

**HOUSE OF REPRESENTATIVES
FINAL BILL ANALYSIS**

BILL #: HB 969

FINAL HOUSE FLOOR ACTION:

SPONSOR(S): Clarke-Reed and others

116 Y's

1 N's

**COMPANION
BILLS:** N/A

GOVERNOR'S ACTION: Approved

SUMMARY ANALYSIS

HB 969 passed the House on April 24, 2015, and subsequently passed the Senate on April 29, 2015.

The North Springs Improvement District (District) is an independent special district in Broward County, providing water treatment, wastewater collection, and stormwater management services to approximately 40,000 residents in the cities of Coral Springs and Parkland. The District was formed in 1971.

The bill expands the boundaries of the District by 75 acres. The newly annexed land consists of one parcel and the owner of the parcel has requested annexation.

The bill is projected to increase the District's revenues by \$1,000,000 in fiscal year 2015-2016 and \$4,125,000 in fiscal year 2016-2017, in the form of utility connection fees paid by homes being constructed in a new development.

The bill was approved by the Governor on June 10, 2015, ch. 2015-192, L.O.F., and became effective on that date.

I. SUBSTANTIVE INFORMATION

A. EFFECT OF CHANGES:

Present Situation

North Springs Improvement District Overview

The North Springs Improvement District (District) is an independent special district in Broward County, created by a circuit court decree in 1971.¹ The Legislature passed a special act the same year setting out the powers and boundaries of the District.² The District provides water treatment, wastewater collection, and stormwater management services to approximately 40,000 residents in the cities of Coral Springs and Parkland.³ In accordance with s. 189.019, F.S., the district's original charter and subsequent amendments were codified in 2005.⁴

The District is governed by a board consisting of three supervisors, one elected by and from the landowners of Parkland, one elected by and from the landowners of Coral Springs, and one elected at-large.⁵ Board members serve four year terms, must be landowners within the district, and a majority of members must be residents of Broward County.⁶ The board has been authorized since its creation to exercise the powers enumerated in ch. 298, F.S., governing drainage and water control districts, as well as powers specifically granted in the District's charter, such as the maintenance of a sewer system.⁷

The powers of the district granted by the charter include, but are not limited to:

- Entering into contracts;⁸
- Adopting a water control plan;⁹
- Maintaining storage facilities for necessary equipment;¹⁰
- Operating systems to manage water flow and drainage;¹¹
- Setting drainage requirements for new construction;¹²
- Imposing an ad valorem tax, drainage, maintenance tax, and to levy special assessments;¹³
- Cooperating with other water control districts and other government agencies.¹⁴

Previous Annexation by the District

The District currently provides services for approximately 8,684 acres of land in Broward County.¹⁵ Since codification, the district's boundaries have been expanded on two occasions.¹⁶ Each of these expansions encompassed portions of an area known as "The Wedge" or "The Golden Triangle." The

¹ See ch. 71-580, Laws of Fla.

² *Id.*

³ North Springs Improvement District, *About the North Springs Improvement District*, <http://nsidfl.gov/about-us.php> (last visited May 4, 2015).

⁴ See ch. 2005-341, Laws of Fla.

⁵ S. 5(2), Charter for the North Springs Improvement District, as codified in s. 3, Ch. 2005-341, Laws of Fla. (herein NSID Charter).

⁶ S. 5(1), NSID Charter.

⁷ Ch. 71-580, Laws of Fla.

⁸ S. 9(1), NSID Charter.

⁹ S. 9(2), NSID Charter.

¹⁰ S. 9(3), NSID Charter.

¹¹ S. 9(4), NSID Charter.

¹² S. 9(5), NSID Charter.

¹³ Ss. 9(9),(10), NSID Charter.

¹⁴ S. 9(13), NSID Charter.

¹⁵ Ch. 2011-251, Laws of Fla.

¹⁶ Ch. 2010-269, Laws of Fla. (from 7040.325 to 8420.477 acres) and Ch. 2011-251, Laws of Fla. (from 8420.477 to 8683.696 acres).

Legislature revised the boundaries of Broward County in 2007 to include “The Wedge,” which had previously been part of Palm Beach County.¹⁷ “The Wedge” sits south of a water boundary created by the Hillsboro Canal and is only accessible by Broward County roadways.¹⁸ “The Wedge” is approximately 1,949 acres and consisted primarily of vacant and agricultural land at the time it was shifted into Broward County.¹⁹ At the time the parcel was annexed by Broward County, the owners of parcels in the area were planning to build 2,822 homes and 350,000 square feet of commercial space, but faced opposition from residents of neighboring residential areas due to the expectation of increased traffic.²⁰

Effect of Bill

The bill revises the legal description of the District to annex 75.51 acres located in the City of Parkland. The area, part of “The Wedge,” has historically been known as the Salta Parcel.²¹ The parcel, along with three others that are already part of the District, recently received site plan approval for a development to be known as Parkland Royale.²² The owner of the parcel filed a written request with the District, asking to be included in its jurisdiction.²³

The Economic Impact Statement for the bill states the annexation will increase District revenue by \$1,000,000 in fiscal year 2015-2016 and \$4,125,000 in fiscal year 2016-2017.²⁴ The full amount of the increase comes from utility connection fees charged in connection with development construction.²⁵

II. FISCAL ANALYSIS, ECONOMIC IMPACT STATEMENT, & NOTICE/REFERENDUM

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

The Economic Impact Statement for the bill states the annexation will increase District revenue by \$1,000,000 in fiscal year 2015-2016 and \$4,125,000 in fiscal year 2016-2017.²⁶ The full amount of the increase comes from utility connection fees charged in connection with development construction.²⁷

¹⁷ Ch. 2007-222, Laws of Fla.

