

CITY OF BONITA SPRINGS

ORDINANCE NO. 22-07

**AN ORDINANCE OF THE CITY OF BONITA SPRINGS;
EXTENDING THE ELECTRIC UTILITY FRANCHISE FOR
FLORIDA POWER AND LIGHT COMPANY, AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City Council of the City of Bonita Springs (“City” or “Grantor”) recognizes that the citizens of the City need and desire the benefits of electric service; and

WHEREAS, Florida Power & Light Company (“FPL” or “Grantee”) is a public utility which has the demonstrated ability to supply such services; and

WHEREAS, FPL and the City entered into a franchise agreement through Bonita Springs Ordinance No. 00-08, providing for the payment of fees to the City in exchange for the nonexclusive right and privilege of supplying electricity and other services within the City free of competition from the City, pursuant to certain terms and conditions; and

WHEREAS, the City previously adopted Ordinance No. 16-15 amending the franchise agreement and raising the City’s consideration from 3% to 4% until December 31, 2022; and

WHEREAS, Bonita Springs City Council has elected to extend the current rate structure as set forth in in Section 5 (d) of the franchise agreement.

THE CITY OF BONITA SPRINGS HEREBY ORDAINS:

Section 1. Section 5 of Ordinance No. 00-08, as amended by Ordinance No. 16-15, is hereby further amended as set forth below, with deleted text identified with ~~strike through~~ and additional text identified with underlining.


~~Section 5(d): Grantor hereby exercises its option set forth in Section 5(c) to increase the amount to be paid by Grantee as consideration for this franchise. Subject to the limitations and other provisions specified in Section 5(c), Grantee shall, commencing on December 1, 2016 and ending on December 31, 2022, increase~~continue ~~its payment to Grantor to~~of four (4%) percent of the Grantee's billed revenues, less actual write-offs, from the sale of electricity to residential, commercial and industrial customers within the incorporated areas of the Grantor for the monthly billing period ending thirty (30) days prior to each payment. After December 31, 2022, the Grantee shall pay to the Grantor an amount equal to three (3%) percent of the Grantee's billed revenues, as specified in Section 5(a).

Section 2. All other terms of Ordinance No. 00-08, as amend by Ordinance No. 16-15, remain the same.


Section 3. The effective date of this Ordinance immediately upon its adoption.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 17th day of August, 2022.


AUTHENTICATION:



Mayor



City Clerk

APPROVED AS TO FORM: 

City Attorney

Vote:

Carr Aye
Purdon Nay
Forbes Aye
Corrie Aye

Gibson Nay
Quaremba Aye
Steinmeyer Nay

Date filed with City Clerk: 8/17/2022