



ENROLLED  
HB 1541, Engrossed 1

2003 Legislature

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.

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:



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Section 1. Creation.--

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

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

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

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

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

Section 4. Members; election.--

(1) The governing body of the District shall be the Cypress Creek Center Transportation Management Association



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consisting of nine members who shall be owners or lessees of commercial businesses within the District.

(2) Terms and election of members.--

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

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

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

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

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



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

(1) To sue and be sued.

(2) To contract.

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

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

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

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

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

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

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

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

(11) To issue revenue bonds pursuant to section 189.4085, Florida Statutes, and otherwise by general law to pay for



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capital improvements necessary to meet the purposes of the District.

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

(13) The district shall not be empowered or authorized in any manner to create a debt as against the state, county, or any or all of the cities, and may not pledge the full faith and credit of the state, county, or any of the cities. All revenue bonds or debt obligations shall contain on the face thereof a statement to the effect that the state, county, or any of the cities in which the District is located shall not be obligated to pay the same or the interest and that they are only payable from revenues of the project or the portion thereof for which they are issued and neither the full faith and credit nor the taxing power of the state or of any political subdivision thereof is pledged to the payment of the principal of or the interest on such bonds. The issuance of revenue or refunding bonds under the provisions of this act shall directly or indirectly or contingently obligate the state, county, or any of the cities in which the district is located to levy or pledge any form of taxation whatever therefor or to make any appropriation for their payment.

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

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



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

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

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

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

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

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

Section 10. If any section, sentence, clause, or phrase of this act is held to be invalid or unconstitutional by any court



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of competent jurisdiction, then said holding shall in no way  
affect the validity of the remaining portions of this act.

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