



September 9, 2019

Andrea Knowles
Executive Director
Broward County Legislative Delegation
115 South Andrews Avenue, Room 429
Fort Lauderdale, FL 33301

RE: Local Bill relating to Pine Tree Water Control District elections

Dear Ms. Knowles,

The City of Coral Springs is requesting that Pine Tree Water Control District ("District") have their elections administered through the Broward County Supervisor of Elections.

District is a governmental entity that gives more power to those that own more land within their district. Furthermore, the current form of elections provides for a proxy vote that we believe is not as secure as an absentee vote from the Supervisor of Elections. If enacted, this bill would amend the District's enabling legislation and require the District to conduct all future elections through the Supervisor of Elections. Such an amendment would provide for direct accountability and transparency.

Only the Florida Legislature can amend the enabling legislation of the District. Therefore, this cannot be accomplished at the local level.

The City's proposed local bill is being sponsored by Representative Dan Daley. The City's contact person is Assistant City Manager Robert Curnow with a phone number of (954) 344-1085, a mailing address of 9500 Sample Road, Coral Springs, FL 33065, and an email address of rcurnow@coralsprings.org. This bill was filed as a Local Bill by Representative Kristin Jacobs during the 2018 Regular Legislative Session as HB 899 and during the 2019 Regular Legislative Session as HB 1179.

Sincerely,

Robert Curnow
Assistant City Manager

encl(s)

cc: Coral Springs City Commission
John Hearn, City Attorney

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A bill to be entitled

An act relating to the Pine Tree Water Control District, Broward County; amending ch. 2001-320, Laws of Florida; providing an exception to general law; requiring members of the board of supervisors be elected through a general election; providing for staggered terms; providing definitions; providing an effective date.

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

Section 1. Subsection (1) of section 5 of section 3 of chapter 2001-320, Laws of Florida, is amended to read:

Section 5. Board; election; organization; terms of office; vacancy; quorum.—

(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 chapters 189 and 298, Florida Statutes. The District is an independent special district as defined in section 189.403(3), Florida Statutes. The Board shall consist of five members and, notwithstanding any provision of law to the contrary, three members of the Board of Supervisors shall be elected by the qualified electors of the District. Election of the Board by the qualified electors shall be the exclusive method for the elections of the members of the Board of Supervisors. The fourth member of the Board of Supervisors shall be appointed by the City Commission of the City of Coral Springs and shall serve as a member of the Board until replaced. The fifth member of the Board of Supervisors shall be appointed by the City Commission of the City of Parkland and shall serve as a member of the Board until replaced. ~~except as otherwise provided herein, each member shall be elected in compliance with all applicable election laws by the landowners of the District. Commencing in 1994 and every 2 years thereafter, two members of the Board shall be elected by the landowners of the District. The member receiving the highest number of votes shall be elected for a 4 year term and the member receiving the second highest number of votes shall be elected for a 2 year term. The fourth and fifth members of the Board of Supervisors shall be appointed by the City of Coral Springs City Commission and the City of Parkland City Commission, respectively, and shall~~

~~serve as members of the Board until replaced. All of the members shall be residents of Broward County and all members shall be residents of Florida and shall be landowners within the District.~~

(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 2024. Candidates may qualify for the offices of Board of Supervisors, designated as seat 1, seat 2, and seat 3, each elected at large within the District. A candidate qualifying for election 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 year, 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 each, 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. Members of the Board of Supervisors as of October 1, 2023, shall serve until the certification of the November 2024 general election results.

(b) 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) 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 for 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 the annual salary of the office. The amount of the election assessment is 1 percent of the annual salary of the office. The filing fee and election assessment shall be distributed as provided in section 105.031(3), Florida Statutes.

(d) 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

0 the results of the election.

1 (e) Subsections (2) and (3) shall apply to a Board of Supervisors elected pursuant to this subsection.

2 (f) The terms “qualifying elector” and “elector” shall mean any person at least 18 years of
3 age who is a citizen of the United States, a permanent resident of Florida, and a resident of the District
4 who registers with the supervisor of elections of the county which the District lands are locate when the
5 registration books are open.

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

HOUSE OF REPRESENTATIVES
2020 ECONOMIC IMPACT STATEMENT FORM

Read all instructions carefully.