¹⁸ House Policy and Budget Council analysis for HB 1315 (2007).

¹⁹ *Id.* 94.77 percent of The Wedge consisted of agricultural (27.14 percent) and vacant (67.63 percent) land.

²⁰ *Id.*

²¹ Letter from Brian Tuttle, TLH-18-SALTA LLC, to Rod Colon, Director of Operations, North Springs Improvement District, dated August 22, 2014. A copy of this letter is attached in Appendix A.

²² *Id.*

²³ *Id.*

²⁴ Economic Impact Statement for HB 969 (2015).

²⁵ *Id.*

²⁶ Economic Impact Statement for HB 969 (2015).

²⁷ *Id.*

2. Expenditures:

The bill will increase District expenditures by the amount necessary to provide service to the parcel.

C. ECONOMIC IMPACT STATEMENT FILED? Yes No

D. NOTICE PUBLISHED? Yes No

IF YES, WHEN? December 28, 2014

WHERE? *Sun-Sentinel*, a daily newspaper published in Broward, Palm Beach, and Miami-Dade County, Florida.

E. REFERENDUM(S) REQUIRED? Yes No

APPENDIX A: TUTTLE LETTER OF 8/22/2014

TLH-18-SALTA LLC
961 Hillsboro Mile
Hillsboro Beach, FL 33062

August 22, 2014

Mr. Rod Colon, Director of Operations
North Springs Improvement District
970 NW 52nd Street
Coral Springs, FL 33076

RE: Request for Water, Wastewater and Drainage Services for the Salta property

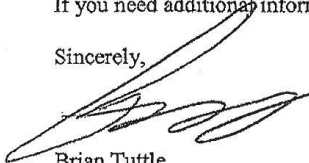
Dear Mr. Colon,

TLH-18-SALTA LLC owns a property located in with City of Parkland in the "Wedge" which has historically been known as the "Salta Parcel". The parcel was assembled with three other parcels and the assemblage recently received site plan approval for a development to be known as Parkland Royale.

On behalf of TLH-18-SALTA LLC, please allow this letter to be our formal request that the Salta Parcel be included within the jurisdictional boundaries of the North Spring Improvement District. Please include the parcel in any state bills or other actions that are necessary to allow for the District to provide water, wastewater and drainage services to the property. A legal description of the subject parcel is attached.

If you need additional information, please feel free to contact me.

Sincerely,



for BOEM LLC

Brian Tuttle
TLH-18-SALTA LLC
961 Hillsboro Mile
Hillsboro Beach, FL 33062
561718-4816

Encl; Legal Description

APPENDIX A (CONT.)

LEGAL DESCRIPTION

A PORTION OF TRACTS 29, 30, AND 31 OF FLORIDA FRUIT LANDS COMPANY SUBDIVISION NO. 2 OF SECTION 19, TOWNSHIP 47 SOUTH, RANGE 41 EAST, AS RECORDED IN PLAT BOOK 1, PAGE 102 PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID LANDS SITUATE LYING AND BEING IN BROWARD COUNTY, TOGETHER WITH A PORTION OF THE NORTHEAST ONE-QUARTER (N.E. 1/4) OF SECTION 30, TOWNSHIP 47 SOUTH, RANGE 41 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID N.E. 1/4 OF SECTION 30, THENCE SOUTH 89°48'54" EAST, ALONG THE SOUTH LINE OF SAID N.E. 1/4 OF SECTION 30, 118.81 FEET TO THE POINT OF BEGINNING; THENCE NORTH 0°20'38" WEST, PARALLEL WITH THE WEST LINE OF SAID N.E. 1/4 OF SECTION 30, 2654.19 FEET TO A POINT ON THE NORTH LINE OF SAID N.E. 1/4 OF SECTION 30, THENCE NORTH 0°21'11" WEST, 1,406.20 FEET, TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF STATE ROAD NO. 827, AS CLAIMED BY THE STATE ROAD DEVELOPMENT; THENCE SOUTH 71°40'03" EAST, ALONG SAID SOUTH RIGHT OF WAY LINE 262.96 FEET; THENCE NORTH 89°53'12" EAST 78.99 FEET THENCE SOUTH 71°39'44" EAST, 246.97 FEET; THENCE SOUTH 0°20'46" EAST 3901.95 FEET, TO A POINT ON THE SOUTH LINE OF SAID N.E. 1/4 OF SECTION 30, THENCE NORTH 89°48'54" WEST ALONG THE SOUTH LINE OF SAID N.E. 1/4 OF SECTION 30, 561.57 FEET TO THE POINT OF BEGINNING.