
CHARLOTTE COUNTY, FLORIDA

**BUCKLEY'S PASS DREDGING MSBU
INITIAL ASSESSMENT RESOLUTION**

ADOPTED March 12, 2019

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RESOLUTION NUMBER 19-__

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, RELATING TO THE BUCKLEY'S PASS DREDGING PROJECT; DESCRIBING THE REAL PROPERTY TO BE INCLUDED IN THE PROPOSED BUCKLEY'S PASS DREDGING MUNICIPAL SERVICE BENEFIT UNIT (MSBU); DETERMINING THAT SUCH REAL PROPERTY WILL BE SPECIALLY BENEFITED BY THE DREDGING PROJECT; ESTABLISHING THE METHOD OF ASSESSING THE PROJECT COSTS OF THE DREDGING PROJECT AGAINST THE REAL PROPERTY THAT WILL BE SPECIALLY BENEFITED THEREBY; ESTABLISHING OTHER TERMS AND CONDITIONS OF THE ASSESSMENTS; ESTABLISHING A PUBLIC HEARING TO CONSIDER IMPOSITION OF THE PROPOSED ASSESSMENTS AND THE METHOD OF THEIR COLLECTION; DIRECTING THE PROVISION OF NOTICE IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA AS FOLLOWS:

**ARTICLE I
DEFINITIONS AND CONSTRUCTION**

SECTION 1.01. DEFINITIONS. As used in this Resolution, all capitalized terms shall have the following meanings, unless the context hereof otherwise requires.

“Adjusted Prepayment Amount” means the amount required to prepay the Assessment for each Tax Parcel located in the MSBU, as computed pursuant Section 3.04(C) hereof.

“Annual Debt Service Component” means the amount computed for each Tax Parcel pursuant to Section 3.05(A) hereof.

“**ACOE**” means the U.S. Army Corps of Engineers.

“**Assessment**” means an annual special assessment imposed against real property located within the MSBU to fund the Project Cost of the Dredging Project to serve the MSBU and related expenses, computed in the manner described in Section 3.05 hereof.

“**Assessment Roll**” means a non-ad valorem assessment roll relating to the Project Cost of the Dredging Project and related expenses.

“**Capital Cost**” means all or any portion of the expenses that are properly attributable to the Dredging Project and imposition of the related Assessments under generally accepted accounting principles; and including reimbursement to the City for any funds advanced for Capital Cost, including but not limited to engineering fees, legal fees, planning fees, permitting fees and materials and labor costs, and interest on any interfund or intrafund loan for such purposes.

“**City**” means the City of Punta Gorda, a municipal corporation duly organized and validly existing under the Charter of the City of Punta Gorda and other applicable laws of the State.

“**City Interest Rate**” means the interest rate established by the City for the funding of the Capital Cost of the Dredging Project as set forth in Section 1.03(J) hereof.

“**County Attorney**” means the County’s Attorney or such person’s designee.

“**Code**” means the Charlotte County Code of Laws and Ordinances.

“**Collection Cost**” means the estimated cost to be incurred by the County during any Fiscal Year in connection with the collection of Assessments and preparation of the Assessment Roll.

“Collection Cost Component” means the amount computed for each Tax Parcel pursuant to Section 3.05(B) hereof.

“Dredging Project” means the removal, dewatering and disposal of sediment, including but not limited to, the Dredging Project as outlined and authorized in the FDEP Permit, No. 0347059-001-EI, as the same may be supplemented and amended from time to time, between FDEP and the City, dated May 5, 2017, and the ACOE Permit, No. SAJ-2016-02715 (SP-KRD), as the same may be supplemented or amended from time to time, between the ACOE and City, dated August 16, 2018, for construction of the new Buckley’s Pass channel (app. 1,446 feet in length and 60 feet in width) to provide improved water access from Punta Gorda Isles to Alligator Creek and Charlotte Harbor.

“Dwelling Unit” means a building consisting of one or more rooms arranged, designed, used, or intended to be used as living quarters for one family only.

“Excluded Parcel” means any Tax Parcel for which a Water Access Unit permit has been denied by the FDEP or the County, and would continue to be denied after the Dredging Project is constructed, evidence of which shall be provided by the property owner as required by the County, or any Tax Parcel where due to size, location, or other limiting physical factors a Water Access Unit is unable to be located.

“FDEP” means the Florida Department of Environmental Protection.

“Final Assessment Resolution” means the resolution described in Section 4.06 of the Code that imposes Assessments within the MSBU.

“Fiscal Year” means the period commencing on October 1 of each year and continuing through the next succeeding September 30, or such other period as may be prescribed by law as the fiscal year for the County.

