

Charlotte County Board Of County Commissioners
Agenda Item Summary

1 DEPARTMENT MAKING REQUEST

Public Works

2 MEETING DATE

5/13/2014 9:00:00 AM

3 REQUESTED MOTION/ACTION

Conduct a Public Hearing to consider approving an Ordinance amending the territory of the Greater Port Charlotte Street and Drainage MSBU to include additional properties that receive a benefit from the MSBU.

4 AGENDA

TimeRequired

5 IS THIS ITEM BUDGETED (IF APPLICABLE) - Yes

Budget Action

No budget action required. Budgeted in the Greater Port Charlotte Street & Drainage MSBU approved in the FY14 budget process.

Financial Impact Summary Statement

Funding is supplied form the Greater Port Charlotte Street & Drainage MSBU.

Detailed Analysis Attached - No

Budget Officer-

6 BACKGROUND (Why is this Action Necessary, and What Action will be accomplished)

Amending the territory will ensure that properties receiving a benefit from the MSBU are properly assessed.

ATTACHMENTS:

Name:

Description:

Type:

[2014_GPC_amend_territory.ord.doc](#)

Exhibit

Ordinance

[Economic_Impact_Estimate.doc](#)

Exhibit

Exhibit

[Attachment_1.pdf](#)

Exhibit

Exhibit

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O R D I N A N C E
NUMBER 2014-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; AMENDING ARTICLE VII, CHAPTER 4-6 OF THE CODE OF LAWS AND ORDINANCES, CHARLOTTE COUNTY, FLORIDA, BY PROVIDING FOR THE ADDITION OF PROPERTIES TO THE GREATER PORT CHARLOTTE STREET AND DRAINAGE MUNICIPAL SERVICE BENEFIT UNIT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, the Board of County Commissioners (the "Board"), pursuant to the provisions of Section 125.01, Florida Statutes, has the power to establish, merge or abolish municipal service benefit units and levy and collect assessments within such units; and

WHEREAS, the Board, on March 17, 1987, adopted Ordinance No. 87-05 which created the Greater Port Charlotte Street and Drainage municipal service benefit unit (the "Unit"); and

WHEREAS, it has become necessary to amend the territory of the Unit to include additional properties that benefit from the Unit but which have not been previously assessed by the Unit, as depicted on Attachment 1 which is attached hereto and made a part of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Charlotte County, Florida:

Section 1. Section 4-6-125 of Article VII, Chapter 4-6 of the Code of Laws and Ordinances, Charlotte County, Florida, is hereby amended as follows (underlined sections are additions; strikethrough sections are deletions):

1 "Sec. 4-6-125. Territory of the unit.
2 The territory included within the unit shall include the portions of the
3 unincorporated area of Charlotte County as depicted on the map attached to
4 Ordinance No. ~~2011-009~~ 2014-_____ as Attachment 1, and as more fully
5 described in any assessment roll provided for in this article."
6

7 Section 2. Severability. If any provision of this Ordinance or the application thereof
8 to any person or circumstance is held invalid, the invalidity shall not affect other provisions
9 or applications of this Ordinance which can be given effect without the invalid provision or
10 applications. To this end, the provisions of this Ordinance are declared severable.

11 Section 3. Effective Date. A certified copy of this Ordinance shall be filed with the
12 Department of State of the State of Florida within 10 days of enactment and shall take
13 effect upon filing with said department.

14 PASSED AND DULY ADOPTED this ____ day of _____, 2014.

15
16 BOARD OF COUNTY COMMISSIONERS
17 OF CHARLOTTE COUNTY, FLORIDA
18

19
20 By: _____
21 Kenneth W. Doherty, Chairman

22 ATTEST:
23 Barbara T. Scott, Clerk of
24 Circuit Court and Ex-Officio
25 Clerk to the Board of County
26 Commissioners
27

28
29 By: _____
30 Deputy Clerk
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32 APPROVED AS TO FORM
33 AND LEGAL SUFFICIENCY:
34

35
36 By: _____
37 Janette S. Knowlton, County Attorney
38 LR 14-2805
39

40 p:\wpdata\dan\msbu\2014 MSBU ordinances\2014 GPCamend territory.ord

ECONOMIC IMPACT ESTIMATE

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; AMENDING ARTICLE VII, CHAPTER 4-6 OF THE CODE OF LAWS AND ORDINANCES, CHARLOTTE COUNTY, FLORIDA, BY PROVIDING FOR THE ADDITION OF PROPERTIES TO THE GREATER PORT CHARLOTTE STREET AND DRAINAGE MUNICIPAL SERVICE BENEFIT UNIT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

PURPOSE: Analyze what the ordinance is designed to accomplish. Describe the present situation and the effect the ordinance will have thereon.

The ordinance amends the territory of the Greater Port Charlotte Street and Drainage municipal service benefit unit (the "Unit") by adding certain properties to the Unit that have not previously been assessed but which receive a benefit from the Unit.

