz voting "Yes", Councilmember Garcia-Martínez voting "No".