

By Senator Campbell

32-2696-04

See HB 1607, First Engrossed

1 A bill to be entitled

2 An act relating to the South Broward Drainage

3 District, Broward County; amending chapter

4 98-524, Laws of Florida; providing for the

5 number of supervisors of the district;

6 providing single-member zones; providing the

7 method of election of supervisors; providing

8 the qualifications of supervisors; providing

9 the term of office for supervisors; providing

10 that the officers of the district shall be

11 members of the board of supervisors; providing

12 for the limitation of supervisors' benefits;

13 deleting obsolete provisions; providing

14 severability; providing an effective date.

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

18 Section 1. Sections 10 and 14 of section 2 of chapter
19 98-524, Laws of Florida, are amended to read:

20 Section 10. Board of supervisors; election;
21 organization; terms of office; benefits; quorum; report and
22 minutes.--

23 (1) The board of supervisors of the district shall be

24 the governing body of the district and shall exercise the

25 powers granted to the district under this act and under

26 chapter 298, Florida Statutes. The board shall consist of six

27 members, until the first meeting of the board following

28 certification of the November 2006 election, and seven members

29 thereafter. ~~and,~~ Except as otherwise provided herein, each

30 member shall hold office for a term of 4 years and until his

31 or her successor shall be chosen and shall qualify. ~~A majority~~

1 ~~of the members of the board shall be residents of Broward~~
2 ~~County. All of the members of the board shall be residents of~~
3 ~~the State of Florida and shall own land lying within the~~
4 ~~boundaries of the district.~~

5 (2) Beginning with the November 2004 election, a
6 candidate for the office of supervisor shall, at the time of
7 his or her qualification for office, be a qualified elector of
8 the South Broward Drainage District and shall qualify with the
9 county supervisor of elections in accordance with the Florida
10 Election Code and this act. To be a qualified candidate of the
11 South Broward Drainage District, he or she shall, at the time
12 of his or her qualification, have continuously resided within
13 the boundaries of the district and within the respective zone
14 that he or she may represent for the 60 days immediately
15 preceding his or her qualifying for office and until he or she
16 is inducted into office. Each supervisor shall reside within
17 the district and within the geographical zone he or she
18 represents during his or her entire term in office, but any
19 supervisor who has the boundaries of his or her zone changed
20 and because of said change no longer resides within the zone
21 he or she represents shall remain in office until the normal
22 expiration of his or her term.

23 (3)(2) Notwithstanding any other provision of this
24 act, the persons who are members of the board of supervisors
25 of the district in office when this act takes effect shall
26 constitute the members of the board until the next election
27 for their seats. Those members of the board whose terms expire
28 in June 2004 shall remain members of the board and their terms
29 shall be extended from June 2004 until their successors are
30 inducted into office at the first regularly scheduled meeting
31 of the board following certification of the November 2004

1 general election. Those members of the board whose terms
2 expire in June 2006 shall remain members of the board and
3 their terms shall be extended from June 2006 until their
4 successors are inducted into office at the first regularly
5 scheduled meeting of the board following certification of the
6 November 2006 general election.

7 (4) After the effective date of this act, except as
8 stated herein, all supervisors shall be elected by the
9 qualified electors of the district on a nonpartisan basis.
10 Except as stated herein, the seven supervisors shall be
11 elected from seven single-member zones which shall be
12 identified as Zone 1, Zone 2, Zone 3, Zone 4, Zone 5, Zone 6,
13 and Zone 7. The supervisors shall be elected from the
14 registered voters of each respective zone.

15 (5) That part of the district located within the
16 district's seven zones is as follows:

17 (a) Zone 1:

