



OCT - DEC 2021 | 1ST QUARTER

THE QUARTERLY FOCUS

The Florida Association of Special District's Official Newsletter

CHECK OUT WHAT'S
INSIDE THE ISSUE:

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President**

**Message from The
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1ST QUARTER RECAP

Written by FASD Staff

As the calendar year comes to a close, we have much to be thankful for. Although we are starting to get back to normal in our day to day lives, there are major changes happening within the association. In October, the beginning of our fiscal year, we ushered in a new Executive Director that is bringing in a bold vision to steadily increase our membership numbers. David's main priority is to grow this association by implementing a successful engagement strategy which includes ongoing opportunities for members to engage. FASD will also facilitate this growth with an overhaul of its committees and committee membership. Before the Thanksgiving break we sent out a survey to all members requesting their desire for placement in a specific area of expertise. This will ensure we are up and running for the start of the 2nd Quarter.





MESSAGE FROM THE PRESIDENT

Written by Jim Millican

I hope everyone has a fantastic Christmas and a happy New Year and is able to spend time with their family and loved ones. I know many Special Districts help provide Christmas to families and children throughout our state. Thank you for your hard work and continued commitment to your communities. Without you, some families would struggle to provide a safe and happy holiday for those around them.

The 2022 Legislative Session is in full swing and we are actively following and working at least 50 bills this year. We are looking forward to seeing everyone in January at the Legislative Forum on the 26th. We will be meeting at the Old Capitol in the morning to kick off our day on "The Hill." The schedule of speakers will rely on what is happening that day at the Capitol. We are hoping to have Cabinet members speaking to you in the morning. That evening we will finish up at the Governors Club with a reception and to mingle with legislators.

We have restructured all of our committees and most have new chairs. I am pleased to announce the new committees plus its members in this newsletter under the "New Committees" header. The Finance and Strategic Committee does need a couple more members. If you are interested in joining that one, please let me or the Executive Director's office know. These committees will be charged with steering the Board towards my goal of bringing in new changes, benefits, and opportunities to the FASD membership. It is my intent to give members more ways to be involved and stay active in our association.

We are in the planning stages of our April meeting in the South Florida area, as well as the Annual Conference which will be at the Rosen in Orlando. We have some great speakers lined up, including our main keynote speaker Kevin Brown. I saw him speak at the California Special Districts Conference and he was outstanding—his speech was powerful, and entertaining.

I hope everyone stays safe, and I am looking forward to seeing you in the new year in Tallahassee!

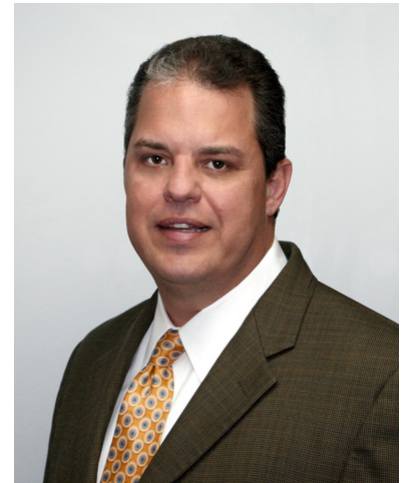
**THANK YOU FOR YOUR HARD WORK AND CONTINUED COMMITMENT
TO YOUR COMMUNITIES DURING THE HOLIDAYS.**



MESSAGE FROM THE EXECUTIVE DIRECTOR

Written by David E. Ramba

The Florida Association of Special Districts is entering its 43rd year of service. Our association is dedicated to leading and supporting the efforts of special districts and other local government executives by advancing the science and art of limited purpose government. The FASD continues to promote and advance the highest ethical and professional standards in local government throughout Florida.



All of us affiliated with the FASD should take pride in what our association has achieved and the reputation that we have earned within our state and around the country.

But – taking pride in who we are and what we do does not mean that we can sit back and rest on our laurels. As an association, we are continually evaluating and re-evaluating what we do, how we do those things, and why we do them. We are also continually scanning the environment within which our members work to ensure that we are responsive to their needs and expectations.

In this regard, we need your help. It is important that we hear from our members with their impressions about our organization's services and events. We are interested in your views, ideas, and thoughts about what else you need from your association. Call, write, e-mail, or stop by and give us your thoughts. This is your association, help us make it work better for you.