“Government Property” means real property owned by the United States of America or any agency thereof, the State of Florida or any agency thereof, a county, a special district or a municipal corporation, or any of their respective agencies or political subdivisions.

“Initial Prepayment Amount” means the amount computed pursuant Section 3.04(A) hereof for each Tax Parcel located in the MSBU to prepay the Assessment in full.

“MSBU” means the proposed Buckley’s Pass Dredging Municipal Service Benefit Unit described in Section 3.01 hereof.

“Non-Residential Property” means those Tax Parcels in the MSBU that are not Residential Property.

“Project Cost” means (A) the Capital Cost of the Dredging Project, (B) interest accruing on the Internal Loan used to fund all or any portion of the Dredging Project for such period of time as the County deems appropriate, if any, and (C) any other costs or expenses related thereto.

“Residential Property” means those Tax Parcels that have been or can be improved with a Dwelling Unit in accordance with existing land use and zoning, including single family, multi-family, and Condominium Unit Parcels.

“Statutory Discount Amount” means the amount computed for each Tax Parcel pursuant to Section 3.05(C) hereof.

“Tax Parcel” means a parcel of real property to which the Property Appraiser has assigned a distinct ad valorem property tax identification number.

“Water Access Unit” means a dock, landing, ramp, slip, bay, wharf, lift or other structure for receiving boats and other water craft, which will serve as the standard Assessment Unit, as defined in the Code, to be used in calculating the Assessments as a proxy to the expected special benefit derived from the Dredging Project, as determined for each Tax Parcel in accordance with Section 3.03 hereof.

SECTION 1.02. INTERPRETATION. Unless the context indicates otherwise, words importing the singular number include the plural number, and vice versa; the terms “hereof,” “hereby,” “herein,” “hereto,” “hereunder” and similar terms refer to this Resolution; and the term “hereafter” means after, and the term “heretofore” means before, the effective date of this Resolution. Words of any gender include the correlative words of the other gender, unless the sense indicates otherwise.

SECTION 1.03. LEGISLATIVE FINDINGS. It is hereby ascertained, determined and declared that the Dredging Project to be funded by the Assessments provides a special benefit to property and the Assessments are fairly and reasonably apportioned among all benefitted properties based upon those certain reports entitled “Punta Gorda Isles Additional Charlotte Harbor Access Apportionment Methodology Memorandum,” prepared by Nabors, Giblin & Nickerson, P.A. and dated April 2017, the “Assessment Matrix Supporting Discussion” memorandum prepared by Hans, Wilson &

Associates and dated January 11, 2016, and the “Economic Impact of the New Bird Cut East Channel on Property Values,” prepared by PMG Associates, Inc. and dated September 2017, and based upon the following legislative findings:

(A) Article VIII, Section 1 of the Florida Constitution, and Sections 125.01 and 125.66, Florida Statutes, grant to the Board of County Commissioners all powers of local self-government to perform county functions and to render services for county purposes in a manner not inconsistent with general law, or with special law approved by vote of the electors, and such power may be exercised by the enactment of county ordinances.

(B) The Board has enacted Chapter 4-1 of the Code to provide for the creation of municipal service benefit units and authorize the imposition of Assessments to fund the construction of Local Improvements to serve the property located therein.

(C) The City’s Dredging Project constitutes a Local Improvement, as defined in the Code.

(D) The Board desires to create the MSBU to fund proportional share of the Project Cost for construction of the Dredging Project benefitting Tax Parcels in the unincorporated area of the County.

(E) The construction of the Dredging Project by City will improve navigational water access to Alligator Creek and Charlotte Harbor for all benefitted real property by providing a closer, more convenient and direct harbor access point for benefitted properties, which will decrease the time and travel distance to reach open waters, thereby providing a special benefit to such real property located within the MSBU.

(F) The construction of the Dredging Project will also improve the tidal exchange within the intercanal system that includes tax parcels included in the MSBU, resulting in better tidal flushing, improved canal health and longevity, thereby providing a special benefit to real property within the MSBU.

(G) Finally, the construction of the Dredging Project will provide a stabilization or increase in use and enjoyment of property and property values and marketability, thereby providing a special benefit to real property within the MSBU.

(H) The MSBU contains residential uses under existing land use and zoning. In accordance with Section 3-9-65 of the Code, each Tax Parcel is permitted to install Water Access Units. In order to provide a fair and reasonable method of allocating the Project Cost of the Dredging Project, each Tax Parcel's share of the Project Cost will be determined based on the number of Water Access Units attributable to that Tax Parcel.

(I) The City has heretofore provided funds to pay for certain costs associated with the Dredging Project including, but not limited to, the development of engineering studies, permitting, and legal implementation tasks. Such costs will be included in the Capital Cost of the Dredging Project for reimbursement to the City.

