

CHAPTER 2021-256

Committee Substitute for Committee Substitute for House Bill No. 1503

An act relating to North Springs Improvement District, Broward County; amending ch. 2005-341, Laws of Florida, as amended; revising a definition; revising the number of board members; requiring members to be residents of the district; providing designated seats for supervisors; providing for repeal unless reviewed and saved from repeal by the Legislature; providing an exception to general law; requiring that the board of supervisors be elected by the qualified electors of the district; providing definitions; providing requirements for a referendum; providing effective dates.

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

Section 1. Effective November 5, 2030, subsection (1) of section 5 of section 3 of chapter 2005-341, Laws of Florida, as amended by chapter 2007-285, Laws of Florida, is amended to read:

Section 5. Board; election; organization; terms of office; quorum; report and minutes.—

(1) The board of the district shall be the governing body of the district and shall exercise the powers granted to the district under this act and under chapter 298, Florida Statutes. The board shall consist of five ~~three~~ members and, except as otherwise provided herein, each member shall hold office for a term of 4 years and until his or her successor shall be chosen and shall qualify. A majority of the members of the board shall be residents of Broward County, and all members shall be residents of the state. All members of the board shall be residents of landowners within the district.

Section 2. Subsection (11) of section 4 and subsections (2) and (9) of section 5 of section 3 of chapter 2005-341, Laws of Florida, as amended by chapter 2007-285, Laws of Florida, are amended, and subsection (10) is added to section 5 of that section, to read:

Section 4. Definitions.—Unless the context shall indicate otherwise, the following words as used in this act shall have the following meanings:

(11) “Qualified elector” and “elector” mean ~~means~~ any person at least 18 years of age who is a citizen of the United States, a permanent ~~legal~~ resident of the state, and a resident of the district and who registers to vote with the supervisor of elections of the county in which the district lands are located when the registration books are open ~~Supervisor of Elections of Broward County.~~

Section 5. Board; election; organization; terms of office; quorum; report and minutes.—

(2) In the month of June of each fourth year commencing June of 1972, there shall be held a meeting of the landowners of the district at the office of the district in Broward County, for the purpose of electing three supervisors for said district. One supervisor, designated as seat 1, shall be elected solely by those landowners owning property within the city limits of the City of Parkland, and this supervisor must be a landowner who owns property within the city limits of the City of Parkland. One supervisor, designated as seat 2, shall be elected solely by those landowners owning property within the city limits of the City of Coral Springs, and this supervisor must be a landowner who owns property within the city limits of the City of Coral Springs. One supervisor, designated as seat 3, shall be elected at large by all landowners of the district, regardless of where his or her property is located. Candidates for each supervisor position will be nominated during the meeting of landowners, and the nominee who receives the highest number of votes for a supervisor position shall be declared elected. Notice of said landowners' meeting shall be published once a week for 2 consecutive weeks in a newspaper in Broward County which is in general circulation within the district, the last of said publication to be not less than 14 days nor more than 28 days before the date of the election. The landowners when assembled at such meeting shall organize by electing a chair that shall conduct the meeting. At such meeting each landowner shall be entitled to cast one vote per acre of land owned by him or her and located within the district. A landowner may vote in person or by proxy in writing. Fractions of an acre shall be treated as 1 acre, entitling the landowner to one vote with respect thereto. This subsection is repealed November 5, 2030, unless reviewed and saved from repeal by the Legislature.

~~(9)(a) Pursuant to the transition schedule in subsection (10) and notwithstanding any provision of law to the contrary, the board shall be elected solely by the qualified electors of the district. The board of supervisors may, upon vote of a majority of the board, determine to convert to a board of supervisors elected by the qualified electors of the district. Upon the call of an election for such purpose by the board as provided in paragraph (b), election of the board by the qualified electors shall thereafter be the exclusive method for the election of the members of the board of supervisors.~~

~~(b) Upon vote of the board of supervisors pursuant to paragraph (a), The board shall call an election at which the members of the board of supervisors will be elected. Such election shall be held in conjunction with the next general election in November. Candidates may qualify for the offices of board of supervisors seat 1, seat 2, and seat 3, each elected at large within the district. A candidate qualifying for election to seat 1 must be an elector and resident of the City of Parkland. A candidate qualifying for election to seat 2 must be an elector and resident of the City of Coral Springs. A candidate qualifying for election to seat 3 must be an elector and resident of the district. Beginning in 2030, candidates may qualify for the offices of board of supervisors seat 4 and seat 5, each elected at large within the district. A~~

~~candidate qualifying for election to seat 4 or seat 5 must be an elector and resident of the district. Each board member shall be elected by the qualified electors of the district for a term of 4 years, except as otherwise provided by law that, at the first such election, the two members elected to seat 1 and seat 2 shall be elected for a term of 4 years, and the member elected to seat 3 shall be elected for a term of 2 years. Thereafter, there shall be an election held every 2 years for expiring terms and all members shall be elected for terms of 4 years each. The candidate receiving the most votes for each seat shall be elected. All elected board members must be qualified electors of the district.~~

(b)(e) Elections of board members by qualified electors held pursuant to this subsection shall be nonpartisan and shall be conducted in the manner prescribed by law for holding general elections. Board members shall assume the office on the second Tuesday following their election.

