

CHAMBER ACTION

1 The Local Government Council recommends the following:

2  
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to Polk County; abolishing the Peace Creek  
7 Drainage District; amending the charter of the Lake Region  
8 Lakes Management District, as reenacted and amended by  
9 chapter 2004-393, Laws of Florida; redefining the  
10 territorial boundaries of the district; clarifying  
11 eligibility to vote for members of the board of  
12 commissioners of the district; revising the authority of  
13 the district to perform certain works on its property;  
14 limiting tax assessments; providing an effective date.

15  
16 Be It Enacted by the Legislature of the State of Florida:

17  
18 Section 1. The Peace Creek Drainage District, a district  
19 existing under chapter 298, Florida Statutes, is abolished on  
20 July 1, 2005.

21 Section 2. Section 1 of the charter of the Lake Region  
22 Lakes Management District, as reenacted and amended by section 3  
23 of chapter 2004-393, Laws of Florida, is amended to read:

24 Section 1. Purpose and territorial boundaries.--That for  
 25 the purpose of acquiring, constructing, operating, maintaining,  
 26 and protecting a system of boat canals, drainage canals; dams,  
 27 locks, and other proper and necessary works in connection  
 28 therewith, for the purpose of aiding in flood control, lake  
 29 level management, and protecting, maintaining, and improving the  
 30 water quality in the lakes and canals in conjunction with state,  
 31 county, and city agencies, for the purpose of connecting the  
 32 lakes within or adjacent to the boundaries hereinafter  
 33 prescribed, and for moving waters out of such lakes, and for the  
 34 purpose of promoting access to the lakes and the public  
 35 convenience, utility, and welfare, the Lake Region Lakes  
 36 Management District (the "district"), in Polk County has been  
 37 created and established, and is hereby confirmed, as an  
 38 independent special district. 7 The territorial boundaries ~~of~~  
 39 ~~which~~ are as follows, to wit:

40 (1) Beginning at the center of east line of  
 41 section 2, or township twenty-eight (28) south, of  
 42 range twenty-six (26) east; thence south with section  
 43 line between section one (1) and two (2), eleven (11)  
 44 and twelve (12), thirteen (13) and fourteen (14),  
 45 twenty-three (23) and twenty-four (24), to the  
 46 northeast corner of section twenty-six (26) said  
 47 township and range; Thence east on section line to  
 48 northeast corner of northwest quarter of section  
 49 twenty-five (25), thence south with the half section  
 50 line to the center of section thirteen (13), township  
 51 29 south, range 26 east; Thence west on the half

52 | section line to the southwest corner of the northwest  
 53 | quarter of section line to the southwest corner of the  
 54 | northwest quarter of section sixteen (16) said  
 55 | township and range; Thence north with section line to  
 56 | the northwest corner of the southwest quarter of  
 57 | section four (4), said township and range; Thence west  
 58 | with the half section line to center of section six  
 59 | (6) said township and range; Thence north with half  
 60 | section line to the northwest corner of northeast  
 61 | quarter (NE 1/4) of section thirty-one (31), township  
 62 | 28 south, range 26 east; Thence west with section line  
 63 | to southeast corner of section twenty-five (25),  
 64 | township 28 south, range 25 east; Thence north with  
 65 | the section line to the northeast corner of section  
 66 | twenty-four (24), said township and range; Thence west  
 67 | to center of north line of section twenty-four (24);  
 68 | thence north with half section line to center of  
 69 | section one (1), township 28, range 25; Thence east  
 70 | with the half section line to the northeast corner of  
 71 | southeast quarter (SE 1/4) of section two (2),  
 72 | township 28 south, range 26 east, the point of  
 73 | beginning; embracing within said district the  
 74 | following lands, viz; The south half of sections two,  
 75 | three, four, five and six and all of sections seven,  
 76 | eight, nine, ten, eleven, fourteen, fifteen, sixteen,  
 77 | seventeen, eighteen, nineteen, twenty, twenty-one,  
 78 | twenty-two, twenty-three, twenty-six, twenty-seven,  
 79 | twenty-eight, twenty-nine, thirty, thirty-two, thirty-

HB 765 CS

2005  
CS

80 three, thirty-four, and thirty-five and the west half  
81 of sections twenty-five and thirty-six and the east  
82 half of section thirty-one in township 28 south, range  
83 26 east and all of sections two, three, four, nine,  
84 ten and eleven, and the west half of sections one and  
85 twelve and the north half of sections five, fourteen,  
86 fifteen and sixteen and the northeast quarter of  
87 section six and the northwest quarter of section  
88 thirteen in township 29 south, range 26 east, and the  
89 east half of sections twelve and thirteen, and the  
90 southeast quarter of section one in township 28 south,  
91 range 25 east.

92 And:

93 Beginning at the Northwest corner of Section 2,  
94 Township 28 South, Range 26 East, Polk County,  
95 Florida;

96 Run thence Easterly, along the north line thereof, to  
97 the Northeast corner of the West one-half of the  
98 Northeast quarter of said Section 2;

99 Thence Southerly, along said east line of the west  
100 one-half of the Northeast quarter of said Section 2,  
101 to the Southeast corner thereof;

102 Thence Westerly, along the south line of the west one-  
103 half of the Northeast quarter and the south line of  
104 the Northwest quarter of said Section 2, to the  
105 Southeast corner of the north one-half of Section 3,  
106 Township 28 South, Range 26 East;

107           Thence continue Westerly, along the south line of the  
 108           North one-half of said Section 3, to the southeast  
 109           corner of the north one-half of Section 4, Township 28  
 110           South, Range 26 East;

111           Thence continue Westerly, along the south line of the  
 112           north one-half of said Section 4, to the southeast  
 113           corner of the north one-half of Section 5, Township 28  
 114           South, Range 26 East;

115           Thence continue Westerly, along the south line of the  
 116           north one-half of said Section 5, to the southeast  
 117           corner of the north one-half of Section 6, Township 28  
 118           South, Range 26 East;

119           Thence continue Westerly, along the south line of the  
 120           north one-half of said Section 6, to the southeast  
 121           corner of the Northeast quarter of Section 1, Township  
 122           28 South, Range 25 East;

123           Thence continue Westerly, along the south line of the  
 124           Northeast quarter and the south line of the Northwest  
 125           quarter of said Section 1, to the southwest corner of  
 126           the East one-half of the Northwest quarter of said  
 127           Section 1;

128           Thence Northerly, along the west line of the East one-  
 129           half of the Northwest quarter of said Section 1, to  
 130           the northwest corner thereof;

131           Thence Easterly, along the north line of the East one-  
 132           half of the Northwest quarter of said Section 1, to  
 133           the southwest corner of the South one-half of the

134 Southeast quarter of Section 36, Township 27 South,  
 135 Range 25 East;  
 136 Thence Northerly, along the west line of the South  
 137 one-half of the Southeast quarter of said Section 36,  
 138 to the northwest corner thereof;  
 139 Thence Easterly, along the north line of the South  
 140 one-half of the Southeast quarter of said Section 36,  
 141 to the northeast corner thereof, also being a point on  
 142 the westerly line of Section 31, Township 27 South,  
 143 Range 26 East;  
 144 Thence Northerly, along the west line of said Section  
 145 31, to the southwest corner of Section 30, Township 27  
 146 South, Range 26 East;  
 147 Thence continue Northerly, along the west line of said  
 148 Section 30, to the southwest corner of Section 19,  
 149 Township 27 South, Range 26 East;  
 150 Thence continue Northerly, along the west line of said  
 151 Section 19, to the northwest corner thereof;  
 152 Thence Easterly, along the north line of said Section  
 153 19, to the northwest corner of Section 20, Township 27  
 154 South, Range 26 East;  
 155 Thence continue Easterly, along the north line of said  
 156 Section 20, to the southwest corner of the Southeast  
 157 quarter of the Southeast quarter of Section 17,  
 158 Township 27 South, Range 26 East;  
 159 Thence Northerly, along the west line of the Southeast  
 160 quarter of the Southeast quarter of said Section 17,  
 161 to the northwest corner thereof;

162 Thence Easterly, along the north line of the Southeast  
 163 quarter of the Southeast quarter of said Section 17,  
 164 to the northeast corner thereof;  
 165 Thence Southerly, along the east line of the Southeast  
 166 quarter of the Southeast quarter of said Section 17,  
 167 to the Northwest corner of Section 21, Township 27  
 168 South, Range 26 East;  
 169 Thence Easterly, along the north line of said Section  
 170 21, to the northeast corner thereof;  
 171 Thence Southerly, along the east line of said Section  
 172 21, to the northwest corner of the Southwest quarter  
 173 of Section 22, Township 27 South, Range 26 East;  
 174 Thence Easterly, along the north line of the Southwest  
 175 quarter of said Section 22, to the northeast corner  
 176 thereof;  
 177 Thence Southerly, along the east line of the Southwest  
 178 quarter of said Section 22, to the southeast corner  
 179 thereof, also being a point on the north line of  
 180 Section 27, Township 27 South, Range 26 East;  
 181 Thence Easterly, along the north line of said Section  
 182 27, to the northeast corner thereof;  
 183 Thence Southerly, along the east line of said Section  
 184 27, to the northeast corner of Section 34, Township 27  
 185 South, Range 26 East;  
 186 Thence continue Southerly, along the east line of said  
 187 Section 34, to the southeast corner thereof and the  
 188 Point of Beginning.