IMPACT: Consider costs and benefits, both monetary and non-monetary for the private sector (non-governmental entities) and the public sector (governmental entities). In discussing costs and benefits, distinguish between those which are social (borne by society as a whole) and those which are private (accrue to certain individuals or groups). Identify the specific groups which will be impacted.

- A. Cost of Implementation: The owners of the properties to be added to the Unit will be obligated to pay non-ad valorem assessments.
- B. Source of Funds/Ultimate Burden of Costs: The Greater Port Charlotte Street and Drainage MSBU.
- C. Effect on Competition and the Employment: None.
Market
- D. Benefits on Implementation: Assessing properties that derive a benefit from the unit that had not been previously assessed.



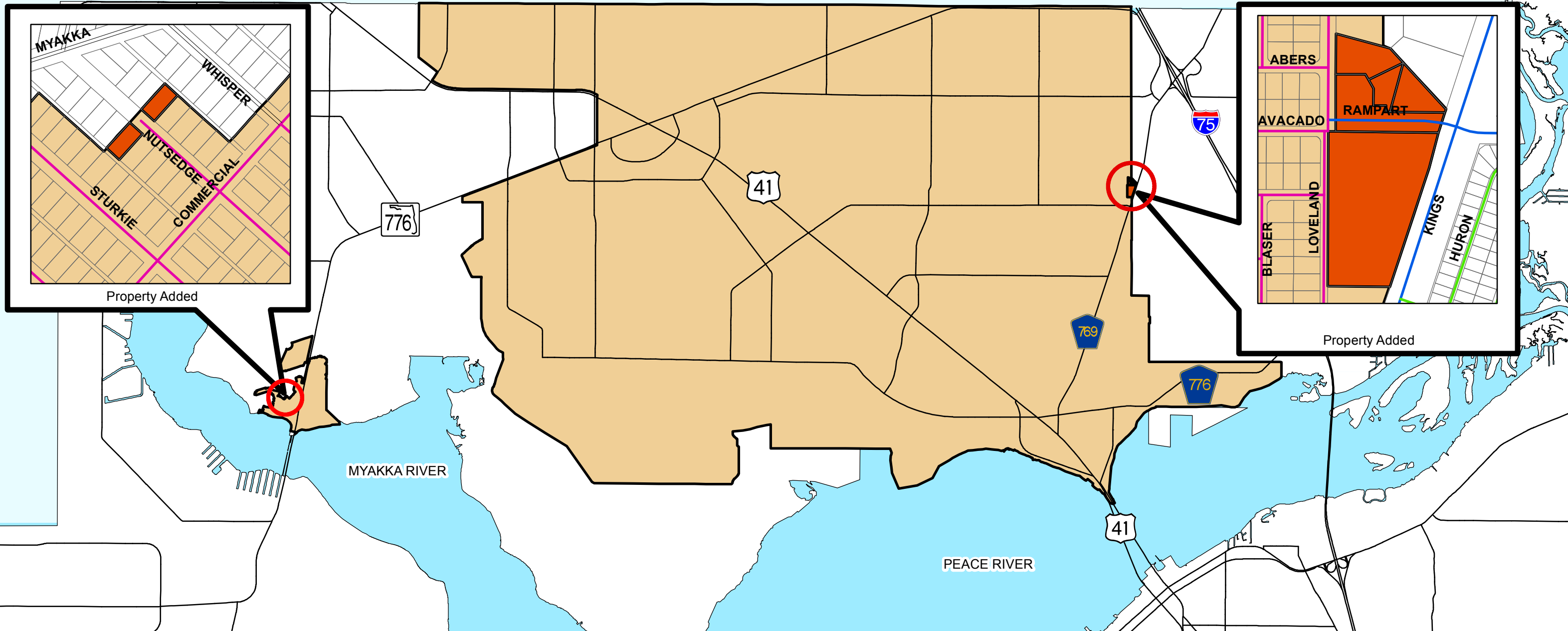
CHARLOTTE COUNTY

Greater Port Charlotte Street and Drainage Unit

MSBU

SARASOTA COUNTY

DESOTO COUNTY



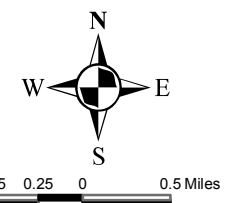
Stateplane Projection
Datum: NAD83
Units: Feet

Source: MSBU, CCGIS, PW

Metadata available upon request

This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guaranties, implied or otherwise, to the accuracy, or completeness. We therefore do not accept any responsibilities as to its use. This is not a survey or is it to be used for design. Reflected Dimensions are for informational purposes only and may have been rounded to the nearest tenth. For precise dimensions, please refer to recorded plats and related documents.

- Property Added to Greater Port Charlotte S & D Unit Boundary
- Greater Port Charlotte S & D Unit Boundary



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Updated: 12/20/2013 4:50:57 PM by: C. Broughman