(c)(d) Candidates seeking election to office by qualified electors under this subsection shall conduct their campaigns in accordance with the provisions of chapter 106, Florida Statutes, and shall file qualifying papers and qualify for individual seats in accordance with section 99.061, Florida Statutes. Candidates shall pay a qualifying fee, which shall consist of a filing fee and election assessment or, as an alternative, shall file a petition signed by not less than 1 percent of the qualified electors of the district, and take the oath required in section 99.021, Florida Statutes, with the Supervisor of Elections of Broward County. The amount of the filing fee is 3 percent of \$4,800. The amount of the election assessment is 1 percent of \$4,800. The filing fee and election assessment shall be distributed as provided in section 105.031 (3), Florida Statutes.

(d)(e) The Supervisor of Elections of Broward County shall appoint the inspectors and clerks of elections, prepare and furnish the ballots, designate polling places, and canvass the returns of the election of board members by qualified electors. The county canvassing board shall declare and certify the results of the election.

~~(f) The provisions of subsections (3), (4), (5), (6), and (7) shall apply to a board of supervisors elected pursuant to this subsection.~~

(10)(a) Effective June 1, 2026, the board of supervisors seat 3 shall be elected by a majority vote of the qualified electors of the district for a 4-year term during the next general election.

(b) Effective June 1, 2028, the board of supervisors seat 2 shall be elected by a majority vote of the qualified electors of the district for a 4-year term during the next general election.

(c) Effective November 5, 2030:

1. The board of supervisors seat 1 shall be elected by a majority vote of the qualified electors of the district for a 4-year term.

2. The board of supervisors seat 4 shall be elected by a majority vote of the qualified electors of the district for a 2-year term. Thereafter, all terms shall be for a period of 4 years.

3. The board of supervisors seat 5 shall be elected by a majority vote of the qualified electors of the district for a 4-year term.

Section 3. Referendum election.—

(1) The referendum election called for by this act shall be held on November 5, 2024, the 2024 General Election.

(2) The ballot title for the referendum question shall be in substantially the following form:

AMENDING DISTRICT CHARTER PROVIDING FOR ELECTION OF DISTRICT SUPERVISORS BY MAJORITY OF ALL QUALIFIED ELECTORS

(3) The referendum question shall be placed on the ballot in substantially the following form:

Shall Chapter 2021-....., Laws of Florida, amending the North Springs Improvement District Charter, providing that the members of the District Board of Supervisors shall be elected by majority vote of all qualified electors of the district instead of just landowners for four year terms, with staggered elections every two years beginning in November 2026, with two additional seats elected in 2030, become effective?

(.....) YES.

(.....) NO.

(4) In the event this question is answered affirmatively by a majority of the qualified voters voting in the referendum, the charter amendment will take effect. The referendum election shall be conducted by the Supervisor of Elections of Broward County in accordance with the Florida Election Code.

Section 4. This act shall take effect upon its approval by a majority vote of the qualified electors of the North Springs Improvement District voting in a referendum conducted in accordance with the provisions of law relating to elections currently in force, except that section 1 shall take effect on November 5, 2030, if approved by a majority vote of the qualified electors of the North Springs Improvement District voting in a referendum and this section and section 3 shall take effect upon becoming a law.

Approved by the Governor June 29, 2021.

Filed in Office Secretary of State June 29, 2021.

Council Substitute for House Bill No. 1029

An act relating to the North Springs Improvement District, Broward County; amending chapter 2005-341, Laws of Florida; providing a definition; providing for popular election of the board of supervisors; revising the compensation for members of the board of supervisors; increasing the minimum contract bid amount and providing additional requirements for procurement of goods or services; providing an effective date.

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

Section 1. Sections 8 and 47 of section 3 of chapter 2005-341, Laws of Florida, are amended, subsection (11) is added to section 4 and subsection (9) is added to section 5 of that section, to read:

Section 4. Definitions.—Unless the context shall indicate otherwise, the following words as used in this act shall have the following meanings:

(11) “Qualified elector” means any person at least 18 years of age who is a citizen of the United States, a legal resident of the state and of the district and who registers to vote with the Supervisor of Elections of Broward County.

Section 5. Board; election; organization; terms of office; quorum; report and minutes.—

(9)(a) The board of supervisors may, upon vote of a majority of the board, determine to convert to a board of supervisors elected by the qualified electors of the district. Upon the call of an election for such purpose by the board as provided in paragraph (b), election of the board by the qualified electors shall thereafter be the exclusive method for the election of the members of the board of supervisors.

