

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.