



Legislation Details (With Text)

File #: 378-2015 **Version:** 1

Type: Ordinance **Status:** Agenda Ready

File created: 8/18/2021 **In control:** City Commission

On agenda: 9/9/2021 **Final action:**

Title: 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 first reading - Marsha Segal-George, Assistant City Attorney. (386) 878-8874.

Strategic Goal: Infrastructure

Sponsors:

Indexes:

Code sections:

Attachments: 1. Deltona-Duke Franchise Agreement 7-19-21 redlinea

Date	Ver.	Action By	Action	Result
9/9/2021	1	City Commission	accept	
9/9/2021	1	City Commission	accept	Pass

TO: Mayor and Commission

AGENDA DATE: 9/9/2021

FROM: John A. Peters, III, PE, Acting City Manager **AGENDA ITEM:** 6 - C

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 first reading - Marsha Segal-George, Assistant City Attorney. (386) 878-8874.

Strategic 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. Approved Ordinance No. 05-2021
2. Disapprove Ordinance No. 05-2021

COST:

NA

SOURCE OF FUNDS:

NA

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 first reading and schedule a second and final reading for September 20, 2021.

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 first reading and schedule a second and final reading for September 20, 2021. The Acting City Manager has the authority to make corrections of scrivener's errors and the like."