(b) Upon vote of the board of supervisors pursuant to paragraph (a), the board shall call an election at which the members of the board of supervisors will be elected. Such election shall be held in conjunction with the next general election in November. Candidates may qualify for the offices of board of supervisors seat 1, seat 2, and seat 3, each elected at large within the district. A candidate qualifying for election to seat 1 must be an elector and resident of the City of Parkland. A candidate qualifying for election to seat 2 must be an elector and resident of the City of Coral Springs. A candidate qualifying for election to seat 3 must be an elector and resident of the district. Each board member shall be elected by the qualified electors of the district for a term of 4 years, except that, at the first such election, the two members elected to seat 1 and seat 2 shall be elected for a term of 4 years, and the member elected to seat 3 shall be elected for a term of 2 years. Thereafter, there shall be an election held every 2 years for expiring terms and all members shall be elected for terms of 4 years each. The candidate receiving the most votes for each seat shall be elected. All elected board members must be qualified electors of the district.

(c) Elections of board members by qualified electors held pursuant to this subsection shall be nonpartisan and shall be conducted in the manner prescribed by law for holding general elections. Board members shall assume the office on the second Tuesday following their election.

(d) Candidates seeking election to office by qualified electors under this subsection shall conduct their campaigns in accordance with the provisions of chapter 106, Florida Statutes, and shall file qualifying papers and qualify for individual seats in accordance with section 99.061, Florida Statutes. Candidates shall pay a qualifying fee, which shall consist of a filing fee and election assessment or, as an alternative, shall file a petition signed by not less than 1 percent of the qualified electors of the district, and take the oath required in section 99.021, Florida Statutes, with the Supervisor of Elections of Broward County. The amount of the filing fee is 3 percent of \$4,800. The amount of the election assessment is 1 percent of \$4,800. The filing fee and election assessment shall be distributed as provided in section 105.031 (3), Florida Statutes.

(e) The Supervisor of Elections of Broward County shall appoint the inspectors and clerks of elections, prepare and furnish the ballots, designate polling places, and canvass the returns of the election of board members by qualified electors. The county canvassing board shall declare and certify the results of the election.

(f) The provisions of subsections (3), (4), (5), (6), and (7) shall apply to a board of supervisors elected pursuant to this subsection.

Section 8. Compensation of board.—Each supervisor is entitled to receive for his or her services an amount not to exceed ~~\$400~~ \$200 per meeting of the board of supervisors, not to exceed \$4,800 per year per supervisor month. In addition, each supervisor shall receive reasonable traveling expenses incurred in connection with district business for attending the place of meeting from his or her residence. ~~Unless the board by resolution otherwise provides,~~ Such traveling expenses may not be in excess of the amounts provided by law for state and county officials.

Section 47. Bids required.—

(1) No contract shall be let by the board for any goods, supplies, or materials to be purchased when the amount thereof to be paid by the district shall exceed the amount provided in section 287.017, Florida Statutes, for category four, unless notice of bids shall be advertised once in a newspaper in general circulation in the county and in the district. The board, if seeking to construct or improve a public building, structure, or other public works, shall comply with the bidding procedures of section 255.20, Florida Statutes, and other applicable general law. In each case, the bid of the lowest responsive and responsible bidder shall be accepted unless all bids are rejected because the bids are too high, or the board determines it is in the best interests of the district to reject all bids. The board may require the bidders to furnish bonds with a responsible surety to be approved by the board. Nothing in this section shall prevent the board from undertaking and performing the construction, operation, and maintenance of any project or facil-

ity authorized by this act by the employment of labor, material, and machinery.

(2) The provisions of the Consultants' Competitive Negotiation Act, section 287.055, Florida Statutes, apply to contracts for engineering, architecture, landscape architecture, or registered surveying and mapping services let by the board.

(3) Contracts for maintenance services for any district facility or project shall be subject to competitive bidding requirements when the amount thereof to be paid by the district exceeds the amount provided in section 287.017, Florida Statutes, for category four. The district shall adopt rules, policies, or procedures establishing competitive bidding procedures for maintenance services. Contracts for other services shall not be subject to competitive bidding unless the district adopts a rule, policy, or procedure applying competitive bidding procedures to said contracts.

(4) The district may apply to the Department of Management Services, or entity succeeding to the duties of such department, to purchase commodities and contractual services from purchasing agreements established and state term contracts procured pursuant to section 287.057, Florida Statutes, by such department, as provided in section 287.056, Florida Statutes. No contract shall be let by the board for the construction or maintenance of any project authorized by this act, nor shall any goods, supplies, or materials be purchased when the amount thereof to be paid by said district shall exceed \$4,000, unless notice of bids shall be advertised once a week for 2 consecutive weeks in a newspaper published in Broward County and in general circulation within the district, and in each case the bid of the lowest responsible bidder shall be accepted, unless all bids are rejected because the bids are too high. The board may require the bidders to furnish bond with responsible surety to be approved by the board. Nothing in this section shall prevent the board from undertaking and performing the construction, operation, and maintenance of any project or facility authorized by this act, by the employment of labor, material, and machinery.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor June 12, 2007.

Filed in Office Secretary of State June 12, 2007.