

Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Rockledge's website by the time notice of the proposed ordinance is published.

ORDINANCE NUMBER: 1904 - 2024

SUBJECT: Florida City Gas Franchise Agreement

DATE POSTED: July 3, 2024

DATE OF LEGAL ADVERTISEMENT: July 5, 2024

DATE OF CITY COUNCIL MEETING: July 17, 2024

ORDINANCE TITLE:

AN ORDINANCE OF THE CITY OF ROCKLEDGE, BREVARD COUNTY, FLORIDA, GRANTING TO PIVOTAL UTILITY HOLDINGS, INC. D/B/A FLORIDA CITY GAS, ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE NATURAL GAS FRANCHISE, AND IMPOSING PROVISIONS AND CONDITIONS RELATING THERETO; DECLARING THAT INVALIDITY OF ANY PORTION HEREOF SHALL NOT AFFECT THE REMAINING PORTIONS OF THIS ORDINANCE; PROVIDING FOR THE EFFECTIVE DATE HEREOF AND FOR OTHER PURPOSES

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of Rockledge is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the City of Rockledge is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or

¹ See Section 166.041(4)(c), Florida Statutes.

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The proposed ordinance is enacted to implement the following:

- a) Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
- b) Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
- c) Section 553.73, Florida Statutes, relating to the Florida Building Code; or
- d) Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Rockledge hereby publishes the following information:

1. Summary of the Proposed Ordinance:

The proposed ordinance is a renewal of a thirty (30) year franchise agreement and supports the implementation of a Utility Franchise agreement with Pivotal Utility Holdings, Inc. d/b/a Florida City Gas, its successors and assigns the non-exclusive right, privilege and franchise, for the period of another thirty (30) years from the effective date hereof, to permit the construction, maintenance, and operation of natural gas facilities within the City of Rockledge.

The proposed ordinance supports the agreement in which the Franchisee shall pay to the City a Franchise Fee which is equal to six percent (6%) of the Franchisee's Gross Revenues, less any adjustments for Uncollectible Accounts, from the sale, transportation, distribution, or delivery of natural gas to Customers within the City.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Rockledge, if any:

a. An estimate of direct compliance costs that businesses may reasonably incur;

None

b. Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and

None

c. An estimate of the City of Rockledge's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

None

3. Good faith estimates of the number of businesses likely to be impacted by the proposed ordinance:

None

4. Additional information the governing body deems useful (if any):

None