

1 A bill to be entitled
 2 An act relating to Spring Lake Improvement District,
 3 Highlands County; amending chapter 2005-342, Laws of
 4 Florida; amending board, election, and term of office
 5 provisions; deleting provisions relating to eminent
 6 domain; providing a limitation on the amount of bonds
 7 the district can issue; providing the authority to
 8 conduct mosquito control; repealing chapter 2010-266,
 9 Laws of Florida; removing language proposing changes
 10 to the district charter which did not take effect for
 11 failure of adoption at a referendum; providing an
 12 effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

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 16 Section 1. Section 6 and subsections (1), (9), and (23) of
 17 section 10 of section 3 of chapter 2005-342, Laws of Florida,
 18 are amended, present subsection (27) of section 10 of section 3
 19 is renumbered as subsection (28), and a new subsection (27) is
 20 added to section 10 of section 3 of that chapter, to read:

21 Section 6. Board; election; organization, terms of office,
 22 quorum; report and minutes.—

23 (1) The board of the district shall be elected and shall
 24 exercise the powers granted to the district under this act and
 25 under chapter 298, Florida Statutes. ~~The board shall consist of~~
 26 ~~the number of members, and each member shall hold office for the~~
 27 ~~term of years until his or her successor shall be chosen and~~
 28 ~~shall qualify, as set forth in section 189.4051, Florida~~

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29 ~~Statutes. All members of the board shall be landowners within~~
30 ~~the district.~~

31 (2) The district is governed by a five-member board of
32 supervisors. The composition of the board, as well as the terms
33 of office and qualification of supervisors, shall be determined
34 pursuant to section 189.4051, Florida Statutes. All supervisors
35 shall be landowners within the district.

36 (3) Those supervisors elected on a one-acre one-vote basis
37 shall be elected at a meeting of the landowners to be held in
38 November of each year. All landowners' meetings shall be held
39 pursuant to sections 298.11 and 298.12, Florida Statutes. The
40 remaining supervisors shall be elected pursuant to section
41 189.4051, Florida Statutes, and shall be district residents and
42 registered voters.

43 (4) The terms of office for those supervisors elected on a
44 one-acre one-vote basis shall begin with the next regularly
45 scheduled board meeting after the election. The terms of office
46 for all other supervisors shall begin with the next regularly
47 scheduled board meeting after certification of the election by
48 the Highlands County Supervisor of Elections. Before entering
49 upon his or her official duties, all supervisors

50 ~~(2) In the month of November of each year commencing~~
51 ~~November of 1992, there shall be held a meeting of the~~
52 ~~landowners of the district at a location within the district in~~
53 ~~Highlands County for the purpose of electing one supervisor for~~
54 ~~a term of 3 years. The president of the board at the time of the~~
55 ~~November 1992 election shall have his or her term extended until~~
56 ~~the November 1994 election. The secretary of the board at the~~

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57 ~~time of the November 1992 election shall have his or her term~~
58 ~~extended until the November 1993 election. The remaining~~
59 ~~position of supervisor shall stand for election at the November~~
60 ~~1992 meeting of landowners. Notice of said landowners meeting~~
61 ~~shall be published once a week for 2 consecutive weeks in a~~
62 ~~newspaper in Highlands County which is in general circulation~~
63 ~~within the district, the last said publication to be not less~~
64 ~~than 14 days nor more than 28 days before the date of the~~
65 ~~election. The landowners when assembled at such meeting shall~~
66 ~~organize by electing a chair who shall conduct the meeting. At~~
67 ~~such meeting each landowner shall be entitled to cast one vote~~
68 ~~per acre of land owned by him or her and located within the~~
69 ~~district, for each person to be elected. A landowner may vote in~~
70 ~~person or by proxy in writing. Fractions of an acre shall be~~
71 ~~treated as 1 acre, entitling the landowner to one vote with~~
72 ~~respect thereto. The person receiving the highest number of~~
73 ~~votes for the office of supervisor shall be declared elected as~~
74 ~~such supervisor. The owners and proxy holders of district~~
75 ~~acreage who are present at a duly noticed landowners meeting~~
76 ~~shall constitute a quorum for the purpose of holding such~~
77 ~~election or any election thereafter. The provisions of this~~
78 ~~section do not exempt the district from the election provisions~~
79 ~~of section 189.4051, Florida Statutes.~~