(J) The City has decided to reduce the annual financial impact the Assessment will have on the real property owners in the proposed Assessment Area by providing a three (3) year internal loan to the real property owners to allow financing for their share of the Project Cost. Based on current market conditions, the City has decided that the maximum interest rate that will be charged is two and one-half percent (2.5%) per year,

based on its expectation with respect to the average investment rate and the availability of funds over the term of the Assessment (3 years).

(K) The Board hereby finds and determines that the Assessments to be imposed in accordance with this Resolution provide an equitable method of funding the Dredging Project by fairly and reasonably allocating the cost to specially benefited Tax Parcels, based upon the number of Water Access Units attributable to each parcel or classification of property in the manner described herein.

**ARTICLE II
NOTICE AND PUBLIC HEARING**

SECTION 2.01. ESTIMATED CAPITAL AND PROJECT COST.

(A) The estimated Capital Cost for the Dredging Project is \$2,737,193.00.

(B) The estimated Project Cost for the Dredging Project is \$3,148,898.00.

(C) A portion of the Project Cost of the Dredging Project proportionally assigned to Tax Parcels in the unincorporated area of the County will be funded through the imposition of Assessments against real property located in the MSBU in the manner set forth in Article III hereof.

SECTION 2.02. ASSESSMENT ROLL.

(A) The County Administrator is hereby directed to prepare a final estimate of the County's portion of the Capital Cost and Project Cost of the Dredging Project and to prepare the preliminary Assessment Roll in the manner provided in the Code.

(B) The County Administrator shall apportion the County's portion of the Capital Cost and Project Cost among the parcels of real property within the MSBU as reflected on the Tax Roll in conformity with Article III hereof.

(C) The estimate of Capital Cost and Project Cost and the Assessment Roll shall be maintained on file in the office of the MSBU Division and open to public inspection. The foregoing shall not be construed to require that the Assessment Roll be

in printed form if the amount of the Assessment for each Tax Parcel can be determined by use of a computer terminal available to the public.

SECTION 2.03. PUBLIC HEARING. A public hearing will be conducted by the Board at 10:00 A.M., or as soon thereafter as the matter can be heard, on May 28, 2019, in the Commission Chambers, Room 119, 18500 Murdock Circle, Port Charlotte, Florida, or other location designated by the Board, to consider (A) creation of the MSBU, (B) imposition of the Assessments, and (C) collection of the Assessments pursuant to the Uniform Assessment Collection Act commencing with the Tax Bill to be mailed in November 2019.

SECTION 2.04. NOTICE BY PUBLICATION. Upon completion of the materials required by Section 2.02 hereof, the County Administrator shall publish a notice of the public hearing authorized by Section 2.03 hereof in the manner and the time provided in Section 4-1-4(d) of the Code. Such notice shall be in substantially the form attached hereto as Appendix A.

SECTION 2.05. NOTICE BY MAIL. Upon completion of the materials required by Section 2.02 hereof, the County Administrator shall, at the time and in the manner specified in Section 4-1-4(e) of the Code, provide first class mailed notice of the public hearing authorized by Section 2.03 hereof to each real property owner proposed to be assessed at the address indicated on the Tax Roll. Such notice shall be in substantially the form attached hereto as Appendix B.

**ARTICLE III
ASSESSMENTS**

SECTION 3.01. DESCRIPTION OF PROPOSED MSBU.

(A) The Board proposes to create the Buckley's Pass Dredging MSBU consisting of those Tax Parcels described in Appendix C attached hereto and incorporated herein.

(B) The MSBU is proposed for the purpose of improving the use and enjoyment of real property by funding the Dredging Project to provide improved water access to Alligator Creek and Charlotte Harbor.

SECTION 3.02. IMPOSITION OF ASSESSMENTS.

(A) Assessments shall be imposed against real property located within the MSBU for a period of three (3) years. The first annual Assessment will be included on the ad valorem tax bill to be mailed in November 2019.

(B) In accordance with Section 4-1-2(e) of the Code, when imposed, the Assessment shall constitute a lien upon the Tax Parcels located in the MSBU.

SECTION 3.03. WATER ACCESS UNIT ASSIGNMENTS.

To reflect the relative amount of special benefit to be derived from construction of the Dredging Project, all Residential Property within the MSBU shall be assigned one (1) Water Access Unit or the actual number of existing Water Access Units on the Tax Parcel, whichever is greater.

SECTION 3.04. INITIAL PREPAYMENT OPTION.

