



LOCAL GOVERNMENT AFFAIRS SUBCOMMITTEE

MEETING PACKET

**Tuesday, October 6, 2015
3:30 p.m.
Webster Hall (212 Knott)**



The Florida House of Representatives

Local Government Affairs Subcommittee

Steve Crisafulli
Speaker

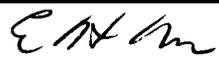
Debbie Mayfield
Chair

Meeting Agenda
Tuesday, October 6, 2015
Webster Hall (212 Knott)
3:30 p.m. – 5:30 p.m.

- I. Call to Order
- II. Roll Call
- III. Pledge of Allegiance
- IV. Welcome and Opening Remarks
- V. Consideration of the Following Proposed Committee Bill(s):
PCB LGAS 16-01 – Special District Accountability
- VI. Presentation:
Department of Economic Opportunity – Process for Declaring Districts Inactive
- VII. Adjournment

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCB LGAS 16-01 Special District Accountability
SPONSOR(S): Local Government Affairs Subcommittee
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Local Government Affairs Subcommittee		Miller 	Miller 

SUMMARY ANALYSIS

“Special Districts” are a type of limited local government created to perform specific services within a described geographic area. Sometimes called special taxing districts, most are created either by special act (independent special districts) or county or municipal ordinance (dependent special districts). The Special District Accountability Program in the Department of Economic Opportunity (DEO) is responsible for creating and maintaining a current list of all special districts in Florida, as provided in ch. 189, F.S., the Uniform Special District Accountability Act.

When a special district fails to meet certain statutory responsibilities, no longer functions, or informs DEO it is no longer active, DEO is required to follow the statutory process before declaring the district inactive. This includes documenting one or more statutory criteria for inactive status, publishing notice in the area of the district of DEO’s intent to declare the district inactive, and documenting the lack of any objection to declaring the district inactive. DEO is required to deliver written notice of the declaration of inactive status to specific authorities. If the district was created by special act, notice is delivered to the Speaker of the House, the President of the Senate, and the standing committees in each chamber responsible for special district oversight. If the district was created by local ordinance, notice is delivered to the governing body of the county or municipality that created the district. A special district declared inactive may not collect taxes, assessments, or fees while the declaration is in effect.

A special district declared inactive still exists until its legal authority is repealed by the creating entity. Currently, this means DEO continues to list active and inactive districts on the official list.

PCB LGAS 16-01 amends ch. 189, F.S., by excluding districts declared inactive from the official list of special districts. The PCB requires DEO to remove all districts declared inactive from the official list and place them on a separate listing exclusively for inactive districts. A district would be removed from the inactive list only if DEO declared it to have resumed active status, the district is merged with another entity of local government, or the district is dissolved.

The PCB also makes conforming technical changes to related statutes. Section 189.071(2), F.S., is amended to clarify its provisions on merger or dissolution of dependent districts created and operating under special law apply to *active* districts. Sections 189.071(3) and 189.072(3), F.S., each authorizing dissolution by special act if a district meets any of the statutory criteria for being declared inactive, are amended to remove the same redundant alternative phrase “or that has already been declared inactive.”

The PCB has a potential impact on DEO expenditures by requiring the creation and maintenance of a separate list for inactive districts. However, with the present flexibility in formatting and features already programmed into the Special District Accountability Program website, any additional expenses are likely minimal.

The PCB provides an effective date of July 1, 2016.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

A "special district" is a unit of local government created for a particular purpose, with jurisdiction to operate within a limited geographic boundary. Special districts are created by general law,¹ special act,² local ordinance,³ or by rule of the Governor and Cabinet.⁴ A special district has only those powers expressly provided by, or reasonably implied from, the authority provided in the district's charter. Special districts provide specific municipal services in addition to, or in place of, those provided by a municipality or county.⁵ A special district may be "dependent"⁶ or "independent."⁷

The Special District Accountability Program within the Department of Economic Opportunity (DEO) is responsible for maintaining and electronically publishing the official list of all special districts in Florida.⁸ The official list currently reports all active special districts as well as those declared inactive by DEO.

Whether dependent or independent, when a special district no longer fully functions or fails to meet its statutory responsibilities, DEO is required to declare that district inactive by following a specified process.⁹ DEO must first document the factual basis for declaring the district inactive.

A special district may be declared inactive if it meets one of six specific factors:

- The registered agent of the district, the chair of the district governing body, or the governing body of the appropriate local general-purpose government:
 - Provides DEO with written notice that the district has taken no action for 2 or more years.¹⁰
 - Provides DEO with written notice that the district has not had any members on its governing body or insufficient numbers to constitute a quorum for 2 or more years.¹¹
 - Fails to respond to an inquiry from DEO within 21 days.¹²

¹ Section 189.031(3), F.S.

² Id.

³ Section 189.02(1), F.S.

⁴ Section 190.005(1), F.S. *See, generally*, s. 189.012(6), F.S.

⁵ 2015 – 2016 *Local Gov't Formation Manual*, p. 67, at

<http://myfloridahouse.gov/Sections/Committees/committeesdetail.aspx?CommitteeId=2836> (accessed 9/28/2015).

⁶ Section 189.012(2), F.S. A special district where the membership of the governing body is identical to the governing body of a single county or municipality, all members of the governing body are appointed by the governing body of a single county or municipality, members of the district's governing body are removable at will by the governing body of a single county or municipality, or the district's budget is subject to the approval of governing body of a single county or municipality.

⁷ Section 189.012(3), F.S. A special district that is not a dependent district.

⁸ Sections 189.061(1), 189.064(2), F.S. DEO maintains the current official list at

<https://dca.deo.myflorida.com/fhcd/sdip/OfficialListdeo/> (accessed 9/28/2015).

⁹ Section 189.062(1), F.S. Prior to 2014, the former statute required DEO to document the existence of one of five criteria listed in paragraph (1)(a), publication and service under paragraph (1)(b) of a notice of intent to declare the district inactive, and the lack of any administrative appeal of the declaration within 21 days of that publication. Section 189.4044, F.S. (2013). In 2014, as ch. 189, F.S., was extensively revised and restructured, the word "or" was added at the end of s. 189.062(1)(a)6, F.S., apparently allowing DEO either to document one of the six criteria *or* publish notice of intent to declare inactive and find no appeal is filed. Chapter 2014-22, s. 24, Laws of Florida. During the 2015 regular legislative session, the Florida Senate passed CS/SB 1388, its version of a bill resolving technical issues stemming from the 2014 revisions, which would have amended s. 189.062(1)(a)6., F.S., by removing the word "or." CS/SB 1388 (2015), s. 11, at line 414 (bill did not pass the Legislature). DEO still uses the 3-step process as described in the 2013 statute.

¹⁰ Section 189.062(1)(a)1., F.S.

¹¹ Section 189.062(1)(a)2., F.S.

¹² Section 189.062(1)(a)3., F.S.

- Following statutory procedure,¹³ DEO determines the district failed to file specified reports,¹⁴ including required financial reports.¹⁵
- For more than 1 year, no registered office or agent for the district was on file with DEO.¹⁶
- The governing body of the district unanimously adopts a resolution declaring the district inactive and provides documentation of the resolution to DEO.¹⁷

Once DEO determines which criterion applies to the district, notice of the proposed declaration of inactive status is published by DEO, the local general-purpose government for the area where the district is located, or the district itself.¹⁸ The notice must state that any objections to declaring the district inactive must be filed with DEO pursuant to chapter 120, F.S.,¹⁹ within 21 days after the publication date.²⁰ If no objection is filed within the 21 day period, DEO declares the district inactive.²¹

After declaring certain special districts as being inactive, DEO must send written notice of the declaration to the authorities which created the district. If the district was created by special act, DEO sends written notice to the Speaker of the House, the President of the Senate, and the standing committees in each chamber responsible for special district oversight.²²

The property and assets of a special district declared inactive by DEO are first used to pay any debts of the district. Any remaining property or assets then escheat to the county or municipality in which the district was located. If the district's assets are insufficient to pay its outstanding debts, the local general-purpose government in which the district was located may assess and levy within the territory of the inactive district such taxes as necessary to pay the remaining debt.²³

A district declared inactive may not collect taxes, fees, or assessments.²⁴ This prohibition continues until the declaration of invalidity is withdrawn or revoked by DEO²⁵ or invalidated in an administrative proceeding²⁶ or civil action²⁷ timely brought by the governing body of the special district.²⁸ Failure of the special district to challenge (or prevail against) the declaration of inactive status enables DEO to enforce the statute through a petition for enforcement in circuit court.²⁹

Declaring a special district to be inactive does not dissolve the district or otherwise cease its legal existence. Subsequent action is required to repeal the legal authority creating the district, whether by the Legislature³⁰ or the entity that created the district.³¹

¹³ Section 189.067, F.S.

¹⁴ Section 189.066, F.S.

¹⁵ Section 189.062(1)(a)4., F.S. *See, ss.* 189.016(9), 218.32, 218.39, F.S.

¹⁶ Section 189.062(1)(a)5., F.S.

¹⁷ Section 189.062(1)(a)6., F.S.

¹⁸ Publication must be in a newspaper of general circulation in the county or municipality where the district is located and a copy sent by certified mail to the district's registered agent or chair of the district's governing body, if any.

¹⁹ The Florida Administrative Procedure Act.

²⁰ Section 189.062(10)(b), F.S. The published notice also must include the name of the district, the law under which it was organized and operating, and a description of the district's territory.

²¹ Section 189.062(1)(c), F.S.

²² Section 189.062(3), F.S. The statute provides that the declaration of inactive status is sufficient notice under art. III, s. 10 of the Florida Constitution to authorize the repeal of special laws creating or amending the charter of the inactive district. This statute stands in lieu of the normal requirement for publication of notice of intent to file a local bill at least 30 days before introducing the bill in the Legislature, under s. 11.02, F.S.

²³ Section 189.062(2), F.S.

²⁴ Section 189.062(5), F.S.

²⁵ Section 189.062(5)(a), F.S.

²⁶ Section 189.062(5)(b)1., F.S. Administrative proceedings are conducted pursuant to s. 120.569, F.S.

²⁷ Section 189.062(5)(b)2., F.S. The action for declaratory and injunctive relief is brought under ch. 86, F.S.

²⁸ The special district must initiate the legal challenge within 30 days after the date the written notice of the department's declaration of inactive status is provided to the special district. Section 189.062(5)(b), F.S.

²⁹ Section 189.062(5)(c), F.S. The enforcement action is brought in the circuit court in and for Leon County.

³⁰ Sections 189.071(3), 189.072(3), F.S.

Effect of the Proposed Changes

The bill modifies the reporting duties of DEO in two ways. First, the bill excludes all districts declared inactive from the official list of special districts. Second, the bill requires DEO to create a separate list of all special districts declared inactive under s. 189.062, F.S. Districts are to remain on the inactive list until restored to active status, merged with another entity,³² or dissolved.³³

The bill also removes redundant language referring to whether a special district meets one of the criteria to be declared inactive or in fact has been declared inactive by DEO.

B. SECTION DIRECTORY:

- Section 1: Creates s. 189.061(7), F.S., requiring all districts declared inactive under s. 189.062, F.S., be excluded from the official list of special districts.
- Section 2: Creates s. 189.062(6), F.S., requiring DEO immediately remove districts declared inactive from the official list of special districts and to create a separate list of all districts declared inactive.
- Section 3: Makes clarifying changes to s. 189.071, F.S., that certain merger or dissolution actions pertain to an active special district and removing redundant language.
- Section 4: Makes clarifying change to s. 189.072(3), F.S., by removing redundant language.
- Section 5: Provides the effective date of the bill is July 1, 2016.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

- 1. Revenues:
None
- 2. Expenditures:
None (see Fiscal Comments below)

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

- 1. Revenues:
None
- 2. Expenditures:
None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

³¹ Section 189.062(4), F.S. Unless otherwise provided by law or ordinance, dissolution of a special district transfers title to all district property to the local general-purpose government, which also must assume all debts of the dissolved district. Section 189.076(2), F.S.

³² Sections 189.071, 189.074, F.S.

³³ Sections 189.071, 189.072, F.S. The official declaration of inactive status does not repeal the legal authority creating the district or otherwise dissolve the special district.

D. FISCAL COMMENTS:

DEO may have an increase in operating expenses to create and maintain a separate list of special districts declared inactive, however that increase appears to be inconsequential due to the present structure of reporting options for the official list currently used on the DEO website.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill does not appear to implicate the provisions of article VII, s. 18, Florida Constitution.

2. Other:

None

B. RULE-MAKING AUTHORITY:

The bill neither authorizes nor requires implementation through administrative rulemaking.

C. DRAFTING ISSUES OR OTHER COMMENTS:

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

1 A bill to be entitled
 2 An act relating to special district accountability;
 3 amending s. 189.061, F.S.; requiring the Department of
 4 Economic Opportunity to exclude inactive special
 5 districts from the official list of special districts;
 6 amending s. 189.062, F.S.; requiring the department to
 7 remove special districts declared inactive from the
 8 official list of special districts; amending s.
 9 189.071, F.S.; making conforming changes; amending s.
 10 189.072, F.S.; making conforming changes; providing an
 11 effective date.

12
 13 Be It Enacted by the Legislature of the State of Florida:

14
 15 Section 1. Subsection (7) is added to section 189.061,
 16 Florida Statutes, to read:

17 189.061 Official list of special districts.—

18 (7) The official list shall exclude all districts declared
 19 inactive as provided in s. 189.062.

20 Section 2. Subsection (6) is added to section 189.062,
 21 Florida Statutes, to read:

22 189.062 Special procedures for inactive districts.—

23 (6) (a) The department immediately shall remove each special
 24 district declared inactive as provided in this section from the
 25 official list of special districts maintained as provided in s.
 26 189.064.

