



**Cooper City Commission Meeting  
Agenda Item Request Form**

**Commission Meeting/Workshop Date:** February 20, 2018

**Requesting Department:** Administration/Mayor Ross

**Subject:** Discussion to Rescind Ordinance 06-09-01

**Section:**

*Presentation*

*Consent*

*Regular*

*Discussion*

**Background and Recommendation (attach backup material to Item Request Form):**

Mayor Ross is requesting a discussion to rescind Ordinance 06-09-01 that provides that "The City shall not extend water distribution and/or sewage collection services outside of the limits of the municipal boundaries."

If there is consensus to move forward with rescinding Ordinance 06-09-01 the City Attorney will prepare an Ordinance for consideration on first reading for the next regularly scheduled City Commission Meeting. The Ordinance 06-09-01 is attached.

**General Ledger Account Number(s) and Amount(s):**

**Approvals:**

Finance Director \_\_\_\_\_ City Manager \_\_\_\_\_ City Clerk \_\_\_\_\_

**ORDINANCE NO: 2006-09-01**

**AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING SECTION 19-142 OF THE MUNICIPAL CODE OF ORDINANCES TO PROHIBIT ANY FURTHER EXTENSIONS OF THE CITY'S WATER AND SEWER SYSTEM OUTSIDE OF THE CORPORATE LIMITS OF THE CITY; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, an annexation referendum was held on July 5, 2006, called by Special Act of the Florida Legislature, which established the final and ultimate boundaries of the City of Cooper City; and

**WHEREAS**, inasmuch as the South Florida Water Management District is concerned about the volume of usage of raw water from the Biscayne Aquifer; and

**WHEREAS**, the City may be faced with restrictions on its permits for raw water usage from the South Florida Water Management District in the future; and

**WHEREAS**, the City's first obligation is to meet the water usage needs of its existing residents; and

**WHEREAS**, potable water is a limited commodity and the City's costs to provide water distribution and sewage collection services to its consumers is increasing;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA:**

**Section 1:** That Section 19-142 of the Municipal Code of Ordinances is hereby amended by deleting therefrom the words and phrases which are struck through and adding thereto the words and phrases which are underscored, as follows:

**Sec. 19-142. Extensions outside incorporated area.**

~~Owners, builders or developers being potential consumers wherein the subject property lies outside the incorporated area of the city may apply to the commission for the extension of water distribution and sewage collection mains to said property. The city shall not be obligated to provide service outside its incorporated area but may elect to do so upon terms and conditions similar to those contained in this extension policy, however, the city may require additional contributions in aid of construction. The city shall not extend water distribution and/or sewage collection services outside of the limits of the municipal boundaries. For any properties not within the city's corporate limits which were connected to the City's utility system prior to the effective date of this section (September 13, 2006), the city shall institute a surcharge of twenty-five percent (25%) upon all charges, or such other amount as authorized by general law and section 19-101 of this code. The provisions of this section shall not prevent the city from entering into bulk user agreements with~~

adjacent municipalities, Broward County and/or private utility companies in accordance with section 19-145 of this code.

**Section 2:** All sections or parts of sections of the Code of Municipal Ordinances, all ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict herewith, be and the same, are hereby repealed to the extent of such conflict.

**Section 3:** Should any section or provision of this Ordinance, or any paragraph, sentence or word, be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof, as a whole or a part hereof, other than the part declared to be invalid.

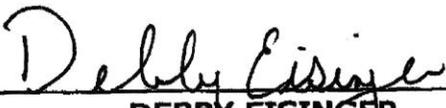
**Section 4:** It is the intention of the City Commission of the City of Cooper City that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Cooper City and that the sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Chapter", "Section", "Article", or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed.

**Section 5:** This Ordinance shall be in full force and take effect immediately upon its passage and final adoption.

**PASSED AND ADOPTED** on First Reading this 2nd day of August, A.D., 2006.

**PASSED AND FINAL ADOPTION** on Second Reading this

13th day of September, A.D., 2006.

