

House Bill No. 1609

An act relating to the Zellwood Drainage and Water Control District; providing definitions; providing for dissolution of said district upon the acquisition of lands by the St. Johns River Water Management District; providing for allocation of assets and liabilities of the Zellwood Drainage and Water Control District if dissolution occurs; ratifying any existing interlocal agreement between the St. Johns River Water Management District and the Zellwood Drainage and Water Control District; providing resolution in the event of statutory conflict; providing an effective date.

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

Section 1. Definitions.—As used in this act, the following terms shall have the meanings set forth below:

(1) “St. Johns” means the St. Johns River Water Management District.

(2) “Zellwood” means the Zellwood Drainage and Water Control District.

(3) “Remaining lands” means the lands identified by the Orange County property records with tax parcel identification numbers 28-20-27-9508-02050, 12-21-27-0000-00006, 34-20-27-0000-00002, 34-20-27-0000-00013, 28-20-27-9508-02130, 29-20-27-9508-03161, 29-20-27-9508-03010, 28-20-27-9508-02161, and 28-20-27-9508-02160.

Section 2. If St. Johns becomes the fee title owner of record of all the remaining lands within Zellwood, then chapter 20715, Laws of Florida, 1941, and chapter 24323, Laws of Florida, 1947, relating to Zellwood are repealed, and Zellwood shall be dissolved effective 180 days after such event. If St. Johns becomes the fee title owner of record of all the remaining lands within Zellwood, then St. Johns shall notify, in writing, the Department of Community Affairs of the occurrence of said event and of the dissolution of Zellwood pursuant to the provisions of this act. In the event St. Johns does not become the fee title owner of record of all the remaining lands within Zellwood, then chapter 20715, Laws of Florida, 1941, and chapter 24323, Laws of Florida, 1947, shall not be repealed and Zellwood shall not be dissolved.

Section 3. St. Johns shall notify Zellwood, in writing, of St. Johns becoming the fee title owner of record of all of the remaining lands within Zellwood, within 7 days after such event. St. Johns’ written notice to Zellwood shall also include a list of Zellwood’s property which St. Johns determines is needed for restoration activities at Lake Apopka. Upon receiving such notice, Zellwood shall develop and implement a process to allocate that district’s assets and liabilities prior to that district’s dissolution. Subsequent to the date of dissolution of Zellwood, the Zellwood Board of Supervisors shall retain the power and authority necessary to finalize the allocation of Zellwood’s assets and liabilities as provided herein. In allocating its assets

and liabilities, Zellwood shall undertake the following actions in the sequence listed below:

(1) Transfer to St. Johns, without cost, all property that the St. Johns has listed as needed for restoration activities at Lake Apopka.

(2) Use the remaining assets, or proceeds from the sale of such assets, to eliminate all of Zellwood's reasonably ascertainable liabilities.

(3) Transfer any assets, or the proceeds from the sale of such assets, remaining after eliminating reasonably ascertainable liabilities, to St. Johns. St. Johns shall deposit any moneys received pursuant to this subsection, which resulted from the sale of tangible personal property in the Economic Development Trust Fund in the Executive Office of the Governor to be distributed pursuant to the provisions of section 373.461(5)(f), Florida Statutes. St. Johns shall transfer any tangible personal property received pursuant to this subsection to the Department of Management Services to be sold. The Department of Management Services shall deposit the proceeds from such sale in the Economic Development Trust Fund in the Executive Office of the Governor to be distributed pursuant to the provisions of section 373.461(5)(f), Florida Statutes.

Section 4. Any interlocal agreement existing between St. Johns and Zellwood is hereby ratified and St. Johns and Zellwood are authorized to modify or rescind such interlocal agreement.

Section 5. To the extent any conflict occurs between the provisions of this act and chapter 20715, Laws of Florida, 1941, chapter 24323, Laws of Florida, 1947, or chapter 298, Florida Statutes, then this act shall govern. Nothing in this act shall be construed as altering any of the provisions of section 373.461, Florida Statutes. This act shall not be construed as modifying the existing consent order between Zellwood and St. Johns and the same shall remain in effect.

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

Approved by the Governor May 26, 1999.

Filed in Office Secretary of State May 26, 1999.