27 (b) The department shall create a separate list of all
 28 special districts declared inactive as provided in this section
 29 and shall maintain each such district on this inactive list
 30 until the district is declared by the department as resuming
 31 active status, the district is merged as provided in ss. 189.071
 32 or 189.074, or the district is dissolved as provided in ss.
 33 189.071 or 189.072.

34 Section 3. Subsections (2) and (3) of section 189.071,
 35 Florida Statutes, are amended to read:

36 189.071 Merger or dissolution of a dependent special
 37 district.—

38 (2) The merger or dissolution of an active dependent
 39 special district created and operating pursuant to a special act
 40 may be effectuated only by further act of the Legislature unless
 41 otherwise provided by general law.

42 (3) A dependent special district that meets any criteria
 43 for being declared inactive, ~~or that has already been declared~~
 44 ~~inactive,~~ pursuant to s. 189.062 may be dissolved or merged by
 45 special act without a referendum.

46 Section 4. Subsection (3) of section 189.072, Florida
 47 Statutes, is amended to read:

48 189.072 Dissolution of an independent special district.—

49 (3) INACTIVE INDEPENDENT SPECIAL DISTRICTS.—An independent
 50 special district that meets any criteria for being declared
 51 inactive, ~~or that has already been declared inactive,~~ pursuant
 52 to s. 189.062 may be dissolved by special act without a

PCB LGAS 16-01

ORIGINAL

2016

53 | referendum. If an inactive independent special district was
54 | created by a county or municipality through a referendum, the
55 | county or municipality that created the district may dissolve
56 | the district after publishing notice as described in s. 189.062.

57 | Section 5. This act shall take effect July 1, 2016.

DEO Presentation



**FLORIDA
DEPARTMENT *of*
ECONOMIC
OPPORTUNITY**

Inactive Special Districts
- Local Government Affairs Subcommittee -
October 6, 2015

Jack Gaskins Jr.
Special District Accountability Program



Introduction to Inactive Special Districts

- Chapter 189, Florida Statutes (Uniform Special District Accountability Act), charges the Department of Economic Opportunity's Special District Accountability Program with various special district related responsibilities.
- One such responsibility is to declare special districts inactive. The need to declare a special district inactive occurs about one to three times per year.
- Once declared inactive, the entity that created the special district must dissolve it. It is not necessary to declare a special district inactive before dissolving it.



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Introduction to Inactive Special Districts

- Generally, a special district's registered agent initiates the process to declare a special district inactive because:
 - Inactive special districts are not required to comply with annual reporting requirements;
 - The special district has served its purpose and is no longer needed;
 - The process to declare a special district inactive may be faster and easier than going through the dissolution process.
- The declaration of inactive status neither terminates the special district's legal authority nor dissolves it



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Inactive Criteria

- A special district must be declared inactive when it meets at least one of the following criteria:
 - The special district's registered agent or chair, or the county or municipality in which the special district has territory:
 - Notifies the department in writing that the special district has taken no action for two or more years; or,
 - Notifies the department in writing that the special district has not had a governing body or a sufficient number of governing body members to constitute a quorum for two or more years; or,
 - Fails to respond to an inquiry by the department within 21 days; or,



Inactive Criteria

- Inactive Criteria Continued:
 - The department determines through a technical assistance process that the special district has failed to file required reports; or;
 - The special district has not had a registered office and agent on file with the department for one or more years; or,
 - The special district's governing body unanimously adopts a resolution declaring the special district inactive.

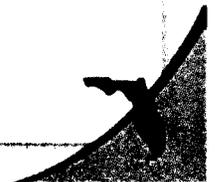


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Notice Requirements

- After the department documents that one of the criteria has been met, the department, special district, or city / county publishes a “*Notice of Proposed Declaration of Inactive Status*” in a newspaper where the special district is located that includes the following information:
 - Name of the special district;
 - Law(s) under which it was organized and operating;
 - General description of the special district’s territory; and,
 - A statement that any objections must be filed pursuant to chapter 120 within 21 days after the publication date.



Notice Requirements

- The department mails a copy of that notice to the registered agent or chair of the special district's governing body, if any, by certified mail.
- If no administrative appeals are filed within twenty-one days from the publication date, the department changes the special district's official status from "active" to inactive".
 - Inactive special districts may not collect taxes, fees, or assessments unless the declaration is withdrawn or revoked by the department or invalidated in proceedings.
 - Inactive special districts are not required to comply with state reporting requirements.



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Dissolution of Inactive Special Districts

- If the special district was created by special act of the Legislature, the department sends a “*Notice of Declaration of Inactive Status*” referencing each known special act relating to the special district to:
 - The Speaker of the House of Representatives
 - The President of the Senate
 - The standing committees of the Senate and the House of Representatives charged with special district oversight:
 - Senate Committee on Community Affairs
 - House Local and Federal Affairs Committee
 - House Local Government Affairs Subcommittee



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Dissolution of Inactive Special Districts

- If the special district was created by a county or municipality, the department sends a notice of declaration of inactive status to the chair of the county or municipality.
- The entity that created a special district declared inactive must dissolve the special district by repealing its enabling laws or by other appropriate means.
 - The property or assets of the special district are subject to legal process for payment of any debts of the special district.
 - The remainder of its property or assets escheats to the county or municipality in which the special district is located.



FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY



Inactive Special Districts

- The department's Official List of Special Districts (www.FloridaJobs.org/OfficialList) provides the ability to find information about Florida's special districts, including:
 - The total number of special districts: 1,656
 - The total number of inactive special districts: 10
 - Specific information about those inactive special districts . . .



Inactive Special Districts

Inactive District Name	County	Date Inactive	Enabling Laws to be Repealed
Bay County Bridge Authority	Bay	March 10, 2004	Chapter 84-391, Laws of Florida
Columbia County Law Library	Columbia	January 6, 2015	Chapter 61-2045, Laws of Florida
Eagle Bay Sub-Drainage District	Okeechobee	June 11, 2000	Chapter 12010, Laws of Florida; Circuit Court Decree
Gilchrist County Development Authority	Gilchrist	July 1, 2011	Chapter 59-1308, Laws of Florida
Highlands Road and Bridge District	Pasco	June 18, 2010	County Resolution / Voter Petition
Hillcrest Preserve Community Development District	Pasco	June 10, 2011	County Ordinance 07-27
North Sumter County Hospital District	Sumter	February 12, 2008	Chapter 2004-451, Laws of Florida
Northwest Florida Community Hospital District	Washington	February 13, 2012	Chapter 88-532, Laws of Florida
Sunny Isles Reclamation and Water Control Board	Miami-Dade and Broward	December 3, 2010	Circuit Court Decree of the 11th Judicial Circuit 66C-7402
Valley Oaks Community Development District	Pasco	December 8, 2014	County Ordinance 07-01



FLORIDA DEPARTMENT of ECONOMIC OPPORTUNITY





**FLORIDA
DEPARTMENT *of*
ECONOMIC
OPPORTUNITY**

RESOLVING COMPLAINTS ABOUT SPECIAL DISTRICTS



Resolving Complaints About Special Districts

- Although DEO does not have authority to investigate complaints, give legal opinions or advice to private individuals, or direct special districts to take any particular actions regarding the citizens they serve, DEO does offer suggestions to help citizens resolve complaints.
- Some suggestions are identical to how a citizen may resolve a complaint with a city or county.



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Resolving Complaints About Special Districts

- Depending on the circumstances, citizens often have success by taking one or more of the following actions:
 - Discussing the issue with an administrator of the special district
 - Bringing the issue to the attention of the governing body during a public meeting
 - Filing a compliant with the local state attorney's office (e.g., Government-in-the-Sunshine violations, special district exceeding its authority, not complying with laws, etc.)
 - Filing a sworn compliant with the Commission on Ethics (e.g., ethics violations)
 - Voting for new governing body members / running for office next election cycle (e.g., disagreement with policy decisions)



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Resolving Complaints About Special Districts

- Contacting the appropriate state representative to:
 - Suggest ways to improve the laws governing special districts
 - Request clarification to a special district's special act
 - Request a state financial audit of the special district through the Joint Legislative Auditing Committee
 - Request general oversight review process
- Contacting the appropriate county or municipality regarding a dependent special district
- Contacting the appropriate oversight entity to request an oversight review of the special district (s. 189.068, F.S.)
- Contacting a private attorney for advice



FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY



Additional Information About Special Districts

- Special District Accountability Program:
 - www.FloridaJobs.org/SpecialDistricts
- Official List of Special Districts:
 - www.FloridaJobs.org/OfficialList
- Florida Special District Handbook:
 - www.FloridaJobs.org/SpecialDistrictHandbook
- Resolving Problems with Special Districts:
 - www.FloridaJobs.org/ResolvingProblemsWithSpecialDistricts

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FLORIDA DEPARTMENT of ECONOMIC OPPORTUNITY



Inactive Special Districts

10/1/2015

District Name	County	Type	Enabling Law	Date DEO Notice of Inactive Status	Entity that may Dissolve District	Legal Authority (Fla. Statutes)	Delegation Meeting	Result
Bay County Bridge Authority	Bay	Dependent	Ch. 84-391, LOF	3/12/2004	Legislature	189.062(3), 189.071(1), (3)		
Columbia County Law Library	Columbia	Independent	Ch. 61-2045, LOF	2/16/2015	Legislature	189.062, 189.072(2)	9/23/2015	Supported Filing
Eagle Bay Sub-Drainage District	Okeechobee	Independent	Ch. 12010, LOF; prior Circuit Ct. Decree	12/5/2000	Legislature	189.062, 189.072(3)	10/16/2015	
Gilchrist Co. Devel. Authority	Gilchrist	Dependent	Ch. 59-1308, LOF	7/8/2011	Legislature	189.062, 189.071(1), (3)	9/22/2015	Supported Filing
Highlands Road and Bridge District	Pasco	Independent	County Resolution/ Voter Petition	2/15/2008 (notice to local gov't)	Legislature / County	189.062, 189.072(3)	9/29/2015	Supported Filing
Hillcrest Preserve CDD*	Pasco	Independent	County Ord. 07-27	6/9/2010 (notice to local gov't)	County	189.0761, 190.002(3), 190.046(2), (8)	9/29/2015	N/A
Moultrie Creek CDD*	St. Johns	Independent	County Ord. 2006-60	4/24/2013 (notice to local gov't)	County	189.0761, 190.002(3), 190.046(2), (8)	N/A	Repealed 3/5/2015
North Sumter Co. Hosp. Dist.	Sumter	Independent	Ch. 2004-451, LOF	2/29/2008	Legislature	189.062(2), 189.072(3)	12/10/2015	
NW Florida Comm. Hosp. Dist.	Washington	Dependent	Ch. 88-532, LOF	2/22/2012	Legislature	189.062(3), 189.071(1), (3)	11/12/2015	
Sunny Isles Reclamation & WCB	Miami-Dade	Independent	11th Circ. Ct. Decree, Docket No. 66C-7402	10/26/2010 (notice to local gov't)	County**		N/A	N/A
Valley Oaks CDD*	Pasco	Independent	County Ord. 07-01	12/8/2014 (notice to local gov't)	County	189.0761, 190.002(3), 190.046(8)	9/29/2015	N/A

* Under general law, these CDDs may only be repealed & dissolved by county action. If a CDD becomes inactive per s. 189.062, F.S., the creating entity must "take appropriate action." Per H.R. 5.5(a), if the county may repeal the ordinance without referendum, the House will not consider a local bill to dissolve the district.

** A district located only in Miami-Dade County cannot be dissolved by local bill.

BILL

ORIGINAL

YEAR

1 A bill to be entitled
2 An act relating to Columbia County; repealing Chapter
3 61-2045, Laws of Florida; dissolving the Columbia
4 County Law Library, an independent special district;
5 providing for disposition of any assets and
6 liabilities of the dissolved district; providing an
7 effective date.

8
9 Be It Enacted by the Legislature of the State of Florida:

10
11 Section 1. Chapter 61-2045, Laws of Florida, is hereby
12 repealed.

13 Section 2. The Columbia County Law Library, an independent
14 special district, is hereby dissolved.

15 Section 3. All property owned by Columbia County Law
16 Library, an independent special district, as of the effective
17 date of this act shall be transferred to the Board of County
18 Commissioners of Columbia County, Florida.

19 Section 4. All liabilities owed by the Columbia County Law
20 Library, an independent special district, as of the effective
21 date of this act shall be assumed by the Board of County
22 Commissioners of Columbia County, Florida.

23 Section 5. This act shall take effect upon becoming law.

**Model Substitute
Notice**

SUBSTITUTE NOTICE OF PUBLICATION

Re: (Name of Special District)

The Special District Accountability Program in the Department of Economic Opportunity has declared the (Name of District) in _____ County to be inactive. By notice dated _____, the Department informed the President of the Florida Senate and the Speaker of the Florida House of Representatives of the inactive status of the district. Under s. 189.062(3), F.S., the declaration of inactive status from DEO is sufficient notice under s. 10, art. III of the State Constitution to authorize the Legislature to repeal any special laws so reported.



The Florida House of Representatives

Local & Federal Affairs Committee

Local Government Affairs Subcommittee

Steve Crisafulli
Speaker

Debbie Mayfield
Subcommittee Chair

August 24, 2015

Rep. Jay Trumbull
455 Harrison Ave., Ste. A
Panama City, FL 32401

Re: Bay County Bridge Authority

Dear Representative Trumbull:

One of my goals for the Local Government Affairs Subcommittee is to reduce the number of unnecessary special taxing districts in Florida. This includes encouraging the dissolution of those special districts that have fulfilled their purpose and are no longer active.

