



## Legislation Text

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**File #:** 170722., **Version:** 1

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### **An ordinance amending and restating Ordinance No. 170580 in order to correct scrivener's errors (B)**

Ordinance No. 170722

An Ordinance of the City of Gainesville, Florida, amending and restating Ordinance No. 170580 to correct scrivener's errors in Ordinance No. 170580 related to Economic Development; repealing the existing Chapter 2, Article V, Division 4 titled "Gainesville Enterprise Zone Development Agency"; amending Section 27-21 by repealing the definition of "Retained, expanded or attracted load service rider"; amending Appendix A - Schedule of Fees, Rates and Charges by repealing UTILITIES, (1) Electricity, subsection k. titled "Retained, Expanded or Attracted Load Service Rider"; by creating a new Chapter 3 titled "Economic Development" to include a new Article I. Enterprise Zone with new Sec. 3-1. Gainesville Enterprise Zone Area and Sec. 3-2. Enterprise Zone Programs, including the Manufacturing Retention/Expansion Incentive Program for Electric Service; providing directions to the codifier, providing a severability clause, providing a repealing clause, and providing a retroactive effective date.

The City Commission: adopt the proposed ordinance.

On January 4, 2018, the City Commission adopted Ordinance No. 170580 that created a new local Enterprise Zone Area and created a new economic development incentive program referred to as the Manufacturing Retention/Expansion Incentive Program for Electric Service. On January 5, City staff found scrivener's errors in Section 4 of the Ordinance. The same error appears in three places in the Ordinance. In short, in defining who qualifies for the new incentive program the Ordinance states it is a manufacturing business with an average monthly electric usage of 400 kilowatt hours (or expanded usage of 100 additional kilowatt hours). This is incorrect and it should have read "400,000" and "100,000", respectively. The error arose because during the public meetings regarding the creation of this program, two approaches to eligibility were discussed at various times, either 400 kilowatts (kW) of demand or, alternatively, 400,000 kilowatt hours (kWh) of usage. The adopted ordinance language erroneously mixed the two approaches. Although these are scrivener's errors, because they have substantive effect, staff is requesting the Commission adopt this ordinance in order to amend and restate Ordinance No. 170580. This new ordinance is being made effective retroactively as of January 8, 2018, as that is the date Ordinance No. 170580 became effective.

Minimal cost to advertise this corrective ordinance.