

By Senator King

8-1574A-00

See HB

1 A bill to be entitled
2 An act relating to Flagler Estates Road and
3 Water Control District, St. Johns and Flagler
4 Counties, an independent special district;
5 requiring the Flagler Estates Road and Water
6 Control District to obtain an independent
7 feasibility study to determine the
8 effectiveness of the District in providing
9 services, including addressing the feasibility
10 of an interlocal agreement and
11 cost-effectiveness of and alternatives to the
12 provision of services by the District;
13 providing requirements if the District and
14 Flagler and St. Johns Counties are unable to
15 reach agreement by a time certain; providing an
16 effective date.

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18 WHEREAS, the Flagler Estates Road and Water Control
19 District is composed of nearly 6,500 individual lots in St.
20 Johns and Flagler Counties, and

21 WHEREAS, it is not reasonably feasible for the owners
22 of property within the Flagler County portion of the District
23 to build on their property, and

24 WHEREAS, many owners of property within the Flagler
25 County portion of the District are concerned that they may
26 never be able to use their property, and

27 WHEREAS, these owners are charged the same assessment
28 for services by the Flagler Estates Road and Water Control
29 District, even though they cannot feasibly build on their
30 property, and

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1 WHEREAS, the 1999-2000 Flagler Estates Road and Water
2 Control District budget shows that Flagler County landowners
3 contribute \$116,000 of the District's \$630,900 tax revenue,
4 and

5 WHEREAS, the Legislature has concluded that there
6 should be a greater cooperative effort between the Flagler
7 Estates Road and Water Control District and Flagler County
8 which would lead to development in the Flagler County portions
9 of the District, and

10 WHEREAS, the Legislature has resolved that owners of
11 property within the Flagler County portion of the District
12 should pay a smaller portion of the overall District budget
13 until such time that those landowners may utilize their
14 property for individual residential development, NOW,
15 THEREFORE,

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17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. Flagler Estates Road and Water Control
20 District Feasibility Study.--

21 (1) The Flagler Estates Road and Water Control
22 District shall obtain an independent feasibility study to
23 determine the current effectiveness of the District in
24 providing services to its landowners. The study shall address,
25 but not be limited to:

26 (a) The feasibility of an interlocal agreement between
27 the District, St. Johns County, and Flagler County for the
28 purpose of providing services and facilitating development in
29 the sections of the District located in Flagler County.

30 (b) The cost-effectiveness of the current services
31 provided by the District.

1 (c) Alternatives to the District for providing
2 services.

3 (2) The feasibility study shall be completed and
4 submitted to the Chairs of the Flagler and St. Johns
5 Legislative Delegations by January 1, 2001.

6 Section 2. The Flagler Estates Road and Water Control
7 District must reduce the assessment rate for Flagler County
8 landowners by 20 percent, beginning with the 2000-2001 tax
9 year. The burden of the attendant revenue loss may not be
10 imposed upon the landowners in the St. Johns County portion of
11 the District without justification in the feasibility study
12 required by section 1 of this act, as well as consideration by
13 the District's Board of Supervisors at two public hearings
14 held in conjunction with regularly noticed board meetings.

15 Section 3. The Flagler Estates Road and Water Control
16 District shall enter into discussions with Flagler County and
17 St. Johns County, with the goal of taking action that would
18 lead to the facilitation of development by owners of property
19 within the Flagler County portion of the District.

20 Section 4. In the event that the District and Flagler
21 and St. Johns Counties are unable to reach an agreement, the
22 assessment to Flagler County landowners shall be reduced an
23 additional 20 percent for the 2001-2002 tax year and shall
24 continue to be reduced by 20 percent in each subsequent tax
25 year until January 1, 2004, when the assessment for Flagler
26 County landowners shall be reduced to zero. The burden of the
27 attendant revenue loss in subsequent tax years may not be
28 imposed upon the landowners in the St. Johns County portion of
29 the District without public hearings as required in section 2
30 of this act.

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1 Section 5. If no agreement is reached and the level of
2 assessment on properties located within the District and in
3 Flagler County reaches zero, the Flagler County portion of the
4 District shall be dissolved from the District and Flagler
5 County shall assume title to all real property of the District
6 that is located within Flagler County. Moreover, Flagler
7 County shall assume all debts owed by the District with
8 respect to the properties or interests so transferred.

9 Section 6. This act shall take effect upon becoming a
10 law.

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