

A bill to be entitled

An act relating to the South Broward Drainage District, Broward County; amending chapter 98-524, Laws of Florida; providing for the number of supervisors of the district; providing single-member zones; providing the method of election of supervisors; providing the qualifications of supervisors; providing the term of office for supervisors; providing that the officers of the district shall be members of the board of supervisors; providing for the limitation of supervisors' benefits; deleting obsolete provisions; providing severability; providing an effective date.

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

Section 1. Sections 10 and 14 of section 2 of chapter 98-524, Laws of Florida, are amended to read:

Section 10. Board of supervisors; election; organization; terms of office; benefits; quorum; report and minutes.--

(1) The board of supervisors of the district shall be the governing body of the district and shall exercise the powers granted to the district under this act and under chapter 298, Florida Statutes. The board shall consist of six members, until the first meeting of the board following certification of the November 2006 election, and seven members thereafter. ~~and,~~ Except as otherwise provided herein, each member shall hold office for a term of 4 years and until his or her successor shall be chosen and shall qualify. ~~A majority of the members of~~

29 ~~the board shall be residents of Broward County. All of the~~
30 ~~members of the board shall be residents of the State of Florida~~
31 ~~and shall own land lying within the boundaries of the district.~~

32 (2) Beginning with the November 2004 election, a candidate
33 for the office of supervisor shall, at the time of his or her
34 qualification for office, be a qualified elector of the South
35 Broward Drainage District and shall qualify with the county
36 supervisor of elections in accordance with the Florida Election
37 Code and this act. To be a qualified candidate of the South
38 Broward Drainage District, he or she shall, at the time of his
39 or her qualification, have continuously resided within the
40 boundaries of the district and within the respective zone that
41 he or she may represent for the 60 days immediately preceding
42 his or her qualifying for office and until he or she is inducted
43 into office. Each supervisor shall reside within the district
44 and within the geographical zone he or she represents during his
45 or her entire term in office, but any supervisor who has the
46 boundaries of his or her zone changed and because of said change
47 no longer resides within the zone he or she represents shall
48 remain in office until the normal expiration of his or her term.

49 (3)~~(2)~~ Notwithstanding any other provision of this act,
50 the persons who are members of the board of supervisors of the
51 district in office when this act takes effect shall constitute
52 the members of the board until the next election for their
53 seats. Those members of the board whose terms expire in June
54 2004 shall remain members of the board and their terms shall be
55 extended from June 2004 until their successors are inducted into
56 office at the first regularly scheduled meeting of the board

57 | following certification of the November 2004 general election.
 58 | Those members of the board whose terms expire in June 2006 shall
 59 | remain members of the board and their terms shall be extended
 60 | from June 2006 until their successors are inducted into office
 61 | at the first regularly scheduled meeting of the board following
 62 | certification of the November 2006 general election.

63 | (4) After the effective date of this act, except as stated
 64 | herein, all supervisors shall be elected by the qualified
 65 | electors of the district on a nonpartisan basis. Except as
 66 | stated herein, the seven supervisors shall be elected from seven
 67 | single-member zones which shall be identified as Zone 1, Zone 2,
 68 | Zone 3, Zone 4, Zone 5, Zone 6, and Zone 7. The supervisors
 69 | shall be elected from the registered voters of each respective
 70 | zone.

71 | (5) That part of the district located within the
 72 | district's seven zones is as follows:

73 | (a) Zone 1:

74 | All of Sections 31, 32 and 33 of Township 50 South,
 75 | Range 40 East,

76 | Together with;

77 | All of Sections 4, 5, 6, and 7 of Township 51 South,
 78 | Range 40 East,

79 | Together with;

80 | All of Sections 34, 35 and 36 of Township 50 South,
 81 | Range 39 East,

82 | Together with;

83 | All of Sections 1, 2, 3, 10, 11 and 12 of Township 51
 84 | South, Range 39 East,

85 Together with;
 86 All of Sections 28, 29 and 30 of Township 50 South,
 87 Range 40 East lying south of the South Florida Water
 88 Management District Canal C-11 right-of-way,
 89 Together with;
 90 All of Sections 25, 26 and 27 of Township 50 South,
 91 Range 39 East lying south of the South Florida Water
 92 Management District Canal C-11 right-of-way,
 93 Together with;
 94 The North one-half (N 1/2) of Section 18, of Township
 95 51 South, Range 40 East,
 96 Together with;
 97 The North one-half (N 1/2) of Sections 13, 14 and 15
 98 of Township 51 South, Range 39 East.
 99 (b) Zone 2:
 100 All of Sections 19, 30, 31 and 32 of Township 51
 101 South, Range 40 East,
 102 Together with;
 103 The South one-half (S 1/2) of Sections 18 and 29 of
 104 Township 51 South, Range 40 East,
 105 Together with;
 106 All of the South one-half (S 1/2) of Section 28 of
 107 Township 51 South, Range 40 East lying west of the
 108 centerline of the Interstate Highway I-75 right-of-
 109 way,
 110 Together with;
 111 All of Sections 22, 23, 24, 25, 26, 27, 34, 35 and 36
 112 of Township 51 South, Range 39 East,