18 All of Sections 31, 32 and 33 of Township 50
19 South, Range 40 East,

20 Together with;

21 All of Sections 4, 5, 6, and 7 of Township 51
22 South, Range 40 East,

23 Together with;

24 All of Sections 34, 35 and 36 of Township 50
25 South, Range 39 East,

26 Together with;

27 All of Sections 1, 2, 3, 10, 11 and 12 of
28 Township 51 South, Range 39 East,

29 Together with;

30 All of Sections 28, 29 and 30 of Township 50
31 South, Range 40 East lying south of the South

1 Florida Water Management District Canal C-11
2 right-of-way,
3 Together with;
4 All of Sections 25, 26 and 27 of Township 50
5 South, Range 39 East lying south of the South
6 Florida Water Management District Canal C-11
7 right-of-way,
8 Together with;
9 The North one-half (N 1/2) of Section 18, of
10 Township 51 South, Range 40 East,
11 Together with;
12 The North one-half (N 1/2) of Sections 13, 14
13 and 15 of Township 51 South, Range 39 East.
14 (b) Zone 2:
15 All of Sections 19, 30, 31 and 32 of Township
16 51 South, Range 40 East,
17 Together with;
18 The South one-half (S 1/2) of Sections 18 and
19 29 of Township 51 South, Range 40 East,
20 Together with;
21 All of the South one-half (S 1/2) of Section 28
22 of Township 51 South, Range 40 East lying west
23 of the centerline of the Interstate Highway
24 I-75 right-of-way,
25 Together with;
26 All of Sections 22, 23, 24, 25, 26, 27, 34, 35
27 and 36 of Township 51 South, Range 39 East,
28 Together with;
29 The South one-half (S 1/2) of Sections 13, 14
30 and 15 of Township 51 South, Range 39 East,
31 Together with;

1 All of Section 33 of Township 51 South, Range
2 40 East lying west of the centerline of the
3 Interstate Highway I-75 right-of-way.
4 (c) Zone 3:
5 All of the South one-half (S 1/2) of Section 15
6 of Township 51 South, Range 40 East lying west
7 of the centerline of the Interstate Highway
8 I-75 right-of-way,
9 Together with;
10 All of the North one-half (N 1/2) of Section 22
11 of Township 51 South, Range 40 East lying west
12 of the centerline of the Interstate Highway
13 I-75 right-of-way,
14 Together with;
15 All of Sections 8, 9, 10, 11, 16 and 17 of
16 Township 51 South, Range 40 East,
17 Together with;
18 The North one-half (N 1/2) of Sections 14, 15,
19 20 and 21 of Township 51 South, Range 40 East.
20 (d) Zone 4:
21 All of Sections 23, 26, 27, 34, 35 and 36 of
22 Township 51 South, Range 40 East,
23 Together with;
24 All of Section 30 of Township 51 South, Range
25 41 East,
26 Together with;
27 The South one-half (S 1/2) of Section 19 of
28 Township 51 South, Range 41 East,
29 Together with;
30
31

1 The South one-half (S 1/2) of Sections 14, 20,
2 21, 22 and 25 of Township 51 South, Range 40
3 East,
4 Together with;
5 All of the South one-half (S 1/2) of Sections
6 15 and 28 of Township 51 South, Range 40 East
7 lying east of the centerline of the Interstate
8 Highway I-75 right-of-way,
9 Together with;
10 The North one-half (N 1/2) of Sections 28 and
11 29 of Township 51 South, Range 40 East,
12 Together with;
13 All of the North one-half (N 1/2) of Section 22
14 of Township 51 South, Range 40 East lying east
15 of the centerline of the Interstate Highway
16 I-75 right-of-way,
17 Together with;
18 All of Section 33 of Township 51 South, Range
19 40 East lying east of the centerline of the
20 Interstate Highway I-75 right-of-way.
21 (e) Zone 5:
22 All of Sections 12, 13 and 24 of Township 51
23 South, Range 40 East,
24 Together with;
25 All of Section 7 of Township 51 South, Range 41
26 East,
27 Together with;
28 The North one-half (N 1/2) of Section 18 of
29 Township 51 South, Range 41 East,
30 Together with;
31

1 The North one-half (N 1/2) of Section 25 of
2 Township 51 South, Range 40 East.
3 (f) Zone 6:
4 All of Sections 8, 17, 20 and 29 of Township 51
5 South, Range 41 East,
6 Together with;
7 The South one-half (S 1/2) of Section 18 of
8 Township 51 South, Range 41 East,
9 Together with;
10 The North one-half (N 1/2) of Sections 9 and 19
11 of Township 51 South, Range 41 East.
12 (g) Zone 7:
13 All of Sections 15, 16, 21 and 28 of Township
14 51 South, Range 41 East,
15 Together with;
16 The South one-half (S 1/2) of Sections 9 and 10
17 of Township 51 South, Range 41 East,
18 Together with;
19 The Southwest one-quarter (SW 1/4) of Section
20 11 of Township 51 South, Range 41 East,
21 Together with;
22 The Northwest one-quarter (NW 1/4) of Section
23 14 of Township 51 South, Range 41 East,
24 Together with;
25 The North one-half (N 1/2) of Section 22 of
26 Township 51 South, Range 41 East.
27 (6) Commencing with the first regularly scheduled
28 meeting of the board following certification of the November
29 2006 general election, except as stated in this act, the board
30 shall be composed of seven members as follows:
31

1 (a) Three supervisors shall be elected in the general
2 election of November 2004. At the November 2004 general
3 election, one supervisor shall be elected from the combined
4 registered voters from Zones 1 and 2, one supervisor shall be
5 elected from the combined registered voters from Zones 3 and
6 4, and one supervisor shall be elected from the combined
7 registered voters from Zones 5, 6, and 7. The supervisors
8 elected in November 2004 shall serve until their terms expire
9 in November 2008.