We welcome your comments, questions, participation, and support. Please contact me at 850-999-1937 or via e-mail at david@fasd.com if you or your district needs any assistance. My staff is able to assist as well--call or e-mail at rachel@fasd.com.

We are excited to have the Legislative Forum approaching quickly. There is still time to register before the January 7, 2022, hotel deadline. Explicit details and instructions on how to register for the Forum is located **HERE**.

If you are already registered, contact Rachel at rachel@fasd.com in my office to assist in setting up meetings with your local legislators.

**TAKING PRIDE IN WHO WE ARE AND WHAT WE DO DOES NOT MEAN
WE CAN SIT BACK AND REST ON OUR LAURELS.**



NEW COMMITTEES

Conference and Awards

KIM EIKOV, CHAIRMAN

- Maryelle Crowder
- Keith Jordano
- Mary Hickey
- Amy Tracy
- Burgess Hanson
- Julie Peluso
- Joe DeCerbo
- Jim Millican

Legislative

DAVE CAMBARERI, CHAIRMAN

- David Ramba, Advisor
- Chris Lyon, Advisor
- Laura Donaldson, Advisor
- Maggie Mooney, Advisor
- Mike Choate
- Keith Jordano
- Chris Shoemaker
- Steve Lohan
- Aaron Lloyd
- Doug Underwood
- Max Miller
- Jim Millican

Membership and Technology

JUSTIN MCBRIDE, CHAIRMAN

- Jim King
- David Hoel
- James Angle
- Lee Morris
- Betty Argue
- Doug Underwood
- Amy Tracy

Education and Certification

MARY HICKEY, CHAIRMAN

- Rena Smart
- David Hoel
- Burgess Hanson
- Eric Jackson
- Joe DeCerbo
- James Angle
- Lee Morris
- Amy Tracy

Finance and Strategic Planning

DAN BEATTY, CHAIRMAN

- Jim Millican, President
- Kevin Hart, President-Elect
- Brian Cottrell
- Chris Shoemaker

Nominating

TANYA QUICKEL, CHAIRMAN

- Rena Smart
- *Remaining Members to be appointed



QUARTERLY MEETINGS



OCTOBER

The Fall quarterly meeting was held at the Sandestin Golf and Beach Resort in picturesque Miramar Beach. We had approximately 60 members attend. The main focus was to review the previous quarter, to check on the association's culture health, to participate in educational courses to keep our members sharp, and to plan the next successful quarter.

JANUARY

The Legislative Forum will be held January 26, 2022, at The Florida Historic Capitol Museum in Tallahassee.

[CLICK HERE TO REGISTER NOW](#)



This is an annual event which includes a breakfast, legislative review, visit to the Capitol, and an evening reception.

