

City of Tarpon Springs, Florida STAFF REPORT

November 26, 2018

TO: MAYOR & BOARD OF COMMISSIONERS

FROM: PLANNING AND ZONING DEPARTMENT

HEARING DATES: DECEMBER 4, 2018 (BOARD OF COMMISSIONERS) 1ST READING
DECEMBER 11, 2018 (BOARD OF COMMISSIONERS) 2ND READING

SUBJECT: **APP-18-142 ORDINANCE 2018-29 AMENDING CHAPTER 20: WATER & SEWERS OF THE CODE OF ORDINANCES AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA, AMENDING CHAPTER 20: WATER & SEWERS, SPECIFICALLY SECTION 20-1, BY DECREASING THE WATER AND SEWER SERVICE IMPACT FEES; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES OF THE CITY OF TARPON SPRINGS, FLORIDA; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.**

I. STAFF RECOMMENDATION

Staff recommends approval of Ordinance 2018-29.

II. BACKGROUND

Impact fees are payments required by local governments of new development for the purpose of providing new or expanded public capital facilities required to serve that development. The fees typically require cash payments in advance of the completion of development, are based on a methodology and calculation derived from the cost of the facility and the nature and size of the development, and are used to finance improvements offsite of, but to the benefit of the development.

The City is proposing a decrease in the water and sewer impact fees. These proposed impact fee decreases are based on study of the existing water and sewer infrastructure. In the last ten years, the City has made significant investments in creating new capacity within the water and sewer systems as well as promoting conservation efforts and repairing and replacing older infrastructure. By increasing capacity and decreasing system losses from older infrastructure, the City is improving management of the overall water and wastewater resources. These efforts coupled with the City's practice of yearly impact fee indexing using the Construction Cost Index published by Engineering News-Record have resulted in a proposed reduction to the water and sewer impact fees.

List of Exhibits:

- 1) Ordinance 2018-29

ORDINANCE 2018-29

AN ORDINANCE OF THE CITY OF TARPON SPRINGS, FLORIDA, AMENDING CHAPTER 20: WATER & SEWERS, SPECIFICALLY SECTION 20-1, BY DECREASING THE WATER AND SEWER SERVICE IMPACT FEES; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES OF THE CITY OF TARPON SPRINGS, FLORIDA; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the City desires to provide impact fees based on the most recent localized data consistent with Florida Statute 163.31801; and

WHEREAS, the City has recently completed a comprehensive review of the water and sewer enterprise funds operational needs, capital needs and adopted a new water and sewer utility rate plan; and

WHEREAS, the City has determined that the water and sewer service impact fees shall be adjusted consistent with the recent impact fee study. The water and sewer service impact fees will decrease as provided for in the impact fee study, the fees will continued to be indexed annually based on the Construction Cost Index published by Engineering News-Record (ENR-CCI); and

WHEREAS, the Board of Commissioners of the City of Tarpon Springs finds these amendments to be in the best interest of the health, safety and welfare of the citizens to provide necessary water and sewer infrastructure concurrent with development impacts; and

WHEREAS, the passage of this ordinance complies with all other laws and regulations of the State of Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF TARPON SPRINGS THAT:

SECTION 1. Chapter 20: Water and Sewers, Section 20-1. Impact fees; Deposits; Disposition of Funds; Trust Funds Established; shall hereinafter be amended to read as follows:

§ 20-1- IMPACT FEES; DEPOSITS; DISPOSITION OF FUNDS; TRUST FUNDS ESTABLISHED

- (2) The impact fee ~~for the period of October 1, 2017 through September 30, 2018~~ shall be as follows for each single family residential unit (ERU):
 - a. Water service impact fee, ~~\$2408.00~~ 2,253.00.
 1. Thereafter, the water service impact fee shall be increased or decreased annually, effective as of the October 1 of every year, by the percentage which the ENR-CCI for August of the

then current year has increased or decreased over the ENR-CCI for August of the year preceding.

b. Sewer service impact fee, ~~\$1618.00~~ 1,570.00.

1. The sewer service impact fee shall be increased or decreased annually, effective as of October 1 of every year, by the percentage which the ENR-CCI for August of the then current year has increased or decreased over the ENR-CCI for August of the year preceding.

SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. In the event a court of competent jurisdiction finds any part or provision of this Ordinance unconstitutional or unenforceable as a matter of law, the same shall be stricken and the remainder of the Ordinance shall continue in full force and effect.

SECTION 4. The keeper of Code of Ordinances for the City of Tarpon Springs is directed to include this Ordinance in the Code of Ordinances and may renumber and reclassify the same as may be required for inclusion in the Code of Ordinances of the City of Tarpon Springs.

SECTION 5. EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage and adoption in the manner provided by law.