The Special District Accountability Program in the Department of Economic Opportunity has declared the Bay County Bridge Authority in Bay County to be inactive. The Subcommittee staff reviewed the information from DEO and suggested the district be dissolved through a local bill repealing the legal authorization for the district. To this end staff has drafted the enclosed proposed repealer bill for consideration by the local delegation.

Please advise if the local authorities have any concerns about dissolving the district at this time, including whether there are outstanding liabilities or assets for which disposition must be made. If there are no such concerns, please submit the enclosed draft for consideration at the delegation meeting. Also enclosed is a draft local bill certification form and draft economic impact statement which should be completed and submitted as with other local bills. You may want to consult with the appropriate person with the county for completion of the EIS.

Under s. 189.062(3), F.S., the declaration of inactive status from DEO is sufficient notice under s. 10, art. III of the State Constitution to authorize the Legislature to repeal any special laws so reported. Because this general law satisfies the publication requirement of the State Constitution, no further publication is necessary. Enclosed is a proposed Substitute Notice which would replace the Affidavit of Publication to accompany the bill when filed.

Thank you for considering this proposed bill. If you have any questions concerning this proposal please do not hesitate to contact either myself or Eric Miller, Policy Chief for the Subcommittee. His number is (850) 717-5681.

Sincerely,

A handwritten signature in cursive script, appearing to read "Debbie Mayfield".

Debbie Mayfield, Chair
Local Government Affairs Subcommittee

Enc.



STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

JEB BUSH
Governor

HEIDI HUGHES
Interim Secretary

March 12, 2004

The Honorable James E. "Jim" King, Jr.
President, The Senate of Florida
Room 409, The Capitol
402 South Monroe Street
Tallahassee, Florida 32399-1300

The Honorable Johnnie B. Byrd, Jr.
Speaker of the House of Representatives
Room 420, The Capitol
402 South Monroe Street
Tallahassee, Florida 32399-1300

Re: Inactive Status of the Bay County Bridge Authority

Dear President King and Speaker Byrd:

When a special district becomes inactive within the meaning of Section 189.4044 *Florida Statutes*, the Department of Community Affairs must file a *Declaration of Inactive Status Report* (enclosed) with the President of the Senate and the Speaker of the House of Representatives. Pursuant to Section 189.4044(3)-(4), *Florida Statutes*, this is sufficient notice as required by Section 10, Article III of the *State Constitution* to authorize the Legislature to repeal any special laws so reported. The above referenced special district has become inactive. Therefore, I dutifully request that the Legislature dissolve this special district by repealing its enabling laws. Thank you for your time and consideration.

Best Regards,

Heidi Hughes
Interim Secretary

HH/jg

Enc. Declaration of Inactive Status Report for
the Bay County Bridge Authority

cc: Ms. Joy Bates, Registered Agent and Bay County Deputy County Manager
Mr. Jack Gaskins Jr., Special District Information Program

2555 SHUMARD OAK BOULEVARD • TALLAHASSEE, FLORIDA 32399-2100
Phone: 850.488.8466/Suncom 278.8466 FAX: 850.921.0781/Suncom 291.0781
Internet address: <http://www.dca.state.fl.us>

CRITICAL STATE CONCERN FIELD OFFICE
2796 Overseas Highway, Suite 212
Marathon, FL 33050-2227
DOS: 289-2402

COMMUNITY PLANNING
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100
DCA 2555 2555

EMERGENCY MANAGEMENT
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100
DCA 2555 2555

HOUSING & COMMUNITY DEVELOPMENT
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100
DCA 2555 2555

**DECLARATION OF INACTIVE STATUS REPORT
BAY COUNTY BRIDGE AUTHORITY**

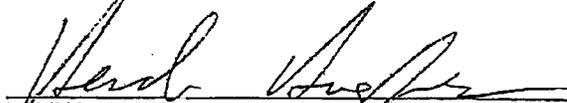
Name of Inactive Special District: *Bay County Bridge Authority* (the "Authority"), a dependent special district located in Bay County in the State of Florida.

Inactive Status Based Upon: Certification from the Authority's Registered Agent that the Authority has become inactive within the meaning of Section 189.4044(1)(a)1., *Florida Statutes*.

Action Taken by the Department of Community Affairs: The Bay County Board of County Commissioners published a *Notice of Declaration of Inactive Status of the Bay County Bridge Authority* in *The News Herald*, a newspaper of general circulation in Bay County, on December 31, 2003 and January 7, 2004. This notice required any party objecting to the dissolution of the Authority to file an objection within 60 days after the date of the last publication of the notice with the Department of Community Affairs (the "Department"). In addition, the Notice required any creditors asserting claims against the Authority to file such claims with the Department during that time (Section 189.4044(1)(b), *Florida Statutes*).

Result: Sixty days elapsed from the last publication date of the notice of proposed declaration of inactive status and no sustained objections or claims were filed. The Department's Special District Information Program declared the Authority to be inactive on March 10, 2004 (Section 189.4044(1)(c), *Florida Statutes*).

Action Requested of the Florida Legislature: Dissolve the *Bay County Bridge Authority* by repealing Chapter 84-391, *Laws of Florida*, which became law on June 14, 1984 (Section 189.4044(4), *Florida Statutes*).


Heidi Hughes, Interim Secretary

25 March 2004
Date



The Florida House of Representatives

Local & Federal Affairs Committee

Local Government Affairs Subcommittee

Steve Crisafulli
Speaker

Debbie Mayfield
Subcommittee Chair

August 25, 2015

Rep. Elizabeth W. Porter
678 Southeast Baya Drive
Lake City, FL 32025-6038

Re: Columbia County Law Library

Dear Representative Porter:

One of my goals for the Local Government Affairs Subcommittee is to reduce the number of unnecessary special taxing districts in Florida. This includes encouraging the dissolution of those special districts that have fulfilled their purpose and are no longer active.

The Special District Accountability Program in the Department of Economic Opportunity has declared the Columbia County Law Library in Columbia County to be inactive. The Subcommittee staff reviewed the information from DEO and suggested the district be dissolved through a local bill repealing the legal authorization for the district. To this end staff has drafted the enclosed proposed repealer bill for consideration by the local delegation.

Please advise if the local authorities have any concerns about dissolving the district at this time, including whether there are outstanding liabilities or assets for which disposition must be made. If there are no such concerns, please submit the enclosed draft for consideration at the delegation meeting. Also enclosed is a draft local bill certification form and draft economic impact statement which should be completed and submitted as with other local bills. You may want to consult with the appropriate person with the county for completion of the EIS.

Under s. 189.062(3), F.S., the declaration of inactive status from DEO is sufficient notice under s. 10, art. III of the State Constitution to authorize the Legislature to repeal any special laws so reported. Because this general law satisfies the publication requirement of the State Constitution, no further publication is necessary. Enclosed is a proposed Substitute Notice which would replace the Affidavit of Publication to accompany the bill when filed.

Thank you for considering this proposed bill. If you have any questions concerning this proposal please do not hesitate to contact either myself or Eric Miller, Policy Chief for the Subcommittee. His number is (850) 717-5681.

Sincerely,

A handwritten signature in cursive script that reads "Debbie".

Debbie Mayfield, Chair
Local Government Affairs Subcommittee

Enc.

Rick Scott
GOVERNOR



Jesse Panuccio
EXECUTIVE DIRECTOR

February 16, 2015

The Honorable Steve Crisafulli, Speaker
Florida House of Representatives
420 The Capitol
402 South Monroe Street
Tallahassee, Florida 32399-1300

Re: Declaration of Inactive Status of the Columbia County Law Library

Dear Speaker Crisafulli:

The Department of Economic Opportunity (the "Department") administers Chapter 189, Florida Statutes (the Uniform Special District Accountability Act). This Act charges the Department with a number of responsibilities as they relate to special districts. Among these responsibilities is the requirement to declare special districts inactive for dissolution under certain circumstances. When special districts created by special act of the Legislature become inactive, the Department must notify the President of the Senate, the Speaker of the House of Representatives, and the standing committees of the Senate and the House of Representatives charged with special district oversight as determined by the presiding officers of each respective chamber and the Legislative Auditing Committee.

Section 189.062, Florida Statutes, describes six conditions requiring the Department to declare special districts inactive. One of these conditions is met when the Department is notified in writing by a special district's registered agent that the special district has taken no action for two or more years.

On November 20, 2014, Mr. P. DeWitt Cason, the registered agent of the Columbia County Law Library (the "District"), an independent special district located in Columbia County, notified the Department in writing that the District has not taken any action for two or more years. Mr. DeWitt requested that the Department declare the District inactive.

On December 11, 2014, the Department published the enclosed "Notice of Proposed Declaration of Inactive Status of the Columbia County Law Library Independent Special District" in the *Lake City Reporter*. This notice required any party objecting to the inactive status to file an objection with the Department pursuant to Chapter 120, Florida Statutes, within twenty-one days after the date of publication of the notice. The Department did not receive any objections. Therefore, on January 6, 2015, the Department declared the District inactive by changing its status on the "Official List of Special Districts" from "active" to "inactive."

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
866.FLA.2345 | 850.245.7105 | 850.921.3223 Fax
www.floridajobs.org | www.columbiacountyfl.gov/FDEO | www.facebook.com/FLDEO

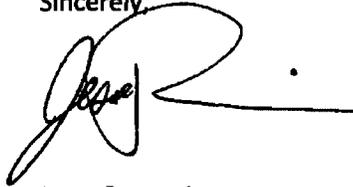
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The Honorable Steve Crisafulli
February 16, 2015
Page 2 of 2

Section 189.062(3), Florida Statutes, provides that this declaration of inactive status is sufficient notice as required by Section 10, Article III of the State Constitution to authorize the Legislature to repeal any special laws so reported. According to our records, the District was established by Chapter 61-2045, Laws of Florida. The Department requests that the Legislature dissolve the District by repealing its special act.

Thank you in advance for your assistance with this matter. If you have any questions, please have your office contact Mr. Peter Penrod, Assistant General Counsel, at 850-245-7150.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jesse Panuccio', with a long horizontal line extending to the right.

Jesse Panuccio

Enclosures

JP/jg

cc: Mr. P. DeWitt Cason, Registered Agent, Columbia County Law Library and Columbia County
Clerk of Court

P. DeWitt Cason

Clerk of Circuit Court - Columbia County, Florida



November 20, 2014

Mr. Jack Gaskins Jr.
Department of Economic Opportunity
Office of Financial Management
107 E. Madison Street, MSC 120
Tallahassee, FL 32399-4124

Mr. Gaskins,

As registered agent for the Columbia County Law Library Independent Special District, I am requesting this special district be declared inactive. Pursuant to Section 189.062(1)(a)1, *Florida Statutes*, the district has taken no action for 2 or more years. Thank you for your assistance. If you need more information please contact my Finance Director, Chad Crews at 386-758-1049.

Sincerely,

A handwritten signature in cursive script that reads "P. DeWitt Cason".

P. DeWitt Cason
Columbia County Clerk of Court
As Registered Agent for the Columbia County Law Library

NOTICE OF PROPOSED DECLARATION OF INACTIVE STATUS OF THE COLUMBIA COUNTY LAW LIBRARY INDEPENDENT SPECIAL DISTRICT

Notice is given that the registered agent of the Columbia County Law Library (the District), an independent special district established by Chapter 61-2045, Laws of Florida, and operating under Chapter 189, Florida Statutes, has met the criterion specified in Section 189.062(1)(a)1., Florida Statutes, requiring the Department of Economic Opportunity (the Department) to declare the District inactive. The District's territory is Columbia County, Florida. Section 189.062(4), Florida Statutes, requires the entity that created a special district declared inactive to dissolve the special district by repealing its enabling laws or by other appropriate means.

The Department hereby notices its intent to declare the District inactive twenty-one (21) calendar days after the date of publication of this Notice. Any objections must be filed pursuant to Chapter 120, Florida Statutes, within twenty-one (21) days after the date of publication of this Notice, by first class mail or hand-delivery to the Department of Economic Opportunity, Agency Clerk, 107 E. Madison Street, MSC 400, Tallahassee, FL 32399-6508. You may also file the Petition by facsimile transmission to (850) 921-3230, but you are responsible for verifying that the complete document was received by the Agency Clerk prior to the deadline. The petition must meet the filing requirements contained in Rule 28-106.104, Florida Administrative Code. If no issues of material fact are disputed, then the petition must comply with the requirements of Rule 28-106.301, Florida Administrative Code. If issues of material fact are disputed, then the petition must comply with the requirements of Rule 28-106.201, Florida Administrative Code.

10737244

December 11, 2014

Rick Scott
GOVERNOR



Jesse Panuccio
EXECUTIVE DIRECTOR

February 16, 2015

The Honorable Dennis K. Baxley, Chair
House Local and Federal Affairs Committee
317 House Office Building
402 South Monroe Street
Tallahassee, Florida 32399-1300

Re: Declaration of Inactive Status of the Columbia County Law Library

Dear Representative Baxley:

The Department of Economic Opportunity (the "Department") administers Chapter 189, Florida Statutes (the Uniform Special District Accountability Act). This Act charges the Department with a number of responsibilities as they relate to special districts. Among these responsibilities is the requirement to declare special districts inactive for dissolution under certain circumstances. When special districts created by special act of the Legislature become inactive, the Department must notify the President of the Senate, the Speaker of the House of Representatives, and the standing committees of the Senate and the House of Representatives charged with special district oversight as determined by the presiding officers of each respective chamber and the Legislative Auditing Committee.

Section 189.062, Florida Statutes, describes six conditions requiring the Department to declare special districts inactive. One of these conditions is met when the Department is notified in writing by a special district's registered agent that the special district has taken no action for two or more years.

On November 20, 2014, Mr. P. DeWitt Cason, the registered agent of the Columbia County Law Library (the "District"), an independent special district located in Columbia County, notified the Department in writing that the District has not taken any action for two or more years. Mr. DeWitt requested that the Department declare the District inactive.

