

DRAFT VERSIONSection 3 – City Code of OrdinancesEconomic DevelopmentSection 3-1 Business Energy Retention/Expansion Program

## (1) Eligible Customers

(a) ~~Retained, expanded or attracted~~ Enterprise Zone Existing Business Energy Retention/Expansion Program (“the Program”) load service rider shall mean each year during the City’s budget process at the sole discretion of the City, this ~~rider~~ Program may be funded and available ~~be made applicable~~ to nonresidential electric service provided under either of the following retail rate schedules: general service demand, or large power. This ~~rider~~ Program may only be applied to service that is either retained, expanded or attracted ~~load~~ for manufacturing businesses located in the Enterprise Zone defined in (Section 3 - ) with a minimum monthly Demand of 400 KW , as described below:

(a)(b)

Retained load shall be continued service to a previously existing, creditworthy customer facing definite cessation of local operations or a customer having a documented alternative source of electric supply either from relocation, self-generation or a third-party supplier. Retention of such load and/or customer must be determined by the City Commission ~~city commission~~ the GRU General Manager to be in the best interest of the city.

(b)(c)

Expanded load shall be a minimum of 100 kW of additional verifiable service, within the same site, provided to a previously existing customer. The additional load cannot result from load shifted from another site or facility within the city's utility service area. Such expansion of load and/or facilities must be determined by the city commission to be in the best interest of the city.

(c)

Attracted load shall be new service of at least 100 kW that ~~locates within the city's utility service area after having demonstrably considered sites within other feasible locations, not within the city's utility service area.~~ Such new service, customer and facilities must be determined by the city commission to be in the best interest of the city.

(2) Program Criteria The determination that approval of a retained existing business under the Program ~~retained, expanded or attracted load service rider~~ is in the best interest of the City shall be based upon the following minimal criteria:

(a)

Application of the Program rider “but for” is demonstratively necessary to either retain or expand, ~~or attract~~ the business in Gainesville;

(2)-(b)

Revenues foregone by the City under application of the Program ~~rider~~, together with the fiscal cost of all other financial incentives to be offered by the City to the

applicant, shall not outweigh the long term quantitative and qualitative benefits to the city's taxpayers and utility customers.

(3)(c)

The business activity associated with the retained or, expanded, or attracted load shall be consistent with the City of Gainesville's Economic Development Strategic Action Plan on file on the City of Gainesville website Economic Development and Innovation page but not limited to, the city's goals, objectives and policies regarding the following:

~~Land Use and Zoning~~

~~Consistency with existing policies and plans~~

~~Ability to obtain requisite approvals if any~~

~~Effect upon recreation~~

~~Sites within target re-development areas~~

~~Environmental Impacts~~

~~Water and air emissions~~

~~Characteristics of solid waste generated and related control methods~~

~~Stormwater~~

~~History of environmental compliance~~

~~Energy efficiency~~

~~Economic Development Objectives~~

~~Improving underemployment~~

~~Industrial diversification~~

~~Job creation/retention~~

~~Workforce enhancement~~

~~Quality of jobs~~

~~Employee fringe benefits~~

~~Impact on existing business~~

~~Transportation Infrastructure~~

~~Level of service~~

~~Public transportation access~~

(Update of current REAL Rate Rider language found in Appendix A of Gainesville Municipal Code of Ordinances)(3) Application Process

k.

Retained, Expanded or Attracted Load Service Rider (~~§ 27-27~~) **EZ Existing Business Energy Retention Program**

1.

General Provisions.

(A)

(a) ~~Customer~~ Retained existing business must make application to the city City Commission for service under the Rider Program and the city City Commission and GRU Manager must jointly administratively approve such application before service the incentive hereunder commences.

(B)

(b) Conditions pertaining to any application of the Rider Program shall be stipulated by contract between in the approval used by the city and the customer retained or expanded existing business receiving service hereunder which terms are supplemental to the applicable provisions of this Code of Ordinances. Such contract shall be for a minimum term of ten (10) four (4) years with an opportunity for a four (4) extension based upon demonstrated circumstances.

(C)

(c) All terms and conditions under the normally applicable Rate Schedule, either General Service Demand or Large Power, shall apply to service supplied to the customer retained existing business except as modified by this Rider the Program.

Application of discount. For service hereunder, a 20% percentage discount shall be applied to the normally applicable Customer Charge, Demand (kW) Charge and Energy (kWh) Charge, inclusive of any other applicable discounts. The maximum discount applicable hereunder for any twelve-month period shall be 13.0%. Percentage discounts shall be specified for each of the four twelve-month billing periods, beginning with the first monthly billing period for service hereunder and continuing through the forty-eighth (48th) billing period. Discounts are not applicable beyond the forty-eighth (48th) billing period. Hence:

(4) Program Terms

(a) Such contract shall be for a minimum term of ten (10) four (4) years with an opportunity for a four (4) extension based upon demonstrated circumstances continued compliance with program criteria outlined in Section 3-1 (2).

- (b) For service hereunder, a 20% percentage discount shall be applied to the normally applicable Customer Charge, Demand (kW) Charge and Energy (kWh) Charge, inclusive of any other applicable discounts
- (c) This program operates as a reimbursement and therefore documentation shall be forthcoming from the Applicant on a quarterly basis that establishes the magnitude of the incentive.

Billing Period	Discount
1st – 12th Billing period	To be negotiated
13th – 24th Billing period	To be negotiated
25th – 36th Billing period	To be negotiated
37th - 48th Billing period	To be negotiated