

1 A bill to be entitled

2 An act relating to Pinellas Park Water Management District
3 Authority, Pinellas County; amending chapter 2001-325,
4 Laws of Florida; reducing the ad valorem millage cap,
5 subject to a referendum; specifying that the authority is
6 housed within the City of Pinellas Park for administrative
7 purposes; increasing and revising membership of the
8 authority; increasing the term for each member; deleting
9 provisions requiring a secretary and treasurer to be
10 elected and the treasurer to post a surety bond; deleting
11 a provision relating to authorization under general law
12 for the authority to pay insurance premiums for insurance
13 benefits to its board members; deleting other provisions
14 to conform to changes made by the act; providing for a
15 referendum; providing effective dates.

16
17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. Section 1, and sections 3 and 8 of section 3,
20 of chapter 2001-325, Laws of Florida, are amended to read:

21 Section 1. Pursuant to section 189.429, Florida Statutes,
22 this act constitutes the codification of all special acts
23 relating to Pinellas Park Water Management District Authority.
24 It is the intent of the Legislature to provide a single,
25 comprehensive special act charter for the authority including
26 all current legislative authority granted to it by its several
27 legislative enactments and any additional authority granted by
28 this act and chapter 189, Florida Statutes, as it may be amended

29 | from time to time. It is further the intent of this act to
 30 | preserve all authority powers, including the power to annually
 31 | assess and levy against the taxable property in the district a
 32 | tax not to exceed 1.5 ~~3~~ mills on the dollar of assessed
 33 | valuation.

34 | Section 3. Pinellas Park Water Management District
 35 | Authority.—

36 | (1) The Pinellas Park Water Management District Authority
 37 | was created as the Pinellas Park Water Management District by
 38 | special act of the Legislature in 1975. Its charter may be
 39 | amended only by special act of the Legislature. The authority
 40 | shall be housed within the City of Pinellas Park for
 41 | administrative purposes.

42 | (2) The governing body of the authority shall consist of
 43 | five ~~three~~ members, ~~serving and selected as provided herein.~~
 44 | Three members shall be selected by the Mayor and City Council of
 45 | the City of Pinellas Park from the members of the council, one
 46 | member shall be selected by the Mayor and City Council of the
 47 | City of St. Petersburg from among the members of the council,
 48 | ~~Two members shall be appointed by the City Council of Pinellas~~
 49 | ~~Park~~ and one member shall be selected ~~appointed~~ by the Pinellas
 50 | County Board of County Commissioners from the members of the
 51 | commission. The term of each appointed member shall be for 4 ~~3~~
 52 | years, or the balance of the member's term as mayor, city
 53 | council member, or county commission member under the Charter of
 54 | the City of Pinellas Park, the Charter of Pinellas County, or
 55 | the Charter of the City of St. Petersburg, respectively. Each
 56 | selected ~~appointed~~ member shall hold office until his or her

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57 | successor has been selected ~~appointed~~ and qualified. A vacancy
58 | occurring during a term shall be filled only for the balance of
59 | the unexpired term. ~~If any selection is not made by the~~
60 | ~~municipality as provided herein, the county commissioners shall~~
61 | ~~appoint an eligible person to the authority with like effect as~~
62 | ~~if the selection were made by the municipality. Any member of~~
63 | ~~the authority shall be eligible for reappointment.~~

64 | ~~(3) Each appointed member of the authority shall be a~~
65 | ~~person who is a qualified elector of the district with an~~
66 | ~~outstanding reputation for civic pride, interest, integrity,~~
67 | ~~responsibility, and business ability. No person who is an~~
68 | ~~officer or employee of any city or of the county in any~~
69 | ~~capacity, except elected officials, shall be an appointed member~~
70 | ~~of the authority.~~