10 (b) In the general election of November 2006, and in
11 the November general election of every fourth year thereafter,
12 one supervisor shall be elected from the zone in which the
13 supervisor elected in 2004 from Zones 1 and 2 is not a
14 resident, one supervisor shall be elected from the zone in
15 which the supervisor elected in 2004 from Zones 3 and 4 is not
16 a resident, and one supervisor shall be elected from each of
17 the two zones in which the supervisor elected in 2004 from
18 Zones 5, 6, and 7 is not a resident.

19 (c) In the general election of November 2008, the
20 zones in which the supervisors elected in 2004 reside and
21 whose terms of office expire in November 2008 shall be
22 designated as the zones whose representatives shall be elected
23 in 2008 and in the November general election of every fourth
24 year thereafter.

25 (d) If only one candidate qualifies for an office,
26 that candidate shall be deemed elected. If two or more
27 candidates qualify for an office, the names of those
28 candidates shall be placed on the ballot for the designated
29 November general election.

30 (e) The candidate receiving the highest number of
31 votes cast for the office of supervisor for each respective

1 zone at each respective election shall be declared elected to
2 such office. If the vote results in a tie, the outcome shall
3 be determined by lot.

4 (f) Supervisors elected or reelected shall be inducted
5 into office at the first regularly scheduled meeting of the
6 board following certification of the election.

7 (7) Except as provided in this section, election of
8 supervisors shall be as provided in the Florida Election Code
9 and revisions thereto.

10 (8) The boundaries of Zones 1, 2, 3, 4, 5, 6, and 7
11 shall be reviewed and revised by the board upon the occurrence
12 of any of the following events:

13 (a) The district's geographical area changes by 10
14 percent or more;

15 (b) The district's population changes by 10 percent or
16 more since the previous determination of the single-member
17 zone boundaries;

18 (c) Any annexation, deannexation, or merger causes the
19 population of the district to increase or decrease by 5
20 percent or more; or

21 (d) The passage of at least 10 years since the
22 previous review of the single-member zone boundaries. If the
23 population of the single-member zones meets the requirements
24 of subsection (9), the boundaries of the single-member zones
25 may remain as is.

26 (9) With the assistance of the district director,
27 engineer, and attorney, revisions to the boundaries of the
28 seven zones shall result in the population of each zone being
29 no less than 13.58 percent of the total population of the
30 district and no greater than 15 percent of the total
31

1 population of the district according to the latest census or
2 official population determination.

3 ~~(3) In the month of June of 2000, there shall be held~~
4 ~~a meeting of the landowners of South Broward Drainage District~~
5 ~~at the office of the district in Broward County, for the~~
6 ~~purpose of holding an election to fill the seats of the three~~
7 ~~supervisors whose terms expire in June of 2000; and, in the~~
8 ~~month of June of each fourth year thereafter, there shall be~~
9 ~~held such a meeting to fill the same three seats. In the~~
10 ~~month of June of 2002, there shall be held a meeting of the~~
11 ~~landowners of South Broward Drainage District at the office of~~
12 ~~the district in Broward County for the purpose of holding an~~
13 ~~election to fill the seats of the three supervisors whose~~
14 ~~terms expire in June of 2002; and, in the month of June of~~
15 ~~each fourth year thereafter, there shall be held such a~~
16 ~~meeting to fill the same three seats. Notice of said~~
17 ~~landowners' meeting shall be published as provided by section~~
18 ~~20. The president of the board of supervisors shall conduct~~
19 ~~the meeting. At such meeting, each landowner shall be~~
20 ~~entitled to cast one vote for each person to be elected. A~~
21 ~~landowner may vote in person or by proxy in writing. Each~~
22 ~~landowner shall be entitled to cast one vote for each acre of~~
23 ~~land owned by him and located within the district~~
24 ~~boundaries. Fractions of an acre shall be treated as one~~
25 ~~acre, entitling the landowner to one vote with respect~~
26 ~~thereto. The three persons at the respective elections who~~
27 ~~receive the highest number of votes for the office of~~
28 ~~supervisor shall be declared elected.~~

29 (10)(4) Each supervisor, before entering upon his or
30 her official duties, shall take and subscribe to an oath of
31 office as prescribed in s. 298.13, Florida Statutes.