On December 11, 2014, the Department published the enclosed "Notice of Proposed Declaration of Inactive Status of the Columbia County Law Library Independent Special District" in the *Lake City Reporter*. This notice required any party objecting to the inactive status to file an objection with the Department pursuant to Chapter 120, Florida Statutes, within twenty-one days after the date of publication of the notice. The Department did not receive any objections. Therefore, on January 6, 2015, the Department declared the District inactive by changing its status on the "Official List of Special Districts" from "active" to "inactive."

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
866.FLA.2345 | 850.245.7105 | 850.921.3223 Fax
www.floridajobs.org | www.twitter.com/FLDEO | www.facebook.com/FLDEO

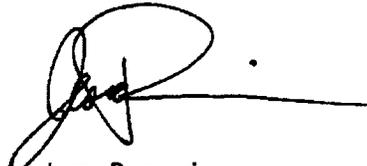
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The Honorable Dennis K. Baxley
February 16, 2015
Page 2 of 2

Section 189.062(3), Florida Statutes, provides that this declaration of inactive status is sufficient notice as required by Section 10, Article III of the State Constitution to authorize the Legislature to repeal any special laws so reported. According to our records, the District was established by Chapter 61-2045, Laws of Florida. The Department requests that the Legislature dissolve the District by repealing its special act.

Thank you in advance for your assistance with this matter. If you have any questions, please have your office contact Mr. Peter Penrod, Assistant General Counsel, at 850-245-7150.

Sincerely,



Jesse Panuccio

Enclosures

JP/jg

cc: Mr. P. DeWitt Cason, Registered Agent, Columbia County Law Library and Columbia County
Clerk of Court
Mr. Kerrington Kiner, Staff Director, House Local and Federal Affairs Committee

Rick Scott
GOVERNOR



Jesse Panuccio
EXECUTIVE DIRECTOR

February 16, 2015

The Honorable Debbie Mayfield, Chair
House Local Government Affairs Subcommittee
317 House Office Building
402 South Monroe Street
Tallahassee, Florida 32399-1300

Re: Declaration of Inactive Status of the Columbia County Law Library

Dear Representative Mayfield:

The Department of Economic Opportunity (the "Department") administers Chapter 189, Florida Statutes (the Uniform Special District Accountability Act). This Act charges the Department with a number of responsibilities as they relate to special districts. Among these responsibilities is the requirement to declare special districts inactive for dissolution under certain circumstances. When special districts created by special act of the Legislature become inactive, the Department must notify the President of the Senate, the Speaker of the House of Representatives, and the standing committees of the Senate and the House of Representatives charged with special district oversight as determined by the presiding officers of each respective chamber and the Legislative Auditing Committee.

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Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
866.FLA 2345 | 850.245.7105 | 850.921.3223 Fax
www.floridajobs.org | www.fdeo.com/FLDEO | www.facebook.com/FLDEO

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The Honorable Debbie Mayfield
February 16, 2015
Page 2 of 2

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Thank you in advance for your assistance with this matter. If you have any questions, please have your office contact Mr. Peter Perrod, Assistant General Counsel, at 850-245-7150.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jesse Panuccio', with a long horizontal line extending to the right.

Jesse Panuccio

Enclosures

JP/jg

cc: Mr. P. DeWitt Cason, Registered Agent, Columbia County Law Library and Columbia County
Clerk of Court
Mr. Eric Miller, Policy Chief, House Local Government Affairs Subcommittee



The Florida House of Representatives

Local & Federal Affairs Committee

Local Government Affairs Subcommittee

Steve Crisafulli
Speaker

Debbie Mayfield
Subcommittee Chair

August 25, 2015

Rep. Cary Pigman
205 South Commerce Avenue, Ste. B
Sebring, FL 33870-3626

Re: Eagle Bay Sub-Drainage District

Dear Representative Pigman:

One of my goals for the Local Government Affairs Subcommittee is to reduce the number of unnecessary special taxing districts in Florida. This includes encouraging the dissolution of those special districts that have fulfilled their purpose and are no longer active.

The Special District Accountability Program in the Department of Economic Opportunity has declared the Eagle Bay Sub-Drainage District in Okeechobee County to be inactive. The Subcommittee staff reviewed the information from DEO and suggested the district be dissolved through a local bill repealing the legal authorization for the district. To this end staff has drafted the enclosed proposed repealer bill for consideration by the local delegation.

Please advise if the local authorities have any concerns about dissolving the district at this time, including whether there are outstanding liabilities or assets for which disposition must be made. If there are no such concerns, please submit the enclosed draft for consideration at the delegation meeting. Also enclosed is a draft local bill certification form and draft economic impact statement which should be completed and submitted as with other local bills. You may want to consult with the appropriate person with the county for completion of the EIS.

Under s. 189.062(3), F.S., the declaration of inactive status from DEO is sufficient notice under s. 10, art. III of the State Constitution to authorize the Legislature to repeal any special laws so reported. Because this general law satisfies the publication requirement of the State Constitution, no further publication is necessary. Enclosed is a proposed Substitute Notice which would replace the Affidavit of Publication to accompany the bill when filed.

Thank you for considering this proposed bill. If you have any questions concerning this proposal please do not hesitate to contact either myself or Eric Miller, Policy Chief for the Subcommittee. His number is (850) 717-5681.

Sincerely,

A handwritten signature in cursive script that reads "Debbie".

Debbie Mayfield, Chair
Local Government Affairs Subcommittee

Enc.



STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

JEB BUSH
 Governor

STEVEN M. SEIBERT
 Secretary

December 4, 2000

The Honorable John McKay
 President, The Senate of Florida
 Room 416, Senate Office Building
 404 South Monroe Street
 Tallahassee, Florida 32399-1100

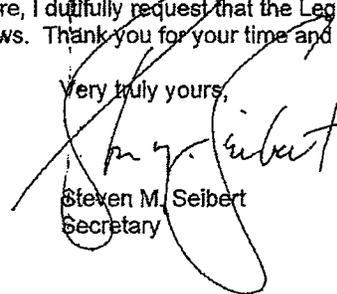
The Honorable Tom Feeney
 Speaker of the House of Representatives
 Room 414, The Capitol
 402 South Monroe Street
 Tallahassee, Florida 32399-1300

Re: Inactive Special Districts:
 • Eagle Bay Sub-Drainage District
 • ITI-County Hospital Authority

Dear President McKay and Speaker Feeney:

When a special district becomes inactive within the meaning of Section 189.4044 *Florida Statutes*, the Department of Community Affairs must file *Declaration of Inactive Status Reports* (enclosed) with the President of the Senate and the Speaker of the House of Representatives. Pursuant to Section 189.4044(3)-(4), *Florida Statutes*, this is sufficient notice as required by Section 10, Article III of the *State Constitution* to authorize the Legislature to repeal any special laws so reported. The above referenced districts have become inactive. Therefore, I dutifully request that the Legislature dissolve these special districts by repealing their enabling laws. Thank you for your time and consideration.

Very truly yours,



Steven M. Seibert
 Secretary

SMS/jg

Enc. Declaration of Inactive Status Reports for
 the Above Referenced Special Districts

cc: Jack Gaskins Jr., Special District Information Program
 Special District's Registered Agent

2555 SHUMARD OAK BOULEVARD • TALLAHASSEE, FLORIDA 32399-2100
 Phone: 850.488.8466/Suncom 278.8466 FAX: 850.921.0781/Suncom 291.0781
 Internet address: <http://www.dca.state.fl.us>

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 (850) 413-0969

HOUSING & COMMUNITY DEVELOPMENT
 2555 Shumard Oak Boulevard
 Tallahassee, FL 32399-2100
 (850) 488-7956

**DECLARATION OF INACTIVE STATUS REPORT
EAGLE BAY SUB-DRAINAGE DISTRICT**

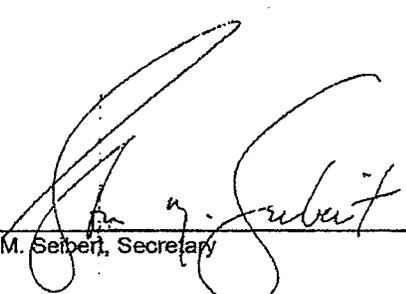
Name of Inactive Special District: *Eagle Bay Sub-Drainage District*, an independent special district located in Okeechobee County in the State of Florida.

Inactive Status Based Upon: The *Eagle Bay Sub-Drainage District* failed to make a good faith effort to file the reports listed in Section 189.419, *Florida Statutes*, and failed for two consecutive years to pay fees assessed by the Special District Information Program. (Section 189.4044(1)(a)3.-4., *Florida Statutes*).

Action Taken by the Department of Community Affairs: Published a *Notice of Declaration of Inactive Status of the Eagle Bay Sub-Drainage District* in *The Okeechobee News*, a newspaper of general circulation in Okeechobee County, on March 21, March 28, April 4, and April 11, 2000. This notice required any party objecting to the dissolution of the *Eagle Bay Sub-Drainage District* to file an objection within 60 days after the date of the last publication of the notice with the Department of Community Affairs. In addition, the Notice required any creditors asserting claims against the *Eagle Bay Sub-Drainage District* to file such claims with Okeechobee County within that time (Section 189.4044(1)(b), *Florida Statutes*).

Result: Sixty days elapsed from the last publication date of the notice of proposed declaration of inactive status and no sustained objections were filed. The Special District Information Program of the Department of Community Affairs declared the *Eagle Bay Sub-Drainage District* to be inactive on June 12, 2000 (Section 189.4044(1)(c), *Florida Statutes*).

Action Requested of the Florida Legislature: Dissolve the *Eagle Bay Sub-Drainage District* by repealing Chapter 12010, *Laws of Florida*, approved May 16, 1927 (Section 189.4044(4), *Florida Statutes*).



Steven M. Seibert, Secretary

12-5-00

Date



Florida House of Representatives

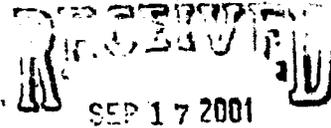
Council for Smarter Government
Committee on Local Government & Veterans Affairs

Tom Feeney
Speaker

Ken Sorensen
Chair

September 12, 2001

The Honorable John F. Laurent
Chair, Okeechobee County Delegation
250 North Clark Avenue
Bartow, Florida 33830 - 4004



Re: Inactive Special District

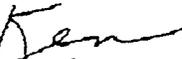
State of Florida Clearinghouse

Dear Senator Laurent:

The Eagle Bay Sub-Drainage District has been declared inactive within the meaning of Section 189.4044 *Florida Statutes*, thus requiring the Department of Community Affairs to file the enclosed *Declaration of Inactive Status Report* with the President of the Senate, and the Speaker of the House of Representatives. Pursuant to Section 189.4044(3)-(4), *Florida Statutes*, this is sufficient notice as required by Section 10, Article III of the Florida Constitution to authorize the Legislature to repeal any special laws so reported.

We realize that your delegation may have already made decisions on issues for the 2002 Legislative Session. However, if possible, a local bill is needed to complete the dissolution process. Please contact my staff at SC 278-1791 with any questions that you may have regarding this matter.

Sincerely,


Ken Sorensen

cc: Department of Community Affairs
Special Districts Information Program

September 12, 2001
Page 2

Tom Yeatman, Staff Director
Senate Committee on
Comprehensive Planning, Local and Military Affairs



The Florida House of Representatives

Local & Federal Affairs Committee

Local Government Affairs Subcommittee

Steve Crisafulli
Speaker

Debbie Mayfield
Subcommittee Chair

August 25, 2015

Rep. W. Keith Perry
Suite C – Magnolia Park
4650 Northwest 39th Avenue
Gainesville, FL 32606-6090

Re: Gilchrist County Development Authority

Dear Representative Perry:

One of my goals for the Local Government Affairs Subcommittee is to reduce the number of unnecessary special taxing districts in Florida. This includes encouraging the dissolution of those special districts that have fulfilled their purpose and are no longer active.

The Special District Accountability Program in the Department of Economic Opportunity has declared the Gilchrist County Development Authority in Gilchrist County to be inactive. The Subcommittee staff reviewed the information from DEO and suggested the district be dissolved through a local bill repealing the legal authorization for the district. To this end staff has drafted the enclosed proposed repealer bill for consideration by the local delegation.

Please advise if the local authorities have any concerns about dissolving the district at this time, including whether there are outstanding liabilities or assets for which disposition must be made. If there are no such concerns, please submit the enclosed draft for consideration at the delegation meeting. Also enclosed is a draft local bill certification form and draft economic impact statement which should be completed and submitted as with other local bills. You may want to consult with the appropriate person with the county for completion of the EIS.

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Thank you for considering this proposed bill. If you have any questions concerning this proposal please do not hesitate to contact either myself or Eric Miller, Policy Chief for the Subcommittee. His number is (850) 717-5681.

Sincerely,

A handwritten signature in cursive script that reads "Debbie".

Debbie Mayfield, Chair
Local Government Affairs Subcommittee

Enc.



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

RICK SCOTT
Governor

BILLY BUZZETT
Secretary

July 8, 2011

The Honorable Mike Haridopolos
President, Florida Senate
409 The Capitol
404 South Monroe Street
Tallahassee, Florida 32399-1100

The Honorable Dean Cannon
Speaker, Florida House of Representatives
420 The Capitol
402 South Monroe Street
Tallahassee, Florida 32399-1300

Re: Declaration of Inactive Status of the
Gilchrist County Development Authority

Dear Mr. President and Mr. Speaker:

The Department of Community Affairs (the "Department") administers Chapter 189, Florida Statutes (the Uniform Special District Accountability Act of 1989). This Act charges the Department with a number of responsibilities as they relate to special districts, including declaring special districts inactive for dissolution under certain circumstances. When special districts created by special act of the Legislature become inactive, the Department must notify the Speaker of the House of Representatives and the President of the Senate.

Section 189.4044, Florida Statutes, describes three conditions in which the Department must declare special districts inactive. One of these conditions occurs when the Department is notified in writing by a special district's registered agent that the special district has taken no action for two or more years.

On May 27, 2011, Ms. Kyle Stone, the registered agent of the Gilchrist County Development Authority (the "Authority"); an independent special district located in Gilchrist County, notified the Department in writing that the Authority has not taken any action for more than two years. Ms. Stone asked the Department to classify the Authority as inactive.

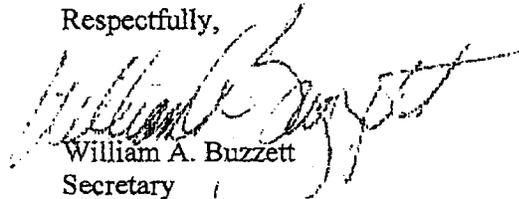
The Honorable Mike Haridopolos
The Honorable Dean Cannon
July 8, 2011
Page 2

On June 9, 2011, the Department published a "Notice of Proposed Declaration of Inactive Status of the Gilchrist County Development Authority" in the *Gilchrist County Journal*. This notice required any party objecting to the inactive status to file an objection with the Department pursuant to Chapter 120, Florida Statutes, within twenty-one (21) days after the date of publication of the notice. The Department did not receive any objections. Therefore, on July 1, 2011, the Department declared the Authority inactive by changing its status on the Official List of Special Districts from "active" to "inactive."

Section 189.4044(3), Florida Statutes, provides that this declaration of inactive status is sufficient notice as required by Section 10, Article III of the State Constitution to authorize the Legislature to repeal any special laws so reported. According to our records, the Authority was established by Chapter 59-1308, Laws of Florida. The Department requests that the Legislature dissolve the Authority by repealing this special act.

Please contact Ms. Leslie Anderson-Adams, Assistant General Counsel, at 850-488-0410 if you have any questions or need further assistance.

Respectfully,



William A. Buzzett
Secretary

WAB/jg

cc: Ms. Kyle Stone, Registered Agent, Gilchrist County Development Authority
Mr. John K. McPherson, Gilchrist County Attorney
Mr. Jack Gaskins Jr., Special District Information Program

**Highlands Road & Bridge
District**



The Florida House of Representatives

Local & Federal Affairs Committee

Local Government Affairs Subcommittee

Steve Crisafulli
Speaker

Debbie Mayfield
Subcommittee Chair

August 24, 2015

Rep. Richard Corcoran
17953 Hunting Bow Cir., Ste. 101
Lutz, FL 33558-5375

Re: Highlands Road & Bridge District

Dear Representative Corcoran:

One of my goals for the Local Government Affairs Subcommittee is to reduce the number of unnecessary special taxing districts in Florida. This includes encouraging the dissolution of those special districts that have fulfilled their purpose and are no longer active.

The Special District Accountability Program in the Department of Economic Opportunity has declared the Highlands Road & Bridge District in Pasco County to be inactive. The Subcommittee staff reviewed the information from DEO and suggested the district be dissolved through a local bill repealing the legal authorization for the district. To this end staff has drafted the enclosed proposed repealer bill for consideration by the local delegation.

Please advise if the local authorities have any concerns about dissolving the district at this time, including whether there are outstanding liabilities or assets for which disposition must be made. If there are no such concerns, please submit the enclosed draft for consideration at the delegation meeting. Also enclosed is a draft local bill certification form and draft economic impact statement which should be completed and submitted as with other local bills. You may want to consult with the appropriate person with the county for completion of the EIS.

If the local delegation approves filing the enclosed proposed bill, please note notice of intent to file the bill must be published as provided by law. Enclosed is a suggested affidavit form to be completed by the publishing entity and submitted with the proposed bill.

Thank you for considering this proposed bill. If you have any questions concerning this proposal please do not hesitate to contact either myself or Eric Miller, Policy Chief for the Subcommittee. His number is (850) 717-5681.

Sincerely,

A handwritten signature in cursive script, appearing to read "Debbie".

Debbie Mayfield, Chair
Local Government Affairs Subcommittee

Enc.



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

CHARLIE CRIST
Governor

THOMAS G. PELHAM
Secretary

January 28, 2010

The Honorable Pat Mulieri
Chair, Pasco County Board of County Commissioners
Dade City Government Center
14235 6th Street
Dade City, Florida 33525

Re: Inactive Status of the Highlands Road and Bridge District

Dear Chairman Mulieri:

The Department of Community Affairs (the "Department") administers Chapter 189, Florida Statutes (the Uniform Special District Accountability Act of 1989). This Act charges the Department with a number of responsibilities as they relate to special districts, including declaring special districts inactive for dissolution under certain circumstances.

The purpose of this letter is to notify the Pasco County Board of County Commissioners that the Highlands Road and Bridge District (the "District"), an independent special district located in Pasco County (the "County") and created by freeholder election held November 21, 1972, pursuant to Section 336.61, Florida Statutes (1972), has become inactive within the meaning of Section 189.4044(1)(a)1.-3., Florida Statutes (2009).

In a letter dated December 15, 2003, the registered agent, Mr. Samuel G. DeLaune, notified the Department that the District had satisfied its obligation to the bond holders, had not met since January 2002, no longer had a governing body, and that the need for the District no longer existed. Mr. DeLaune asked the Department to declare the District inactive for dissolution.

On a number of occasions between December 19, 2003 and February 11, 2009, the Department had conversations with Ms. Elizabeth Blair, County Attorney, concerning dissolution issues and how the County could dissolve the District. During this time, the Department delayed declaring the District inactive so the County could research these issues and consider alternatives. These issues and alternatives included receiving and reviewing the final audit, researching how the roads in the District could be maintained, whether liability issues could impact the County, whether the District could be kept active for possible future use, whether the County could assume the role of registered agent, and how the District could be

2555 SHUMARD OAK BOULEVARD ■ TALLAHASSEE, FL 32399-2100
850-488-8466 (p) ■ 850-921-0781 (f) ■ Website: www.dca.state.fl.us

■ COMMUNITY PLANNING 850-488-2356 (p) 850-488-3309 (f) ■ FLORIDA COMMUNITIES TRUST 850-922-2207 (p) 850-921-1747 (f) ■
■ HOUSING AND COMMUNITY DEVELOPMENT 850-488-7956 (p) 850-922-5623 (f) ■

The Honorable Pat Mulieri, Chair
Pasco County Board of County Commissioners
January 28, 2010
Page 2

dissolved, including whether a referendum would be required. Meanwhile, in December 2007, Mr. DeLaune contacted the Department to say he no longer wanted to serve as the District's registered agent and wished to stop receiving the District's mail, including letters concerning the District's noncompliance with various state requirements.

In our last conversation on February 11, 2009, Ms. Blair said they would research the issues and take them to the Board of County Commissioners if necessary, and would let us know the outcome.

On November 5, 2009, the Joint Legislative Auditing Committee (the "Committee") notified the Department that the District had failed to file a fiscal year 2006-07 Annual Financial Report with the Department of Financial Services pursuant to Section 218.32, Florida Statutes (enclosed). The Committee requested the Department to proceed pursuant to the enforcement provisions specified in Section 189.421, Florida Statutes.

These provisions require the Department to file a petition for writ of certiorari with the circuit court within 30 days. Since the District does not have a registered agent or office, the Department was unable to file a petition. However, Section 189.4044, Florida Statutes, contains provisions by which the Department must declare inactive any special district that meets certain criteria, including failure to file an Annual Financial Report.

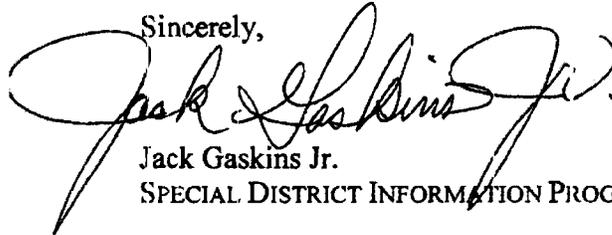
On December 1, 2009, the Department published in the *Highlands Today* and *The Tampa Tribune* a required "Notice of Proposed Declaration of Inactive Status of the Highlands Road and Bridge District" (enclosed). This notice required any party objecting to the inactive status to file an objection with the Department pursuant to Chapter 120, Florida Statutes, within twenty-one (21) days after the date of publication of the notice. The Department did not receive any objections. On December 23, 2009, the Department changed the District's status to inactive.

Section 189.4044(4), Florida Statutes, requires the entity that created a special district declared inactive to dissolve that special district by repealing its enabling laws. According to our records, a Pasco County Resolution dated September 22, 1972 called for the election of the District. This resolution indicated that the notice of the election contained language authorizing the District to impose ad valorem taxes. To dissolve the district, it appears the County must call for a referendum election of freeholders on the question of dissolution (see Sections 189.4042(2) and 189.4044(4), Florida Statutes, and Florida Attorney General Advisory Legal Opinion Number AGO 2007-17 dated March 23, 2007). After this referendum election, please advise the Department of the outcome.

The Honorable Pat Mulieri, Chair
Pasco County Board of County Commissioners
January 28, 2010
Page 3

Thank you in advance for assistance with this matter. If you have any questions, please contact me at jack.gaskins@dca.state.fl.us or 850-922-1457.

Sincerely,

A handwritten signature in black ink, appearing to read "Jack Gaskins Jr.", written in a cursive style.

Jack Gaskins Jr.
SPECIAL DISTRICT INFORMATION PROGRAM

Enclosures

cc: Kathryn H. DuBose, Staff Director, Joint Legislative Auditing Committee



The Florida House of Representatives

Local & Federal Affairs Committee

Local Government Affairs Subcommittee

Steve Crisafulli
Speaker

Debbie Mayfield
Subcommittee Chair

August 25, 2015

Rep. H. Marlene O'Toole
916 Avenida Central
The Villages, FL 32159-5704

Re: North Sumter County Hospital District

Dear Representative O'Toole:

One of my goals for the Local Government Affairs Subcommittee is to reduce the number of unnecessary special taxing districts in Florida. This includes encouraging the dissolution of those special districts that have fulfilled their purpose and are no longer active.

The Special District Accountability Program in the Department of Economic Opportunity has declared the North Sumter County Hospital District in Sumter County to be inactive. The Subcommittee staff reviewed the information from DEO and suggested the district be dissolved through a local bill repealing the legal authorization for the district. To this end staff has drafted the enclosed proposed repealer bill for consideration by the local delegation.

Please advise if the local authorities have any concerns about dissolving the district at this time, including whether there are outstanding liabilities or assets for which disposition must be made. If there are no such concerns, please submit the enclosed draft for consideration at the delegation meeting. Also enclosed is a draft local bill certification form and draft economic impact statement which should be completed and submitted as with other local bills. You may want to consult with the appropriate person with the county for completion of the EIS.

Under s. 189.062(3), F.S., the declaration of inactive status from DEO is sufficient notice under s. 10, art. III of the State Constitution to authorize the Legislature to repeal any special laws so reported. Because this general law satisfies the publication requirement of the State Constitution, no further publication is necessary. Enclosed is a proposed Substitute Notice which would replace the Affidavit of Publication to accompany the bill when filed.

Thank you for considering this proposed bill. If you have any questions concerning this proposal please do not hesitate to contact either myself or Eric Miller, Policy Chief for the Subcommittee. His number is (850) 717-5681.

Sincerely,

A handwritten signature in cursive script that reads "Debbie".

Debbie Mayfield, Chair
Local Government Affairs Subcommittee

Enc.



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

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CHARLIE CRIST
Governor

THOMAS G. PELHAM
Secretary

February 29, 2008

The Honorable Ken Pruitt
President, Florida Senate
Senate Office Building, Room 312
404 South Monroe Street
Tallahassee, Florida 32399-1100

The Honorable Marco Rubio
Speaker, Florida House of Representatives
The Capitol, Room 420
402 South Monroe Street
Tallahassee, Florida 32399-1300

Re: Notice of Declaration of Inactive Status of the North Sumter
County Hospital District, an independent special district located in
Sumter County, Florida, established by Chapter 2004-451, Laws of
Florida

Dear Mr. President and Mr. Speaker:

The North Sumter County Hospital District (District) has become inactive within the meaning of Section 189.4044(1)(a)1., Florida Statutes. As required by Section 189.4044(3), Florida Statutes, the Department of Community Affairs (Department) is providing this Notice of Declaration of Inactive Status (Notice) to both of you. According to subsections 189.4044(3) and (4), Florida Statutes, this Notice is sufficient as required by Section 10, Article III, of the Florida Constitution, to authorize the Legislature to repeal Chapter 2004-451, Laws of Florida, the special district's enabling law.

The inactive status is based upon notification by Mr. James Rogan, the District's Registered Agent, that the District has taken no action in over two years because the District's electors, by a majority vote in a referendum, did not approve the District's authority to levy an ad valorem tax to fund the District. Mr. Bradley Arnold, Sumter County Administrator, verified that the Sumter County Board of County Commissioners desires the Department to declare the District inactive for legislative dissolution.

