

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 Commerce a certified map and  
 43 metes and bounds legal description of the city's municipal  
 44 boundaries as of the effective date of this act. This map and  
 45 description are incorporated by reference and constitute the  
 46 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.