



CHAMBER ACTION

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The Committee on Local Government & Veterans' Affairs recommends the following:

Committee Substitute

Remove the entire bill and insert:

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 an effective date.



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

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

36

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

38

39 Section 1. Creation.--

40 (1) There is hereby created in Broward County an
41 independent special district to be know as the Cypress Creek
42 Center Transportation Management District.

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

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

48 Section 2. Boundaries.--The boundaries of the District are
49 declared to be from the center line of Powerline Road to the
50 west, the center line of McNab Road to the north, the center
51 line of Dixie Highway to the east and the center line of
52 Commercial Boulevard to the south.

53 Section 3. Purpose of District.--The purpose of the
54 District is to improve ride sharing and transit service in the
55 service area. The Legislature recognizes the use of
56 transportation management associations as a proven means to



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57 enhance mobility. The creation of the Cypress Creek Center
58 Transportation Management District in Broward County is a unique
59 method to secure public and private sector funding for use in
60 the service area. The District shall encourage funding
61 partnerships between the local governments and businesses
62 located in the service area and the Florida Department of
63 Transportation.

64 Section 4. Members; election.--

65 (1) The governing body of the District shall be the
66 Cypress Creek Center Transportation Management Association
67 consisting of nine members who shall be owners or lessees of
68 commercial businesses within the District.

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

70 (a) The members of the governing body shall be elected in
71 accordance with the provisions of chapter 189, Florida Statutes,
72 by the electors of the District in a nonpartisan election held
73 at the time and in the manner prescribed for holding general
74 elections in section 189.405(2)(a), Florida Statutes.

75 (b) Five members of the governing body shall be elected
76 for 4-year terms of office. Four members of the governing body
77 shall be elected for initial 2-year terms. Thereafter all terms
78 shall be 4 year terms.

79 (c) Any individual desiring to be elected to the governing
80 board must qualify pursuant to section 189.405(2)(c), Florida
81 Statutes.

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



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85 (e) Any vacancy in the membership of the governing board
86 resulting from the death, resignation, or removal of any board
87 member or from any other cause shall be filled for the remainder
88 of the term, by election within 30 days after the occurrence of
89 such vacancy. However, in the event that the remaining term is
90 60 days or less, the vacancy shall be filled by election at the
91 next general election pursuant to section 189.405(2)(a), Florida
92 Statutes.

93 Section 5. Powers of board.--The Cypress Creek Center
94 Transportation Management Association is authorized and
95 empowered:

96 (1) To sue and be sued.

97 (2) To contract.

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

100 (4) To purchase, hold, lease, sell, or otherwise acquire
101 and convey such real and personal property, and interest
102 therein, as may be necessary or proper to carry out the purposes
103 of this act.

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

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

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

110 (8) To accept grants and donations of type of property,
111 labor, or other thing of value from any private or public
112 source.



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

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

118 (11) To issue revenue bonds pursuant to section 189.4085,
119 Florida Statutes, and otherwise by general law to pay for
120 capital improvements necessary to meet the purposes of the
121 District.

122 (12) To issue refunding bonds, pursuant to section
123 189.4085, Florida Statutes, and otherwise by general law to
124 refund any bonds then outstanding which shall have been issued
125 under the provisions of this act.

126 (13) The district shall not be empowered or authorized in
127 any manner to create a debt as against the state, county, or any
128 or all of the cities, and may not pledge the full faith and
129 credit of the state, county, or any of the cities. All revenue
130 bonds or debt obligations shall contain on the face thereof a
131 statement to the effect that the state, county, or any of the
132 cities in which the District is located shall not be obligated
133 to pay the same or the interest and that they are only payable
134 from revenues of the project or the portion thereof for which
135 they are issued and neither the full faith and credit nor the
136 taxing power of the state or of any political subdivision
137 thereof is pledged to the payment of the principal of or the
138 interest on such bonds. The issuance of revenue or refunding
139 bonds under the provisions of this act shall directly or
140 indirectly or contingently obligate the state, county, or any of



141 the cities in which the district is located to levy or pledge
 142 any form of taxation whatever therefor or to make any
 143 appropriation for their payment.

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

146 Section 6. Organization, compensation, and administrative
 147 duties of the governing board of the district.--

148 (1) There shall be at least one regular meeting of the
 149 governing body each quarter. The regular meeting of the
 150 governing body shall be conducted at a public building located
 151 within the geographical boundaries of the district. Meetings
 152 shall be held pursuant to sections 189.416 and 189.417, Florida
 153 Statutes.

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

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

161 Section 7. Financial disclosure, noticing, and reporting
 162 requirements of the District.--The District shall comply with
 163 the financial disclosure, noticing, and reporting requirements
 164 of section 189.418, Florida Statutes. The District shall prepare
 165 and submit reports, budgets, and audits as provided in sections
 166 189.415 and 189.418, Florida Statutes.

167 Section 8. Procedure for conducting any district elections
 168 or referenda.--Elections shall be conducted by the Supervisor of



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169 Elections in accordance with and consistent with the Florida
170 Election Code.

171 Section 9. Planning requirements.--The district's planning
172 requirements shall be as set forth within section 189.4155,
173 Florida Statutes.

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

178 Section 11. This act shall take effect upon becoming a
179 law.