2555 SHUMARD OAK BOULEVARD TALLAHASSEE, FL 32399-2100
Phone: 850-488-8466/SUNCOM 278-8466 Fax: 850-921-0781/SUNCOM 291-0781
Website:

COMMUNITY PLANNING
Phone: 850-488-2356/SUNCOM 278-2356
Fax: 850-488-3308/SUNCOM 278-3308

AREAS OF CRITICAL STATE CONCERN FIELD OFFICE
Phone: 305-289-2402
Fax: 305-289-2442

HOUSING AND COMMUNITY DEVELOPMENT
Phone: 850-488-7958/SUNCOM 278-7956
Fax: 850-922-5623/SUNCOM 292-5623

The Honorable Ken Pruitt
The Honorable Marco Rubio
February 29, 2008
Page 2

As required by Section 189.4044(1)(b), Florida Statutes, the Department published a Notice of Proposed Declaration of Inactive Status (Proposed Notice) of the North Sumter County Hospital District in the *Sumter County Times*, a newspaper of general circulation in Sumter County, on January 17, 2008. This Proposed Notice required any party objecting to the dissolution of the District to file an objection pursuant to Chapter 120, Florida Statutes, within 21 days after the publication date. The Department provided a copy of this Proposed Notice by certified mail to Mr. Rogan and Mr. Arnold. Because no objections were filed within 21 days, on February 13, 2008, the Department's Special District Information Program changed the District's formal status from active to inactive. Based on this status change, the Department requests that the Legislature dissolve the District by repealing Chapter 2004-451, Laws of Florida.

Please do not hesitate to contact Barbara Jo Finer, Assistant General Counsel, at 850/488-0410, if you have any questions or need further assistance.

Sincerely yours,



Thomas G. Pelham
Secretary

TGP/jg

cc: Mr. James Rogan, Registered Agent, North Sumter County Hospital District
Mr. Bradley Arnold, Sumter County Administrator
Mr. Jack Gaskins, Jr., Special District Information Program



The Florida House of Representatives

Local & Federal Affairs Committee

Local Government Affairs Subcommittee

Steve Crisafulli
Speaker

Debbie Mayfield
Subcommittee Chair

August 25, 2015

Rep. Brad Drake
Administrative Building, Room 186
Chipola College
3094 Indian Circle
Marianna, FL 32446-1701

Re: Northwest Florida Community Hospital District

Dear Representative Drake:

One of my goals for the Local Government Affairs Subcommittee is to reduce the number of unnecessary special taxing districts in Florida. This includes encouraging the dissolution of those special districts that have fulfilled their purpose and are no longer active.

The Special District Accountability Program in the Department of Economic Opportunity has declared the Northwest Florida Community Hospital District in Washington County to be inactive. The Subcommittee staff reviewed the information from DEO and suggested the district be dissolved through a local bill repealing the legal authorization for the district. To this end staff has drafted the enclosed proposed repealer bill for consideration by the local delegation.

Please advise if the local authorities have any concerns about dissolving the district at this time, including whether there are outstanding liabilities or assets for which disposition must be made. If there are no such concerns, please submit the enclosed draft for consideration at the delegation meeting. Also enclosed is a draft local bill certification form and draft economic impact statement which should be completed and submitted as with other local bills. You may want to consult with the appropriate person with the county for completion of the EIS.

Under s. 189.062(3), F.S., the declaration of inactive status from DEO is sufficient notice under s. 10, art. III of the State Constitution to authorize the Legislature to repeal any special laws so reported. Because this general law satisfies the publication requirement of the State Constitution, no further publication is necessary. Enclosed is a proposed Substitute Notice which would replace the Affidavit of Publication to accompany the bill when filed.

Thank you for considering this proposed bill. If you have any questions concerning this proposal please do not hesitate to contact either myself or Eric Miller, Policy Chief for the Subcommittee. His number is (850) 717-5681.

Sincerely,

A handwritten signature in cursive script that reads "Debbie".

Debbie Mayfield, Chair
Local Government Affairs Subcommittee

Enc.

Rick Scott
GOVERNOR



FLORIDA DEPARTMENT of
ECONOMIC OPPORTUNITY

Cynthia R. Lorenzo
INTERIM EXECUTIVE DIRECTOR

February 22, 2012

The Honorable Mike Haridopolos, President
Florida Senate
Room 312, Senate Office Building
404 South Monroe Street
Tallahassee, Florida 32399-1100

The Honorable Dean Cannon, Speaker
Florida House of Representatives
420 The Capitol
402 South Monroe Street
Tallahassee, Florida 32399-1300

Re: Declaration of Inactive Status of the Northwest Florida Community Hospital District

Dear President Haridopolos and Speaker Cannon:

The Department of Economic Opportunity (the "Department") administers Chapter 189, Florida Statutes (the Uniform Special District Accountability Act of 1989). This Act charges the Department with a number of responsibilities as they relate to special districts. Among these responsibilities is the requirement to declare special districts inactive for dissolution under certain circumstances. When special districts created by special act of the Legislature become inactive, the Department must notify the Speaker of the House of Representatives and the President of the Senate.

Section 189.4044, Florida Statutes, describes four conditions in which the Department must declare special districts inactive. One of these conditions is met when the Department is notified in writing by a special district's registered agent that the special district has taken no action for two or more years.

On November 3, 2011, Ms. Camilla Schmitz, the registered agent of the Northwest Florida Community Hospital District (the "District"), an independent special district located in Washington County, notified the Department in writing that the District has not taken any action since 2004. Ms. Schmitz asked the Department to declare the District inactive.

The Caldwell Building 107 E. Madison Street Tallahassee, Florida 32399-4120 850.245.7105
www.FloridaJobs.org www.twitter.com/FLDEO www.facebook.com/FLDEC

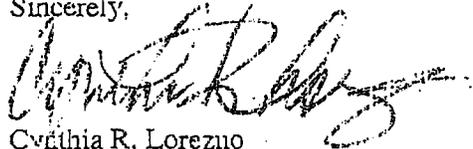
The Honorable Mike Haridopolos
The Honorable Dean Cannon
Page Two

On January 21, 2012, the Department published a "Notice of Proposed Declaration of Inactive Status of the Northwest Florida Community Hospital District" in the Washington County News. This notice required any party objecting to the inactive status to file an objection with the Department pursuant to Chapter 120, Florida Statutes, within twenty-one (21) days after the date of publication of the notice. The Department did not receive any objections. Therefore, on February 13, 2012, the Department declared the Authority inactive by changing its status on the Official List of Special Districts from "active" to "inactive."

Section 189.4044(3), Florida Statutes, provides that this declaration of inactive status is sufficient notice as required by Section 10, Article III of the State Constitution to authorize the Legislature to repeal any special laws so reported. According to our records, the Authority was established by Chapter 19421, Laws of Florida, and amended by Chapters 76-502 and 88-532, Laws of Florida. The Department requests that the Legislature dissolve the Authority by repealing its special acts.

Please contact Mr. Darrick McGhee, Legislative and Cabinet Affairs Director, at 850-245-7370 if you have any questions or need further assistance.

Sincerely,



Cynthia R. Lorezno
Interim Executive Director

CRL/jg

cc: Ms. Marcey M. Black, Registered Agent, Northwest Florida Community Hospital District
Mr. Jeff Goodman, Washington County Attorney
✓ Mr. Jack Gaskins Jr., Special District Information Program



The Florida House of Representatives

Local & Federal Affairs Committee

Local Government Affairs Subcommittee

Steve Crisafulli
Speaker

Debbie Mayfield
Subcommittee Chair

August 25, 2015

Rep. Paul Renner
4877 Palm Coast Pkwy. NW, Unit 1
Palm Coast, FL 32137-3677

Re: Moultrie Creek Community Development District

Dear Representative Renner:

One of my goals for the Local Government Affairs Subcommittee is to reduce the number of unnecessary special taxing districts in Florida. This includes encouraging the dissolution of those special districts that have fulfilled their purpose and are no longer active.

The Special District Accountability Program in the Department of Economic Opportunity has declared the Moultrie Creek Community Development District in St. Johns County to be inactive. DEO provided a declaration of inactive status to the Chair of the St. Johns County Commission on April 25, 2014; a copy is enclosed. Unlike other independent special districts, under the law an inactive community development district may be dissolved only by its creating entity.

Please advise if the local authorities intend to repeal the creating ordinance and dissolve the CDD. Please also advise if the authorities or the local delegation have any concerns about dissolving the district at this time, including whether there are outstanding liabilities or assets for which disposition must be made.

Thank you for your assistance. If you have any questions please do not hesitate to contact either myself or Eric Miller, Policy Chief for the Subcommittee. His number is (850) 717-5681.

Sincerely,

A handwritten signature in cursive script, appearing to read "Debbie".

Debbie Mayfield, Chair
Local Government Affairs Subcommittee

Enc.



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

March 5, 2015

Ms. Cheryl Strickland
Secretary
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

Attention: Ms. Yvonne King, Deputy Clerk

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of St. Johns Ordinance No. 2015-17, which was filed in this office on March 5, 2015.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

2015 MAR -5 PM 4: 05
CHERYL STRICKLAND
CLERK COUNTY COMMISSION
ST. JOHNS COUNTY, FL

FILED

ORDINANCE NO. 2015- 17

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, DISSOLVING THE MOULTRIE CREEK COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 189 AND CHAPTER 190, FLORIDA STATUTES; REPEALING ORDINANCE NO. 2006-60; PROVIDING A DISCLAIMER OF DISTRICT OBLIGATIONS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, on May 16, 2006, the St. Johns County Board of Commissioners (the County) adopted Ordinance 2006-60 establishing the Moultrie Creek Community Development District (the District); and

WHEREAS, on February 18, 2014, the Joint Legislative Auditing Committee notified the Department of Economic Opportunity (the Department) that the District did not file its required Annual Financial Report with the Department of Financial Services; and

WHEREAS, on February 27, 2014, the Department published in the St. Augustine Record a Notice of Proposed Declaration of Inactive Status of the Moultrie Creek Community Development District (the Notice), which required any party objecting to the proposed inactive status to file an objection with the Department within 21 days of publication of the Notice; and

WHEREAS, the Department did not receive any objections during the 21 days provided for objection to the Notice; and

WHEREAS, pursuant to Section 189.062, Florida Statutes, the Department has changed the status of the District from "active" to "inactive" and has requested that the County repeal Ordinance 2006-60, which established the District, in a letter dated April 25, 2014; and

WHEREAS, pursuant to Sections 189.062 and 190.046, Florida Statutes, the County is required dissolve a community development district declared inactive by the Department and repeal the enabling ordinance; and

WHEREAS, it is the intention of the County to not undertake or accept any financial obligations, operating or maintenance responsibilities, or any other obligations of the District; and

WHEREAS, the County desires to dissolve the District, subject to the terms and conditions set forth in this Ordinance.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY:

SECTION 1. The above recitals are adopted as findings of fact in support of this Ordinance.

SECTION 2. This ordinance is enacted pursuant to Chapter 189, Florida Statutes, Special Districts, General Provisions and Chapter 190, Florida Statutes, Community Development Districts.

SECTION 3. The Moultrie Creek Community Development District, established by Ordinance No. 2006-60, is hereby dissolved, pursuant to the provisions of Chapter 189 and Chapter 190, Florida Statutes.

SECTION 4. Ordinance No. 2006-60, which established the Moultrie Creek Community Development District, is hereby repealed. The Clerk is directed to place Ordinance 2006-60 into the list of repealed ordinances.

SECTION 6. Nothing in this Ordinance shall be construed as acceptance by St. Johns County of any financial obligations, operating or maintenance responsibilities, or any other obligation of the District.

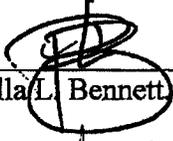
SECTION 7. Notwithstanding any provision of this Ordinance, no portion of any impact fee ordinance, concurrency provision, building code, comprehensive plan or any land development regulation shall be deemed waived or varied by any provision herein. Notwithstanding any provision of this Ordinance, no portion of any use restriction, title conditions, restrictions or covenants shall be deemed waived or varied by any provision herein.

SECTION 8. If any provision of this Ordinance or the application thereof is finally determined by a court of competent jurisdiction to be illegal, invalid or unenforceable, such provision shall be deemed to be severable and the remaining provisions shall continue in full force and effect provided that the illegal, invalid or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

SECTION 9. This Ordinance shall take effect upon a certified copy being filed with the Florida Department of State.

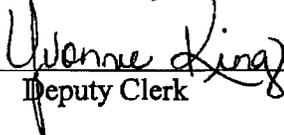
PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, Florida this 3rd day of March, 2015.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

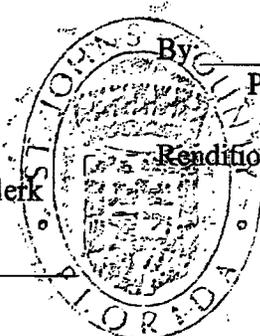
By:  Priscilla L. Bennett, Chair

Repeal Date: March 5, 2015

ATTEST: Cheryl Strickland, Clerk

By:  Deputy Clerk

Effective Date: March 5, 2015



THE ST. AUGUSTINE RECORD

SJC DEVELOPMENT REVIEW
ATTN: RACHEL GARVEY
4040 LEWIS SPEEDWAY
SAINT AUGUSTINE FL 32084

Ref.#: L542-15
P.O.#: HG 3-3

PUBLISHED EVERY MORNING SUNDAY THRU SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

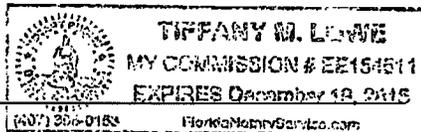
STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **NICOLE CORREIA** who on oath says that he/she is an Employee of the St. Augustine Record a daily newspaper published at St. Augustine in St. Johns County, Florida that the attached copy of advertisement being a **NOTICE OF HEARING** In the matter of **DISSOLVE MOULTRIE CK - HEARING MARCH 3, 2015** was published in said newspaper on **02/20/2015**

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore has been continuously published in said St. Johns County, Florida each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this _____ day of **FEB 20 2015**
by *Nicole Correia* who is personally known to me
or who has produced as identification

Tiffany M. Lowe
(Signature of Notary Public)



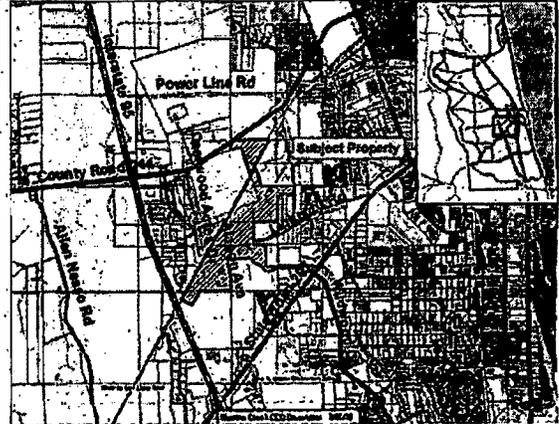
(Seal)

NOTICE OF A PUBLIC HEARING TO CONSIDER THE DISSOLUTION OF MOULTRIE CREEK COMMUNITY DEVELOPMENT DISTRICT

NOTICE IS HEREBY GIVEN that a public hearing will be held on **Tuesday, March 3, 2015 at 9:00 a.m.** by the St. Johns County Board of County Commissioners in the County Auditorium, County Administration Building, 500 San Sebastian View, St. Augustine, Florida, to consider the dissolution of the Moultrie Creek Community Development District, with the following styled ordinance:

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, DISSOLVING THE MOULTRIE CREEK COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 189 AND CHAPTER 190, FLORIDA STATUTES; REPEALING ORDINANCE NO. 2006-60; PROVIDING A DISCLAIMER OF DISTRICT OBLIGATIONS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

The Moultrie Creek Community Development District is located west of South Holmes Blvd., east of I-95, between County Road 214 and State Road 207 within St. Johns County, Florida.



