

**HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS**

**BILL #:** HB 1095  
**SPONSOR(S):** Attkisson  
**TIED BILLS:**

Tohopekaliga Water Authority, Osceola County

**IDEN./SIM. BILLS:** SB 1998

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| <b>REFERENCE</b>   | <b>ACTION</b>    | <b>ANALYST</b> | <b>STAFF DIRECTOR</b> |
|--|------------------|----------------|-----------------------|
| 1) <u>Committee on Urban &amp; Local Affairs</u>             | <u>5 Y, 0 N</u>  | <u>Kruse</u>   | <u>Kruse</u>          |
| 2) <u>Government Efficiency &amp; Accountability Council</u> | <u>10 Y, 0 N</u> | <u>Kruse</u>   | <u>Cooper</u>         |
| 3) _____   | _____            | _____          | _____                 |
| 4) _____   | _____            | _____          | _____                 |
| 5) _____   | _____            | _____          | _____                 |

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**SUMMARY ANALYSIS**

The governing body of the Tohopekaliga Water Authority (Authority) consists of five members acting as the Board of Supervisors. This bill expands the membership of the Authority through interlocal agreements and provides the mechanism for such appointments to the Authority.

The bill is effective upon becoming a law.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. HOUSE PRINCIPLES ANALYSIS:

The bill does not appear to implicate any of the House Principles.

#### B. EFFECT OF PROPOSED CHANGES:

##### Present Situation

Chapter 2003-368, L.O.F., created the Tohopekaliga Water Authority as an independent special district in Osceola County. Its purpose is to address and carry out the provision of potable and nonpotable water and wastewater services and facilities in certain areas of Osceola County and certain adjacent areas upon the approval of any affected general purpose local government. It was also established to provide economies of scale, eliminate duplicative functions and expenditures, protect the local and regional environment, to use, preserve, address, and protect, valuable local and regional water resources, and to advance regional and comprehensive planning.

The governing body of the Authority consists of five members acting as the Board of Supervisors, each of whom serves a term of 3 years.

The Authority is empowered to enter into interlocal agreements or join with any other special purpose or general purpose local governments, public agencies, or authorities in the exercise of common powers.

##### Effect of Proposed Changes

The bill expands the membership of the Board of Supervisors of the Tohopekaliga Water Authority to include one or more interlocal members as may be appointed. An appointment of an interlocal member to the Board may be made by resolution of each local government that has adopted a resolution authorizing the Tohopekaliga Water Authority to provide services and facilities within its boundaries and the local government has entered into an interlocal agreement with the Authority. The interlocal agreement must expressly provide for such an appointment and the appointment is only effective for the life of the interlocal agreement. The initial term for such appointment is for not more than three years.

#### C. SECTION DIRECTORY:

Section 1: Amends subsection (1) of section 6 of ch. 2003-368, L.O.F., to expand the membership of the Board of Supervisors for the Tohopekaliga Water Authority and provides for the mechanism of such appointments.

Section 2: Provides that the bill shall take effect upon becoming a law.

### II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes  No

IF YES, WHEN? January 26, 2007.

WHERE? The Ledger, a daily newspaper published in Polk County, Florida.

B. REFERENDUM(S) REQUIRED? Yes  No

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED? Yes, attached  No

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached  No

### III. COMMENTS

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

D. STATEMENT OF THE SPONSOR

This bill is mutually acceptable to both Polk and Osceola Counties to provide services to Poinciana, which both counties share. This bill is fair and equitable to both sides.

### IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES

None.