

1 A bill to be entitled
2 An act relating to Indian Trail Water Control
3 District, Palm Beach County; changing the name
4 of the district to Indian Trail Improvement
5 District; clarifying the district's authority
6 to provide, finance, construct, operate, and
7 maintain and include as a component of roads,
8 bridges, parkways, and other elements;
9 providing for adoption by resolution of rules
10 and procedures for the letting of contracts;
11 providing alternative methods to amend, modify,
12 and change the district's water management
13 plans; authorizing the district to accept for
14 maintenance additional facilities; ratifying
15 all existing water management plans as amended
16 and constructed; providing an effective date.

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

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20 Section 1. The name of Indian Trail Water Control
21 District, as created pursuant to chapter 57-646, Laws of
22 Florida, as amended, is hereby changed to Indian Trail
23 Improvement District. Said change of name shall not impact,
24 alter, or change any existing statutory authority or provision
25 applicable to the district, nor any existing obligation of the
26 district, whether contractual or otherwise.

27 Section 2. There is hereby included as a component of
28 roads in a water management plan parkways, bridges,
29 landscaping, irrigation, bicycle and jogging paths, street
30 lighting, traffic signals, road striping, and all other
31 customary elements of a modern road system. However, as it

1 relates to traffic signals, the district must obtain
2 authorization from the appropriate state or local government
3 prior to expending funds.

4 Section 3. There shall be adopted by resolution such
5 rules, policies, guidelines, and procedures which will thereby
6 authorize the district, at its discretion, to elect to use
7 either a public bid or private negotiation process for the
8 letting of contracts and purchase orders for works and
9 improvements of the district, including procurement of
10 personal property, commodities, and services, when the cost of
11 said works and improvements, personal property, commodities,
12 and services do not exceed the Category 2 amount set forth in
13 s. 287.017, Florida Statutes.

14 Section 4. The provisions of sections 298.07(2)
15 through (5), 298.27(4), and 298.33, Florida Statutes, and
16 chapter 57-646, Laws of Florida, 1957, as amended, to the
17 contrary notwithstanding, the following notice provisions, to
18 the extent of any conflict, shall control Indian Trail
19 Improvement District with respect to its water management
20 plan(s):

21 (1) AMENDING WATER MANAGEMENT PLANS.--In addition and
22 as an alternative to the provisions of Chapter 298, Florida
23 Statutes, the water management plans may be amended, modified,
24 and changed from time to time in the following manner:

25 (a) The intent of this section is to give the board of
26 supervisors power with latitude to make additional and other
27 improvements to the water management plan which the board of
28 supervisors considers appropriate to implement the purpose and
29 intent of the water management plan and which, in the opinion
30 of the board, results in a benefit to the land and will not
31 increase the cost in excess of the total benefits assessed by

1 the commissioners as provided herein. The district may accept
2 for maintenance additional facilities which are within its
3 boundaries and supplement a water management plan which are
4 donated to the district at no cost. All existing water
5 management plans as of the effective date of this act are
6 hereby ratified as amended and constructed.

7 (b) The court may retain jurisdiction for the purpose
8 of considering any changes, modifications, or amendments to a
9 water management plan required by any other local, state, or
10 federal governmental agency or proposed by the board of
11 supervisors, provided the district engineer certifies that all
12 the lands effected receive the same or greater benefits as
13 determined by the commissioners and that the estimated costs,
14 including the changes or amendments, do not exceed the
15 benefits assessed and that any existing bonds outstanding do
16 not exceed 90 percent of the total benefits assessed. The
17 court shall approve said amendments or changes. Only those
18 parties appearing or answering the original proceedings for
19 approval of the commissioners' report shall be entitled to
20 receive notice of these supplemental proceedings.

21 (c) As an alternate procedure, the board of
22 supervisors shall have the power to change, alter, or amend a
23 previously approved water management plan by duly adopted
24 resolution, provided the district engineer certifies that all
25 land subject to the original plan receives the same or greater
26 benefits as previously assessed and that the estimated cost,
27 including the changes or amendments, does not exceed 90
28 percent of the total benefits assessed. Said resolution shall
29 be filed in the court proceedings assessing benefits and shall
30 be binding upon the owners of lands within the water
31 management plan, their successors, and assigns.

1 Section 5. This act shall take effect upon becoming a
2 law.
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