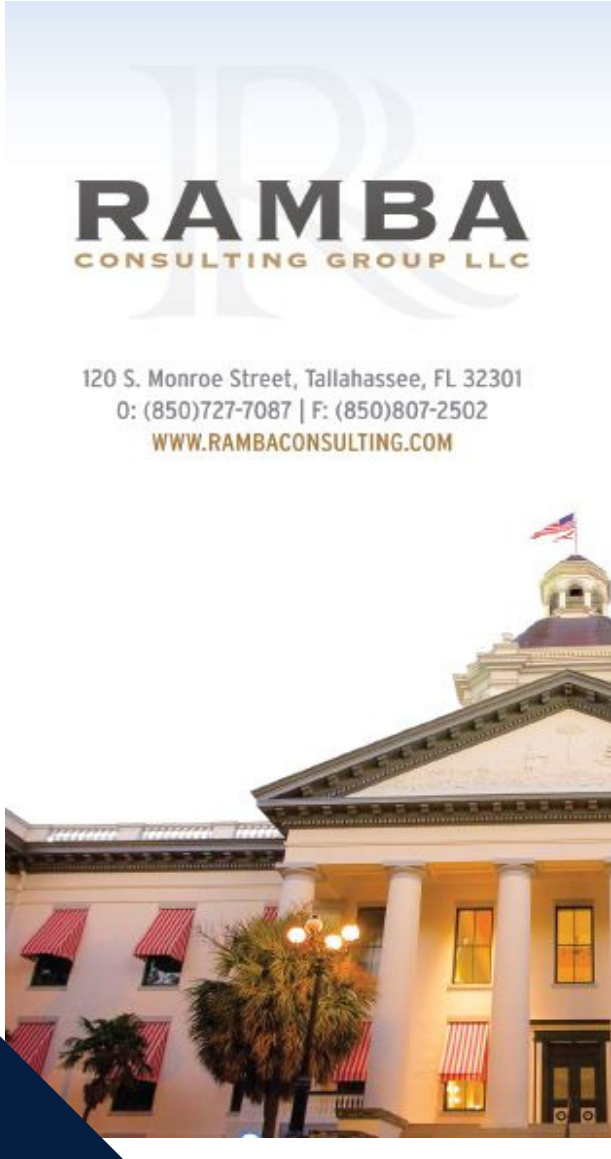


APRIL

The Spring quarterly meeting will be held during the last weeks of April 2022 in South Florida. At time of publication, details for this meeting are being made. Information will be sent to membership as soon as its available. Mark your calendar.




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STATE ADVOCACY

2022 Legislative Outlook

BY RAMBA CONSULTING GROUP, LLC



Tis the Season for Upcoming Advocacy!

The 2022 Legislative Session is quickly upon us. Interim committee weeks began Monday, September 20th and ran through December 3rd, with the Session officially beginning on January 11, 2022 and ending on March 11th.

The priorities for the upcoming Session have begun to reveal themselves: Education, health care, safety, and pro-business agenda items are expected to be priorities in 2022. In addition, redistricting will consume many hours as legislators use recent census data to modify state and federal legislative districts.



STATE ADVOCACY

As Florida continues to trudge through the “COVID Era,” proposed legislation is targeting public health issues, such as mask and vaccine mandate prohibitions. Bills relating to elections, law enforcement protections, environmental preservation, and telehealth were filed nearly two weeks before the first committee meeting. In addition to these, Floridians can expect the legislature to readdress many priority issues from 2021, including workforce development, charter schools, literacy, and DNA privacy. Aside from expanding on policy areas tackled last year, the Legislature will address redistricting, adding a Congressional seat, and redrawing district lines to account for historic population changes across the state.

The redistricting process began with the 2020 Census, which revealed a 14.6 percent overall increase in Florida’s population. The I-4 Corridor and surrounding areas saw the largest growth rates in the state, with the Villages having the largest percentage growth of an area in the nation. Additionally, Florida’s Hispanic population increased by 1.5 million people to account for just over half of the state’s entire population, the non-Hispanic white population decreased in proportion by 6.4 percent, and the population of Black Floridians declined in proportion by 0.7 percent.



Along with all the above important issues, we are monitoring many bills and acting upon when needed the following bills for FASD:

Certificates of Public Convenience and Necessity; Requiring certain counties to issue a certificate of public convenience and necessity to applicants seeking licensure for basic or advanced life support services which meet specified criteria, etc. Effective Date: 7/1/2022

Public Meetings During Declared States of Emergency; Providing for the suspension of certain statutory provisions during declared states of emergency for a specified timeframe; authorizing governing bodies to use communications media technology to conduct meetings during declared states of emergency; providing that certain remote participation by a governing body member in a meeting constitutes that individual’s presence at such meeting and counts toward a quorum during a declared state of emergency; authorizing members of a governing body to attend certain meetings in person or through communications media technology, etc. Effective Date: 7/1/2022

Infrastructure Project Funding; Prohibits administering agency from disbursing funds from any category of General Appropriations Act for infrastructure projects under certain conditions; requires grantee to use revenues for infrastructure projects for certain activities only; prohibits water management districts from disbursing funds to grantees for water-related projects unless certain conditions are met; prohibits potential grantees from seeking funds for water-related projects under certain conditions; provides criteria under which applicants may apply for water project grant funding; prohibits applicants from seeking water project grant funding under certain conditions. Effective Date: July 1, 2022



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BREAKING NEWS

GOVERNMENT ENTITIES MUST PAY 298 DRAINAGE DISTRICT ASSESSMENTS

WRITTEN BY SETH BEHN AND CHRIS LYON

Government agencies often grapple with the questions of overlapping jurisdiction. For example, when a government entity owns real property within the boundaries of another entity, it leads to ambiguities surrounding permissible use, zoning authority, and taxation. For special districts, a common question, “can we assess the properties that are within our boundaries and receiving a special benefit, but are owned by another government entity?”

That exact question was recently answered by the Fourth District Court of Appeals in *Hobe-St. Lucie Conservancy District v. Martin County, et al.* (Case No. 4D20-2036, Fla. 4th DCA, 2021).

