

Section 1. Short title.

This act may be cited as the Punta Gorda Utility District Boundary Codification and Utility Transfer Act.

Section 2. Legislative intent.

The Legislature finds that:

- (1) The boundaries of the Punta Gorda Utility District (the “District”) must be established.
- (2) The District is wholly located within the corporate boundaries of Charlotte County, which provides potable water and wastewater utility services.
- (3) The public interest is best served by authorizing the County to provide potable water and wastewater utility services for certain uncertificated lands lying outside the District, which will ensure uninterrupted service and efficient regional utility management.

Section 3. Establishment of district boundaries.

(1) Chapter ____, Laws of Florida, as amended, is amended to read:

“The boundaries of the Punta Gorda Utility District are hereby codified to include all lands lying within the corporate limits of the City of Punta Gorda, Charlotte County, Florida, as such municipal boundaries exist on the effective date of this act.”

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

Section 4. Provision of potable water and wastewater utility services.

(1) Notwithstanding any provision of chapter ____, Laws of Florida, as amended, or any interlocal agreement to the contrary, Charlotte County is authorized to assume responsibility for potable water and wastewater utility service, operations, billing, management, and associated assets and obligations for utility functions located in certain lands lying outside the District upon this act becoming a law. The City of Punta Gorda may continue to own and maintain current assets outside of the District as necessary to provide continuity of service for their customers.

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

(3) The City of Punta Gorda and Charlotte County shall provide a written report, either jointly or separately, to the Charlotte County legislative delegation no later than 365 days after of the date upon which this act becomes law. The report or reports shall describe the fully executable transition plans for potable water and wastewater utility service, funding plan, operations, billing,

management, and associated assets and obligations for utility functions located in certain lands lying outside the District.

(4) Until the assumption described in subsection (2) is finalized pursuant to one or more interlocal agreements, the City of Punta Gorda shall continue to provide potable water and wastewater utility functions to existing and new customers and, as owner, must maintain its potable water and wastewater utility infrastructure for so long as is necessary to provide continuity of service.

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

Section 5. Construction.

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

(2) All powers, duties, and obligations of the Punta Gorda Utility District and the City of Punta Gorda shall continue until such powers are lawfully transferred under Sections 4 and 5 of this act.

Section 6. Effective date.

This act shall take effect upon becoming a law.