

HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

BILL #: HB 1533

South Broward Drainage District, Broward County

SPONSOR(S): Seiler

TIED BILLS:

IDEN./SIM. BILLS:

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Committee on Urban & Local Affairs</u>	_____	<u>Fudge</u>	<u>Kruse</u>
2) <u>Government Efficiency & Accountability Council</u>	_____	_____	_____
3) <u>Policy & Budget Council</u>	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

SUMMARY ANALYSIS

This bill alters the election cycle, competitive bidding requirements, terms of supervisors, boundary issues, and internal governing requirements of the South Broward Drainage District board of supervisors.

This bill is effective upon becoming law.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

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

B. EFFECT OF PROPOSED CHANGES:

Current Situation

The South Broward Drainage District is an independent special district created in 1967.¹ The District is governed by a board of supervisors. The board holds meetings and may also call meetings of landowners within the District. The supervisors are elected by qualified electors from seven single-member zones identified as Zones 1 through 7 and serve for four years. Every other year the board must select a president, secretary, and a treasurer from among the membership.

The board may not enter into contracts that exceed \$10,000, unless notice has been advertised once a week for two consecutive weeks in a newspaper in Broward County, and in each case the board must accept the lowest responsible bid unless all bids have been rejected. Also, the board must review and revise the boundaries of each zone upon the occurrence of certain events, such as changes in the district's geographical area by 10 percent or more, or if annexation, deannexation, or merger causes the population of the district to increase or decrease by 5 percent or more.

Effect of Proposed Changes

This bill changes the designation of "supervisors" to "commissioners" and removes the requirement for meetings of landowners. The bill requires at least seven days notice of meetings of the board and provides that in the event of an emergency determined by the district director, chairperson, or the vice-chairperson, the board shall provide notice that is reasonable under the circumstances.

This bill also revises the competitive bidding requirements to include mapping services and increases the threshold amount requiring bids to the amount provided in s. 287.017(1), F.S., for category two purchases, which is currently \$25,000. The bill staggers the term of the commissioners so that the term for commissioners for Zones 1, 3, and 6 will begin in November 2008 and expire in November 2012. The term for commissioners for Zones 2, 4, 5, and 7 will begin November 2010 and expire November 2014.

This bill also requires the District to review and revise its boundaries when any property is added to or deleted from the district's geographical area. The District must also review or revise its boundaries when the population of any one or more zones increases or decreases by more than 10 percent since the previous revision, or five of the seven commissioners approves a resolution to revise the boundaries.

Instead of every other year, the commissioners must now select a chairperson, vice chairperson secretary, and treasurer every even-numbered year at the first meeting after the effective date of the bill. The chairperson will preside over the meeting unless absent, at which time the vice chairperson would preside over the meeting. If both are absent, the remaining members would select a member by majority vote to preside over the meeting. The bill requires that the act be recorded in the Broward County Public Records. This bill also contains a severability clause and provides an effective date of upon becoming law.

¹ Ch. 67-904, L.O.F.

C. SECTION DIRECTORY:

Section 1: Revises portions of the act regarding the operations of the District.

Section 2: Amends the provisions regarding the terms of the commissioners and adds the requirement for a chairperson and vice chairperson.

Section 3: Requires that the act be recorded in the Brevard County public records.

Section 4: Provides a severability clause.

Section 5: Provides an effective date of upon becoming law.

II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? January 14, 2007.

WHERE? In the *Palm Beach Post*, a daily newspaper published in Palm Beach County.

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

No statement submitted.

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES