

1 A bill to be entitled

2 An act relating to Santa Rosa County; creating the
3 Pace Fire Rescue District, an independent special
4 district; creating a district charter; providing a
5 short title; providing territorial boundaries of the
6 district; providing purposes and intent; providing for
7 a board of commissioners of the district; providing
8 for qualification, election, membership, and terms of
9 office; providing for the filling of vacancies;
10 providing for meetings; providing rulemaking
11 authority; providing powers and duties of the board;
12 providing for use of district funds; authorizing the
13 district to issue bonds and levy ad valorem taxes,
14 non-ad valorem assessments, impact fees, and user
15 charges; providing planning requirements; providing
16 for modification of district boundaries; providing for
17 amendment of the charter by special act of the
18 Legislature; providing severability; requiring a
19 referendum; providing an effective date.

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

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23 Section 1. Short title.—This act may be cited as the "Pace
24 Fire Rescue District Act," hereinafter the "charter."

25 Section 2. Formation; boundaries.—For the purpose of

26 | providing fire prevention and emergency rescue services pursuant
 27 | to chapter 191, Florida Statutes, an independent special
 28 | district is hereby created, incorporated, and established
 29 | pursuant to chapters 189 and 191, Florida Statutes, to be known
 30 | as the Pace Fire Rescue District, hereinafter the "district," in
 31 | Santa Rosa County and shall embrace and include the territory
 32 | described as:

33 |
 34 | That portion of Santa Rosa county bounded on the east
 35 | at the intersection of Avalon Boulevard and Highway
 36 | 90, on the south by Escambia Bay, on the west by
 37 | Escambia River, and north to Escambia River on
 38 | Quintette road and North on Chumuckla Highway to Ten
 39 | Mile road.

40 |
 41 | Section 3. Intent.—The purposes of this act are to:

42 | (1) Provide standards, direction, and procedures
 43 | concerning the operation and governance of the special fire
 44 | control district known as the Pace Fire Rescue District.

45 | (2) Provide financing authority of the Pace Fire Rescue
 46 | District without hampering the efficiency and effectiveness of
 47 | current authorized and implemented methods and procedures of
 48 | raising revenues.

49 | (3) Improve communication and coordination between the
 50 | Pace Fire Rescue District and other local governments with

51 respect to short-range and long-range planning to meet the
52 demands for service delivery while maintaining fiscal
53 responsibility.

54 (4) Provide uniform procedures for electing members of the
55 governing board of the Pace Fire Rescue District to ensure
56 greater accountability to the public.

57 Section 4. Board of commissioners; officers; bond;
58 compensation.-

59 (1) The business affairs of the district shall be
60 conducted and administered, pursuant to chapter 191, Florida
61 Statutes, by the Board of Commissioners of the Pace Fire Rescue
62 District, which is established as a board of five commissioners.
63 Annually, within 60 days after newly elected members have taken
64 office, the board shall organize by electing from its members a
65 chair, a vice chair, a secretary, and a treasurer. The positions
66 of secretary and treasurer may be held by one member. The office
67 of each commissioner comprising the Board of Commissioners of
68 the Pace Fire Rescue District is hereby designated as being a
69 seat on the commission, distinguished from each of the other
70 seats by a numeral: 1, 2, 3, 4, or 5. The numerical seat
71 designation does not designate a geographical subdistrict of the
72 district.

73 (2) Each commissioner shall, upon assuming office, take
74 and subscribe to the oath of office prescribed by section 5(b),
75 Article II of the State Constitution and s. 876.05, Florida

76 Statutes. Each commissioner, upon taking office and in
77 accordance with chapters 189 and 191, Florida Statutes, shall
78 execute to the Governor for the benefit of the district a bond
79 conditioned upon the faithful performance of the duties of the
80 commissioner's office. The premium for such bonds shall be paid
81 from district funds.

82 (3) Members of the board may be reimbursed for travel and
83 per diem expenses, as provided in s. 112.061, Florida Statutes,
84 but shall not receive a salary.

85 (4) Members of the board shall comply with the financial
86 disclosure, noticing, and reporting requirements of chapter 112,
87 Florida Statutes, and any other applicable law or regulation.

88 Section 5. Board of commissioners; terms; election,
89 qualifications, certification of single candidate.-

90 (1) District elections and referenda shall be held in
91 accordance with chapter 191, Florida Statutes.

