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A bill to be entitled

An act relating to the Cypress Creek Center Transportation Management District, Broward County; creating the Cypress Creek Center Transportation Management District; providing for the geographic boundaries of the District; providing for the purpose of the District; providing for the powers, functions, and duties of the District; providing for the creation of the governing board of the District to be known as the Cypress Creek Center Transportation Management Association; providing for membership, organization, compensation, and administrative duties of the governing board of the District; providing for the financial disclosure, noticing, and reporting requirements of the District; providing for the procedure for conducting any District elections or referenda; providing for planning requirements; providing for severability; providing for conflicts; providing an effective date.

WHEREAS, chapter 189, Florida Statutes, provides that the Legislature may create special purpose independent districts, and

WHEREAS, there is need for the creation of a transportation management district within the boundaries set forth below since there are over 12,000 employees within those boundaries, NOW, THEREFORE,

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

Section 1. Creation.--

(1) There is hereby created in Broward County an



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31 independent special district to be know as the Cypress Creek
32 Center Transportation Management District.

33 (2) The district is created for all purposes set forth in
34 this act and chapter 189, Florida Statutes, as the same may be
35 amended from time to time.

36 (3) The District created by this act may be amended only
37 by special act of the Legislature.

38 Section 2. Boundaries.--The boundaries of the District are
39 declared to be from the center line of Powerline Road to the
40 west, the center line of McNab Road to the north, the center
41 line of Dixie Highway to the east and the center line of
42 Commercial Boulevard to the south.

43 Section 3. Purpose of District.--The purpose of the
44 District is to improve ride sharing and transit service in the
45 service area. The Legislature recognizes the use of
46 transportation management associations as a proven means to
47 enhance mobility. The creation of the Cypress Creek Center
48 Transportation Management District in Broward County is a unique
49 method to secure public and private sector funding for use in
50 the service area. The District shall encourage funding
51 partnerships between the local governments and businesses
52 located in the service area and the Florida Department of
53 Transportation.

54 Section 4. Members; election.--

55 (1) The governing body of the District shall be the
56 Cypress Creek Center Transportation Management Association
57 consisting of nine members who shall be owners or lessees of
58 commercial businesses within the District.

59 (2) Terms and election of members.--

60 (a) The members of the governing body shall be elected in



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61 accordance with the provisions of chapter 189, Florida Statutes,
62 by the electors of the District in a nonpartisan election held
63 at the time and in the manner prescribed for holding general
64 elections in section 189.405(2)(a), Florida Statutes.

65 (b) Five members of the governing body shall be elected
66 for 4-year terms of office. Four members of the governing body
67 shall be elected for initial 2-year terms. Thereafter all terms
68 shall be 4 year terms.

69 (c) Any individual desiring to be elected to the governing
70 board must qualify pursuant to section 189.405(2)(c), Florida
71 Statutes.

72 (d) Any member of the governing board may be removed by a
73 majority vote of the governing board for misfeasance,
74 malfeasance, or neglect of duty.

75 (e) Any vacancy in the membership of the governing board
76 resulting from the death, resignation, or removal of any board
77 member or from any other cause shall be filled for the remainder
78 of the term, by election within 30 days after the occurrence of
79 such vacancy. However, in the event that the remaining term is
80 60 days or less, the vacancy shall be filled by election at the
81 next general election pursuant to section 189.405(2)(a), Florida
82 Statutes.

83 Section 5. Powers of board.--The Cypress Creek Center
84 Transportation Management Association is authorized and
85 empowered:

86 (1) To sue and be sued.

87 (2) To contract.

88 (3) To adopt and use a common seal and alter the same at
89 its pleasure.

90 (4) To purchase, hold, lease, sell, or otherwise acquire



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91 and convey such real and personal property, and interest
92 therein, as may be necessary or proper to carry out the purposes
93 of this act.

94 (5) To make rules for its own government and proceedings.

95 (6) To employ consultants or other such agents as the
96 board may require or deem necessary to accomplish the purposes
97 of this act or to contract for any such services.

98 (7) To plan, develop, and implement ride sharing and
99 transit services within the area of the District.

100 (8) To accept grants and donations of type of property,
101 labor, or other thing of value from any private or public
102 source.

103 (9) To adopt bylaws for the regulation of its affairs and
104 the conduct of its business.

105 (10) To assess and impose non-ad valorem assessments upon
106 the lands in the District. The governing board shall not have
107 the power to levy ad valorem taxes.

108 (11) To issue revenue bonds pursuant to section 189.4085,
109 Florida Statutes, and otherwise by general law to pay for
110 capital improvements necessary to meet the purposes of the
111 District.

112 (12) To issue refunding bonds, pursuant to section
113 189.4085, Florida Statutes, and otherwise by general law to
114 refund any bonds then outstanding which shall have been issued
115 under the provisions of this act.

116 (13) The district shall not be empowered or authorized in
117 any manner to create a debt as against the state, county, or any
118 or all of the cities, and may not pledge the full faith and
119 credit of the state, county, or any of the cities. All revenue
120 bonds or debt obligations shall contain on the face thereof a



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121 statement to the effect that the state, county, or any of the
122 cities in which the District is located shall not be obligated
123 to pay the same or the interest and that they are only payable
124 from revenues of the project or the portion thereof for which
125 they are issued and neither the full faith and credit nor the
126 taxing power of the state or of any political subdivision
127 thereof is pledged to the payment of the principal of or the
128 interest on such bonds. The issuance of revenue or refunding
129 bonds under the provisions of this act shall directly or
130 indirectly or contingently obligate the state, county, or any of
131 the cities in which the district is located to levy or pledge
132 any form of taxation whatever therefor or to make any
133 appropriation for their payment.

134 (14) To do all acts or things necessary or convenient to
135 carry out the powers expressly granted in this act.

136 Section 6. Organization, compensation, and administrative
137 duties of the governing board of the district.--

138 (1) There shall be at least one regular meeting of the
139 governing body each quarter. The regular meeting of the
140 governing body shall be conducted at a public building located
141 within the geographical boundaries of the district. Meetings
142 shall be held pursuant to sections 189.416 and 189.417, Florida
143 Statutes.

144 (2) Special meetings or workshop meetings of the governing
145 body may be called from time to time by the chair, vice chair,
146 or by a majority of the members of the governing body.

147 (3) The members of the governing body shall serve without
148 compensation, except for reimbursement of reasonable and
149 necessary expenses as provided for in chapter 112, Florida
150 Statutes, as amended from time to time.



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151 Section 7. Financial disclosure, noticing, and reporting
152 requirements of the District.--The District shall comply with
153 the financial disclosure, noticing, and reporting requirements
154 of section 189.418, Florida Statutes. The District shall prepare
155 and submit reports, budgets, and audits as provided in sections
156 189.415 and 189.418, Florida Statutes.

157 Section 8. Procedure for conducting any district elections
158 or referenda.--Elections shall be conducted by the Supervisor of
159 Elections in accordance with and consistent with the Florida
160 Election Code.

161 Section 9. Planning requirements.--The district's planning
162 requirements shall be as set forth within section 189.4155,
163 Florida Statutes.

164 Section 10. If any section, sentence, clause, or phrase of
165 this act is held to be invalid or unconstitutional by any court
166 of competent jurisdiction, then said holding shall in no way
167 affect the validity of the remaining portions of this act.

168 Section 11. In the event of a conflict between the
169 provisions of this act and the provisions of any other act, the
170 provisions of this act shall control to the extent of such
171 conflict.

172 Section 12. This act shall take effect upon becoming a
173 law.