Generally, public property is subject to special assessments only if authorized by the legislature. However, the legislature’s intent is not always clear, as was the case for *Hobe-St. Lucie Conservancy District (“Hobe-St. Lucie CD”)*. This district is a water control district in Martin County, Florida, organized under Florida Statute Chapter 298. As a “298 Drainage District,” *Hobe-St. Lucie CD* is authorized to assess properties within its boundaries that receive a special benefit from the district, in this case the provision of stormwater and drainage services.

Both Martin County and the South Florida Water Management District (“*SFWMD*”) own real estate within the boundaries of the *Hobe-St. Lucie CD* totaling nearly 3,000 acres. For twenty years both Martin County and *SFWMD* paid the non-ad valorem assessments levied by *Hobe-St. Lucie CD* without complaint. But in 2016, *SFWMD*’s executive director ordered the payments cease. Subsequently, Martin County likewise discontinued paying the assessment.

Hoping to clear the County from the shadow of liability, Martin County instituted an action for declaratory relief seeking a judicial determination that it was not subject to the non-ad valorem assessments, and *SFWMD* intervened in the suit aligned with Martin County, as a co-plaintiff. Together they argued that they were exempt from the assessments, relying on language in Section 298.36(1), Florida Statutes (2016), which states:

The benefits, and all lands in said district belonging to the state, shall be assessed to, and the taxes thereon shall be paid by, the state out of funds on hand, or which may hereafter be obtained, derived from the sale of lands belonging to the state.

Martin County and the *SFWMD* argued that this passage made only state-owned lands subject to the special assessments, and that accordingly, their entities were exempt. The trial court agreed with the Plaintiffs, finding that “the legislature did not expressly waive sovereign immunity” for other governmental entities, and thus they did not have to pay the assessments. *Hobe-St. Lucie CD* appealed this decision to the Fourth District Court of Appeals.

The District Court looked at several sections of Chapter 298, and ultimately concluded that the trial court was incorrect, and determined that the County and *SFWMD* must continue to pay the assessments. The Court’s decision relied on the statutory interpretation principle known as “*in pari materia*”, which requires that different sections of a statute that address the same topic be read together to determine their full meaning.

Specifically, the District Court quoted Section 298.305(1), Florida Statutes (2016), which states:

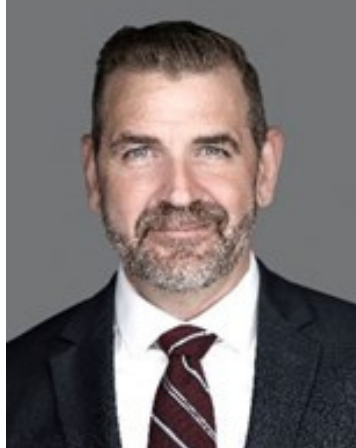
(1) [T]he board of supervisors shall levy a non-ad valorem assessment as approved by the board on all lands in the district to which benefits have been assessed..... The assessment must be apportioned to and levied on each assessable tract of land in the district. (Emphasis supplied by District Court.)



BREAKING NEWS

...(continued from previous page)

The District Court found that in light of this passage, the statutory section relied upon by the trial court either must "include political subdivisions and water management districts or refer to the 'statelands' for the limited purpose of explaining how assessments against 'state lands' are to be paid." With either of those possible interpretations, the District Court concluded Martin County and SFWMD are obligated to pay the Hobe-St. Lucie CD assessment. This decision is limited in its direct application to the narrow instance of government-owned property within "298 Drainage Districts." However, it furthers the notion that when the legislature grants authority for a special district to levy non-ad valorem assessments against real property gaining a special benefit, lands owned by a government agency may not be automatically exempted.



Mr. Behn's practice focuses on land use, environmental law and governmental affairs. He assists clients with complex land development matters and helps them navigate government approval processes. He can be reached at sbehn@llw-law.com.



Mr. Lyon's practice focuses on representing clients before the Florida Legislature, Governor and Cabinet, and agency personnel. He represents clients including statewide associations, local government entities and healthcare, technology, economic development, transportation, environment and land use clients. He can be reached at clyon@llw-law.com.

