

By Senator Geller

31-2207A-03

See HB 1541

1 A bill to be entitled
2 An act relating to the Cypress Creek Center
3 Transportation Management District, Broward
4 County; creating the Cypress Creek Center
5 Transportation Management District; providing
6 for the geographic boundaries of the District;
7 providing for the purpose of the District;
8 providing for the powers, functions, and duties
9 of the District; providing for the creation of
10 the governing board of the District to be known
11 as the Cypress Creek Center Transportation
12 Management Association; providing for
13 membership, organization, compensation, and
14 administrative duties of the governing board of
15 the District; providing for the financial
16 disclosure, noticing, and reporting
17 requirements of the District; providing for the
18 procedure for conducting any District elections
19 or referenda; providing for planning
20 requirements; providing for severability;
21 providing an effective date.

22
23 WHEREAS, chapter 189, Florida Statutes, provides that
24 the Legislature may create special purpose independent
25 districts, and

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

30
31 Be It Enacted by the Legislature of the State of Florida:

1 Section 1. Creation.--

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

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

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

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

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

26 Section 4. Members; election.--

27 (1) The governing body of the District shall be the
28 Cypress Creek Center Transportation Management Association
29 consisting of nine members who shall be owners or lessees of
30 commercial businesses within the District.

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

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

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

11 (c) Any individual desiring to be elected to the
12 governing board must qualify pursuant to section
13 189.405(2)(c), Florida Statutes.

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

17 (e) Any vacancy in the membership of the governing
18 board resulting from the death, resignation, or removal of any
19 board member or from any other cause shall be filled for the
20 remainder of the term, by election within 30 days after the
21 occurrence of such vacancy. However, in the event that the
22 remaining term is 60 days or less, the vacancy shall be filled
23 by election at the next general election pursuant to section
24 189.405(2)(a), Florida Statutes.

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

28 (1) To sue and be sued.

29 (2) To contract.

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

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

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

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

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

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

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

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

20 (11) To issue revenue bonds pursuant to section
21 189.4085, Florida Statutes, and otherwise by general law to
22 pay for capital improvements necessary to meet the purposes of
23 the District.

24 (12) To issue refunding bonds, pursuant to section
25 189.4085, Florida Statutes, and otherwise by general law to
26 refund any bonds then outstanding which shall have been issued
27 under the provisions of this act.

28 (13) The district shall not be empowered or authorized
29 in any manner to create a debt as against the state, county,
30 or any or all of the cities, and may not pledge the full faith
31 and credit of the state, county, or any of the cities. All

1 revenue bonds or debt obligations shall contain on the face
2 thereof a statement to the effect that the state, county, or
3 any of the cities in which the District is located shall not
4 be obligated to pay the same or the interest and that they are
5 only payable from revenues of the project or the portion
6 thereof for which they are issued and neither the full faith
7 and credit nor the taxing power of the state or of any
8 political subdivision thereof is pledged to the payment of the
9 principal of or the interest on such bonds. The issuance of
10 revenue or refunding bonds under the provisions of this act
11 shall directly or indirectly or contingently obligate the
12 state, county, or any of the cities in which the district is
13 located to levy or pledge any form of taxation whatever
14 therefor or to make any appropriation for their payment.

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

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

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

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

30 (3) The members of the governing body shall serve
31 without compensation, except for reimbursement of reasonable

1 and necessary expenses as provided for in chapter 112, Florida
2 Statutes, as amended from time to time.

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

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

13 Section 9. Planning requirements.--The district's
14 planning requirements shall be as set forth within section
15 189.4155, Florida Statutes.

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

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

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