This file is maintained in the Planning & Zoning Section of the Growth Management Department, at the Permit Center, 4040 Lewis Speedway, St. Augustine, Florida, and may be examined by interested parties prior to said public hearing.

Interested parties may appear at the meeting and be heard with respect to the proposed request.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact the County's ADA Coordinator at (904) 209-0650 or at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida, 32084. For hearing impaired individuals, call Florida Relay Service at 1 800 955 8770, no later than 5 days prior to the date of this meeting.

If a person decides to appeal any decision made with respect to any matter considered at the meeting or hearing, he or she will need a record of the proceedings and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is to be based.

This matter is subject to court imposed quasi-judicial rules of procedure. It is anticipated that one or more County Commissioners may attend this meeting. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except in compliance with Resolution 95-126, to properly noticed public hearings or to written communication care of St. Johns County Planning & Zoning Section, 4040 Lewis Speedway, St. Augustine, Florida, 32084.

BOARD OF COUNTY COMMISSIONERS
PRISCILLA L. BENNETT, CHAIR
Moultrie Creek Community Development District
L-542-15 Feb 20, 2015

Rick Scott
GOVERNOR



Jesse Panuccio
EXECUTIVE DIRECTOR

April 25, 2014

The Honorable Jay Morris
Chairman, St. Johns County Board of County Commissioners
500 San Sebastian View
St. Augustine, Florida 32084

Re: Declaration of Inactive Status of the Moultrie Creek Community Development District

Dear Chairman Morris:

The purpose of this letter is to notify the St. Johns County Board of County Commissioners that the Moultrie Creek Community Development District (the "District"), an independent special district established by St. Johns County Ordinance 2006-60 pursuant to Chapter 190, Florida Statutes, has become inactive.

The Department of Economic Opportunity (the "Department") administers Chapter 189, Florida Statutes (the Uniform Special District Accountability Act of 1989). The Act charges the Department's Special District Information Program with a number of responsibilities regarding special districts, including declaring special districts inactive for dissolution under certain circumstances.

In a letter dated February 18, 2014 (enclosed), the Joint Legislative Auditing Committee notified the Department that for fiscal year 2011-12, the District did not file its required Annual Financial Report with the Department of Financial Services and, if applicable, an Annual Financial Audit Report with the Auditor General. As a result, the Committee adopted a motion to direct the Department to take action pursuant to sections 189.4044 or 189.421, Florida Statutes.

Section 189.421(3), Florida Statutes, requires the Department to file a petition for writ of certiorari with the circuit court. However, the District has not designated a registered agent and a registered office as required by section 189.416(1), Florida Statutes. Therefore, the Department is unable to serve the District with legal documents and must proceed under section 189.4044. Section 189.4044(1)(a)(3), Florida Statutes, requires the Department to declare a special district inactive if it fails to file any of the reports listed in section 189.419, Florida Statutes, which includes the Annual Financial Report and Annual Financial Audit Report.

As part of the statutory process for declaring the District inactive, the Department published in the *St. Augustine Record* a required "Notice of Proposed Declaration of Inactive Status of the Moultrie Creek Community Development District" on February 27, 2014 (enclosed). This notice required any party objecting to the inactive status to file an objection with the Department pursuant to Chapter 120, Florida Statutes, within twenty-one (21) days after the date of publication of the notice. The Department's agency clerk has verified that the Department did not receive any objections during this period. On March 21, 2014, the Department changed the official status of the District from "active" to "inactive."

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
866.FLA.2345 | 850.245.7105 | 850.921.3223 Fax
www.floridajobs.org | www.floridajobs.com/FLDEO | www.facebook.com/FLDEO

The Honorable Jay Morris

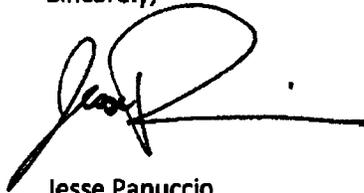
April 25, 2014

Page 2 of 2

Section 189.4044(4), Florida Statutes, requires the entity that created a special district declared inactive by the Department to dissolve that special district by repealing its enabling laws. Accordingly, please repeal St. Johns County Ordinance 2006-60, which established the District, and provide documentation of that action to the Department so we can change the status of the District from "inactive" to "dissolved." The Department has been in contact with Mr. Patrick McCormack, County Attorney, about this process.

Thank you in advance for your assistance with this matter. If you have any questions, please contact Mr. Chris Long, Assistant General Counsel, at 850-245-7150.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jesse Panuccio', with a long horizontal line extending to the right.

Jesse Panuccio

JG/CL

Enclosures

cc: Kathryn H. DuBose, Coordinator, Joint Legislative Auditing Committee
Patrick McCormack, County Attorney, St. Johns County
Jack Gaskins Jr., Special District Information Program

DON GAETZ
President of the Senate



Senator Rob Bradley
Senator Alan Hays
Senator Jeremy Ring
Senator Wilton Simpson

THE FLORIDA LEGISLATURE
JOINT LEGISLATIVE AUDITING COMMITTEE

Representative Lake Ray, Chair
Senator Joseph Abruzzo, Vice Chair

WILL WEATHERFORD
Speaker of the House



Representative Daphne D. Campbell
Representative Gayle B. Harrell
Representative Daniel D. Raulerson
Representative Ray Rodrigues
Representative Cynthia A. Stafford

February 18, 2014

Mr. Jesse Panuccio, Executive Director
Department of Economic Opportunity
107 East Madison Street
Caldwell Building, Suite 212
Tallahassee, Florida 32399-4120

Dear Director Panuccio:

The Joint Legislative Auditing Committee (Committee) met on February 17, 2014, and discussed local governmental entities that have not complied with the reporting requirements set forth in Sections 218.39(1) and 218.32(1)(a), F.S. In accordance with the provisions of Sections 11.45(7)(a) and 218.32(1)(f), F.S., the Committee adopted a motion to take action pursuant to Sections 11.40(2), F.S.

Section 11.40(2), F.S., provides, in part, that, if the Committee determines one or more local governmental entities should be subjected to further state action, the Committee shall:

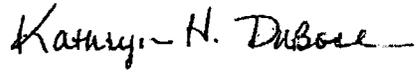
- In the case of a special district, notify the Department of Economic Opportunity that the special district has failed to comply with the law. Upon receipt of notification, the Department of Economic Opportunity shall proceed pursuant to Sections 189.4044 or 189.421, F.S.

Enclosed is a list of special districts that the Committee has determined should be subjected to further state action. Accordingly, the Committee requests that the Department of Economic Opportunity proceed pursuant to the provisions specified in Sections 189.4044 or 189.421, F.S.

Director Jesse Panuccio
February 18, 2014
Page 2

If you have any questions, please do not hesitate to call me at 487-4110.

Sincerely,



Kathryn H. DuBose
Coordinator

Enclosure

KD:dw

cc: The Honorable Jeff Atwater, Chief Financial Officer
Representative Lake Ray, Chair
David Martin, Auditor General
Jack Gaskins, Department of Economic Opportunity

SPECIAL DISTRICTS THAT DID NOT SUBMIT THE FINANCIAL REPORTS REQUIRED BY S. 218.32 AND S. 218.39, F.S.

LEGEND:

X = not yet received

SPECIAL DISTRICTS (County)	FY 2011-12	
	AFR	Audit
INDEPENDENT:		
Flagler Soil and Water Conservation District (Flagler) (2)	X	X (1)
Moultrie Creek Community Development District (St. Johns) (2)	X	X (1)

Notes:

(1) The Auditor General's Office was unable to obtain sufficient information to determine whether the district met the threshold for the requirement of an audit for this fiscal year.

(2) Currently, the special district has not provided any registered agent or office information to the Department of Economic Opportunity.

FL DEPT OF ECONOMIC OPPORTUNIT
CALDWELL
107 E MADISON ST
TALLAHASSEE FL 32399

Ref.#: LS90-14
P.O.#: MOULTRIECK

PUBLISHED EVERY MORNING SUNDAY THRU SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **MEGAN BECKER**

who on oath says that he/she is an Employee of the St. Augustine Record,

a daily newspaper published at St. Augustine in St. Johns County, Florida:

that the attached copy of advertisement being a **MISC NOTICE**

In the matter of **DECL INACTIVE STATUS - MOULTRIE CREEK CDD**

was published in said newspaper on **02/27/2014**

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore has been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this _____ day of _____

by Megan Becker who is personally known to me
or who has produced as identification _____

FEB 27 2014



SHAWNE' H ORDONEZ
MY COMMISSION # EE212989
EXPIRES July 01, 2016
FloridaNotaryService.com

NOTICE OF PROPOSED DECLARATION OF INACTIVE STATUS OF THE MOULTRIE CREEK COMMUNITY DEVELOPMENT DISTRICT
Notice is given that the Moultrie Creek Community Development District (the "District"), established by St. Johns County Ordinance 2006-06, pursuant to Chapter 196, Florida Statutes, has met the criterion specified in Section 187.404(1)(b), Florida Statutes, requiring the Department of Economic Opportunity, (the "Department") to declare the District inactive. The District's general territory is in St. Johns County in an unincorporated area, bounded by the eastern side of Lightsey Road and west of State Road 207. Section 187.404(4), Florida Statutes, requires the entity that created a special district declared inactive to dissolve the special district by repealing its enabling laws or by other appropriate means.
The Department hereby notices its intent to declare the District inactive twenty-one (21) calendar days after the date of publication of this Notice. Any objections must be filed pursuant to Chapter 120, Florida Statutes, within twenty-one (21) days after the date of publication of this Notice, by first class mail or hand-delivery to the Department of Economic Opportunity, Agency Clerk, 107 E. Madison Street, MSC 400, Tallahassee, FL 32399-6508. You may also file the Petition by facsimile transmission to (850) 921-3230 or by email to James.Bellflower@DEO.MyFlorida.com, but you are responsible for verifying that the complete document was received by the Agency Clerk prior to the deadline. The petition must meet the filing requirements contained in Rule 28-106.104, Florida Administrative Code. If no issues of material fact are disputed, then the petition must comply with the requirements of Rule 28-106.301, Florida Administrative Code. If issues of material fact are disputed, then the petition must comply with the requirements of Rule 28-106.301, Florida Administrative Code.
LS90-14 Feb 27, 2014

(Signature of Notary Public)

(Seal)

**Hillcrest Preserve Community
Development District**



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

RICK SCOTT
Governor

BILLY BUZZETT
Secretary

June 21, 2011

The Honorable Ann Hildebrand
Chair, Pasco County Board
of County Commissioners
7530 Little Road
New Port Richey, Florida 34654

Re: Inactive Status of the Hillcrest Preserve Community Development District

Dear Commissioner Hildebrand:

The Department of Community Affairs (the "Department") administers Chapter 189, Florida Statutes (the Uniform Special District Accountability Act of 1989). This Act charges the Department with a number of responsibilities as they relate to special districts, including declaring special districts inactive for dissolution under certain circumstances.

The purpose of this letter is to notify the Pasco County Board of County Commissioners that the Hillcrest Preserve Community Development District (the "District"), an independent special district established by Pasco County Ordinance 07-27, pursuant to Chapter 190, Florida Statutes, has become inactive and must be dissolved.

In a letter dated May 3, 2011 (enclosed), the Joint Legislative Auditing Committee notified the Department that the District did not file a required fiscal year 2008-09 Annual Financial Report and, if the threshold was met, a fiscal year 2008-09 Annual Financial Audit Report. The Committee requested the Department to initiate the reporting enforcement provisions in Section 189.421, Florida Statutes. On May 10, 2011, the District's registered agent, Mr. Mark Straley, notified the Department that the district is inactive under Section 189.4044, Florida Statutes, because it does not have a governing board (email enclosed). Since the district does not have a governing board, it would be futile to attempt to enforce financial reporting, since financial reporting requires action by a governing board. Therefore, the Department must declare the district inactive.

