

The POA Bulletin

***** The Property Owners' Association of The Villages *****

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Championing Residents' Rights Since 1975

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POA Submits Seven Proposals to The Silver Hair Legislature's October Meeting In Tallahassee

One of the POA's primary objectives is to help change the Chapter 190 Florida State law that created the Community Development Districts (CDDs).

We generally feel that the Chapter 190 law is worthwhile as a catalyst for development of communities like The Villages - but it is also flawed with many loopholes that have led to problems and abuses. These need to be fixed.

Fixing the law, however, is easy to say, but very hard to do. The problem is that powerful political forces and statewide lobbies of lawyers, consultants, financiers, developers, etc., have a vested interest in maintaining the status quo.

But, residents of CDDs are also a powerful political force. We estimate that over a million people, mostly voting adults, live in the 160 or so CDDs in the state of Florida. Properly mobilized, these CDD residents might be able to provoke the needed changes.

One of the organizations in Florida attempting to mobilize seniors into a political action force is the Silver Hair Legislators (SHL). This state-wide group focuses the concerns of seniors into proposed legislation that receives the attention of actual state representatives and senators in Tallahassee. The annual meeting of the SHL is conducted in the legislative chambers in the state capitol. The legislation passed by the SHL is forwarded to the Senate and the House of Representatives for consideration.

Some of this SHL-initiated legislation can be expected to be passed into law. Not every piece of SHL legislation is passed into actual law; but, some of it is.

Five POA members are delegates to the SHL meeting to be held in mid-October. These include Tom Poss, Frank Renner, Charlotte Poss, Joe Gorman, and Russ Day.

Seven bills for consideration by the SHL were submitted by POA members. In summary, these are:

HB-109 - A House Bill (HB) calling for application of state conflict of interest regu-

lations to CDD consultants. Any person or organization, including attorneys, financiers, bankers, accountants, consultants, etc., shall be subject to all state conflict of interest regulations in their dealings with CDDs, landowners, developers, and any state, county, or local officials, and will not render services or advice (paid or unpaid) to any combination of these on any given issue.

HB-111 - This deals with the election of CDD supervisors. In any family of CDDs, in which one of the CDDs can obligate or collect from residents in a related CDD for taxes, assessments, debt, or fees, then the supervisors in the controlling CDD shall be appointed by the developer initially for a term of two (2) years and then be elected thereafter for three (3) year terms by a popular vote of all homeowner residents living in all related CDDs in the family of CDDs.

HB-113 - Deals with the issuance of bonds to purchase facilities. Whenever a CDD wishes to purchase facilities in excess of \$3 million in the aggregate, within any one twelve (12) month period, and incur related debt to be paid off by residents, it shall first seek approval of the homeowner residents in the CDD or CDDs who shall be obligated to repay the debt, for the facilities to be purchased and the related debt obligation.

HB-115 - Deals with the election of the District Administrator. Any CDD District Administrator, serving in his or her position for a total of at least twenty (20) months, shall be required to stand for a popular election, by all homeowner residents in the related family of CDDs administered by the District Administrator, whenever any Supervisor in any family CDD is up for election.

HB-117 - This bill deals with a dismissal/retention vote for the District Administrator. Any CDD District Administrator, serving in his or her position for a total of at least twenty (20) months, shall be subject to, on the next CDD Supervisor Election Day, retention or dismissal

by a popular vote of all homeowner residents eligible to vote in an election in the family of CDDs administered by the District Administrator, when a petition requesting the vote, with proper signatures of at least 5% of all eligible voters in the family of CDDs, is filed with the local board of election commissioners on or before the deadline day for filing for candidates for any supervisor election in any CDD in the family of CDDs. Dismissed persons shall leave the District Administrator position within two (2) months of the vote and shall be ineligible for reappointment to any management position in the family of CDDs.

HB-119 - Deals with the appraisal method and procedure used for the purchase of property from the developer. Whenever a CDD wishes to purchase property or facilities in excess of \$3 million in the aggregate in any one twelve (12) month period, it shall seek, before the purchase, at least three appraisals of the property or facilities using the "comparable properties" appraisal method, performed by independent licensed property appraisers, and it shall then pay no more than 25% above the average of the three appraisals for the property or facilities being purchased.

HB-121 - Deals with news reported by newspapers, TV, or radio stations in a CDD. The administrators, employees, owners, developers, news outlets, and elected officials in any way associated with a CDD shall commit themselves to: (1) Promote the objectives and practice of a free press; (2) Promote fair, honest, balanced, and objective presentation of the news through developer- and/or CDD-controlled news outlets; (3) Work diligently to eliminate any bias, slanted, or unfair reporting of news; and, (4) Ensure that all reasonable points of view about community issues are presented by news outlets for consideration by CDD homeowner residents.

In addition to these seven news bills, the bill submitted last year as HB-83 by members of the POA, has been re-submitted again this year as HB-27. This calls for a gradual increase in tax rates on the value of land and a concurrent reduction in the tax rate on the value of improvements on that land.

The POA plans to report to members about the SHL meeting at the November 21st general membership meeting and in an article in that month's POA Bulletin.

-- Tom Poss --