

STORAGE NAME: h1039z.lgva.doc
DATE: July 1, 2002

****AS PASSED BY THE LEGISLATURE****
CHAPTER #: 2002-370, Laws of Florida

HOUSE OF REPRESENTATIVES

**LOCAL GOVERNMENT & VETERANS AFFAIRS
FINAL ANALYSIS— LOCAL LEGISLATION**

BILL #: HB 1039
RELATING TO: Lee Co./Cape Coral/Territorial Limit
SPONSOR(S): Representative Kottkamp
TIED BILL(S):

ORIGINATING COMMITTEE(S)/COUNCIL(S)/COMMITTEE(S) OF REFERENCE:

- (1) LOCAL GOVERNMENT & VETERANS AFFAIRS (SGC) YEAS 10 NAYS 0
- (2) FISCAL POLICY & RESOURCES YEAS 10 NAYS 0
- (3) COUNCIL FOR SMARTER GOVERNMENT (W/D)
- (4)
- (5)

I. SUMMARY:

THIS DOCUMENT IS NOT INTENDED TO BE USED FOR THE PURPOSE OF CONSTRUING STATUTES, OR TO BE CONSTRUED AS AFFECTING, DEFINING, LIMITING, CONTROLLING, SPECIFYING, CLARIFYING, OR MODIFYING ANY LEGISLATION OR STATUTE.

This bill provides for the extension of the territorial limits of the City of Cape Coral to include certain waterfront area along the Caloosahatchee River.

According to the Economic Impact Statement, no state or local budget impact is anticipated.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

B. PRESENT SITUATION:

According to the City Manager's Office, the City of Cape Coral is undertaking a comprehensive downtown development plan and is looking to increase the public access to the waterfront as part of that plan. With over 400 miles of canals, Cape Coral ranks as one of Florida's premier waterfront communities. The proposed boundary extension where the city's downtown meets the south Cape Coral bridge will allow Cape Coral to place water-related uses along the shoreline such as restaurants, public walkways and observation platforms. In addition, extension of the boundaries will allow the City of Cape Coral to provide licensing, planning, taxation and public safety services to this area where the City currently has no jurisdiction.

C. EFFECT OF PROPOSED CHANGES:

This bill provides for the extension of the territorial limits of the City of Cape Coral to include certain waterfront area along the Caloosahatchee River.

D. SECTION-BY-SECTION ANALYSIS:

Section 1. Provides that s. 2.01, Art. 2, ch. 70-623, Laws of Florida, as amended by ch. 72-499, Laws of Florida, and as further amended by annexations of certain territory by the City of Cape Coral is amended to provided a new boundary description.

Section 2. Provides an effective date of upon becoming law.

III. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN?

December 22, 2001

WHERE?

Cape Coral Daily Breeze, published at Cape Coral, Lee County

B. REFERENDUM(S) REQUIRED? Yes No

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED? Yes, attached No

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached No

IV. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

None.

C. OTHER COMMENTS:

None.

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

VI. SIGNATURES:

COMMITTEE ON LOCAL GOVERNMENT & VETERANS AFFAIRS:

Prepared by:

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Andrew S. Grayson, Esquire

Joan Highsmith-Smith

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