  
\_\_\_\_\_  
DEBBY EISINGER  
Mayor

ATTEST:

  
\_\_\_\_\_  
SUSAN BERNARD  
City Clerk

Approved As To Form:

  
\_\_\_\_\_  
ALAN F. RUF  
City Attorney

**Roll Call**

Mayor Eisinger	<u>yes</u>
Commissioner Roper	<u>yes</u>
Commissioner Ferrara	<u>yes</u>
Commissioner Valenti	<u>yes</u>
Commissioner Kleiman	<u>yes</u>

ORDINANCE NO. 200-0-05

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AN ORDINANCE OF THE CITY OF COOPER CITY,  
FLORIDA, AMENDING SECTION 19-142 OF THE  
MUNICIPAL CODE OF COOPER CITY TO  
PROHIBIT ANY FURTHER EXTENSIONS OF THE  
CITY'S WATER AND SEWER SYSTEM TO BEYOND  
THE CURRENT RATE LIMITS OF THE CITY;  
REPEALING AN ORDINANCE; PROVIDING FOR  
SEVERABILITY; PROVIDING FOR  
CODIFICATION; AND PROVIDING FOR AN  
EFFECTIVE DATE.

WHEREAS, an annexation referendum was held on July 5, 2006,  
called by Special Act of the Florida Legislature, which established the  
final and ultimate boundaries of the City of Cooper City; and  
WHEREAS, Inasmuch as the South Florida Water Management  
District is concerned about the volume of usage of raw water from the  
Biscayne Aquifer; and  
WHEREAS, the City may be faced with restrictions on its  
permits for raw water usage from the South Florida Water  
Management District in the future; and  
WHEREAS, the City's first obligation is to meet the water usage  
needs of its existing residents; and  
WHEREAS, potable water is a limited commodity and the City's  
costs to provide water distribution and sewage collection services to its  
consumers is increasing;  
NOW, THEREFORE BE IT ORDAINED BY THE CITY  
COMMISSION OF THE CITY OF COOPER CITY, FLORIDA:

That Section 19-142 of the Municipal Code of  
Ordinances is hereby amended by deleting therefrom the words and  
phrases which are struck through. and adding thereto the words and  
phrases which are underscored, as follows:

Sec. 19-142. Extensions outside incorporated area.

The city, shall, in total,  
its sewage collection system  
within the 11015 boundaries, the Municipal within  
the current limits - which were connected with the City's  
prior boundaries of this  
upon all other property  
and along 12-101 of this ordinance.  
not for the user

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The intent of this Ordinance is to provide for the  
use of all sections or parts of sections of the Code of  
Municipal Ordinances, all ordinances or parts of ordinances and all  
resolutions or parts of resolutions in conflict herewith, be, and the  
same, are hereby repealed to the extent of such conflict.  
Should any section or provision of this Ordinance, or  
any paragraph, sentence or word, be declared by a Court of competent  
jurisdiction to be invalid, such decision shall: not affect the validity of  
the remainder hereof, as a whole or a part hereof, other than the part  
declared to be invalid.  
Section 4: It is the intention of the City Commission of the City  
of Cooper City that the provisions of this Ordinance shall become and  
be made a part of the Code of Ordinances of the City of Cooper City  
and that the sections of this Ordinance may be renumbered or  
relettered and the word "Ordinance" may be changed to "Chapter",  
"Section:", "Article", or such other appropriate word or phrase, the use  
of which shall accomplish the intentions herein expressed.  
Section 5 This Ordinance shall be in full force and take effect

immediately upon its passage and final adoption.  
PASSED AND ADOPTED on First Reading this day of  
:a ...., A.D., 2006.  
PASSED AND FINAL ADOPTION on Second Reading this  
day of A. D., 2006.

E  
ATTEST:

SUSAN BERNARD  
City Clerk  
Approved As To Form:  
RolCall  
Mayor Elsinger  
Commissioner Roper eS  
Commissioner Ferrara  
Commissioner Valenti &5  
Commissioner Kleiman5  
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CC: Mike B. ✓

Matt W. ✓

Code Suppl. ✓

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