92 (2) Except as provided in this subsection, each of the
93 five commissioners shall hold his or her respective seat on the
94 Board of Commissioners of the Pace Fire Rescue District for a
95 term of 4 years and shall be elected by majority vote of the
96 electors of the district voting at a general election. In the
97 first election following the effective date of this act, seats
98 1, 3, and 5 shall be designated for 4-year terms, and seats 2
99 and 4 shall be designated for 2-year terms. All commissioners
100 must be qualified electors within the district and must reside

101 within the district.

102 (3) Voting for commissioners shall be districtwide and
103 nonpartisan.

104 (4) If a vacancy occurs on the board due to the
105 resignation, death, or removal of a commissioner, or the failure
106 of anyone to qualify for a board seat, the remaining members may
107 appoint a qualified person to fill the seat until the next
108 general election, at which time an election shall be held to
109 fill the vacancy for the remaining term, if any. The board shall
110 remove any member who has three consecutive, unexcused absences
111 from regularly scheduled meetings. The board shall adopt
112 policies by resolution defining excused and unexcused absences.

113 (5) Each commissioner, whenever elected, shall assume
114 office 10 days after his or her election and shall serve until
115 his or her successor is elected.

116 (6) All candidates shall qualify with the Supervisor of
117 Elections of Santa Rosa County. All candidates may qualify by
118 paying a filing fee of \$25 or by obtaining the signatures of at
119 least 25 registered electors of the district on petition forms
120 provided by the supervisor of elections, which petitions shall
121 be submitted and checked in the same manner as petitions filed
122 by nonpartisan judicial candidates pursuant to s. 105.035,
123 Florida Statutes.

124 (7) The names of all candidates qualifying for election to
125 a seat on the board of commissioners shall be included on the

126 ballot or voting machines provided for use in the district,
127 along with the candidates for county office at each regular
128 county election, in such a way as to clearly indicate the
129 respective seat for which each qualified candidate for district
130 commissioner is running.

131 (8) Any expense of holding elections for commission seats
132 at the regular county elections shall be paid out of the funds
133 of the district, if required by proper authority.

134 (9) The board shall keep a permanent record book entitled
135 "Record of Proceedings of the Pace Fire Rescue District" in
136 which the minutes of all meetings, resolutions, proceedings,
137 certificates, bonds given by commissioners, and corporate acts
138 shall be recorded. The record book shall be open to inspection
139 in the same manner as state, county, and municipal records are
140 open under chapter 119, Florida Statutes, and section 24,
141 Article I of the State Constitution. The record book shall be
142 kept at the office or other regular place of business maintained
143 by the board in the county or municipality in which the district
144 is located.

145 (10) All meetings of the board shall be open to the
146 public, consistent with chapter 286, Florida Statutes, s.
147 189.015, Florida Statutes, and other applicable general laws.

148 Section 6. Rules and regulations.—The board is authorized
149 to adopt rules and regulations for the prevention of fires, fire
150 control, public safety, and rescue work within the district.

151 Such rules and regulations, after being adopted by the board and
152 copies thereof signed by the president and the secretary, and
153 posted on the district website and in at least three public
154 places within the district, one of which must be the fire
155 station or such similar place wherein the firefighting and
156 rescue equipment is normally kept, after 10 days shall have the
157 force and effect of law.

158 Section 7. Powers; use of district funds.-

159 (1) The district shall have, and the board may exercise,
160 all the powers and duties set forth in chapters 189 and 191,
161 Florida Statutes, as they may be amended from time to time, and
162 shall include fire control, fire prevention, and emergency
163 medical, rescue response and public safety services.

164 (2) No funds of the district shall be used for any
165 purposes other than the administration of the affairs and
166 business of the district; the construction, care, maintenance,
167 upkeep, operation, and purchase of firefighting, public safety
168 and rescue equipment and facilities; the payment of public
169 utilities; and the payment of salaries and related costs of
170 district personnel as the board may from time to time determine
171 to be necessary for the operations and effectiveness of the
172 district.

173 (3) The board is authorized and empowered to buy, own,
174 lease, and maintain a fire and rescue department within the
175 district and to purchase, acquire by gift, lease, own, and

176 dispose of firefighting and rescue equipment and property, real
177 and personal, that the board may from time to time deem
178 necessary or needful to prevent and extinguish fires within the
179 district.

180 Section 8. Finances.—

181 (1) The powers, functions, and duties of the district
182 regarding ad valorem taxation, bond issuance, other revenue-
183 raising capabilities, budget preparation and approval, liens and
184 foreclosure of liens, use of tax deeds and tax certificates as
185 appropriate for non-ad valorem assessments, and contractual
186 agreements, and the methods for financing the district and for
187 collecting non-ad valorem assessments, fees, or service charges,
188 shall be as set forth in this charter, in chapters 170, 189,
189 191, and 197, Florida Statutes, and in any applicable general or
190 special law except as limited herein.

