

CHAMBER ACTION

1 The Local Government Council recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to the Ranger Drainage District, Orange
7 County; amending chapter 99-453, Laws of Florida;
8 providing additional authority for limited fire control
9 and prevention; providing for maintenance of passive
10 recreation areas and facilities, environmental mitigation,
11 security services, signage, and maintenance of common
12 areas; increasing the membership of the governing board;
13 providing for staggered terms of members; providing for a
14 referendum; providing a ballot statement; providing an
15 effective date.

16
17 WHEREAS, the Ranger Drainage District is the primary local
18 public agency that provides for maintenance of infrastructure,
19 including drainage, flood protection facilities, and
20 environmental features within the district, and

21 WHEREAS, residential development within the district is
22 occurring at an extremely rapid rate and requires increased

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23 maintenance to public infrastructure such as common areas,
24 passive recreational areas, and district rights of way, and

25 WHEREAS, there is a need for better security and fire
26 protection to ensure safety of persons and property within the
27 district, and

28 WHEREAS, all neighborhood associations within the district
29 have urged the Legislature to grant the district additional
30 authority to maintain and restore public infrastructure, and

31 WHEREAS, it is the intent of the Legislature to provide the
32 district with the powers necessary to maintain public
33 infrastructure and protect public and private property within
34 the district, NOW, THEREFORE,

35

36 Be it Enacted by the Legislature of the State of Florida:

37

38 Section 1. Subsection (4) is added to section 5 of chapter
39 99-453, Laws of Florida, to read:

40 Section 5. Additional district powers.--

41 (4) The Ranger Drainage District shall have the following
42 additional powers and authorities:

43 (a) To construct and maintain firebreaks and related
44 facilities for fire prevention and control within district
45 easements, rights-of-way, and property in cooperation with the
46 Department of Agriculture and Consumer Services, the Division of
47 Forestry, or other fire prevention agencies.

48 (b) To own, acquire, construct, operate, and maintain
49 passive recreation areas and facilities within the district,

50 including, but not limited to, parks, walking or hiking trails,
 51 and related facilities.

52 (c) To acquire property for construction of projects
 53 within and adjacent to the district for environmental
 54 protection, restoration, or mitigation purposes. The district is
 55 also authorized to cooperate with public agencies and landowners
 56 in such projects.

57 (d) To provide security services within the district for
 58 the purpose of protecting district property and facilities.

59 (e) To construct and maintain signage and facilities
 60 identifying district ingress and egress locations.

61 (f) To maintain all district common areas, including, but
 62 not limited to, easements, road shoulders, and medians.

63 Section 2. Subsection (5) of section 7 of chapter 99-453,
 64 Laws of Florida, is amended to read:

65 Section 7. Minimum charter requirements.--In accordance
 66 with s. 189.404(3), Florida Statutes, the following subsections
 67 shall constitute the charter of the Ranger Drainage District:

68 (5) In accordance with chapter 189, Florida Statutes, this
 69 act, and s. 298.11, Florida Statutes, the district is governed
 70 by a five-member ~~three-member~~ board, elected on a one-acre, one-
 71 vote basis by the landowners in the district; however,
 72 landowners owning less than one acre shall be entitled to one
 73 vote. Landowners with more than one acre shall be entitled to
 74 one additional vote for any fraction of an acre greater than ½
 75 acre owned, when all of the landowner's acreage has been
 76 aggregated for purposes of voting. The current board position
 77 which term expires in 2005 shall be denominated seat 1 and shall

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78 | be elected for a term of 3 years or until a successor is
 79 | elected. The current board position which term expires in 2006
 80 | shall be denominated seat 2 and shall be elected for a term of 3
 81 | years or until a successor is elected. The current board
 82 | position which term expires in 2007 shall be denominated seat 3
 83 | and shall be elected for a term of 3 years or until a successor
 84 | is elected. The newly created seats to be elected in 2005 shall
 85 | be denominated seat 4 and seat 5. Seat 4 shall be elected for a
 86 | term of 3 years. Seat 5 shall be elected for a term of 2 years.
 87 | After the election in 2005, all terms of board members shall be
 88 | 3 years or until a successor is elected. The ~~membership and~~
 89 | organization of the board shall be as set forth in this act and
 90 | chapter 298, Florida Statutes, as they may be amended from time
 91 | to time, provided, however, that the annual landowners' meeting
 92 | held for the purpose of electing board members and other
 93 | purposes shall be held in September at a time and place to be
 94 | determined by the board.

95 | Section 3. Referendum.--On or before September 15, 2005,
 96 | the Supervisor of Elections of Orange County shall conduct a
 97 | referendum on the question of expanding the governing board of
 98 | the Ranger Drainage District from three to five members and
 99 | granting the district certain additional powers. The referendum
 100 | question shall be posed as follows:

101 |
 102 | Shall the Ranger Drainage District Board of Supervisors be
 103 | expanded from three to five members and granted the authority to
 104 | provide services and facilities within the district for limited
 105 | fire protection, passive recreation, environmental protection,

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106 | security, ingress/egress signage, and maintenance of district
107 | common property?

108 |
109 | _____ Yes

110 | _____ No

111 |
112 | Section 4. This act shall take effect only upon its
113 | approval by a majority vote of those qualified electors of the
114 | district voting in the referendum specified by section 3 of this
115 | act in accordance with the provisions of law relating to
116 | elections currently in force, except that this section and
117 | section 3 shall take effect upon becoming law.