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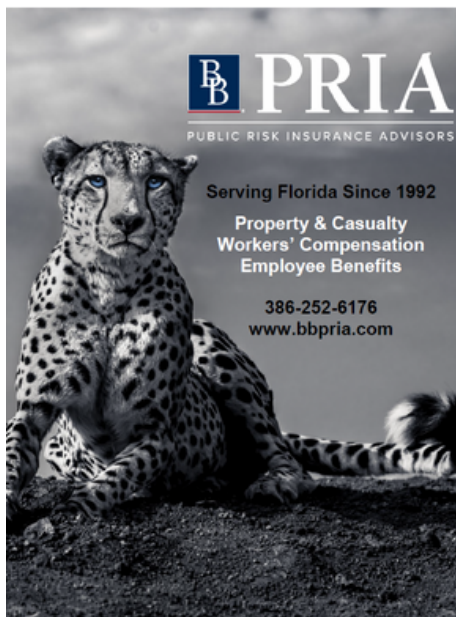
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AROUND THE DISTRICTS

Palm Harbor Fire Rescue Visited Schools During Fire Prevention Month



During the month of October, PHFR visited every school in the district to ensure fire safety messages were being taught to the youngest of residents. The children were taught not to touch or play with "hot" items, what a burn is, and how to call 9-1-1 during an emergency. "It's important the children see us before and after we put on our bunker gear so they don't become afraid and hide from firefighters in the event of a real fire," said Fire Safety Public Educator Elizabeth Graham.





AROUND THE DISTRICTS

Christmas Tree Safety

BY EAST LAKE FIRE RESCUE

Some of the best family moments are created during the holiday season, and today, we want to take a few minutes to make sure that all of your holiday memories remain positive! As you deck the halls this holiday season, we hope you will keep fire safety in mind. A small fire that spreads to a Christmas tree can grow large very quickly, so let's keep the following tips from NFPA in mind:

PICKING THE TREE

- Choose a tree with fresh, green needles that do not fall off when touched.

Remember to get rid of your tree after Christmas or when it is dry. Dried-out trees are a fire danger and should not be left in the home or garage or placed outside against the home.

PLACING THE TREE

- Before placing the tree in the stand, cut 2" from the base of the trunk.
- Make sure the tree is at least three feet away from any heat source, like fireplaces, radiators, candles, heat vents or lights.
- Make sure the tree is not blocking an exit.
- Add water to the tree stand. Be sure to add water daily.

LIGHTING THE TREE

- Use lights that are listed by a qualified testing laboratory. Some lights are only for indoor or outdoor use.
- Replace any string of lights with worn or broken cords or loose bulb connections. Read manufacturer's instructions for number of light strands to connect.
- Never use lit candles to decorate the tree.
- Always turn off Christmas tree lights before leaving home or going to bed.





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AROUND THE DISTRICTS

HOLIDAY TIME IS WATER CONSERVATION TIME

BY LAKE WORTH DRAINAGE DISTRICT

During the holidays, water plays a role in everything from food preparation to the cleanup process. Here's how to incorporate water conservation into your holiday preparations:

- Defrost frozen foods in the refrigerator or the microwave instead of running hot water over them.
- Rinse vegetables and fruits in a sink or pan filled with water instead of under running water. This water can then be reused to water houseplants. A running faucet can use up to 4 gallons per minute.

- When washing dishes by hand, fill one sink or basin with soapy water and fill the rinsing sink one-third to one-half full. Avoid letting the water run continuously in the rinsing sink.
- Select the proper size pans for cooking. Large pans require more cooking water than may be necessary.
- Scrape food scraps into the garbage can or a composting bin, rather than rinsing them into the sink's garbage disposal. A garbage disposal uses up to 4.5 gallons of water per minute.
- Run your dishwasher only when you have a full load. Dishwashers use between 7 and 12 gallons per load.
- Remind overnight house guests to limit their shower time to 5 minutes to conserve water.
- Choose an artificial Christmas tree since they do not require water, are not a fire hazard and preserve our tree canopies.

Don't let the busy holiday season keep you from practicing good water conservation habits.



"During the holidays, water plays a role in everything from food preparation to the clean up process."



AROUND THE DISTRICTS

5, 4, 3, 2, 1....Happy New Year!

BY EAST LAKE FIRE RESCUE

Can you believe that New Year’s Eve is already right around the corner? Before we get ready to welcome 2022, let’s make sure we take all of the safety precautions we can to ensure that we all have a safe and happy new year.



New Years Day is a dangerous day for pedestrians. If you are walking, make sure to stay on pedestrian paths and observe traffic laws; only cross at crosswalks and try to remain in well-lit areas. If you are driving, take extra care to consider those on foot.