80 ~~(3) Each supervisor before entering upon his or her~~
81 ~~official duties shall take and subscribe to an oath of office as~~
82 ~~prescribed in section 298.13, Florida Statutes.~~

83 (5)~~(4)~~ All supervisors shall hold office for the terms for
84 which they are elected or appointed and until their successors

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85 shall be chosen and qualify. In case of a vacancy in the office
86 of any supervisor the remaining ~~supervisor or~~ supervisors
87 constituting a quorum of at least three ~~(even though less than a~~
88 ~~quorum)~~ may fill such vacancy by appointment of a new supervisor
89 ~~or supervisors~~ for the unexpired term of the supervisor who
90 vacated his or her office.

91 (6) ~~(5)~~ As soon as practicable after each election, the
92 board shall organize by choosing one of their number as
93 president of the board and by electing a secretary, who need not
94 be a member of the board.

95 (7) ~~(6)~~ A majority of the members of the board shall
96 constitute a quorum.

97 (8) ~~(7)~~ The board shall keep a permanent record book
98 entitled "Record of Proceedings of Spring Lake Improvement
99 District," in which the minutes of all meetings, resolutions,
100 proceedings, certificates, bonds given by all employees, and any
101 and all corporate acts, shall be recorded. Such record book
102 shall at reasonable times be open to the inspection of any
103 landowner, taxpayer, resident, or bondholder of the district,
104 and such other persons as the board may determine to have a
105 proper interest in the proceedings of the board. Such record
106 book shall be kept at any office or other regular place of
107 business maintained by the board in Highlands County.

108 (9) ~~(8)~~ Whenever any election shall be authorized or
109 required by this act to be held by the landowners at any
110 particular or stated time or day, and if for any reason such
111 election is not held at such time or on such day, then in such
112 event the power or duty to hold such election shall not cease or

113 lapse, but such election shall be held thereafter when
 114 practicable, and in accordance with the procedures provided by
 115 this act.

116 Section 10. Powers of the district.—The district shall
 117 have, and the board may exercise, any or all of the following
 118 powers:

119 (1) To contract and be contracted with; to sue and be sued
 120 in the name of the district; to adopt and use a seal; to acquire
 121 by purchase, gift, devise, ~~eminent domain, (except as limited~~
 122 ~~herein)~~, or otherwise, property, real or personal, or any estate
 123 therein, within the district, to be used for any of the purposes
 124 of this act.

125 (9) To hold, control, and acquire by donation or
 126 ~~purchase, or condemnation,~~ any easement, reservation, or
 127 dedication in the district, for any of the purposes herein
 128 provided. ~~To condemn as provided by chapters 73 and 74, Florida~~
 129 ~~Statutes, or acquire, by purchase or grant for use in the~~
 130 ~~district, any land or property within the district necessary for~~
 131 ~~the purposes of this act.~~

132 (23) To issue general obligation bonds, revenue bonds,
 133 assessment bonds, or any other bonds or obligations authorized
 134 by the provisions of this act or any other law, or any
 135 combination of the foregoing, to pay all or part of the cost of
 136 the acquisition, construction, reconstruction, extension,
 137 repair, improvement, maintenance, or operation of any project or
 138 combination of projects, to provide for any facility, service,
 139 or other activity of the district and to provide for the
 140 retirement or refunding of any bonds or obligations of the

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141 district, or for any combination of the foregoing purposes.
142 However, the aggregate principal amount of bonds outstanding at
143 any one time may not exceed 15 percent of the assessed value of
144 the taxable property within the district as shown on the
145 pertinent tax records at the time of the authorization of any
146 new bond issue. If the district wishes to issue bonds in excess
147 of this amount, the amount of the excess bond issuance must be
148 approved by a majority vote of landowners voting on a one-acre
149 one-vote basis in a referendum.

150 (27) To construct and maintain facilities for and take
151 measures to control mosquitoes and other arthropods of public
152 health importance.

153 (28)-(27) To exercise any and all other powers conferred
154 upon drainage districts by chapter 298, Florida Statutes.

155 Section 2. Chapter 2010-266, Laws of Florida, is repealed.

156 Section 3. This act shall take effect upon becoming a law.