(A) Upon adoption of the Final Assessment Resolution, the Initial Prepayment Amount for each Tax Parcel located within the MSBU shall be the amount determined by (1) dividing the total number of Water Access Units attributable to such Tax Parcel by the total number of Water Access Units attributable to Tax Parcels within the MSBU, and (2) multiplying the result by the County's portion of the estimated Capital Cost of the Dredging Project.

(B) The County Administrator shall provide first class mailed notice to the owner of each Tax Parcel subject to the Assessment, describing the owner's option to prepay the Assessment. On or prior to the date specified in such notice, the owner of each Tax Parcel subject to the Assessment shall be entitled to prepay the Assessment. The Board, in its sole discretion, may elect to accept prepayments pursuant to this Section 3.04 on any date prior to issuance of the Internal Loan by the City.

(C) The Initial Prepayment Amount for each Tax Parcel shall be revised annually pursuant to Section 3.05(E) hereof.

SECTION 3.05. COMPUTATION OF ASSESSMENTS FOR TAX ROLL PURPOSES. The annual Assessment shall be computed for each Tax Parcel in the manner set forth in this Section 3.05.

(A) ANNUAL DEBT SERVICE COMPONENT. The "Annual Debt Service Component" shall be calculated for each Fiscal Year in which the Initial Prepayment Amount (or Adjusted Prepayment Amount, if applicable) of the Tax Parcel is outstanding as the annual installment of principal and interest due based on a debt service schedule

prepared with the Initial Prepayment Amount for such Tax Parcel as the beginning balance and utilizing the City Interest Rate such that the principal and interest are payable in equal installments over a 3 year period.

(B) COLLECTION COST COMPONENT. The “Collection Cost Component” shall be computed each Fiscal Year for each Tax Parcel by (1) dividing (a) the Adjusted Prepayment Amount for such Tax Parcel by (b) the sum of the aggregate Adjusted Prepayment Amount remaining in the MSBU, and (2) multiplying the result by the Collection Cost.

(C) STATUTORY DISCOUNT AMOUNT. The “Statutory Discount Amount” shall be computed for each Tax Parcel as the amount of the maximum discount for early payment of ad valorem taxes and non-ad valorem assessments, such amount to be calculated by deducting (1) the sum of (a) the Annual Debt Service Component and (b) the Collection Cost Component, from (2) the amount computed by dividing (a) the sum of (i) the Annual Debt Service Component and (ii) the Collection Cost Component, by (b) 0.96.

(D) ASSESSMENT. The annual Assessment for each Tax Parcel shall be computed as the sum of (1) the Annual Debt Service Component, (2) the Collection Cost Component and (3) the Statutory Discount Amount.

(E) REVISION OF ADJUSTED PREPAYMENT AMOUNT. Upon certification of the Assessment Roll each Fiscal Year, the revised Adjusted Prepayment Amount for each Tax Parcel shall be computed by deducting (1) the principal component of the Annual Debt Service Component determined in Section 3.05(A) above and

included on the Assessment Roll for the Tax Parcel, from (2) the Adjusted Prepayment Amount, as initially set pursuant to Section 3.04(C) hereof and thereafter revised pursuant to this Section 3.05(E) (or for the initial Assessment Roll, the Initial Prepayment Amount), utilized to compute the annual Assessment included on the Assessment Roll for such Tax Parcel.

SECTION 3.06. ADDITIONAL PREPAYMENT OPTION.

(A) Following the date specified in the notice provided pursuant to Section 3.04(B) hereof, or such later date as the Board may allow, the Board may elect to allow the owner of each Tax Parcel subject to the Assessments to prepay all future unpaid Assessments. If allowed by the Board in its sole discretion, the owner of each Tax Parcel shall be allowed to prepay all unpaid Assessments upon payment of an amount equal to the sum of (1) the Adjusted Prepayment Amount for such Tax Parcel, and (2) interest on the Adjusted Prepayment Amount, computed at the City Interest Rate.

(B) During any period commencing on the date the annual Assessment Roll is certified for collection pursuant to the Uniform Assessment Collection Act and ending on the next date on which unpaid ad valorem taxes become delinquent, the County may reduce the amount required to prepay the future unpaid annual Assessments for the Tax Parcel by the amount of the Assessment that has been certified for collection with respect to such Tax Parcel.

SECTION 3.07. MANDATORY PREPAYMENT.

