

HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

BILL #: HB 591 Melbourne-Tillman Water Control
SPONSOR(S): Needelman
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Local Affairs (Sub)</u>	<u>8 Y, 0 N</u>	<u>Grayson</u>	<u>Highsmith-Smith</u>
2) <u>Local Government & Veterans' Affairs</u>	<u>18 Y, 0 N</u>	<u>Grayson</u>	<u>Highsmith-Smith</u>
3) <u>Agriculture & Environment Apps. (Sub)</u>	<u></u>	<u>Dixon</u>	<u>Dixon</u>
4) <u>Appropriations</u>	<u></u>	<u></u>	<u></u>
5) <u></u>	<u></u>	<u></u>	<u></u>

SUMMARY ANALYSIS

This bill amends the special act relating to the Melbourne-Tillman Water Control District in Brevard County to expand the district boundaries at the request of the City of West Melbourne and to authorize the district to sell, lease, or otherwise dispose of real property.

According to the Economic Impact Statement, the bill does not appear to have an impact on local or state budgets.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. DOES THE BILL:

- | | | | |
|--------------------------------------|------------------------------|--|---|
| 1. Reduce government? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/> |
| 2. Lower taxes? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. Empower families? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

1. This bill expands the boundaries of the district.

B. EFFECT OF PROPOSED CHANGES:

This bill amends s. 3 of the charter of the Melbourne-Tillman Water Control District to expand the district boundaries.

The bill also creates s. 32 of the charter to provide the district with authority to sell, lease, or otherwise dispose of real property. Specifically, s. 32 provides:

- o Authorization to sell, lease, or otherwise convey of any lands or any interests or rights in lands to which the district has title, currently or in the future, upon a board determination that it is the best interest of the district.
- o Authorization to enter into public or private partnerships regarding district lands, provided that any conveyance or agreement is for a public purpose.
- o That all sales of land, interests or rights shall be for cash or upon terms and security approved by the board; further providing that no deed would be delivered until full payment is received.
- o That the district must notice its intention to be published in a newspaper of general circulation in Brevard County at least once a week for two consecutive weeks; further providing specific notice requirements.
- o Requirements relating to such deeds of conveyance or lease of interest.
- o That the district may exchange lands or interests in lands owned by the district other lands or interests within the state upon such terms as fixed by the board of directors.
- o That notice shall be published in a newspaper of general circulation in Brevard County of the meeting at which any exchange is considered; further providing specific notice requirements.
- o Authorization the district to utilize procedures set forth in s. 166.045, F.S. relating to the purchase of property

Background

The Melbourne-Tillman Water Control District was created in 1986 by ch. 86-417, L.O.F. Subsequent amendments followed¹ and were codified by ch. 2001-336, L.O.F. The district was created as a dependent special district to "secure, operate, and maintain an adequate, dependable surface water management system" within the district's boundaries.² The district is governed by a seven member board of directors, comprised of three members appointed by the Brevard County Board of County Commissioners, three members appointed by the City of Palm Bay City Council, and one member appointed by the City of West Melbourne City Council.³

¹ Chapters 90-401, 91-341, 92-239, and 94-424, L.O.F.

² Section 3, s. 1, ch. 2001-336, L.O.F.

³ Section 3, s. 2(8), ch 2001-336, L.O.F.

C. SECTION DIRECTORY:

Section 1. Amends s. 3 of the district charter to expand the boundaries of the district. Additionally, s 1. of the bill creates s. 32 of the charter to provide the authority to sell, lease, or otherwise dispose of real property.

Section 2. Provides an effective date of upon becoming law.

II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN?

January 25, 2003.

WHERE?

Florida Today, a daily newspaper of general circulation in Brevard 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:

There do not appear to be any technical drafting issues.

IV. AMENDMENT/COMMITTEE SUBSTITUTE CHANGES

None.