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September 29, 2023

By Hand Delivery & Electronic Mail

Victoria Nowlan, Executive Director
Palm Beach County Legislative Delegation
301 North Olive Avenue, Suite 1101.11
West Palm Beach, FL 33401

RE: Proposed Local Bill for Indian Trail Improvement District

Dear Ms. Nowlan:

On behalf of Indian Trail Improvement District, please find enclosed an original and 15 copies of the proposed Local Bill and related documents to include in the legislative delegation packet.

If you should have any questions, please do not hesitate to contact me.

Sincerely,



Mary M. Viator

cc: Indian Trail Improvement District

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September 29, 2023

Senator Gayle Harrell
Delegation Chair, District 31
Palm Beach County Legislative Delegation
301 North Olive Avenue
11th Floor, Suite 701-6
West Palm Beach, FL 33401

RE: Proposed Local Bill for Indian Trail Improvement District

Dear Senator Harrell:

The purpose of this letter is to confirm the intent of Indian Trail Improvement District (the "District") to introduce a Local Bill to amend the District's enabling legislation to provide a procedure for Feasibility Study and Charter Review to fund municipal incorporation or conversion efforts of the District to a municipality; provide the District with powers for a Safe Neighborhood Program and provide a transition schedule.

The purpose of the bill cannot be accomplished at the local level since legislation is required; therefore, it is necessary to file this bill. The bill is intended to accomplish the provision of a procedure for Feasibility Study and Charter Review to fund municipal incorporation or conversion of the District; provide the District with powers for a Safe Neighborhood Program and provide a transition schedule.

The Presenter will be Michael Johnson, President, Board of Supervisors of Indian Trail Improvement District, and he can be reached at (517) 490-3458.

If you or the Delegation have any questions or need any additional information, please do not hesitate to contact me. Thank you for your assistance in this matter.

Sincerely,



Mary M. Viator

cc: Indian Trail Improvement District

**SUMMARY FACT SHEET
OF
INDIAN TRAIL IMPROVEMENT DISTRICT**

This local bill will provide for amending chapter 2002-330, Laws of Florida, regarding Indian Trail Improvement District; authorizing the district to create a Feasibility and Charter Review Committee and to fund a feasibility study to enable the district to participate in and potentially fund certain aspects of incorporation or conversion efforts, including but not limited to redrawing the legislative boundaries excluding any areas within the jurisdictional boundaries of a municipality; providing the District with powers for a Safe Neighborhoods Program; providing for a transition date; permitting continuation of the district and providing an effective date.

1
2 An act relating to Indian Trail Improvement District, Palm
3 Beach County; amending ch. 2002-330, Laws of Florida, as amended;
4 authorizing the district to create a Feasibility and Charter
5 Review Committee and to fund a feasibility study to enable the
6 district to participate in and potentially fund certain aspects
7 of incorporation or conversion efforts, including but not
8 limited to redrawing the legislative boundaries excluding any
9 areas within the jurisdictional boundaries of a municipality;
10 providing the District with powers for a Safe Neighborhoods Program
11 pursuant to Section 163.513, Florida Statutes, by providing roads
12 for the exclusive use and benefit of a unit of development and its
13 owners and residents; providing for a transition date and
14 permitting continuation of the district; providing an effective
15 date.

16
17 Be It Enacted by the Legislature of the State of Florida:

18
19 Section 1. Subsection (3) is added to section 5 of section 3 of
20 chapter 2002-330, Laws of Florida, and section 19 is added to
21 section 3 of that chapter, to read:

22
23 Section 5. Powers of the district.

24 (3) The district is authorized, upon approval by the board,
25 to expend funds for the purposes of:

26 (a) Creating a Feasibility and Charter Review Committee;
27 and authorizing a feasibility study to enable the district to

28 participate in and potentially fund certain aspects of
29 incorporation or conversion efforts, including but not limited
30 to redrawing the legislative boundaries excluding any areas
31 within the jurisdictional boundaries of a municipality.

32 (b) Determining the feasibility of municipal conversion
33 of the district via referendum pursuant to section 165.0615,
34 Florida Statutes or incorporation process pursuant to Chapter
35 165, Florida Statutes.

36 (c) Creating an incorporation committee with public
37 membership that would hold public hearings to seek input from the
38 community on the review of the feasibility study and in the
39 development of a draft charter.

40 (d) Developing a draft charter of the municipality.

41
42 Section 3. Paragraph 4 of Section 5 of Section 3 of Chapter
43 2002-330, Laws of Florida is created to read:

44
45 (4) The District shall have the powers for a Safe
46 Neighborhoods Program pursuant to Section 163.513, Florida
47 Statutes. It is hereby found and declared that among the many
48 causes of deterioration in residential neighborhoods are the
49 proliferation of crime, excessive automobile flow, and excessive
50 noise levels from automobile traffic. It is to the benefit of
51 the land in the District and its ultimate users and residents
52 and it is hereby declared to be a public purpose to include a
53 provision in a Water Control Plan for roads for the exclusive use
54 and benefit of a unit of development and its residents.
55 Therefore, upon receipt of written consent of the owners of 75

56 percent of the land located within a unit of development, the
57 District has the power to adopt by resolution a Water Control
58 Plan for a development that will permit the District to exercise
59 the following powers:

60 (a) To provide roads for the exclusive use and benefit of
61 a unit of development and its landowners, residents, and invitees
62 in order to control ingress and egress.