1 ~~(11)(5)~~ All supervisors shall hold office for the
2 terms for which they are elected or appointed and until their
3 successors shall be chosen and qualify. In case of a vacancy
4 in the office of any supervisor, the remaining supervisor or
5 supervisors, even though less than a quorum, may fill such
6 vacancy for the unexpired term of the supervisor who vacated
7 his or her office.

8 ~~(12)(6)~~ At the first meeting of the board following
9 certification of the general election of November 2004 and at
10 the first regularly scheduled meeting of the board following
11 certification of the general election in the month of November
12 of every other year thereafter ~~As soon as practicable after~~
13 ~~each election~~, the board shall organize by electing from
14 ~~choosing one of~~ their members a number president, a secretary,
15 and a treasurer of the board ~~and by electing a secretary, who~~
16 ~~need not be a member of the board.~~

17 ~~(13)(7)~~ A majority of the members of the board shall
18 constitute a quorum.

19 ~~(14)~~ Except as stated in sections 12 and 14, the
20 supervisors of the district shall not receive any benefits,
21 including, but not limited to, state or district retirement,
22 health insurance, medical insurance, dental insurance, or life
23 insurance.

24 ~~(15)(8)~~ The board shall keep a permanent record book
25 entitled "Record of Proceedings of South Broward Drainage
26 District," in which shall be recorded minutes of all meetings,
27 resolutions, proceedings, certificates, bonds given by all
28 employees, and any and all corporate acts, which book shall at
29 reasonable times be opened to the inspection of any elector,
30 landowner, taxpayer, resident, or bondholder of the district,
31 and such other persons as the board may determine to have a

1 proper interest in the proceedings of the board. Such record
2 book shall be kept at any office or other regular place of
3 business maintained by the board in Broward County.

4 ~~(9) Whenever any election shall be authorized or~~
5 ~~required by this act to be held by the landowners at any~~
6 ~~particular or stated time or day, and if for any reason such~~
7 ~~election is not held at such time or on such day, then in such~~
8 ~~event the power or duty to hold such election shall not cease~~
9 ~~or lapse, but such election shall be held thereafter when~~
10 ~~practicable, and in accordance with the procedures provided by~~
11 ~~this act.~~

12 Section 14. Treasurer; depositories; fiscal agent.--

13 (1) The board shall, as provided by subsection 10(12),
14 elect designate a member of the board ~~person who is a resident~~
15 ~~of the state, or a bank or trust company organized under the~~
16 ~~laws of the state,~~ as treasurer of the district, who shall
17 have charge of the funds of the district. Such funds shall be
18 disbursed only upon the order of or pursuant to the resolution
19 of the board by warrant or check signed by the treasurer, or
20 by such other person as may be authorized by the board. The
21 treasurer may not hold any other office provided for in this
22 act, ~~except that the same person may not be president and~~
23 ~~treasurer.~~ The board may give the treasurer such other or
24 additional powers and duties as the board may deem
25 appropriate, and fix his or her compensation; and may require
26 the treasurer to give a bond in such amount, on such terms,
27 and with such sureties as may be deemed satisfactory to the
28 board to secure the performance by the treasurer of his or her
29 powers and duties. The board shall audit or have audited the
30 books of the treasurer at least once a year.

31

1 (2) The board is authorized to select as depositories
2 in which the funds of the board and of the district shall be
3 deposited any banking corporation organized under the laws of
4 the state or under the national banking act, doing business in
5 the state, upon such terms and conditions as to the payment of
6 interest by such depository upon the funds so deposited as the
7 board may deem just and reasonable.

8 (3) The board may employ a fiscal agent, who shall be
9 either a resident of the state or a corporation organized
10 under the laws of this or any other state and authorized by
11 such laws to act as such fiscal agent for municipal
12 corporations in the state and who shall assist in the keeping
13 of the tax books, the collection of taxes, and the remitting
14 of funds to pay maturing bonds and coupons, and perform such
15 other or additional services and duties as fiscal agent and
16 receive such compensation as the board may determine.

17 Section 2. A certified copy of this act shall be
18 recorded in the Broward County Public Records by the South
19 Broward Drainage District.

20 Section 3. In the event any section or provision of
21 this act is determined to be invalid or unenforceable, such
22 determination shall not affect the validity of or
23 enforceability of each other section and provision of this
24 act, and to this end the provisions of this act are declared
25 severable.

26 Section 4. This act shall take effect upon becoming a
27 law.