

Bill No. CS for SB 2346

Amendment No. \_\_\_\_

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Silver moved the following amendment:

**Senate Amendment**

On page 4, line 13, through  
page 9, line 18, delete those lines

and insert:

Section 4. Creation of a community improvement  
authority; charter.--

(1) A community improvement authority is established  
within each eligible county with all of the powers, authority,  
duties, and limitations set forth in this act, including the  
powers set forth in this act to undertake certain activities  
in counties contiguous with such eligible county. This act  
constitutes the charter of each such authority, and this act  
may be amended in the same manner as any other general law of  
the state. Each authority shall be designated "\_\_\_\_ County  
Community Improvement Trust," with the blank space being  
completed by inserting the name of the eligible county in  
which the authority is located. Notwithstanding the foregoing,  
in any eligible county in which an independent port district

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1 was abolished with support of the majority of electors of that  
2 county voting in a referendum held within 10 years immediately  
3 preceding the effective date of this act, an authority shall  
4 not be established and no authority shall have jurisdiction or  
5 exercise any powers within such county without an approving  
6 ordinance adopted by such county's governing body.

7 (2) Each authority is a body politic and corporate, a  
8 public instrumentality, and an independent special district  
9 within the meaning of chapter 189, Florida Statutes, the  
10 jurisdiction of which encompasses the applicable eligible  
11 county and each county contiguous therewith, except as  
12 expressly provided herein.

13 Section 5. Board of supervisors.--

14 (1) A board of supervisors shall govern each  
15 authority.

16 (2) The board shall be composed of nine members. Not  
17 sooner than 60 days after the authority is established, the  
18 Governor shall appoint two members to the board; the county  
19 commission of the eligible county shall appoint three members  
20 to the board; the mayor of the eligible county shall appoint  
21 one member to the board; the city commission within which the  
22 projects are proposed to be constructed shall appoint two  
23 members to the board; and the mayor of such city shall appoint  
24 one member to the board. In the event that within 30 days  
25 after the Governor has made two appointments to the board, all  
26 9 members shall not have been appointed, then the members of  
27 the board of such authority who shall have been appointed  
28 shall select by majority vote among them at the organizational  
29 meeting of the board, without regard to the presence of a  
30 quorum, the remaining members of the board. Each appointing  
31 authority shall appoint members of the board to succeed those

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1 whose terms are expiring not less than 60 days before the  
2 expiration of such term. All members of the board must have  
3 expertise in one or more of the following areas: public  
4 finance, private finance, public accounting, commercial law,  
5 commercial real estate, real estate development, general  
6 contracting, architecture, and administration of professional  
7 sports team operations. A member of the board may not, at the  
8 time of appointment, hold an elected public office in the  
9 state.

10 (3) The organizational meeting of the board shall be  
11 held not less than 30 days and not more than 45 days after the  
12 Governor has made two appointments to the board. Appointed  
13 members of the board shall hold office for a term of 4 years  
14 or until their successors take office, except that the two  
15 initial members appointed by the Governor, one of the initial  
16 members appointed by the commission of the eligible county,  
17 and one of the initial members appointed by the mayor of the  
18 eligible county shall be appointed to terms of 3 years. In the  
19 event that initial members are appointed by the board, the  
20 board shall designate which, if any, of the initial members  
21 appointed by the board shall hold office for a term of three  
22 years, such that 4 of the 9 initial members of the board shall  
23 be designated to hold office for terms of 3 years. If during a  
24 member's term of office a vacancy occurs, the Governor shall  
25 fill the vacancy by appointment for the remainder of the term.

26 (4) The members of the board must be residents of the  
27 eligible county in which the authority is located.

28 (5) Five members of the board shall constitute a  
29 quorum, and the affirmative vote of a majority of the members  
30 present and voting is necessary to take any official action.

31 (6) The members of the board shall serve without

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1 compensation but are entitled to reimbursement for travel and  
2 per diem expenses in accordance with section 112.061, Florida  
3 Statutes.

4 (7) The board shall at the time of organizing, and  
5 annually thereafter, elect a chair for a term of 1 year or  
6 until a successor is elected or the chair is removed, with or  
7 without cause, by the board. The chair shall preside at all  
8 meetings of the board. If the chair is absent or disqualified  
9 at any meeting, any member of the board may be designated  
10 chair pro-tempore for that meeting.

