

RESOLUTION NO. 2017 - 26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VERO BEACH, FLORIDA, RELATING TO SEPTIC TANK EFFLUENT PUMP (“STEP”) SYSTEMS; AUTHORIZING A LIMITED ONE-TIME REBATE TOWARD THE COST OF STEP SYSTEM INSTALLATION AND CONNECTION; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Vero Beach owns and operates water and wastewater utility systems providing potable water and wastewater services; and

WHEREAS, certain single-family residential properties within the City still have private on-site wastewater disposal systems for the disposal of wastewater generated on these properties; and

WHEREAS, the City Council finds that connection of these single-family residential properties to the City wastewater utility system serves to promote public health and the health of the Indian River Lagoon by eliminating these private systems as a source of ground water pollution; and

WHEREAS, the City Council has provided in the Code of the City of Vero Beach for the installation and connection of Septic Tank Effluent Pump (STEP) Systems to facilitate the collection and treatment of effluent from these private on-site wastewater disposal systems in order to eliminate these private systems as point sources of pollution; and

WHEREAS, in Resolution 2014-37 the City Council established the “Step up and Save Credit” incentive program to encourage property owners with these on-site disposal systems to install and connect a STEP System for the benefit of all customers and the public through a healthier Indian River Lagoon by allowing for the proper collection, treatment, and disposal of wastewater from these properties; and

WHEREAS, on August 8, 2017, the Governing Board of the Saint Johns River Water Management District approved a cost share agreement with the City of Vero Beach to provide funding for the City to offer an additional rebate incentive of \$500.00 to the first three hundred twenty-eight (328) single-family residential property owners that install and connect a STEP System to serve their property; and

WHEREAS, the City Council has approved this cost share agreement with the Saint Johns River Water Management District in order to offer this additional incentive to single-family residential property owners to encourage installation and connection of a STEP System,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VERO BEACH, FLORIDA, THAT:

Section 1 — Adoption of “Whereas” clauses.

The foregoing “Whereas” clauses are hereby adopted and incorporated herein as forming the legislative findings, intent, and purpose of this Resolution.

Section 2 – Saint Johns River Water Management District Rebate.

There is hereby established and authorized a Saint Johns River Water Management District Rebate in the amount of Five Hundred and 00/100 Dollars (\$500.00) (hereinafter “Rebate”) to be made available for a limited time to single-family residential property owners who install and connect a STEP System to the City wastewater facility, subject to the following requirements, conditions, and limitations:

- (a) The Rebate shall be offered on a first come first served basis to property owners with a single-family residential property located in Basins 1 through 7 as described in Resolution 2014-37.
- (b) The Rebate is limited to the first three hundred twenty-eight (328) property owners satisfying the eligibility requirements provided herein.
- (c) To be eligible for the Rebate the property owner must:
 - (1) Complete and file a STEP System Application (“Application”) with the Water and Sewer Director after the effective date of this Resolution and within twelve (12) months from Notification of availability as provided in Resolution 2014-37; and
 - (2) Pay the applicable STEP System fees, charges, and costs (less the amount of the Rebate) to the City and have the STEP System installed and connected to the City wastewater facility by the earlier of twelve (12) months from the date of Application approval or March 31, 2019.
- (d) The Rebate will be conditionally applied at the time of payment as a credit to the amount of applicable City STEP System fees, charges, and costs to be paid by the property owner for the on-lot STEP System equipment.
- (e) In any instance where the property owner received the benefit of the Rebate credit provided in (d) above and the property owner has not had the STEP System installed and connected to the City wastewater facility within the time required in (c)(2) above, such property owner shall be deemed ineligible for the Rebate and having waived any and all entitlement thereto, in which instance the property owner shall reimburse the City for the amount of the Rebate credit before the STEP System may be connected to the City wastewater facility.
- (f) The Rebate authorized herein is in addition to any other credits or incentives for which the property owner may qualify pursuant to Resolution 2014-37.
- (g) All applicable provisions of Resolution 2014-37 not in conflict herewith remain in full force and shall apply.

Section 3 – Conflict and severability.

The provisions of this Resolution shall control over those provisions of previously adopted resolutions in conflict herewith. If any provision of this Resolution is held to be invalid, unconstitutional, or unenforceable for any reason by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions.

Section 4 – Effective Date.

This Resolution shall become effective upon final adoption by the City Council.

This Resolution was heard at a public hearing on the 5th day of September 2017, after which hearing it was moved for adoption by Councilmember Howle, seconded by Councilmember Sykes, and adopted by the following vote of the City Council:

Mayor Laura Moss	<u>yes</u>
Vice-Mayor Harry Howle III	<u>yes</u>
Councilmember Richard Winger	<u>yes</u>
Councilmember Lange Sykes	<u>yes</u>
Councilmember Anthony W. Young	<u>yes</u>

ATTEST:

Tammy K. Vock
Tammy K. Vock
City Clerk

CITY OF VERO BEACH, FLORIDA
Laura Moss
Laura Moss
Mayor

[SEAL]

Approved as to form and legal sufficiency:

Wayne R. Coment
Wayne R. Coment
City Attorney

Approved as conforming to municipal policy:

James R. O'Connor
James R. O'Connor
City Manager

Approved as to technical requirements:



Robert J. Bolton
Water & Sewer Director

Approved as to technical requirements:



Cynthia D. Lawson
Finance Director