Let’s Celebrate!

HAPPY NEW YEAR

Keep in mind that the safest way to view fireworks is to attend a professional show. Fireworks cause thousands of injuries each year. Sparklers are also very dangerous being that they burn at 1200 degrees F. Mixing alcohol and fireworks/sparklers is never a good idea, a safe alternative would be noise makers, glow sticks, silly string, streamers and confetti. We hope these safety tips will help you and your loved ones have a happy and safe new year!

FAST FACTS

01

PLAN AHEAD

Plan your travel options ahead of time, arranging for a designated driver, a hotel stay, shuttle/limo service, public transportation and extra “Plan B” options before your night out.

02

RIDE SHARING PROGRAMS

Consider local Sober Ride programs and have their information handy for yourself or friends:

[CLICK HERE](#) for info

03

USE TECHNOLOGY TO HELP

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[CLICK HERE](#) the site



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MEMBER SPOTLIGHT

Benefits of Workplace Safety Training

BY MIKE MARINAN, PUBLIC RISK UNDERWRITERS OF FLORIDA, INC.



"Training is not guaranteed to eliminate all incidents, but it will put your employees in the best position to avoid them and reduce accidents and injuries to a minimum."

Training employees on workplace safety is time and money well spent. An effective occupational safety and health training program can result in fewer injuries and illnesses, better morale, and lower workers' compensation insurance premiums.

When I do training in the field I will emphasize that insurance at this level can be very expensive. Employee accidents can add to that expense and it is imperative that we do all we can to ensure that everybody goes home in the same condition that they came to work.

Accidents, depending on their severity can be life altering events and providing information as to workplace safety and training can prevent that.

The benefits of safety training in the workplace are numerous, providing benefits for the employer and most especially the employee who is most at risk. Public entities that are both big and small need to realize the positive impact it can have. As an employer, it is your responsibility to instruct your workers how to perform in a safe and healthy manner before they even start work. Safety training is an integral part of the employee orientation process, but it also requires regular "refresher" courses to maximize effectiveness. Not only because employee alertness goes down over time, but also because safety protocols change to keep up with changes in equipment, materials and roles within the organization.





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Beyond the obvious reasons of best practice and responsibility – there are plenty of advantages to investing time and thought in a well-planned workplace safety training program. Here are a few:

1. It Will Reduce Accidents and Injuries

This may seem obvious, but one of the key benefits of safety training for employees is that it will reduce the number of incidents in the workplace, and probably outside the workplace as well. Workplace incidents can range from minor illnesses and injuries to life-threatening accidents.

Training is not guaranteed to eliminate all incidents, but it will put your employees in the best position to avoid them and reduce accidents and injuries to a minimum.

2. It Increases Employee Awareness

Safety training is invaluable to educate your employees on the various hazards in the workplace and how to manage them. Quality safety training will cover workplace hazards, how to identify them, how to address them, and how to avoid these hazards occurring in the first place.

3. It Will Help You to Retain Quality Employees

Finding, hiring and developing great employees can be costly to an organization, so it's important to do all that you can to retain the quality employees. Investing in the safety of your employees and promoting this through training, shows your employees that you value them, a critical part of great hiring and retention strategies. Ensuring the safety of your employees can also prevent work related injury which could result in temporary or permanent absence from work.

4. It Can Make Your Employees More Productive

Effective safety training will help to increase productivity within your organization. Safety training can mean that there are less likely to be work-related accidents and illnesses, which can cause absences from work. Left unchecked these absences can impact an organizations productivity and damage performance.

5. Employees Will Be More Invested in Safety

Comprehensive safety training not only increases employee awareness and knowledge in this area, but also their investment in the process. Promotion of safety in the workplace can lead to employees taking individual responsibility to ensure that theirs is a safe place to work.

6. It Will Save You Money

Workplace accidents can be very costly, not just in terms of compensation, but also in lost productivity and direct costs. There are also indirect costs of accidents such as repairing damage to equipment, hiring and training replacement staff, administration and reporting of incidents and claims.

7. It Will Encourage Communication

One of the biggest barriers to safety in the workplace is a lack of communication. Often incidents occur because employees fail to notify their supervisor or colleagues about issues, problems, or hazards. Good safety training will educate employees about how to effectively communicate on these matters and empower employees to do so.



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