11 Section 6. Executive director.--The board may appoint  
12 and fix the salary of an executive director to carry out the  
13 day-to-day activities of the authority and to administer the  
14 policies of the board.

15 Section 7. Chief financial officer and other officers;  
16 financial records; fiscal year.--

17 (1) The board may appoint and fix the salary of a  
18 chief financial officer of the authority, who is responsible  
19 for the funds and finances of the authority. Funds may be  
20 disbursed only at the direction of the board signed by the  
21 persons designated by the board. The board may give the chief  
22 financial officer additional powers and duties.

23 (2) The board or the executive director upon authority  
24 delegated by the board may appoint or employ other officers or  
25 employees of the authority and give them appropriate powers  
26 and duties.

27 (3) The financial records of the authority shall be  
28 audited by an independent certified public accountant at least  
29 once each year.

30 (4) The fiscal year of the authority begins October 1  
31 of each year and ends September 30 of the following year.

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1           Section 8. Budgets.--On or before June 30 of each  
 2 year, the executive director of the authority shall prepare a  
 3 proposed budget, including an estimate of all revenues and  
 4 anticipated expenditures, for the following fiscal year to be  
 5 submitted to the board for approval or modification. The  
 6 budget must be adopted before October 1 of each year.

7           Section 9. Powers and duties.--

8           (1) Each authority has, and the board may exercise the  
 9 power to take all steps reasonable, necessary, or advisable to  
 10 generate local support for the development of projects,  
 11 including professional sports facilities and related amenities  
 12 and infrastructure, to serve as an intermediary and facilitate  
 13 negotiations with and among private interests, community  
 14 organizations, and governmental authorities in connection with  
 15 the construction or development of such projects, and to  
 16 explore, research, and analyze financing and related  
 17 alternatives for the construction or development of such  
 18 projects.

19           (2) As appropriate, the authority shall present  
 20 findings and make recommendations to the applicable  
 21 governmental entity necessary to secure support or action with  
 22 respect to such recommendations and to secure sources of  
 23 financing and other funding alternatives for the construction  
 24 or development of such projects.

25           (3) In the event an appropriate governmental  
 26 authority, acting upon the recommendations of the authority,  
 27 has approved a source or sources of funding to finance the  
 28 construction or development of a project and such source or  
 29 sources of funding, if consisting of revenues to be derived  
 30 from a new tax, assessment, surcharge or levy, or from an  
 31 increase to an existing tax, assessment, surcharge or levy,

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1 have been approved by a majority of the qualified electors  
2 within the jurisdiction of such governmental authority voting  
3 in a duly held referendum, the board may exercise the power  
4 to:

5 (a) Either alone or in cooperation with the eligible  
6 county or other governmental body, finance, refinance,  
7 acquire, plan, design, develop, construct, own, lease,  
8 operate, maintain, manage, renovate, improve, and promote any  
9 project located in the eligible county or any county  
10 contiguous therewith consisting of one or more facilities and  
11 other attractions and related amenities and infrastructure,  
12 including: professional sports facilities and recreational,  
13 commercial, cultural and educational facilities; civic,  
14 multi-purpose meeting facilities; and all forms of media  
15 communication, transmission, and production systems and  
16 facilities.

17 1. During the 24-month period following establishment  
18 of an authority, the only project an authority may initiate is  
19 a professional sports facility and related amenities and  
20 infrastructure, which initiation must be evidenced by adoption  
21 of a resolution setting forth the authority's commitment to  
22 initiate and promptly implement a professional sports facility  
23 project;

24 2. A professional sports facility may not be  
25 constructed outside the eligible county that is intended to  
26 accommodate regular season games of a professional sports  
27 franchise that exists within the National League or the  
28 American League of Major League Baseball, the National  
29 Basketball Association, the National Football League, or the  
30 National Hockey League; and

31 3. No other project may be constructed outside the

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1 eligible county unless the authority and the county in which  
2 such facility will be located have entered into an interlocal  
3 agreement with respect to such project.  
4 (b) Finance, refinance, acquire, plan, design,  
5 develop, construct, own, lease, operate, maintain, manage,  
6 renovate, improve, and promote any facilities and  
7 infrastructure within the authority's jurisdictional  
8 boundaries that are reasonably ancillary, incidental, or  
9 supporting of projects, including, but not limited to, roads,  
10 bridges, parking, and other transportation facilities.

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