On May 19, 2011, the Department published in the *Tampa Tribune, Pasco Edition*, a required "Notice of Proposed Declaration of Inactive Status of the Hillcrest Preserve Community Development District" (enclosed). This notice required any party objecting to the inactive status to file an objection with the Department pursuant to Chapter 120, Florida Statutes, within twenty-one (21) days after the date of publication of the notice. The Department did not receive

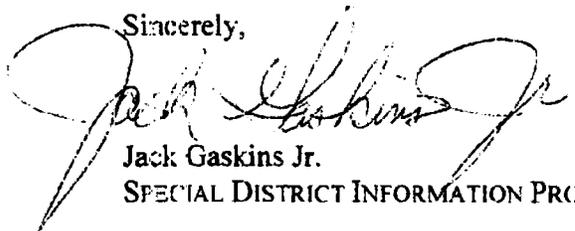
The Honorable Ann Hildebrand, Chair
Pasco County Board of County Commissioners
June 21, 2011
Page 2

any objections. Therefore, on June 10, 2011, the Department changed the status of the District from "active" to "inactive."

Section 189.4044(4), Florida Statutes, requires the entity that created a special district declared inactive to dissolve that special district by repealing its enabling laws. Accordingly, please repeal Pasco County Ordinance 07-27, which established the District. After the Board of County Commissioners takes this action, please provide a copy of the dissolution ordinance to the Department so we can change the status of the District from "inactive" to "dissolved." The Department has been in contact with Ms. Elizabeth Blair, Senior Assistant County Attorney, concerning this process.

Thank you in advance for assistance with this matter. If you have any questions, please contact me at jack.gaskins@dca.state.fl.us or 850-922-1457.

Sincerely,



Jack Gaskins Jr.
SPECIAL DISTRICT INFORMATION PROGRAM

JG

Enclosures

cc: Mr. John Gallagher, Pasco County Administrator
Mr. Jeffrey Steinsnyder, County Attorney
Ms. Elizabeth Blair, Senior Assistant County Attorney
Ms. Debbie White, Joint Legislative Auditing Committee
Mr. Mark Straley, Registered Agent, Hillcrest Preserve Community Development District

Rick Scott
GOVERNOR



Jesse Panuccio
EXECUTIVE DIRECTOR

December 12, 2014

The Honorable Ted Schrader
Chairman, Pasco County Board of County Commissioners
8731 Citizens Drive
New Port Richey, Florida 34654

Re: Declaration of Inactive Status of the Valley Oaks Community Development District

Dear Chairman Schrader:

The Department of Economic Opportunity (the "Department") administers Chapter 189, Florida Statutes (the Uniform Special District Accountability Act). This Act charges the Department's Special District Accountability Program with a number of responsibilities as they relate to special districts, including declaring special districts inactive for dissolution under certain circumstances.

The purpose of this letter is to notify the Pasco County Board of County Commissioners that the Valley Oaks Community Development District (the "District"), an independent special district established by Pasco County Ordinance 07-01, pursuant to Chapter 190, Florida Statutes, has become inactive within the meaning of Section 189.062, Florida Statutes, and must be dissolved by the County.

In a letter dated April 15, 2014 (enclosed), the District's registered agent, Mr. Brian Lamb, notified the Department that the District has taken no action for two years or more. Mr. Lamb requested the Department to declare the special district inactive and indicated that his staff will publish the required newspaper notice. The Department provided the required language for the notice and asked Mr. Lamb to let the Department know the date of publication.

On April 30, 2014, Mr. Lamb's office published the enclosed "Notice of Proposed Declaration of Inactive Status of the Valley Oaks Community Development District" in the *Pasco Times*. This notice required any party objecting to the inactive status to file an objection with the Department pursuant to Chapter 120, Florida Statutes, within twenty-one (21) days after the date of publication of the notice.

Although it would have been ideal if the Department had been notified prior to publication of the Notice in order to monitor if any objections had been filed, Mr. Lamb's office notified the Department on December 1, 2014 that his office published the notice. Following the notification, our legal office researched records from April and May 2014 and concluded no objections to the inactive status were filed with the agency clerk. On December 8, 2014, the Department changed the official status of the District from "active" to "inactive."

Section 189.062(4), Florida Statutes, requires the entity that created a special district declared inactive to dissolve that special district by repealing its enabling laws. Accordingly, please repeal Pasco County Ordinance 07-01, which established the District, and provide documentation of that action to the Department so we can change the status of the District from "inactive" to "dissolved." The Department

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
866.FLA.2345 | 850.245.7105 | 850.921.3223 Fax
www.floridalabs.org | [www.twitter.com/FLDEO](https://twitter.com/FLDEO) | www.facebook.com/FLDEO

An equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TDD equipment via the Florida Relay Service at 711.

The Honorable Ted Schrader

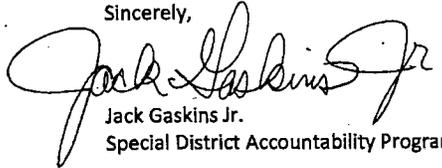
December 12, 2014

Page 2 of 2

has been in contact with Mr. Jeffrey Steinsnyder and Ms. Elizabeth Blair in the County Attorney's Office about this process.

Thank you in advance for your assistance with this matter. If you have any questions, please contact Mr. Aaron C Dunlap, Assistant General Counsel, at 850-245-7150.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jack Gaskins Jr.", written in black ink.

Jack Gaskins Jr.

Special District Accountability Program

Enclosures

cc: Brian Lamb, Registered Agent
Jeffrey Steinsnyder, Pasco County Attorney
Elizabeth Blair, Assistant Pasco County Attorney

VALLEY OAKS
COMMUNITY DEVELOPMENT DISTRICT

District Office + 5680 W. Cypress Street + Suite A + Tampa, Florida 33607 + (813) 397-5121 + Fax (813) 873-7070

April 15, 2014

Jack Gaskins, Jr.
Department of Economic Opportunity
Division of Community Development
Special District Information Program
107 E Madison Street, MSC-400
Tallahassee, FL 32399-6508

7013 2250 0001 9888 5618

Dear Mr. Gaskins:

The purpose of this letter is to satisfy the statutory notification requirement for the Department of Economic Opportunity to request inactive status for the Valley Oaks Community Development District.

Per the Florida Statutes Section 189.4044 (Special Procedures for Inactive Districts), the registered agent must notify the Department of Economic Opportunity (DEO) in writing if one of the following criteria is met:

- 1) *The District has taken no action for two (2) or more years;*
- 2) *The District has not had a governing board or the Chair of the Board fails to respond to the DEO's inquiry within twenty-one (21) days;*
- 3) *The DEO determines that the District has failed to file any of the required reports listed in s. 189.419;*
- 4) *The District has not had a registered office and agent on file with the DEO for one (1) or more years;*
- 5) *The governing body provides documentation to the DEO that it has unanimously adopted a resolution declaring the special district inactive.*

I, as the District's registered agent, attest that the District has taken no action for two (2) years or more. In addition, the District has a zero annual fee balance with the DEO due to the fees being waived prior to the deadline each year, per your attached email with Don Robinson from Meritus Districts.

Staff will advertise the petition for inactive status with a widely-circulated newspaper within Pasco County. Staff will also send the petition to the Chair of the CDD Board via certified mail. Staff anticipates that twenty-one (21) days will elapse from the publication date and that no administrative appeals will be filed. This will satisfy the final requirement of the District for inactive status. We understand that the property or assets are subject to legal process for payment of any debts of the district.

Please feel free to contact me with any questions or concerns.

Sincerely,



Brian Lamb
CEO, Meritus

Pasco Times

Published Daily

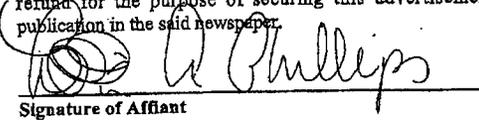
Port Richey, Pasco County, Florida

STATE OF FLORIDA
COUNTY OF Pasco

} s.s.

Before the undersigned authority personally appeared L. Phillips who on oath says that he/she is Legal Clerk of the Pasco Times, an edition of the *Tampa Bay Times* a daily newspaper published at Port Richey, in Pasco County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter RE: Ntc Of Proposed Declaration Of Inactive Status was published in said newspaper in the issues of Classified Pasco, 4/30/2014.

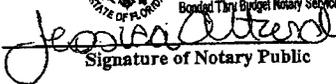
Affiant further says the said Pasco Times, an edition of the Tampa Bay Times is a newspaper published at Port Richey, in said Pasco County, Florida; and that the said newspaper has heretofore been continuously published in said Pasco County, Florida; each day and has been entered as second class mail matter at the post office in Port Richey, in said Pasco County, Florida; for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he /she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.


Signature of Affiant

Sworn to and subscribed before me
this 30th day of April A.D.2014



JESSICA ATTARD
MY COMMISSION # EE 078485
EXPIRES: March 28, 2015
Bonded Third Graded Notary Services


Signature of Notary Public

Personally known X or produced indentification

Type of indentification produced _____

**NOTICE OF PROPOSED DECLARATION
OF INACTIVE STATUS OF THE
VALLEY OAKS
COMMUNITY DEVELOPMENT DISTRICT**

Notice is given that the Valley Oaks Community Development District (the "District"), an independent special district established by Pasco County Ordinance 07-01, pursuant to Chapter 180, Florida Statutes, has met the criterion specified in Section 189.4044(1)(a), Florida Statutes, requiring the Department of Economic Opportunity (the "Department") to declare the District inactive. The District's general territory is in Pasco County in an area north of Old Allen Road, south of US 96 / CR 35, east of Wire Road, and west of 23rd Street, Section 189.4044(4), Florida Statutes, requires the entity that created a special district declared inactive to dissolve the special district by repealing its enabling laws or by other appropriate means.

The Department hereby notices its intent to declare the District inactive twenty-one (21) calendar days after the date of publication of this Notice. Any objections must be filed pursuant to Chapter 120, Florida Statutes, within twenty-one (21) days after the date of publication of this Notice, by first class mail or hand-delivery to the Department of Economic Opportunity, Agency Clerk, 107 E. Madison Street, MSC 400, Tallahassee, FL 32399-8508. You may also file the Petition by facsimile transmission to (850) 921-3230 or by email to James.Belflower@DEO.MyFlorida.com, but you are responsible for verifying that the complete document was received by the Agency Clerk prior to the deadline. The petition must meet the filing requirements contained in Rule 28-106.104, Florida Administrative Code. If no issues of material fact are disputed, then the petition must comply with the requirements of Rule 28-106.301, Florida Administrative Code. If issues of material fact are disputed, then the petition must comply with the requirements of Rule 28-106.201, Florida Administrative Code.

Run date: 4/30/2014 1004150156



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

CHARLIE CRIST
Governor

THOMAS G. PELHAM
Secretary

December 13, 2010

The Honorable Mike Haridopolos
President, Florida Senate
409 The Capitol
404 South Monroe Street
Tallahassee, Florida 32399-1100

The Honorable Dean Cannon
Speaker, Florida House of Representatives
420 The Capitol
402 South Monroe Street
Tallahassee, Florida 32399-1300

Re: Declaration of Inactive Status of the Sunny Isles Reclamation
and Water Control Board

Dear Mr. President and Mr. Speaker:

The Department of Community Affairs (the "Department") administers the Uniform Special District Accountability Act of 1989 (Chapter 189, Florida Statutes). This Act charges the Department with a number of responsibilities as they relate to special districts. These responsibilities include declaring special districts inactive for dissolution under certain circumstances and notifying the Speaker of the House of Representatives and the President of the Senate of this action to authorize the Legislature to dissolve the district by repealing the special laws reported.

On October 26, 2010, Mr. Jeffrey R. Miner, Registered Agent for the Sunny Isles Reclamation and Water Control Board (the "District"), notified the Department that the District, an independent special district located in Broward and Miami-Dade Counties, has taken no action for two or more years and should be declared inactive under Section 189.4044, Florida Statutes.

2555 SHUMARD OAK BOULEVARD ■ TALLAHASSEE, FL 32399-2100
850-488-8466 (p) ■ 850-921-0781 (f) ■ Website: www.dca.state.fl.us

■ COMMUNITY PLANNING 850-488-2356 (p) 850-488-3309 (f) ■ FLORIDA COMMUNITIES TRUST 850-922-2207 (p) 850-921-1717 (f) ■
■ HOUSING AND COMMUNITY DEVELOPMENT 850-488-7956 (p) 850-922-5623 (f) ■

The Honorable Mike Haridopolos
The Honorable Dean Cannon
December 13, 2010
Page 2

To declare the District inactive, the Department published a "Notice of Proposed Declaration of Inactive Status of the Sunny Isles Reclamation and Water Control Board" in the *Miami Herald* on November 11, 2010. This notice required any party objecting to declaring the District inactive to file an objection with the Department pursuant to Chapter 120, Florida Statutes, within twenty-one (21) days after the date of publication of the notice. The Department did not receive any objections. Therefore, on December 3, 2010, the Department changed the District's status from "active" to "inactive."

Section 189.4044(3), Florida Statutes, provides that a declaration of inactive status is sufficient notice as required by Section 10, Article III of the State Constitution to authorize the Legislature to repeal any special laws so reported. The District was established by a Circuit Court Decree of the 11th Judicial Circuit on August 29, 1966 as authorized by Chapter 298, Florida Statutes (1966). The Department has found precedents for the Legislature dissolving special districts established by Circuit Court Decrees under the authority of Chapter 298, Florida Statutes (see Chapter 2001-303, Laws of Florida).

Please do not hesitate to contact Ms. Leslie Anderson-Adams, Assistant General Counsel, at 850-488-0410 if you have any questions or need further assistance.

Sincerely yours,



Thomas G. Pelham
Secretary

TGP/jg

cc: Mr. Jeffrey R. Miner, Registered Agent, Sunny Isles Reclamation
and Water Control Board
Mr. Jack Gaskins Jr., Special District Information Program