



## CITY OF PUNTA GORDA

**LEGAL DEPARTMENT**  
326 WEST MARION AVENUE  
PUNTA GORDA, FL 33950  
Telephone: (941) 575-3307  
[legal@cityofpuntagordafl.com](mailto:legal@cityofpuntagordafl.com)

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Representative Vanessa Oliver  
The Capitol  
402 S. Monroe Street  
Tallahassee, FL 32399

Representative Vanessa Oliver  
4355 Pinnacle Street  
Suite C  
Punta Gorda, FL 33980

Sent via U.S. Mail  
Sent via Email to:

[vanessa.oliver@flhouse.gov](mailto:vanessa.oliver@flhouse.gov)  
[danny.nix@flhouse.gov](mailto:danny.nix@flhouse.gov)  
[ben.albritton@flsenate.gov](mailto:ben.albritton@flsenate.gov)  
[kim.timm@flhouse.gov](mailto:kim.timm@flhouse.gov)  
[cynthia.beckett@flhouse.gov](mailto:cynthia.beckett@flhouse.gov)  
[hector.flores@charlottecountyfl.gov](mailto:hector.flores@charlottecountyfl.gov)  
[joseph.tiseo@charlottecountyfl.gov](mailto:joseph.tiseo@charlottecountyfl.gov)

**Re: Objection to Proposed "Punta Gorda Utility District Boundary Codification and Utility Transfer Act"**

Dear Representative Oliver:

On behalf of the City of Punta Gorda, and following a Chartered Article III, Section 7 Special Council Meeting held on December 9, 2025, and pursuant to a unanimous consensus vote of the City Council, and a unanimous vote of the City's Utility Advisory Board, the City of Punta Gorda is formally and adamantly objecting to your proposed local legislative bill titled the "Punta Gorda Utility District Boundary Codification and Utility Transfer Act." The City of Punta Gorda respectfully opposes any legislation that authorizes Charlotte County to assume responsibility for the City's water treatment plant, potable water system, and/or wastewater/sewer utilities. Your proposed legislatively created mandate is, in essence, a hostile takeover.

It is very disappointing that the City of Punta Gorda, and perhaps Charlotte County, only learned of your proposed legislation through media outlets, rather than directly from you. As elected representatives of the community, the City of Punta Gorda strongly believes in and promotes collaboration, communication, and cooperation. The City of Punta Gorda strives for accountability and transparency to our constituents, our residents, and our customers; and your proposed bill is no exception. It is very disheartening that you, as our elected State Representative, did not approach the City of Punta Gorda for discussions or suggestions regarding your proposed bill or idea. It is your elected responsibility to advocate for your constituents, not to undermine the integrity of our residents and customers.

Your proposed legislation takes away the ability of the City of Punta Gorda to annex property and creates a mismatched boundary codification after annexations; creates unnecessary financial strain on bonds and obligation protections that prohibit the City's flexibility; creates an immediate cessation and control of potable water; creates an unstable and "immediate transfer" before any interlocal agreement details are guaranteed; creates uncertainty that the City may be indefinitely responsible for waste water/sewer services without a defined deadline; creates a litigious onset of interlocal agreements; and creates uncertain or unqualified service interruptions for the residents of the City of Punta Gorda and its service area recipients; all and only to name a few disturbing highlights.

For example, your proposed bill goes well beyond a boundary “codification.” In Section 4, it would authorize an immediate transfer of potable water utility service, operations, billing, management, and associated assets and obligations from the City to Charlotte County upon the bill becoming law, notwithstanding any existing agreements to the contrary, bond obligations or purchase-price assignments. This is quite concerning considering the significant resources that the City of Punta Gorda has invested in its water treatment plant, their services, and all the equipment. Additionally, while Section 5 describes wastewater functions as a “deferred transfer,” it expressly contemplates a later transfer of those services, assets, obligations, and authority to the County through one or more interlocal agreements; thus, a “deferred transfer” sets up the potential for costly litigation.

The City of Punta Gorda has long invested in, operated, and maintained these utilities to meet the needs of our residents and service-area customers with a focus on reliability, regulatory compliance, affordability, local accountability, excellence, and pristine service. Your proposed legislation would undermine that framework, inject uncertainty into critical public infrastructure, and create material financial and operational risks for the City and its ratepayers.

For these reasons, the City of Punta Gorda urges you not to advance or support this proposed legislative framework. We request the opportunity to work collaboratively with you, Charlotte County, and any other stakeholders on any legitimate boundary or service issues through voluntary, mutually beneficial agreements—rather than through a state-mandated transfer of core municipal utilities.

Thank you for your consideration, and for your service to our community. Please do not hesitate to contact us if you would like additional information or wish to discuss the City’s concerns in more detail.

Respectfully submitted,



Steven S. Leskovich, J.D., Ed.D.  
Interim City Attorney  
City of Punta Gorda



Melissa Reichert, DrPH  
City Manager  
City of Punta Gorda



Tom Spencer  
Utilities Director  
City of Punta Gorda

cc: Senator Ben Albritton  
Representative Danny Nix  
Charlotte County Board of County Commissioners

Encl: Copy of Punta Gorda Utility District Boundary Codification and Utility Transfer Act

### **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 should be codified to accurately reflect the existing corporate limits of the City of Punta Gorda.
- (2) Charlotte County is prepared to assume responsibility for potable water utility operations within the district immediately, while the transition of wastewater utility functions will require additional time.
- (3) It is in the public interest to authorize the phased transfer of utility functions to ensure uninterrupted service and efficient regional utility management.

### **Section 3. Codification 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. Immediate transfer of potable water utility functions.**

- (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 utility service, operations, billing, management, and associated assets and obligations for the area within the codified district boundaries immediately upon this act becoming a law.
- (2) The City of Punta Gorda and Charlotte County may execute any interlocal agreement necessary to effectuate the transfer described in subsection (1).

Such agreement(s) may address ownership of facilities, rate-setting authority, personnel, and transition procedures.

### **Section 5. Deferred transfer of wastewater utility (sewer) functions.**

- (1) The transfer of wastewater utility service, operations, management, assets, obligations, or authority from the Punta Gorda Utility District or the City of Punta Gorda to Charlotte County may occur at a later date as determined by the parties.

(2) The City of Punta Gorda and Charlotte County shall enter into one or more interlocal agreements to establish the effective date of the wastewater utility transfer and to set forth the terms, conditions, and transition procedures.

(3) Until such transfer becomes effective under an executed interlocal agreement, the City of Punta Gorda shall continue to provide wastewater utility services within the district boundaries.

#### **Section 6. 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 7. Effective date.**

This act shall take effect upon becoming a law.