



MEMO

TO: Mayor and Council

FROM: Ken Cassel, City Manager

DATE: August 25, 2020

RE: Florida Public Utilities Franchise Agreement

The approval of the franchise agreement between the City of Westlake and Florida Public Utilities is recommended for first reading with the condition that final language be worked out between the City, SID and the Franchisee prior to second reading.

The franchise agreement between The City and Florida Public Utilities has been delayed due to the complexity of the issues with the franchise area, utility and access to various locations within the City. Now is the time to finalize this agreement as we have a significant amount of individual properties served by Florida Public Utilities, which will begin to provide an additional revenue source for the City. The franchise agreement provides for payment to the City on a quarterly basis based upon gross revenues.

The franchise agreement is written to provide a non-exclusive franchise over the entirety of the City limits and requires the franchisee to be located within the utility easements owned by Seminole Improvement District by permit. This allows access within the individual PODs as Seminole Improvement District has dedicated utility easements within the PODs, as well as a blanket easement for facilities over the roads within the individual PODs of development. Additionally, this allows the franchisee the ability to cross the rights-of-way outside the PODs owned in fee simple by Seminole Improvement District. This format also ensures that all the infrastructure, whether public or private, is under one governmental entity for oversight.

Please contact me if you have any questions or wish to discuss further.