63 (b) To finance and maintain said roads and their
64 associated elements as a part of a Water Control Plan.

65 (c) To construct and maintain security structures to
66 control the use of said roads.

67 (d) To make provision for access by fire, police, and
68 emergency vehicles and personnel for the protection of life and
69 property in the unit of development.

70 (e) To include, in the annual assessments as authorized,
71 sufficient funds to finance and maintain said roads as a part of a
72 Water Control Plan for a unit of development.

73 (f) To adopt, by resolution of the Board, rules and
74 regulations for the control of traffic, noise levels, crime and
75 the use of the roads by those authorized.

76
77 Section 4. Section 13 of Chapter 2002-330, Laws of Florida, is
78 amended to add:

79
80 Section 19. Indian Trail Improvement District continuation. The
81 Indian Trail Improvement District, an independent special
82 district created by a special act of the Legislature, shall
83 continue as an independent special district for those lands which

84 are subject to outstanding indebtedness until such time as the
85 termination of such indebtedness or the transition date mutually
86 agreed to by the municipality and the District. Until the

87 Transition Date:

88 (1) The assets, liabilities, and written contracts of the
89 district, including all rights, obligations, duties, and
90 relationships now existing by law or agreement, shall be
91 unaffected and shall remain in full force and effect.

92 (2) To the extent such procedures are not inconsistent with
93 this chapter, all resolutions and policies of the district shall
94 remain in effect until amended, revised, or terminated.

95 (3) The District shall continue to participate as a
96 stakeholder in either an incorporation process or to use the
97 conversion process, whichever may be deemed appropriate by the
98 Board of Supervisors, with the authorization to expend funds,
99 resources and staffing as determined by the Board of Supervisors.

100
101 Section 5. This act shall take effect upon becoming a law.

**HOUSE OF REPRESENTATIVES
LOCAL BILL ECONOMIC IMPACT STATEMENT FORM**

Read all instructions carefully.

The House local bill policy prohibits a local bill from being 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 local government) and include information for the first two full fiscal years after the effective date of the local bill. Please file this completed form with the Clerk of the House as soon as possible after a local bill is filed. Additional pages may be attached as necessary.

BILL #:

SPONSOR(S):

Representative Rick Roth

RELATING TO:

Indian Trail Improvement District - Providing Procedure for Feasibility Study and Charter Review to fund municipal incorporation or conversion of the District to a municipal.

[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 in the first two full fiscal years after the effective date of the bill that would not otherwise 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.

| | First FY | Second FY |
|-------------------------------|----------------|----------------|
| Revenue decrease due to bill: | \$ <u>0.00</u> | \$ <u>0.00</u> |
| Revenue increase due to bill: | \$ <u>0.00</u> | \$ <u>0.00</u> |

II. COST:

Include all costs, both direct and indirect, including start-up costs, in the first two full fiscal years after the effective date of the bill. 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:

| | First FY | Second FY |
|--|---------------------|----------------|
| | \$ <u>50,000.00</u> | \$ <u>0.00</u> |

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

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 first two full fiscal years after the effective date of the bill, explain the change and at what rate taxes, fees, or assessments will be collected in those years.

| | <u>First FY</u> | <u>Second FY</u> |
|----------|-----------------|------------------|
| Local: | \$ <u>0.00</u> | \$ <u>0.00</u> |
| <hr/> | | |
| State: | \$ <u>0.00</u> | \$ <u>0.00</u> |
| <hr/> | | |
| Federal: | \$ <u>0.00</u> | \$ <u>0.00</u> |
| <hr/> | | |

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: Increased governmental services, efficiency, and use of public funds
2. Advantages to businesses: Increased governmental services, efficiency, and use of public funds
3. Advantages to government: Increased governmental services, efficiency, and use of public funds

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, and state any decreases in tax revenue as a result of the bill.

- 1. Disadvantages to Individuals: Dependent on the terms of applicable Interlocal
Agreements with respective municipalities, if any

- 2. Disadvantages to Businesses: Dependent on the terms of applicable Interlocal
Agreements with respective municipalities, if any

- 3. Disadvantages to Government: Dependent on the terms of the applicable Interlocal
Agreements with respective municipalities, if any

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

No economic impact beyond costs associated with implementation and provision of services via Interlocal

Agreement, if any or otherwise


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.

N/A

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: Mary M. Viator

9/29/2023

Date

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

District Attorney

REPRESENTING: Indian Trail Improvement District

PHONE: 561-655-0620

E-MAIL ADDRESS: viator@caldwellpacetti.com