113 Together with;
 114 The South one-half (S 1/2) of Sections 13, 14 and 15
 115 of Township 51 South, Range 39 East,
 116 Together with;
 117 All of Section 33 of Township 51 South, Range 40 East
 118 lying west of the centerline of the Interstate Highway
 119 I-75 right-of-way.
 120 (c) Zone 3:
 121 All of the South one-half (S 1/2) of Section 15 of
 122 Township 51 South, Range 40 East lying west of the
 123 centerline of the Interstate Highway I-75 right-of-
 124 way,
 125 Together with;
 126 All of the North one-half (N 1/2) of Section 22 of
 127 Township 51 South, Range 40 East lying west of the
 128 centerline of the Interstate Highway I-75 right-of-
 129 way,
 130 Together with;
 131 All of Sections 8, 9, 10, 11, 16 and 17 of Township 51
 132 South, Range 40 East,
 133 Together with;
 134 The North one-half (N 1/2) of Sections 14, 15, 20 and
 135 21 of Township 51 South, Range 40 East.
 136 (d) Zone 4:
 137 All of Sections 23, 26, 27, 34, 35 and 36 of Township
 138 51 South, Range 40 East,
 139 Together with;
 140 All of Section 30 of Township 51 South, Range 41 East,

141 Together with;
 142 The South one-half (S 1/2) of Section 19 of Township
 143 51 South, Range 41 East,
 144 Together with;
 145 The South one-half (S 1/2) of Sections 14, 20, 21, 22
 146 and 25 of Township 51 South, Range 40 East,
 147 Together with;
 148 All of the South one-half (S 1/2) of Sections 15 and
 149 28 of Township 51 South, Range 40 East lying east of
 150 the centerline of the Interstate Highway I-75 right-
 151 of-way,
 152 Together with;
 153 The North one-half (N 1/2) of Sections 28 and 29 of
 154 Township 51 South, Range 40 East,
 155 Together with;
 156 All of the North one-half (N 1/2) of Section 22 of
 157 Township 51 South, Range 40 East lying east of the
 158 centerline of the Interstate Highway I-75 right-of-
 159 way,
 160 Together with;
 161 All of Section 33 of Township 51 South, Range 40 East
 162 lying east of the centerline of the Interstate Highway
 163 I-75 right-of-way.
 164 (e) Zone 5:
 165 All of Sections 12, 13 and 24 of Township 51 South,
 166 Range 40 East,
 167 Together with;
 168 All of Section 7 of Township 51 South, Range 41 East,

169 Together with;
 170 The North one-half (N 1/2) of Section 18 of Township
 171 51 South, Range 41 East,
 172 Together with;
 173 The North one-half (N 1/2) of Section 25 of Township
 174 51 South, Range 40 East.
 175 (f) Zone 6:
 176 All of Sections 8, 17, 20 and 29 of Township 51 South,
 177 Range 41 East,
 178 Together with;
 179 The South one-half (S 1/2) of Section 18 of Township 51
 180 South, Range 41 East,
 181 Together with;
 182 The North one-half (N 1/2) of Sections 9 and 19 of
 183 Township 51 South, Range 41 East.
 184 (g) Zone 7:
 185 All of Sections 15, 16, 21 and 28 of Township 51 South,
 186 Range 41 East,
 187 Together with;
 188 The South one-half (S 1/2) of Sections 9 and 10 of
 189 Township 51 South, Range 41 East,
 190 Together with;
 191 The Southwest one-quarter (SW 1/4) of Section 11 of
 192 Township 51 South, Range 41 East,
 193 Together with;
 194 The Northwest one-quarter (NW 1/4) of Section 14 of
 195 Township 51 South, Range 41 East,
 196 Together with;

197 The North one-half (N 1/2) of Section 22 of Township
 198 51 South, Range 41 East.

199 (6) Commencing with the first regularly scheduled meeting
 200 of the board following certification of the November 2006
 201 general election, except as stated in this act, the board shall
 202 be composed of seven members as follows:

203 (a) Three supervisors shall be elected in the general
 204 election of November 2004. At the November 2004 general
 205 election, one supervisor shall be elected from the combined
 206 registered voters from Zones 1 and 2, one supervisor shall be
 207 elected from the combined registered voters from Zones 3 and 4,
 208 and one supervisor shall be elected from the combined registered
 209 voters from Zones 5, 6, and 7. The supervisors elected in
 210 November 2004 shall serve until their terms expire in November
 211 2008.

