

House Bill No. 899

An act relating to the Ranger Drainage District, Orange County; amending chapter 99-453, Laws of Florida; providing additional authority for limited fire control and prevention; providing for maintenance of passive recreation areas and facilities, environmental mitigation, security services, signage, and maintenance of common areas; increasing the membership of the governing board; providing for staggered terms of members; providing for a referendum; providing a ballot statement; providing an effective date.

WHEREAS, the Ranger Drainage District is the primary local public agency that provides for maintenance of infrastructure, including drainage, flood protection facilities, and environmental features within the district, and

WHEREAS, residential development within the district is occurring at an extremely rapid rate and requires increased maintenance to public infrastructure such as common areas, passive recreational areas, and district rights of way, and

WHEREAS, there is a need for better security and fire protection to ensure safety of persons and property within the district, and

WHEREAS, all neighborhood associations within the district have urged the Legislature to grant the district additional authority to maintain and restore public infrastructure, and

WHEREAS, it is the intent of the Legislature to provide the district with the powers necessary to maintain public infrastructure and protect public and private property within the district, NOW, THEREFORE,

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

Section 1. Subsection (4) is added to section 5 of chapter 99-453, Laws of Florida, to read:

Section 5. Additional district powers.—

(4) The Ranger Drainage District shall have the following additional powers and authorities:

(a) To construct and maintain firebreaks and related facilities for fire prevention and control within district easements, rights-of-way, and property in cooperation with the Department of Agriculture and Consumer Services, the Division of Forestry, or other fire prevention agencies.

(b) To own, acquire, construct, operate, and maintain passive recreation areas and facilities within the district, including, but not limited to, parks, walking or hiking trails, and related facilities.

(c) To acquire property for construction of projects within and adjacent to the district for environmental protection, restoration, or mitigation purposes. The district is also authorized to cooperate with public agencies and landowners in such projects.

(d) To provide security services within the district for the purpose of protecting district property and facilities.

(e) To construct and maintain signage and facilities identifying district ingress and egress locations.

(f) To maintain all district common areas, including, but not limited to, easements, road shoulders, and medians.

Section 2. Subsection (5) of section 7 of chapter 99-453, Laws of Florida, is amended to read:

Section 7. Minimum charter requirements.—In accordance with s. 189.404(3), Florida Statutes, the following subsections shall constitute the charter of the Ranger Drainage District:

(5) In accordance with chapter 189, Florida Statutes, this act, and s. 298.11, Florida Statutes, the district is governed by a ~~five-member~~ three-member board, elected on a one-acre, one-vote basis by the landowners in the district; however, landowners owning less than one acre shall be entitled to one vote. Landowners with more than one acre shall be entitled to one additional vote for any fraction of an acre greater than ½ acre owned, when all of the landowner's acreage has been aggregated for purposes of voting. The current board position which term expires in 2005 shall be denominated seat 1 and shall be elected for a term of 3 years or until a successor is elected. The current board position which term expires in 2006 shall be denominated seat 2 and shall be elected for a term of 3 years or until a successor is elected. The current board position which term expires in 2007 shall be denominated seat 3 and shall be elected for a term of 3 years or until a successor is elected. The newly created seats to be elected in 2005 shall be denominated seat 4 and seat 5. Seat 4 shall be elected for a term of 3 years. Seat 5 shall be elected for a term of 2 years. After the election in 2005, all terms of board members shall be 3 years or until a successor is elected. ~~The membership and organization of the board shall be as set forth in this act and chapter 298, Florida Statutes, as they may be amended from time to time, provided, however, that the annual landowners' meeting held for the purpose of electing board members and other purposes shall be held in September at a time and place to be determined by the board.~~

Section 3. Referendum.—On or before September 15, 2005, the Supervisor of Elections of Orange County shall conduct a referendum on the question of expanding the governing board of the Ranger Drainage District from three to five members and granting the district certain additional powers. The referendum question shall be posed as follows:

Shall the Ranger Drainage District Board of Supervisors be expanded from three to five members and granted the authority to provide services and

facilities within the district for limited fire protection, passive recreation, environmental protection, security, ingress/egress signage, and maintenance of district common property?

.....Yes

.....No

Section 4. This act shall take effect only upon its approval by a majority vote of those qualified electors of the district voting in the referendum specified by section 3 of this act in accordance with the provisions of law relating to elections currently in force, except that this section and section 3 shall take effect upon becoming law.

Approved by the Governor June 8, 2005.

Filed in Office Secretary of State June 8, 2005.