

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, REJECTING THE PROPOSED FLORIDA KEYS AQUEDUCT AUTHORITY (FKAA) WATER AGREEMENT; DIRECTING CITY MANAGER AND CITY ATTORNEY TO PROPOSE A COUNTER PROPOSAL CONSISTENT WITH THE CITY/FKAA DISTRIBUTION SYSTEM LEASE AS DETAILED IN THE ATTACHED MEMORANDUM; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, FKAA has proposed that the water rate imposed on the City of Key West be increased to match the water rate for retail customers; and

WHEREAS. The "Key West Distribution System" lease provides that the City of Key West retains ownership of the water distribution system and continues to have a right to a wholesale water rate as long as the lease remains in effect; and

WHEREAS, the City Commission has determined that the FKAA proposal regarding increases to current City water rates is not reasonable, and that a counter proposal must be considered by both parties; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA AS FOLLOWS:

Section 1: That the City Commission hereby rejects the proposed FKAA Water Agreement.

Section 2: That the City Manager and the City Attorney are directed to present a counter-proposal to FKAA, based upon terms and conditions contained in the attached memorandum from Assistant City Manager E. David Fernandez, dated December 19, 2012.

Section 3: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

Authenticated by the Presiding Officer and Clerk of the Commission on \_\_\_\_\_ day of \_\_\_\_\_, 2013.

Filed with the Clerk on \_\_\_\_\_, 2013.

\_\_\_\_\_  
CRAIG CATES, MAYOR

ATTEST:

\_\_\_\_\_  
CHERYL SMITH, CITY CLERK