71 | (3)~~(4)~~ The authority shall annually elect one of its
72 | members as chair of the authority and one as a vice chair. ~~At~~
73 | ~~the same time, a secretary and treasurer shall be elected who~~
74 | ~~may or may not be members of the authority, and they shall serve~~
75 | ~~at the will of the authority. The treasurer shall post a good~~
76 | ~~and sufficient surety bond in an amount approved by the Board of~~
77 | ~~County Commissioners. Three ~~Two~~ members shall constitute a~~
78 | ~~quorum and the vote of two members shall be necessary for any~~
79 | ~~action taken by the authority. No vacancy in the authority shall~~
80 | ~~impair the right of a quorum of the authority to exercise all of~~
81 | ~~the rights and perform all of the duties of the authority. ~~Upon~~~~
82 | ~~the effective date of his or her appointment or, as soon~~
83 | ~~thereafter as possible, each appointed member of the authority~~
84 | ~~shall enter upon his or her duties.~~

85 (4)~~(5)~~ The district may ~~shall~~ appoint an engineer who
86 shall be a person of recognized ability and experience to serve
87 at the pleasure of the authority. The district may also appoint
88 or employ such employees as may be necessary for the proper
89 performance of its duties and functions, and may determine the
90 qualifications and fix the compensation of such persons; also,
91 the authority may contract for the services of attorneys,
92 engineers, consultants, and agents for any purpose of the
93 authority, including engineering, management feasibility, and
94 other studies concerning the acquisition, construction,
95 extension, operation, maintenance, regulation, consolidation,
96 and financing of the system in the area.

97 (5)~~(6)~~ Members of the authority shall be entitled to
98 receive from the authority their traveling and other necessary
99 expenses incurred in connection with the business of the
100 authority, as provided in section 112.061, Florida Statutes, but
101 they shall receive no salaries or other compensation, ~~with the~~
102 ~~exception of the benefits described in subsection (7).~~ During
103 ~~the unexpired term of any member of the authority, that member~~
104 ~~may be removed for misconduct, malfeasance, misfeasance, or~~
105 ~~nonfeasance in office by a two-thirds vote of both appointing~~
106 ~~governing bodies.~~

107 ~~(7) In accordance with section 112.08, Florida Statutes,~~
108 ~~the authority may provide and pay all or part of the premiums~~
109 ~~out of its available funds for insurance benefits to its board~~
110 ~~members that are equivalent to the insurance benefits provided~~
111 ~~to the authority's employees under the authority's group~~
112 ~~insurance plan.~~

113 Section 8. Independent special district taxation.—The
 114 Pinellas Park Water Management District shall be deemed an
 115 independent special district and is authorized to levy ad
 116 valorem tax on the taxable real property in the district at a
 117 rate sufficient to produce an amount that may be necessary for
 118 the purposes of this act, not to exceed 1.5 ~~3~~ mills, provided
 119 such millage limit is approved by a vote of the electors who are
 120 not wholly exempt from taxation. Property taxes determined and
 121 levied under this section shall be certified by the authority to
 122 the county auditor, extended, assessed, and collected in like
 123 manner as provided by law for regular property taxes for the
 124 county or municipalities and in accordance with chapter 200,
 125 Florida Statutes. The proceeds under this section shall be
 126 remitted by the tax collector to the treasurer of the authority
 127 who shall credit them to the funds of the authority for use of
 128 the purposes of this law. At any time after making a tax levy
 129 under this section and certifying the same to the county, the
 130 authority may issue tax anticipation notes of indebtedness in
 131 anticipation of the collection of such taxes. If property in the
 132 district is not receiving or will not receive any benefit from
 133 the district's works or activities, such property may be removed
 134 from the district by amendment to section 5 of the district's
 135 enabling act, pursuant to the requirements of section 11.02,
 136 Florida Statutes, and section 10, Article III of the State
 137 Constitution.

138 Section 2. The amendments to section 1, and section 8 of
 139 section 3, of chapter 2001-325, Laws of Florida, which lower the
 140 cap on the levy of ad valorem taxation to 1.5 mills shall take

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141 effect only upon approval to lower the millage cap by a majority
142 vote of those qualified electors of the Pinellas Park Water
143 Management District Authority voting in a referendum to be held
144 by the Pinellas County Board of County Commissioners in
145 conjunction with the November 2010 general election. The
146 question presented to the electors voting in that referendum
147 shall be expressed as an option to approve either the lowering
148 of the millage cap to 1.5 mills or the retaining of the current
149 millage cap of 3 mills.

150 Section 3. Except as otherwise provided by this act, this
151 act shall take effect upon becoming a law.