(A) The owner of a Tax Parcel subject to the Assessment shall immediately prepay all future unpaid annual Assessments for such Tax Parcel if (1) the Tax Parcel is

to be acquired or otherwise transferred to an entity for which Assessments cannot be collected pursuant to the Uniform Assessment Collection Act through condemnation, negotiated sale or otherwise, (2) the Tax Parcel is subject to annexation by a governmental unit, or (3) a tax certificate has been issued and remains outstanding in respect of the Tax Parcel and the County, at its sole option, elects to accelerate the Assessment. In the case of (1) or (2) above, the owner of the Tax Parcel prior to condemnation, sale or other transfer must notify the County at least 30 days prior to the proposed acquisition or transfer date in order to allow the County sufficient time to determine the final amount due. Failure to provide such notice shall cause an automatic acceleration of such Assessment the effective date of which is 10 days prior to the proposed acquisition or transfer date.

(B) The amount required to prepay the future unpaid annual Assessments will be equal to the sum of (1) the Adjusted Prepayment Amount for such Tax Parcel, and (2) interest on the Adjusted Prepayment Amount, from the most recent ad valorem tax bill, computed at the City Interest Rate.

(C) During any period commencing on the date the annual Assessment Roll is certified for collection pursuant to the Uniform Assessment Collection Act and ending on the next date on which unpaid ad valorem taxes become delinquent, the County may reduce the amount required to prepay the future unpaid annual Assessments for the Tax Parcel by the amount of the Assessment that has been certified for collection with respect to such Tax Parcel.

(D) Collection by the County of mandatory prepayments pursuant to this Section 3.07 is supplemental and in addition to any other legally available remedy the County may seek for repayment of the Assessments.

SECTION 3.08. REALLOCATION UPON FUTURE SUBDIVISION. If a Tax Parcel is subsequently subdivided, the Assessment imposed against such Tax Parcel may be reallocated among the new created Tax Parcels based upon the relative allocation of Water Access Units divided among the new Tax Parcels upon (1) application of the owner and (2) assignment of a distinct ad valorem property tax identification number to each Tax Parcel or any combination of Tax Parcels by the Property Appraiser.

**ARTICLE IV
GENERAL PROVISIONS**

SECTION 4.01. METHOD OF COLLECTION. The Assessments shall be collected pursuant to the Uniform Assessment Collection Act.

SECTION 4.02. SEVERABILITY. If any clause, section or provision of this Resolution shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said Resolution shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

SECTION 4.03. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED this 12th day of March, 2019.

BOARD OF COUNTY
COMMISSIONERS OF CHARLOTTE
COUNTY, FLORIDA

Kenneth W. Doherty, Chair

ATTEST:
Roger D. Eaton, Clerk of the Circuit
Court and Ex-officio Clerk to the
Board of County Commissioners

Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



Janette Knowlton, County Attorney
LR19-0186 MWM

APPENDIX A

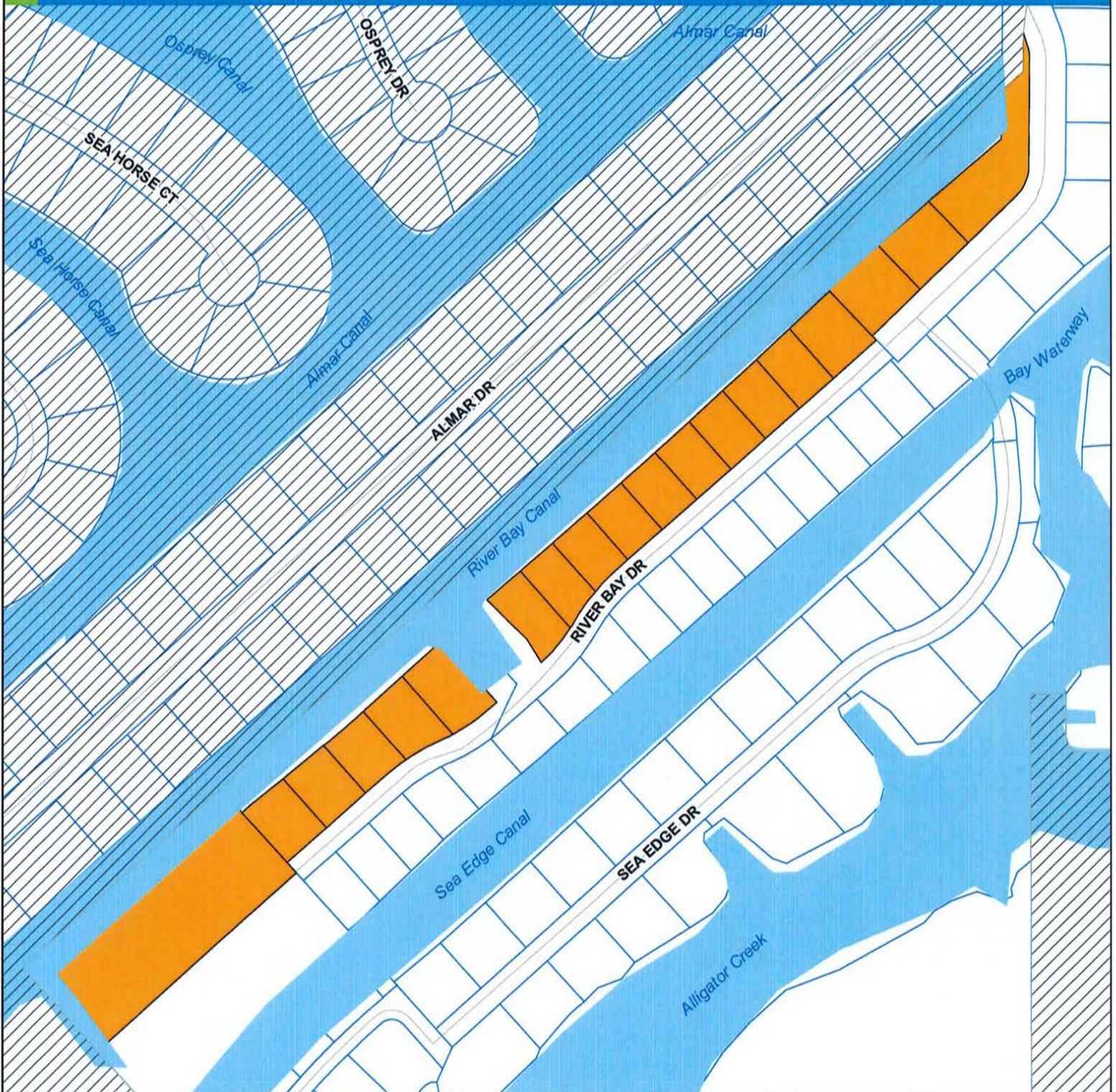
FORM OF NOTICE TO BE PUBLISHED

CHARLOTTE COUNTY

Buckley's Pass Dredging MSBU



CHARLOTTE COUNTY
Budget & Admin. Services



Stateplane Projection
Datum: NAD83
Units: Feet

Source: MSBU, City of Punta Gorda, GIS

Metadata available upon request

-  Buckley's Pass Dredging MSBU
-  City of Punta Gorda Boundary



(Not To Scale)

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Updated: 2/21/2019 11:32:08 AM by: Glenn N

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 warranties, 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 purpose only and may have been rounded to the nearest tenth. For precise dimensions, please refer to recorded plat and related documents.

P:\MSBUA_ArcMap\Buckley's Pass MSBU - County\Projects\5H\april\Buckley's Pass Dredging MSBU.mxd

To Be Published on or before May 1, 2019

[INSERT SMALL MAP OF MSBU]

**NOTICE OF HEARING TO IMPOSE AND
PROVIDE FOR COLLECTION OF SPECIAL ASSESSMENTS
IN THE BUCKLEY'S PASS DREDGING MSBU**

Notice is hereby given that the Board of County Commissioners of Charlotte County, Florida, will conduct a public hearing to consider creation of the Buckley's Pass Dredging Municipal Service Benefit Unit (MSBU), as shown above, and imposition of special assessments to fund the Buckley's Pass Dredging Project to improve water access to Alligator Creek and Charlotte Harbor. The hearing will be held at 10:00 A.M., or as soon thereafter as the matter can be heard, on May 28, 2019, in the Commission Chambers, Room 119, 18500 Murdock Circle, Port Charlotte, Florida, for the purpose of receiving public comment on the proposed Buckley's Pass Dredging MSBU, the imposition of assessments, and collection of the assessments on the ad valorem tax bill.

All affected real property owners have a right to appear at the hearing and to file written objections with the Board of County Commissioners any time prior to the public hearing. If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made.

The assessment for each parcel of real property will be based upon the total number of water access units (docks, ramps, slips, lifts, etc.) assigned on the date the assessment is imposed. A more specific description of the Dredging Project and the method of computing the assessment for each parcel of real property are set forth in the Initial Assessment Resolution adopted by the Board on March 12, 2019. Copies of the Initial Assessment Resolution and the preliminary Assessment Roll are available for inspection at the MSBU Division located at Room 229, Charlotte County Administration Center, 18500 Murdock Circle, Port Charlotte, Florida.

The proposed maximum annual assessment is \$399.95 per Water Access Unit. If not otherwise prepaid, the assessments will be collected on the ad valorem tax bill, as authorized by Section 197.3632, Florida Statutes. The County Commission intends to collect the assessments in three (3) annual installments, the first of which will be included on the ad valorem tax bill to be mailed in November 2019. Failure to pay the assessments will cause a tax certificate to be issued against the real property which may result in a loss of title.

If you have any questions, please contact the MSBU Division at (941) 743-1914.

