



City of Gainesville Agenda Report

File #: 2022-761

Agenda Date: December 1, 2022

Department: Gainesville Regional Utilities

Title: 2022-761 Proposed Amendment to withdraw the existing pump station rebate as defined in City ordinance 27-102 (B)

Description: Section 27-102 of the Gainesville, FL Code of Ordinances, enacted in 1996, established a wastewater Pump Station Rebate program which provides a mechanism for developers constructing new pump stations and force mains to receive rebates on a portion of the costs of those facilities from subsequent developers. However, the language in the ordinance has some ambiguities and creates potential financial risk and liability to GRU. Therefore, staff recommends that Section 27-102 be withdrawn from the code of ordinances at this time. Staff will subsequently perform further review to assess the usefulness of the policy and make a future recommendation on whether the ordinance should remain permanently stricken or re-written to conform to current interpretations of the law.

Explanation:

Section 27-102 was written in 1996 to rebate a portion of the developer paid costs of new wastewater pump stations and force mains. Per GRU's extension policy, when a new lift station and force main is required to provide wastewater service to a new development, the developer shall pay all costs associated with those facilities. The pump station rebate policy provides for potential cost recovery by the initiating developer from any subsequent developer for that portion of the cost directly benefiting subsequent development. GRU does not receive any compensation for this rebate and merely acts as a conduit for the rebate by collecting money from the subsequent developer and reimbursing that money to the initial developer. The existing language in the ordinance is outdated and no longer applicable and must, at a minimum, be re-written to conform to current interpretation of the law. As currently written, GRU has potential financial risk and liability. Staff recommends that the pump station rebate Section 27-102 be withdrawn at this time. Staff will subsequently perform further review to assess the usefulness of the policy and make a future recommendation on whether the ordinance should remain permanently stricken or re-written to conform to current interpretations of the law.

Strategic Connection:

Goal 2: Sustainable Community
Goal 4: Resilient Local Economy

Fiscal Note:

No fiscal impact

Recommendation:

The City Commission authorize the City Attorney to draft and the City Clerk to advertise an ordinance revising chapter 27 of the Code of Ordinances.