212 (b) In the general election of November 2006, and in the
 213 November general election of every fourth year thereafter, one
 214 supervisor shall be elected from the zone in which the
 215 supervisor elected in 2004 from Zones 1 and 2 is not a resident,
 216 one supervisor shall be elected from the zone in which the
 217 supervisor elected in 2004 from Zones 3 and 4 is not a resident,
 218 and one supervisor shall be elected from each of the two zones
 219 in which the supervisor elected in 2004 from Zones 5, 6, and 7
 220 is not a resident.

221 (c) In the general election of November 2008, the zones in
 222 which the supervisors elected in 2004 reside and whose terms of
 223 office expire in November 2008 shall be designated as the zones

224 whose representatives shall be elected in 2008 and in the
225 November general election of every fourth year thereafter.

226 (d) If only one candidate qualifies for an office, that
227 candidate shall be deemed elected. If two or more candidates
228 qualify for an office, the names of those candidates shall be
229 placed on the ballot for the designated November general
230 election.

231 (e) The candidate receiving the highest number of votes
232 cast for the office of supervisor for each respective zone at
233 each respective election shall be declared elected to such
234 office. If the vote results in a tie, the outcome shall be
235 determined by lot.

236 (f) Supervisors elected or reelected shall be inducted
237 into office at the first regularly scheduled meeting of the
238 board following certification of the election.

239 (7) Except as provided in this section, election of
240 supervisors shall be as provided in the Florida Election Code
241 and revisions thereto.

242 (8) The boundaries of Zones 1, 2, 3, 4, 5, 6, and 7 shall
243 be reviewed and revised by the board upon the occurrence of any
244 of the following events:

245 (a) The district's geographical area changes by 10 percent
246 or more;

247 (b) The district's population changes by 10 percent or
248 more since the previous determination of the single-member zone
249 boundaries;

250 (c) Any annexation, deannexation, or merger causes the
 251 population of the district to increase or decrease by 5 percent
 252 or more; or

253 (d) The passage of at least 10 years since the previous
 254 review of the single-member zone boundaries. If the population
 255 of the single-member zones meets the requirements of subsection
 256 (9), the boundaries of the single-member zones may remain as is.

257 (9) With the assistance of the district director,
 258 engineer, and attorney, revisions to the boundaries of the seven
 259 zones shall result in the population of each zone being no less
 260 than 13.58 percent of the total population of the district and
 261 no greater than 15 percent of the total population of the
 262 district according to the latest census or official population
 263 determination.

264 ~~(3) In the month of June of 2000, there shall be held a~~
 265 ~~meeting of the landowners of South Broward Drainage District at~~
 266 ~~the office of the district in Broward County, for the purpose of~~
 267 ~~holding an election to fill the seats of the three supervisors~~
 268 ~~whose terms expire in June of 2000; and, in the month of June of~~
 269 ~~each fourth year thereafter, there shall be held such a meeting~~
 270 ~~to fill the same three seats. In the month of June of 2002,~~
 271 ~~there shall be held a meeting of the landowners of South Broward~~
 272 ~~Drainage District at the office of the district in Broward~~
 273 ~~County for the purpose of holding an election to fill the seats~~
 274 ~~of the three supervisors whose terms expire in June of 2002;~~
 275 ~~and, in the month of June of each fourth year thereafter, there~~
 276 ~~shall be held such a meeting to fill the same three seats.~~
 277 ~~Notice of said landowners' meeting shall be published as~~

278 ~~provided by section 20. The president of the board of~~
 279 ~~supervisors shall conduct the meeting. At such meeting, each~~
 280 ~~landowner shall be entitled to cast one vote for each person to~~
 281 ~~be elected. A landowner may vote in person or by proxy in~~
 282 ~~writing. Each landowner shall be entitled to cast one vote for~~
 283 ~~each acre of land owned by him and located within the district~~
 284 ~~boundaries. Fractions of an acre shall be treated as one acre,~~
 285 ~~entitling the landowner to one vote with respect thereto. The~~
 286 ~~three persons at the respective elections who receive the~~
 287 ~~highest number of votes for the office of supervisor shall be~~
 288 ~~declared elected.~~

289 (10)~~(4)~~ Each supervisor, before entering upon his or her
 290 official duties, shall take and subscribe to an oath of office
 291 as prescribed in s. 298.13, Florida Statutes.