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941-743-1381. TDD/TTY 941-743-1234, or by email to David.Lyles@charlottecountyfl.gov.

BOARD OF COUNTY COMMISSIONERS
CHARLOTTE COUNTY, FLORIDA

APPENDIX B

FORM OF NOTICE TO BE MAILED

CHARLOTTE COUNTY, FLORIDA
18500 Murdock Circle
Port Charlotte, Florida 33948
(941) _____

Date, 2019

[Property Owner Name]
[Street Address]
[City, State and zip]

Re: Parcel Number [Insert Number]
Buckley's Pass Dredging MSBU

Dear Property Owner:

The City of Punta Gorda and the Charlotte County Board of County Commissioners are working together to fund the construction of the new Buckley's Pass channel to provide improved waterway access to Alligator Creek and Charlotte Harbor ("Dredging Project") for properties located both within the City and unincorporated area of the County. As such the County is considering creation of the Buckley's Pass Dredging Municipal Service Benefit Unit (MSBU) for funding the County's portion of the construction of the Dredging Project. The cost of the Dredging Project will be funded by assessments against real property within the MSBU and collected using the tax bill collection method as authorized in Section 197.3632, Florida Statutes, commencing with the Fiscal Year beginning on October 1, 2019. The assessment for each parcel of real property is based upon the total number of water access units (i.e. docks, slips, lifts, etc.) assigned on the date the assessment is imposed. A more specific description of the assessment program is included in the Initial Assessment Resolution adopted by the Board of County Commissioners on March 12, 2019. Copies of the Initial Assessment Resolution and the preliminary Assessment Roll are available for your review at the MSBU Division, Room 229, Charlotte County Administration Center, 18500 Murdock Circle, Port Charlotte, Florida. Information regarding the assessment for your specific real property, including the number of water access units, is attached to this letter.

The total assessment revenue estimated to be collected by the County is \$26,396.70. This project will be funded by a loan from the City of Punta Gorda. However, you may choose to prepay your assessment in full (\$983 per Water Access Unit) to cover your share of the capital cost and avoid the additional interest,

costs. Please do not send payment now. If the assessments are imposed, you will receive a separate notice of the date and place for payment.

The assessment will include your share of the principal, interest, and amounts related to collection of the assessments. The maximum annual assessment is estimated to be \$399.95 per Water Access Unit. In accordance with Section 197.3632, Florida Statutes, the County intends to collect the assessment in three (3) annual installments, the first of which will be included on your ad valorem tax bill to be mailed in November 2019. Failure to pay your assessments will cause a tax certificate to be issued against the real property which may result in a loss of title.

The Board of County Commissioners will hold a public hearing at 10:00 A.M., or as soon thereafter as the matter can be heard, on _____, 2019, in the County Commission Chambers of the Murdock Administration Center at 18500 Murdock Circle, Port Charlotte, Florida, for the purpose of receiving comments on the proposed MSBU and the assessments, including collection on the ad valorem tax bill. You are invited to attend and participate in the public hearing or to file written objections with the County Commission any time prior to the public hearing.

If you decide to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the hearing, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the MSBU Division at (941) 743-1914 or by email to msbu-web@charlottecountyfl.gov, at least three days prior to the public hearing. If you are hearing or voice impaired, please call (941) 743-1914, TDD/TTY (941) 743-1234.

Questions regarding your assessment and the process for collection may be directed to the MSBU Division at (941) 743-1914.

CHARLOTTE COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

* * * * * SEND NO MONEY NOW. THIS IS NOT AN INVOICE * * * * *

4

**BUCKLEY'S PASS DREDGING
MUNICIPAL SERVICE BENEFIT UNIT**

[Property Owner Name]
Parcel Number [Insert Number]

Total number of water access units attributed to property: [Insert Number]

Amount to make full payment before loan:
(no financing costs included) [Insert Amount]

Maximum payment on tax bill:
(includes financing costs) [Insert Amount]

