

By Senator Dawson

30-1857-01

See HB 863

1 A bill to be entitled
2 An act relating to the North Springs
3 Improvement District, Broward County; amending
4 chapter 71-580, Laws of Florida, as amended;
5 increasing the board of supervisors to a total
6 of five members; providing for elections by
7 electors residing within the district;
8 providing for regular and special board
9 meetings instead of landowner meetings;
10 providing for severability; providing an
11 effective date.

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

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15 Section 1. Subsections (1) and (2) of section 5 of
16 chapter 71-580, Laws of Florida, as amended by chapter 89-440,
17 Laws of Florida, are amended to read:

18 Section 5. Board; election, organization; terms of
19 office; quorum; report and minutes.--

20 (1) The board of the district shall exercise the
21 powers granted to the district under this act and under
22 chapter 298, Florida Statutes. The board shall consist of five
23 ~~three (3)~~ members, and except as otherwise provided herein
24 each member shall hold office for a term of 4 ~~four (4)~~ years
25 and until his or her successor shall be chosen and shall
26 qualify. Board members shall be elected at an election
27 conducted by the supervisor of elections on the first Tuesday
28 in November of the year in which the board members' terms
29 expire. The costs of such elections shall be paid by the
30 district. ~~A majority of~~ The members of the board shall be
31 residents of the district and shall be elected as follows:

1 ~~Broward County, and all members shall be residents of Florida.~~
2 ~~All members of the board shall be landowners within the~~
3 ~~district.~~

4 (a) Two members must be residents of the City of Coral
5 Springs and shall be elected by a majority vote of registered
6 electors casting votes at an election of those electors
7 residing within the City of Coral Springs.

8 (b) Two members must be residents of the City of
9 Parkland and shall be elected by a majority vote of registered
10 electors casting votes at an election of those electors
11 residing within the City of Parkland.

12 (c) One member shall be elected at large by a majority
13 vote of registered electors casting votes at an election of
14 those electors residing within the district.

15 (3) At the general election to be held in November
16 2002, one new board member shall be elected by electors
17 residing within the City of Coral Springs and one new board
18 member shall be elected by electors residing within the City
19 of Parkland. Existing board members' terms as of the effective
20 date of this act shall be extended to November of the year in
21 which their terms expire, and, commencing upon the expiration
22 of the terms of those board members, all subsequent board
23 members thereafter must meet the requirements and shall be
24 elected as provided in subsections (1) and (2).~~In the month~~
25 ~~of June of each fourth year commencing June of 1972, there~~
26 ~~shall be held a meeting of the landowners of the district at~~
27 ~~the office of the district in Broward County, Florida, for the~~
28 ~~purpose of electing three (3) supervisors for said district.~~
29 ~~One supervisor shall be elected solely by those landowners~~
30 ~~owning property within the city limits of the City of~~
31 ~~Parkland, and this supervisor must be a landowner who owns~~

1 ~~property within the city limits of the City of Parkland. One~~
2 ~~supervisor shall be elected solely by those landowners owning~~
3 ~~property within the city limits of the City of Coral Springs,~~
4 ~~and this supervisor must be a landowner who owns property~~
5 ~~within the city limits of the City of Coral Springs. One~~
6 ~~supervisor shall be elected at large by all landowners of the~~
7 ~~district, regardless of where their property is located.~~
8 ~~Candidates for each supervisor position will be nominated~~
9 ~~during the meeting of landowners, and the nominee who receives~~
10 ~~the highest number of votes for a supervisor position shall be~~
11 ~~declared elected. Notice of said landowners meeting shall be~~
12 ~~published once a week for 2 consecutive weeks in a newspaper~~
13 ~~in Broward County which is in general circulation with the~~
14 ~~district, the last of said publication to be not less than 14~~
15 ~~days nor more than 28 days before the date of the election.~~
16 ~~The landowners when assembled at such meeting shall organize~~
17 ~~by electing a chairman who shall conduct the meeting. At such~~
18 ~~meeting each landowner shall be entitled to cast one vote per~~
19 ~~acre of land owned by him and located within the district. A~~
20 ~~landowner may vote in person or by proxy in writing. Fractions~~
21 ~~of an acre shall be treated as one acre, entitling the~~
22 ~~landowner to one vote with respect thereto.~~