189           (2) Begin at the southwest corner of Section 24,  
 190           Township 28 South, Range 26 East;  
 191           Thence east along the south line of Section 24 to the  
 192           Southwest corner of Section 19, Township 28 South,  
 193           Range 27 East;  
 194           Thence east along the south line of Sections 19 and  
 195           20, said Township and Range, to the intersection with  
 196           the centerline of U.S. Highway 27 (State Road 25);  
 197           Thence northerly along said centerline through  
 198           Sections 20 and 17, said Township and Range, to the  
 199           intersection with the south line of Section 8, said  
 200           Township and Range;  
 201           Thence east along said south line to the southwest  
 202           corner of Section 9, said Township and Range;  
 203           Thence north along the west line of said Section 9 to  
 204           the Southwest corner of the west half of the northwest  
 205           quarter of said Section 9;  
 206           Thence east to the southeast corner of said west half;  
 207           Thence north along the east line of said west half and  
 208           along the east line of the west one quarter of Section  
 209           4, said Township and Range to the north line of said  
 210           Section 4;  
 211           Thence west along the north line of said Section 4 and  
 212           Sections 5 and 6, said Township and Range, to the  
 213           intersection with the centerline of said U.S. Highway  
 214           27;  
 215           Thence northerly along said centerline through  
 216           Sections 31 and 30, Township 27 South, Range 27 East



217 to the intersection with the centerline of U.S.  
 218 Highway 92;  
 219 Thence westerly along said centerline through said  
 220 Section 30 and through Sections 25 and 26, Township 27  
 221 South, Range 26 East to the intersection with the west  
 222 line of said Section 26;  
 223 Thence south along the west line of said Section 26  
 224 and Section 35, said Township and Range, to the  
 225 southwest corner of said Section 35 and a point on the  
 226 north line of Section 2, Township 28 South, Range 26  
 227 East;  
 228 Thence east along the north line of said Section 2 to  
 229 the Northwest corner of the east half of the northeast  
 230 quarter of said Section 2;  
 231 Thence south to the southwest corner of said east  
 232 half;  
 233 Thence east to the southeast corner of the northeast  
 234 quarter of said Section 2;  
 235 Thence south along the east lines of said Section 2  
 236 and Sections 11, 14 and 23, said Township and Range to  
 237 the Point of Beginning.

238 All of the above lands lying in Polk County, Florida.

239 Section 3. Section 2 of the charter of the Lake Region  
 240 Lakes Management District, as reenacted and amended by section 3  
 241 of chapter 2004-393, Laws of Florida, is amended to read:

242 Section 2. Elections.--The governing body of the district  
 243 shall consist of three commissioners who must ~~shall~~ be qualified  
 244 electors residing within the ~~said~~ district, and they shall be

HB 765 CS

2005  
CS

245 | known and designated as the "Board of Commissioners of the Lake  
246 | Region Lakes Management District." The board of commissioners  
247 | shall be the governing body of the district, whose duty,  
248 | authority, and power shall be as provided in this act. Each  
249 | present commissioner shall continue to hold office until his or  
250 | her current term expires in 1990. For the purposes of  
251 | qualification and running for office in 1990 and thereafter,  
252 | commission seats shall be designated as seat 1, seat 2, and seat  
253 | 3. Members elected to seats 1 and 3 at the 1990 general election  
254 | shall hold office for a period of 4 years until the general  
255 | election in 1994. The member elected to seat 2 shall hold office  
256 | for a period of 2 years until the general election of 1992  
257 | whereupon the member elected for that seat in 1992 shall hold  
258 | office for a period of 4 years. Thereafter, all commissioners  
259 | shall hold office for terms of 4 years each. At the general  
260 | election every 4 years, a successor shall be elected by the  
261 | electors of the district as redefined in this act. Members shall  
262 | be elected in a nonpartisan fashion with no political party  
263 | affiliation shown on the ballot, and must receive a majority  
264 | vote of those electors voting in the election. Election of  
265 | members shall be held at the same time as the first primary  
266 | election as provided by law. If no candidate receives a majority  
267 | of the votes cast in such primary, a runoff election of the two  
268 | candidates receiving the greatest number of votes will be held  
269 | at the same time as the general election. Elected commissioners  
270 | shall take office on the first Tuesday following the first  
271 | Monday in January following their election.

HB 765 CS

2005  
CS

272 Section 4. Paragraph (d) of subsection (1) of section 3 of  
 273 the charter of the Lake Region Lakes Management District, as  
 274 reenacted and amended by section 3 of chapter 2004-393, Laws of  
 275 Florida, is amended to read:

276 Section 3. General powers and authority.--

277 (1) The board of commissioners is authorized and  
 278 empowered:

279 (d) To beautify and maintain the rights-of-way, canal  
 280 banks and berms, lakes, public lake shores, and other property  
 281 of the district as may enhance the appearance thereof and be  
 282 beneficial to the property of the district. ~~To the extent this~~  
 283 ~~work takes place on property owned by private entities or other~~  
 284 ~~public agencies, the prior permissions of such entities or~~  
 285 ~~agencies shall be required.~~

286 Section 5. Subsection (5) is added to section 8 of the  
 287 charter of the Lake Region Lakes Management District, as  
 288 reenacted and amended by section 3 of chapter 2004-393, Laws of  
 289 Florida, to read:

290 Section 8. Taxes.--

291 (5) Taxes for those residents located within newly created  
 292 boundaries shall not be levied until January 1, 2007.

293 Section 6. This act shall take effect July 1, 2005.