Expected date of first assessment: November 2019

Expected date of last assessment: November 2021

* * * * * SEND NO MONEY NOW. THIS IS NOT AN INVOICE * * * * *

APPENDIX C

**DESCRIPTION OF PARCELS IN THE
BUCKLEY'S PASS DREDGING
MSBU**

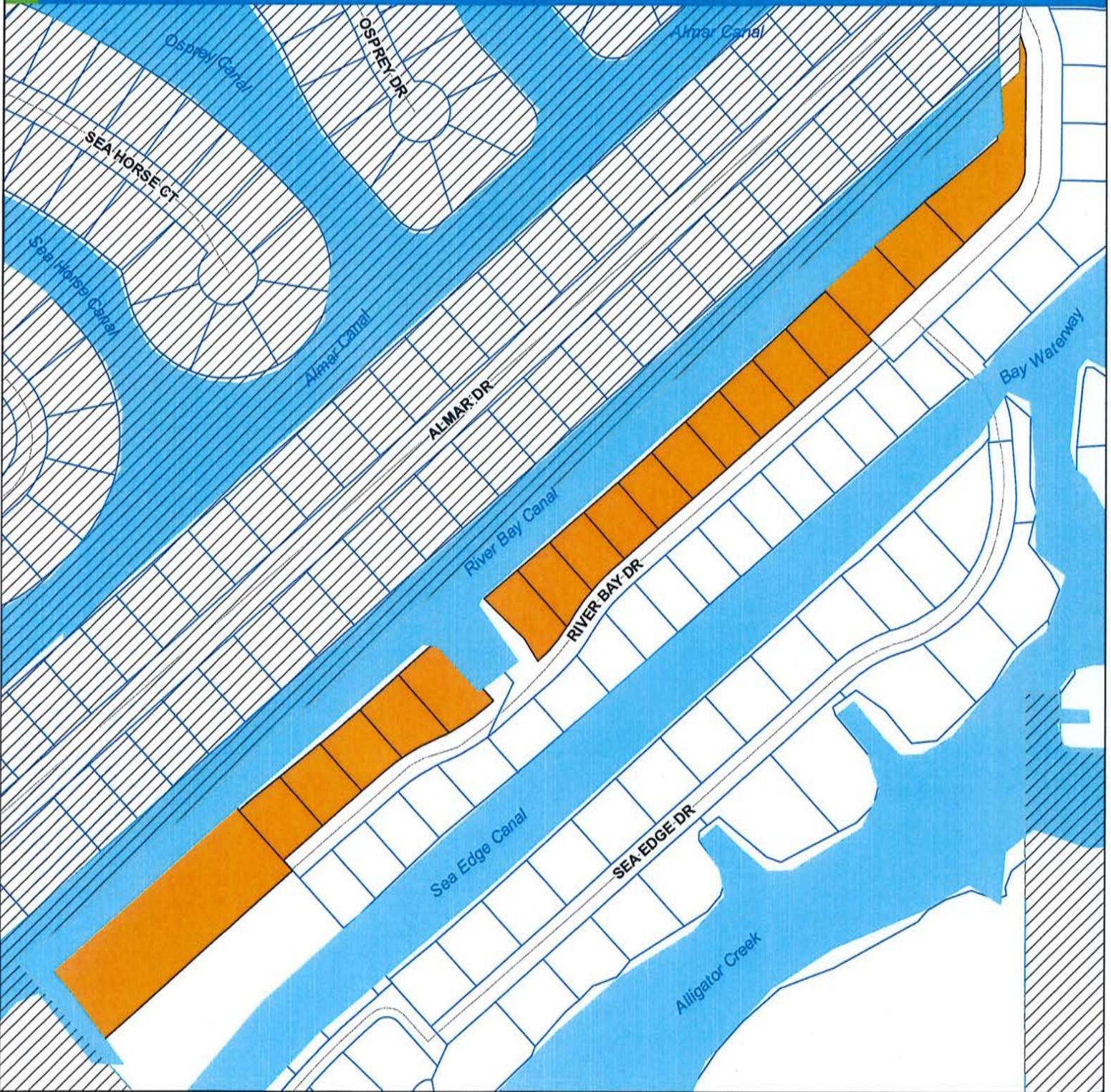
(see attached parcel map)

CHARLOTTE COUNTY

Buckley's Pass Dredging MSBU



CHARLOTTE COUNTY
Budget & Admin. Services



Stateplane Projection
Datum: NAD83
Units: Feet

Source: MSBU, City of Punta Gorda, GIS

Metadata available upon request

-  Buckley's Pass Dredging MSBU
-  City of Punta Gorda Boundary



(Not To Scale)

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Updated: 2/21/2019 11:32:08 AM by: Stern N

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 guarantee, implied or otherwise, to the accuracy, or completeness. We therefore do not accept any responsibility 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 plat and related documents.

P:\MSBUVA_ArcMap\Buckley's Pass MSBU - County\Projects\GIS\Mapfiles\Buckley's Pass Dredging MSBU.mxd

BUCKLEY'S PASS MSBU
UNICORPORATED CHARLOTTE COUNTY
PARCEL ID LIST

412224482002
412224482003
412224482004
412224482005
412224482006
412224482007
412224482008
412224482009
412224482010
412224482011
412224482012
412224482013
412224482014
412224483001
412224483002
412225203001
412225226001
412225226002
412225226003