23 Section 2. Section 13 of chapter 71-580, Laws of
24 Florida, is amended to read:

25 Section 13. Notice and call of board meetings of
26 ~~landowners; quorum; adjournments; representation of meetings;~~
27 ~~taking action without meeting.--~~

28 (1) The board shall establish a regular meeting date
29 each month and shall meet no less than one time each month.
30 However, the board may decide by majority vote to take one
31 month off from meetings each year for a vacation. Meetings of

1 the board shall be held in a public place, and shall be held
2 in accordance with the requirements of chapter 286, Florida
3 Statutes.~~The board shall publish notice of all meetings of~~
4 ~~landowners once a week for two (2) consecutive weeks prior to~~
5 ~~such meeting in a newspaper in Broward County in general~~
6 ~~circulation within the district. Meetings of landowners shall~~
7 ~~be held in a public place, or any other place make available~~
8 ~~for the purpose of such meeting in the Broward County~~
9 ~~Courthouse and the place, date and hour of holding such~~
10 ~~meeting and the purpose thereof shall be stated in the notice.~~
11 ~~Landowners representing a majority of the number of acres in~~
12 ~~the district, present in person or by proxy, shall constitute~~
13 ~~a quorum at any meeting of the landowners; provided that~~
14 ~~irrespective of the number of acres represented, there shall~~
15 ~~be minimum of five (5) landowners owning separate parcels of~~
16 ~~land, at each meeting.~~

17 (2) Special meetings of the board may be called at any
18 time to receive reports of the board, or for such other
19 purpose as the board may determine, upon 24 hours' notice to
20 board members and to the public by posting such notice at the
21 district office at a public location set aside for such
22 purposes.~~The board may call special meetings of the~~
23 ~~landowners at any time to receive reports of the board or for~~
24 ~~such other purpose as to the board may determine. A special~~
25 ~~meeting of the landowners may also be called at any time upon~~
26 ~~notice as provided hereinabove at the written request of the~~
27 ~~owners of not less than twenty five (25) per cent in acreage~~
28 ~~of the land within the district for the purpose of taking any~~
29 ~~lawful action by the landowners of the district. Such special~~
30 ~~meeting shall be called by any court of competent jurisdiction~~
31 ~~in the event that the board fails to do so upon request as~~

1 ~~provided in the preceding sentence. Except as otherwise~~
2 ~~provided in section 5 of this act with respect to the election~~
3 ~~of supervisors, action taken at a meeting of the landowners~~
4 ~~shall be by affirmative vote of the owners of at least a~~
5 ~~majority in acreage of the land within the district~~
6 ~~represented at such meeting.~~

7 ~~(3) If no quorum is present or represented at a~~
8 ~~meeting of the landowners at the time and place the same is~~
9 ~~called to be held, the landowners present and represented,~~
10 ~~although less than a quorum, may adjourn to another time or~~
11 ~~day, and at such or any subsequent adjourned meetings may, if~~
12 ~~a quorum is then present or represented, take any action that~~
13 ~~the landowners could have taken at the meeting or meetings so~~
14 ~~adjourned for lack of a quorum.~~

15 ~~(4) At any meeting of the landowners, guardians may~~
16 ~~represent their wards; executors and administrators may~~
17 ~~represent the estate of deceased persons; trustees may~~
18 ~~represent lands held by them in trust; and private~~
19 ~~corporations may be represented by their duly authorized~~
20 ~~proxy. All landowners, including guardians, executors,~~
21 ~~administrators, trustees and corporations, may be represented~~
22 ~~and vote by proxy.~~

23 Section 3. In the event any one or more of the
24 sections or provisions of this act or the application of such
25 sections or provisions to any situation, circumstance, or
26 person shall for any reason be held to be unconstitutional,
27 such unconstitutionality shall not affect any other section or
28 provision as to any other situation, circumstance, or person,
29 and it is intended that this law shall be construed and
30 applied as if such section or provision had not been included
31 herein for any unconstitutional application.

1 Section 4. This act shall take effect upon becoming a
2 law.
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