

**Charlotte County Board Of County Commissioners
Agenda Item Summary**

Item Number: N- 6

1 DEPARTMENT MAKING REQUEST

Public Works

2 MEETING DATE

10/14/2014 9:00:00 AM

3 REQUESTED MOTION/ACTION

Set a public hearing for October 28, 2014 at 10:00 a.m., or as soon thereafter as may be heard, to consider approving an Ordinance repealing Ordinance No. 90-64 which established the Rotonda Drainage and Waterway Maintenance District.

4 AGENDA

Consent

5 IS THIS ITEM BUDGETED (IF APPLICABLE) - No

Budget Action
No action needed.

Financial Impact Summary Statement
None.

Detailed Analysis Attached - No

Budget Officer-

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

The Rotonda Drainage and Waterway Maintenance District MSTU was established to provide drainage, canal, and water and channel maintenance within the Unit, but the Unit is inactive and has not levied an ad valorem tax for many years. This action will eliminate a MSTU that is not active.

ATTACHMENTS:

Name:

Description:

Type:

- | | | |
|---|-----------|-----------|
| <input type="checkbox"/> Repeal Rotonda Drainage and Waterway Maintenance District MSTU.doc | Ordinance | Ordinance |
| <input type="checkbox"/> Economic Impact Estimate.doc | Exhibit | Exhibit |

O R D I N A N C E
N U M B E R 2 0 1 4 -

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; ABOLISHING THE ROTONDA DRAINAGE AND WATERWAY MAINTENANCE DISTRICT MUNICIPAL SERVICE TAXING UNIT; REPEALING ORDINANCE 90-64 AS CODIFIED IN CHAPTER 4-7, ARTICLE XII, SECTIONS 4-7-236 THROUGH 4-7-260, OF THE CODE OF LAWS AND ORDINANCES, CHARLOTTE COUNTY, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

RECITALS

WHEREAS, the Charlotte County 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 taxing units and levy and collect ad valorem taxes within such units; and

WHEREAS, the Board, on December 18, 1990, adopted Ordinance No. 90-64, which established the Rotonda Drainage and Waterway Maintenance District, a municipal service taxing unit (hereinafter “Unit”); and

WHEREAS, the purpose of the Unit is to provide drainage, canal, and water and channel maintenance within the Unit, but the Unit has been inactive and has not levied an ad valorem tax for many years; and

WHEREAS, county staff recommends that the Unit be abolished and that Ordinance No. 90-64 which created this Unit be repealed; and

WHEREAS, it is the desire of the Board of County Commissioners to abolish the Rotonda Drainage and Waterway Maintenance District and repeal Ordinance No. 90-64.

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

3 Section 1. The Rotonda Drainage and Waterway Maintenance District is hereby
4 abolished and Ordinance No. 90-64, as codified in Chapter 4-7, Article XII, Sections 4-7-
5 236 through 4-7-260 of the Code of Laws and Ordinances, Charlotte County, Florida, is
6 hereby repealed in its entirety.

7 Section 2. Effective Date. A certified copy of this Ordinance shall be filed with the
8 Department of State of the State of Florida by the Clerk of the Board of County
9 Commissioners within 10 days of enactment and shall take effect upon filing with said
10 department.

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

12 BOARD OF COUNTY COMMISSIONERS
13 OF CHARLOTTE COUNTY, FLORIDA

14
15
16 By: _____
17 Kenneth W. Doherty, Chairman

18 ATTEST:
19 Barbara T. Scott, Clerk of
20 Circuit Court and Ex-officio
21 Clerk to the Board of County
22 Commissioners

23
24
25 By: _____
26 Deputy Clerk

27 APPROVED AS TO FORM
28 AND LEGAL SUFFICIENCY:

29
30
31 By: _____
32 Janette S. Knowlton, County Attorney
33 LR14-3013

ECONOMIC IMPACT ESTIMATE

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; ABOLISHING THE ROTONDA DRAINAGE AND WATERWAY MAINTENANCE DISTRICT MUNICIPAL SERVICE TAXING UNIT.

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

This Ordinance would abolish and repeal the Rotonda Drainage and Waterway Maintenance District Municipal Service Taxing Unit (Unit) Ordinance. The purpose of the Unit is to provide drainage, canal, and water and channel maintenance within the Unit. Because the Unit has been inactive and has not levied an ad valorem tax for many years, staff is recommending that the Unit be abolished.

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.

There are no appreciable costs to the public or private sector.

- | | |
|---|---|
| A. Cost of Implementation: | The costs of adopting this Ordinance are nominal. |
| B. Source of Funds/Ultimate Burden of Costs: | Since the Unit is being abolished, it won't be necessary to have a funding source, and there will no longer be any ad valorem taxes levied. |
| C. Effect on Competition and the Employment Market: | None, since it appears that no work has been done, nor taxes levied, for many years by this Unit. |
| D. Benefits on Implementation: | Eliminating a MSTU that is not active. |