

**RESOLUTION NO. 2022-115**

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA REAFFIRMING THE CURRENT RATE OF 4.0% OF ALL SALES OF WASTEWATER SERVICE AND ALL SALES OF WATER SERVICE WITHIN THE CITY AS PAYMENT IN LIEU OF FRANCHISE FEE PURSUANT TO HIALEAH, FLA. CODE §94-163 FOR FISCAL YEAR 2023, BEGINNING ON OCTOBER 1, 2022; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Section 94-163 of the Code of Ordinances of the City of Hialeah, Florida, 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 3.0% and no greater than 6% 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 adjustment to the current rate is proposed or adopt an ordinance where an upward or downward adjustment is proposed; and

**WHEREAS**, the current rate for all sales of water and for all sales of wastewater service is currently 4.0% and no adjustment 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.

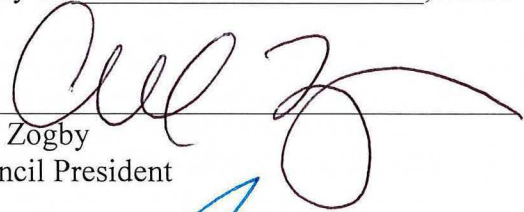
**Section 2:** The City of Hialeah, Florida hereby reaffirms and approves the current rate of 4.0% for all sales of water and wastewater service provided within the City as payment in lieu

of franchise fee pursuant to Hialeah, Fla. Code §94-163 for Fiscal Year 2023, beginning on October 1, 2022.

**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 14 day of September, 2022.

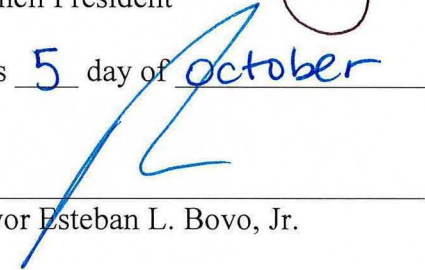


Carl Zogby  
Council President

Attest:

  
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Marbelys Fatjo, City Clerk

Approved on this 5 day of October, 2022.

  
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Mayor Esteban L. Bovo, Jr.

Approved as to form and legal sufficiency:

  
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Lorena Bravo, City Attorney