191 (2) The district shall have the authority to levy and
192 collect ad valorem taxes in accordance with s. 191.009, Florida
193 Statutes, and chapter 200, Florida Statutes. The taxes levied
194 and assessed by the district shall be a lien upon the land so
195 assessed along with the county taxes assessed against such land
196 until such assessments and taxes have been paid, and if the
197 taxes levied by the district become delinquent, such taxes shall
198 be considered a part of the county tax subject to the same
199 penalties, charges, fees, and remedies for enforcement and
200 collection and shall be enforced and collected as provided by

201 general law for the collection of such taxes. The maximum ad
202 valorem millage rate that can be levied in any one year shall be
203 3.75 mills.

204 (3) The district shall have the authority to levy non-ad
205 valorem assessments. The methods for assessing and collecting
206 non-ad valorem assessments, fees, or service charges shall be as
207 set forth in this charter, chapter 170, Florida Statutes,
208 chapter 189, Florida Statutes, chapter 191, Florida Statutes,
209 and chapter 197, Florida Statutes. Pursuant to s. 191.009,
210 Florida Statutes, the first-time levy of non-ad valorem
211 assessments must be approved by a referendum of the electors of
212 the district.

213 (4) The district shall have the authority to charge and
214 collect impact fees for capital improvements on new construction
215 within the district as prescribed in chapter 191, Florida
216 Statutes, or any other applicable general law. The district
217 shall comply with the requirements in ss. 163.31801 and
218 191.009(4), Florida Statutes, in its collection and use of
219 impact fees. New facilities and equipment shall be as provided
220 for in s. 191.009(4), Florida Statutes. The district is
221 authorized to enter into agreements regarding the collection of
222 impact fees.

223 (5) The district shall have the authority to issue general
224 obligation bonds, assessment bonds, revenue bonds, notes, bond
225 anticipation notes, and other evidences of indebtedness to

226 finance all or a part of any proposed improvements in accordance
227 with s. 191.012, Florida Statutes, chapter 189, Florida
228 Statutes, and any other applicable general or special law.

229 (6) The board shall annually prepare, consider, and adopt
230 a district budget pursuant to the applicable requirements of
231 chapters 189 and 191, Florida Statutes. The fiscal year shall be
232 from October 1 through September 30. The budget shall state the
233 purpose for which the money is required and the amount necessary
234 to be raised by taxation within the district. Such budget and
235 proposed millage rate shall be noticed, heard, and adopted in
236 accordance with chapters 189, 192, and 200, Florida Statutes.

237 (7) All warrants for the payment of labor, equipment,
238 materials, and other allowable expenses incurred by the district
239 board in carrying out the provisions of this charter shall be
240 payable on accounts and vouchers approved by the district board.

241 Section 9. Planning requirements.—The district shall
242 comply with the planning requirements set forth in part VIII of
243 chapter 189, Florida Statutes.

244 Section 10. Boundaries.— The boundaries of the district
245 may be modified, extended, or enlarged upon approval or
246 ratification by the Legislature.

247 Section 11. Amendment of charter.—This charter may be
248 amended only by special act of the Legislature.

249 Section 12. Severability.—Should any provision of this act
250 be held to be unconstitutional, inoperative, or void, such

251 holding or invalidity shall not affect the remaining portions of
252 this act.

253 Section 13. Referendum.—On or before December 31, 2020,
254 the Supervisor of Elections of Santa Rosa County shall conduct a
255 referendum of the qualified electors of the district on the
256 question of whether the district shall be created by special act
257 of the Legislature and authorized to levy ad valorem taxes on
258 real property within the district pursuant to chapter 191,
259 Florida Statutes. The referendum question shall be posed as
260 follows:

261 "Shall an independent fire control and rescue district
262 known as the Pace Fire Rescue District be created to provide
263 quality fire, rescue, and emergency medical services to the Pace
264 community with authority to levy assessments, fees, charges, and
265 a millage not to exceed 3.75 mills pursuant to chapter 191,
266 Florida Statutes."

267 Section 14. This act shall take effect only upon its
268 approval by a majority vote of those qualified electors residing
269 within the district voting in a referendum no later than
270 December 31, 2020, except that this section and section 13 shall
271 take effect upon becoming a law.