



Legislation Text

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File #: 380-2015, Version: 1

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**TO:** Mayor and Commission

**AGENDA DATE:** 9/20/2021

**FROM:** John A. Peters, III, PE, Acting City Manager

**AGENDA ITEM:** 6 - F

**SUBJECT:**

Public Hearing - Ordinance No. 05-2021, Granting to Duke Energy Florida, LLC d/b/a Duke Energy, an Electric Utility Rights of Way Utilization Franchise, for second and final reading - Marsha Segal-George, Assistant City Attorney (386) 878-8874.

Strategic Goal: Goal Infrastructure

**LOCATION:**

City wide.

**BACKGROUND:**

On January 23, 2002, via Ordinance No. 01-2001, the City approved a ten-year electric utility franchise with Florida Power Corporation granting them permission to occupy the City's right-of-ways for the purpose of providing electric services. The on November 7, 2011, via Ordinance 31-2011, the City approved another ten-year electric utility franchise with Florida Power Corporation d/b/a Progress Energy Florida, Inc. granting them permission to occupy the City's right-of-ways for the purpose of providing electric services.

A new agreement has been negotiated via Ordinance # 05-2021 with Duke Energy Florida, LLC d/b/a Duke Energy granting them permission to occupy the City's right-of-ways for the purpose of providing electrical services. The term of this franchise is 10 years with two (2) successive five (5) year periods. The City will receive a monthly franchise amount that will equal six percent (6%) of the base revenues for the preceding month.

The Acting City Manager has the authority to make corrections of scrivener's errors and the like.

**OPTIONS:**

1. Approve Ordinance No. 05-2021
2. Deny Ordinance No. 05-2021

**COST:**

N/A

**SOURCE OF FUNDS:**

N/A

**ORIGINATING DEPARTMENT:**

City Attorney's Office

**STAFF RECOMMENDATION PRESENTED BY:**

Marsha Segal-George, Assistant City Attorney - Staff recommends the City Commission adopt Ordinance No. 05-2021, Granting to Duke Energy Florida, LLC d/b/a Duke Energy, an Electric Utility Rights of Way Utilization Franchise, for second and final reading.

**POTENTIAL MOTION:**

"I hereby move to adopt Ordinance No. 05-2021, Granting to Duke Energy Florida, LLC d/b/a Duke Energy, an Electric Utility Rights of Way Utilization Franchise, for second and final reading. The Acting City Manager has the authority to make corrections of scrivener's errors and the like."