292 (11)~~(5)~~ All supervisors shall hold office for the terms
 293 for which they are elected or appointed and until their
 294 successors shall be chosen and qualify. In case of a vacancy in
 295 the office of any supervisor, the remaining supervisor or
 296 supervisors, even though less than a quorum, may fill such
 297 vacancy for the unexpired term of the supervisor who vacated his
 298 or her office.

299 (12)~~(6)~~ At the first meeting of the board following
 300 certification of the general election of November 2004 and at
 301 the first regularly scheduled meeting of the board following
 302 certification of the general election in the month of November
 303 of every other year thereafter ~~As soon as practicable after each~~
 304 ~~election, the board shall organize by~~ electing from ~~choosing one~~
 305 ~~of their members a number~~ president, a secretary, and a

306 treasurer of the board ~~and by electing a secretary, who need not~~
 307 ~~be a member of the board.~~

308 ~~(13)(7)~~ A majority of the members of the board shall
 309 constitute a quorum.

310 (14) Except as stated in sections 12 and 14, the
 311 supervisors of the district shall not receive any benefits,
 312 including, but not limited to, state or district retirement,
 313 health insurance, medical insurance, dental insurance, or life
 314 insurance.

315 ~~(15)(8)~~ The board shall keep a permanent record book
 316 entitled "Record of Proceedings of South Broward Drainage
 317 District," in which shall be recorded minutes of all meetings,
 318 resolutions, proceedings, certificates, bonds given by all
 319 employees, and any and all corporate acts, which book shall at
 320 reasonable times be opened to the inspection of any elector,
 321 landowner, taxpayer, resident, or bondholder of the district,
 322 and such other persons as the board may determine to have a
 323 proper interest in the proceedings of the board. Such record
 324 book shall be kept at any office or other regular place of
 325 business maintained by the board in Broward County.

326 ~~(9) Whenever any election shall be authorized or required~~
 327 ~~by this act to be held by the landowners at any particular or~~
 328 ~~stated time or day, and if for any reason such election is not~~
 329 ~~held at such time or on such day, then in such event the power~~
 330 ~~or duty to hold such election shall not cease or lapse, but such~~
 331 ~~election shall be held thereafter when practicable, and in~~
 332 ~~accordance with the procedures provided by this act.~~

333 Section 14. Treasurer; depositories; fiscal agent.--

334 (1) The board shall, as provided by subsection 10(12),
 335 elect designate a member of the board ~~person who is a resident~~
 336 ~~of the state, or a bank or trust company organized under the~~
 337 ~~laws of the state,~~ as treasurer of the district, who shall have
 338 charge of the funds of the district. Such funds shall be
 339 disbursed only upon the order of or pursuant to the resolution
 340 of the board by warrant or check signed by the treasurer, or by
 341 such other person as may be authorized by the board. The
 342 treasurer may not hold any other office provided for in this
 343 act, ~~except that the same person may not be president and~~
 344 ~~treasurer.~~ The board may give the treasurer such other or
 345 additional powers and duties as the board may deem appropriate,
 346 and fix his or her compensation; and may require the treasurer
 347 to give a bond in such amount, on such terms, and with such
 348 sureties as may be deemed satisfactory to the board to secure
 349 the performance by the treasurer of his or her powers and
 350 duties. The board shall audit or have audited the books of the
 351 treasurer at least once a year.

352 (2) The board is authorized to select as depositories in
 353 which the funds of the board and of the district shall be
 354 deposited any banking corporation organized under the laws of
 355 the state or under the national banking act, doing business in
 356 the state, upon such terms and conditions as to the payment of
 357 interest by such depository upon the funds so deposited as the
 358 board may deem just and reasonable.

359 (3) The board may employ a fiscal agent, who shall be
 360 either a resident of the state or a corporation organized under
 361 the laws of this or any other state and authorized by such laws

362 | to act as such fiscal agent for municipal corporations in the
 363 | state and who shall assist in the keeping of the tax books, the
 364 | collection of taxes, and the remitting of funds to pay maturing
 365 | bonds and coupons, and perform such other or additional services
 366 | and duties as fiscal agent and receive such compensation as the
 367 | board may determine.

368 | Section 2. A certified copy of this act shall be recorded
 369 | in the Broward County Public Records by the South Broward
 370 | Drainage District.

371 | Section 3. In the event any section or provision of this
 372 | act is determined to be invalid or unenforceable, such
 373 | determination shall not affect the validity of or enforceability
 374 | of each other section and provision of this act, and to this end
 375 | the provisions of this act are declared severable.

376 | Section 4. This act shall take effect upon becoming a law.
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