

1 A bill to be entitled
2 An act relating to the City of Punta Gorda, Charlotte
3 County; providing a short title; providing legislative
4 intent; providing boundaries of the Punta Gorda
5 Utility District; authorizing Charlotte County to
6 assume responsibility for utility functions in lands
7 outside the district; authorizing the City of Punta
8 Gorda to continue to own and maintain assets outside
9 the district; requiring the city and the county to
10 enter into interlocal agreements for specified
11 purposes; providing reporting requirements; requiring
12 the city to continue to provide potable water and
13 wastewater utility service to certain customers and to
14 maintain the potable water and wastewater utility
15 service infrastructure under certain circumstances;
16 providing construction; requiring continuation of
17 powers, duties, and obligations of the district and
18 city until the transfer; providing an effective date.

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20 Be It Enacted by the Legislature of the State of Florida:

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22 **Section 1.** Short title.—This act may be cited as the
23 "Punta Gorda Utility District Boundary Codification and Utility
24 Transfer Act."

25 **Section 2.** Legislative intent.—The Legislature finds that:

26 (1) The boundaries of the Punta Gorda Utility District
27 must be established.

28 (2) The district is wholly located within the corporate
29 boundaries of Charlotte County, which provides potable water and
30 wastewater utility services.

31 (3) The public interest is best served by authorizing the
32 county to provide potable water and wastewater utility services
33 for certain uncertificated lands lying outside the district,
34 which will ensure uninterrupted service and efficient regional
35 utility management.

36 **Section 3.** Establishment of district boundaries.—

37 (1) The boundaries of the Punta Gorda Utility District are
38 hereby codified to include all lands lying within the corporate
39 limits of the City of Punta Gorda, Charlotte County, as such
40 municipal boundaries exist on the effective date of this act.

41 (2) The City of Punta Gorda shall provide the Department
42 of State and the Department of Economic Opportunity a certified
43 map and metes and bounds legal description of the city's
44 municipal boundaries as of the effective date of this act. This
45 map and description are incorporated by reference and constitute
46 the official boundaries of the district.

47 **Section 4.** Provision of potable water and wastewater
48 utility services.—

49 (1) Notwithstanding any interlocal agreement to the
50 contrary, Charlotte County is authorized to assume

51 responsibility for potable water and wastewater utility service,
52 operations, billing, management, and associated assets and
53 obligations for utility functions located in certain lands lying
54 outside the district upon this act becoming a law. The City of
55 Punta Gorda may continue to own and maintain current assets
56 outside of the district as necessary to provide continuity of
57 service for the city's customers.

58 (2) The City of Punta Gorda and Charlotte County shall
59 enter into one or more interlocal agreements as necessary to
60 effectuate the assumption described in subsection (1). The first
61 interlocal agreement shall be entered into no later than 180
62 days after the date upon which this act becomes a law. The
63 initial interlocal agreement shall memorialize the steps needed
64 to develop the fully executable transition plan as described in
65 subsection (3).

66 (3) The City of Punta Gorda and Charlotte County shall
67 provide a written report, either jointly or separately, to the
68 Charlotte County legislative delegation no later than 365 days
69 after the date upon which this act becomes a law. The report or
70 reports shall describe the fully executable transition plans for
71 potable water and wastewater utility service, funding plan,
72 operations, billing, management, and associated assets and
73 obligations for utility functions located in certain lands lying
74 outside the district.

75 (4) Until the assumption described in subsection (2) is

76 finalized pursuant to one or more interlocal agreements, the
77 City of Punta Gorda shall continue to provide potable water and
78 wastewater utility service to existing and new customers and, as
79 owner, must maintain its potable water and wastewater utility
80 infrastructure for so long as is necessary to provide continuity
81 of service.

82 (5) Nothing in this act shall prohibit the City of Punta
83 Gorda and Charlotte County from addressing related or necessary
84 matters as interlocal provisions.

85 **Section 5.** Construction; transitional powers, duties, and
86 obligations.—

87 (1) Nothing in this act shall be construed to impair,
88 alter, or invalidate any existing bonds, capital improvement
89 commitments, franchise agreements, interlocal agreements, or
90 financial obligations of the district, the City of Punta Gorda,
91 or Charlotte County.

92 (2) All powers, duties, and obligations of the Punta Gorda
93 Utility District and the City of Punta Gorda shall continue
94 until such powers are lawfully transferred under section 4 of
95 this act.

96 **Section 6.** This act shall take effect upon becoming a law.