

Town of Esto, Florida Business Impact Estimate

This form should be included in the Town Council agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the Town of Esto website by the time notice of the proposed ordinance is published, excluding the exceptions provided in 166.041(4), Florida Statutes.

ORDINANCE 2025-02 AN ORDINANCE OF THE TOWN OF ESTO, FLORIDA, GRANTING TO WEST FLORIDA ELECTRIC COOPERATIVE ASSOCIATION, INC., AN ELECTRIC UTILITY FRANCHISE WITHIN THE TOWN OF ESTO, FLORIDA.

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 Town of Esto is of the view that a business impact estimate is not required by state law¹ for 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
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Development orders and development permits, as those terms are defined in s. 163.3164, and, development agreements, as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220-163.3243;
 - b. Comprehensive Plan Amendments and land development regulation amendments initiated by an application by a private party other than the county;
 - c. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
 - d. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or
 - e. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*.

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

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

1. Summary of the proposed ordinance:

This ordinance renews a franchise agreement with West Florida Electric Cooperative Association, Inc. (WFEC) for a five-year term. It grants WFEC the non-exclusive right to use the public rights-of-way in the Town of Esto to provide electric service and includes provisions for the collection of a franchise fee equal to 6% of WFEC's gross revenue derived from customers within the Town.

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

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

There are no direct compliance costs anticipated for private businesses in Esto. WFEC is the sole entity responsible for compliance with the ordinance.

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

No new charges or fees are imposed on businesses. The franchise fee applies solely to WFEC.

c) An estimate of the Town of Esto regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

There are no new regulatory costs anticipated for the Town of Esto. The administration of the ordinance and collection of franchise fees will be managed using existing staff and processes.

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

Zero. No local businesses are expected to be directly impacted by this ordinance, as it applies only to the utility provider.

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

This ordinance replaces a previous franchise agreement enacted in 2023 and provides for continued electric utility service without interruption. It ensures the Town receives a fair fee for WFEC's use of public rights-of-way while protecting local services and infrastructure.