House local bill policy requires that no local bill will be considered by a committee or a subcommittee without an Economic Impact Statement. This form must be prepared by an individual who is qualified to establish fiscal data and impacts and has personal knowledge of the information given (for example, a chief financial officer of a particular local government). Please file this completed, original form with the Clerk of the House as soon as possible after a bill is filed. Additional pages may be attached as necessary.

BILL #:	
SPONSOR(S):	Daley
RELATING TO:	Pine Tree Water Control District

[Indicate Area Affected (City, County or Special District) and Subject]

Check if this is a revised Economic Impact Statement

I. REVENUES:

These figures are new revenues that would not exist but for the passage of the bill. The term "revenue" contemplates, but is not limited to, taxes, fees and special assessments. For example, license plate fees may be a revenue source. If the bill will add or remove property or individuals from the tax base, include this information as well.

	FY 20-21	FY 21-22
Revenue decrease due to bill:	\$ N/A	\$ N/A
Revenue increase due to bill:	\$ N/A	\$ N/A

II. COST:

Include all costs, both direct and indirect, including start-up costs. If the bill repeals the existence of a certain entity, state the related costs, such as satisfying liabilities and distributing assets.

Expenditures for Implementation, Administration and Enforcement:

	FY 20-21	FY 21-22
	\$ N/A	\$ N/A

Please include explanations and calculations regarding how each dollar figure was determined in reaching total cost.

The estimated fiscal impact of this local bill would be \$2,600 every other year, beginning in FY 2024-25. Costs include the estimated amount payable to the Broward county Supervisor of Elections for a November general election every other year. Estimate based on amount paid by Coral Springs in the 2016 election- which was \$43,899 for 34 precincts, or approximately \$1,300 per precinct. Coral Springs Improvement District has 11 voting precincts.

III. FUNDING SOURCE(S):

State the specific sources from which funding will be received, for example, license plate fees, state funds, borrowed funds, or special assessments.

If certain funding changes are anticipated to occur beyond the following two fiscal years, explain the change and at what rate taxes, fees or assessments will be collected in those years.

	<u>FY 20-21</u>	<u>FY 21-22</u>
Local:	\$ N/A	\$ N/A
State:	\$ N/A	\$ N/A
Federal:	\$ N/A	\$ N/A

IV. ECONOMIC IMPACT:

Potential Advantages:

Include all possible outcomes linked to the bill, such as increased efficiencies, and positive or negative changes to tax revenue. If an act is being repealed or an entity dissolved, include the increased or decreased efficiencies caused thereby.

Include specific figures for anticipated job growth.

1. Advantages to Individuals:	Allows for direct election of governing board by residents of the district, vs. the current proxy voting system
2. Advantages to Businesses:	N/A
3. Advantages to Government:	Provides accountability and transparency to residents of the district.

Potential Disadvantages:

Include all possible outcomes linked to the bill, such as inefficiencies, shortages, or market changes anticipated.

Include reduced business opportunities, such as reduced access to capital or training.

State any decreases in tax revenue as a result of the bill.

1. Disadvantages to Individuals:

N/A

2. Disadvantages to Businesses:

N/A

3. Disadvantages to Government:

N/A

V. DESCRIBE THE POTENTIAL IMPACT OF THE BILL ON PRESENT GOVERNMENTAL SERVICES:

No impact on services

VI. SPECIFIC DATA USED IN REACHING ESTIMATES:

Include the type(s) and source(s) of data used, percentages, dollar figures, all assumptions made, history of the industry/issue affected by the bill, and any audits.

Broward County Supervisor of Elections precinct maps and 2016 election invoices.

VII. CERTIFICATION BY PREPARER

I hereby certify I am qualified to establish fiscal data and impacts and have personal knowledge of the information given. I have reviewed all available financial information applicable to the substance of the above-stated local bill and confirm the foregoing Economic Impact Statement is a true and accurate estimate of the economic impact of the bill.



PREPARED BY:

[Must be signed by Preparer]

Print preparer's name:

Robert Curnow

09/09/2019

Date

TITLE (such as Executive Director, Actuary, Chief Accountant, or Budget Director):

Assistant City Manager

REPRESENTING:

City of Coral Springs

PHONE:

954-344-1085

E-MAIL ADDRESS:

rcurnow@coralsprings.org