

By Senator Campbell

33-1746-99

See HB 1087

1 A bill to be entitled
2 An act relating to Broward County; providing
3 for codification of special laws regarding
4 special districts pursuant to chapter 97-255,
5 Laws of Florida, relating to Old Plantation
6 Water Control District, a special tax district
7 in Broward County; providing legislative
8 intent, and codifying and reenacting provisions
9 of chapter 24416, Laws of Florida, 1947,
10 chapter 25710, Laws of Florida, 1949, chapter
11 27425, Laws of Florida, 1951, chapter 28936,
12 Laws of Florida, 1953, chapter 30638, Laws of
13 Florida, 1955, chapter 59-1146, Laws of
14 Florida, and chapter 88-468, Laws of Florida;
15 providing for the ratification, restatement and
16 approval of the district formation; providing
17 the status and boundaries of the district;
18 providing for the applicability of chapters
19 170, 189, 197, and 298, F.S., and other general
20 laws; providing for a district charter;
21 providing for compensation of board members;
22 providing for repeal of all prior special acts
23 related to Old Plantation Water Control
24 District; providing an effective date.

25
26 Be It Enacted by the Legislature of the State of Florida:

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28 Section 1. Pursuant to chapter 97-255, Laws of
29 Florida, this act constitutes the codification of all special
30 acts relating to Old Plantation Water Control District. It is
31 the intent of the Legislature in enacting this law to provide

1 a single, comprehensive special act charter for the district
2 including all current legislative authority granted to the
3 district by its several legislative enactments and any
4 additional authority granted by this act.

5 Section 2. Chapter 24416, Laws of Florida, 1947;
6 chapter 25710, Laws of Florida, 1949; chapter 27425, Laws of
7 Florida, 1951; chapter 28936, Laws of Florida, 1953; chapter
8 30638, Laws of Florida, 1955; chapter 59-1146, Laws of Florida
9 and chapter 88-468, Laws of Florida, relating to Old
10 Plantation Water Control District, are codified, reenacted,
11 amended, and repealed as herein provided.

12 Section 3. District formation ratified, restated, and
13 approved.--The decree of the circuit court in and for the
14 Fifteenth Judicial Circuit, Broward County, Florida, entered
15 on November 19, 1946, in Chancery No. 11,878, with respect to
16 OLD PLANTATION WATER CONTROL DISTRICT, a public corporation of
17 the State of Florida, and any subsequent proceedings taken in
18 that circuit court concerning the district, including the
19 provisions setting the boundaries of the district, are
20 ratified, confirmed, and approved.

21 Section 4. Status and boundaries.--The Old Plantation
22 Water Control district is declared to be an independent water
23 control district and a public corporation of the state
24 pursuant to chapter 298, Florida Statutes, as it may be
25 amended from time to time, having the following boundaries in
26 Broward County, Florida, to-wit:

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28 Commence at the N.W. corner of Section 31,
29 Township 49 South, Range 41, East; thence run
30 East along the North line of Sections 31, 32,
31 33 and 34, Township 49 South, Range 41 East, to

1 the N.E. corner of Section 34; thence South
2 along the East line of Section 34 to the S.E.
3 corner thereof; thence East along the North
4 line of Section 2, Township 50 South, Range 41
5 East, to the N.E. corner thereof; thence South
6 along the East line of Sections 2 and 11,
7 Township 50 South, Range 41 East, to the S.E.
8 corner of Section 11; thence East along the
9 North line of Section 14. Township 50 South,
10 Range 41 East, a distance of 672.3 feet, more
11 or less, to the N.E. corner of Tier 24, of
12 Section 14, as the same is shown on the map of
13 Newman's Survey recorded in Plat Book 2, page
14 26, Public Records of Dade County, Florida;
15 thence in a Southerly direction along the
16 Easterly line of Tier 24 of Section 14, as
17 aforsaid, to a point at right angles to and
18 130 feed North of the center line of North New
19 River Canal; thence in a Northwesterly
20 direction parallel to and 130 feet from the
21 center line of North New River Canal, as
22 aforsaid, a distance of 26,605.4 feet, more or
23 less, to the West line of Section 7, Township
24 50 South, Range 41 East, at a point that is 130
25 feet North of the center line of North New
26 River Canal; thence North along the West line
27 of Sections 7 and 6, Township 50 South, Range
28 41 East, and the West line of Section 31,
29 Township 49 South, Range 41 East, to the point
30 or place of beginning, which the boundary line
31 embraces and includes those certain tracts or

1 parcels of lands situate, lying, and being in
2 Broward County, Florida, described as follows,
3 to-wit:
4
5 All of Sections 31, 32, 33 and 34, Township 49
6 South, Range 41 East; all of Sections 2, 3, 4,
7 5, 6, 9, 10 and 11 and all that part of
8 Sections 7, 8, 14, 15, 16 and 17, Township 50
9 South, Range 41 East, that lies North of North
10 New River Canal, containing 9694 acres, more or
11 less.

12 Section 5. Tax exemption.--Any bonds issued by the
13 district and the interest thereon shall be exempt from
14 taxation by the State of Florida or any county, municipality,
15 or political subdivision thereof.

16 Section 6. Unit development.--The board of supervisors
17 shall have the power to establish administrative and financial
18 "units" within the district, as described and governed by
19 section 298.353, Florida Statutes, as it may be amended from
20 time to time.

21 Section 7. Minimum charter requirements.--In
22 accordance with section 189.404(3), Florida Statutes, the
23 following subsections shall constitute the charter of the Old
24 Plantation Water Control District:

25 (1) The district is organized and exists for all
26 purposes set forth in this act and chapter 298, Florida
27 Statutes, as they may be amended from time to time.

28 (2) The powers, functions, and duties of the district
29 regarding ad valorem taxation, bond issuance, other
30 revenue-raising capabilities, budget preparation and approval,
31 liens and foreclosure of liens, use of tax deeds and tax

1 certificates as appropriate for non-ad valorem assessments,
2 and contractual agreements shall be as set forth in chapters
3 170, 189, 197, and 298, Florida Statutes, or any other
4 applicable general or special law, as they may be amended from
5 time to time.

6 (3) The district was created by judicial decree on
7 November 19, 1946, and confirmed by special act of the
8 Legislature by chapter 24416, Laws of Florida, 1947, in
9 accordance with chapter 298, Florida Statutes.

10 (4) The district's charter may be amended only by
11 special act of the Legislature.

12 (5) In accordance with chapter 189, Florida Statutes,
13 this act, and section 298.11, Florida Statutes, the district
14 is governed by a three-member board, elected on a 1-acre,
15 one-vote basis by the landowners in the district. However,
16 landowners owning less than 1 acre shall be entitled to one
17 vote. Landowners with more than 1 acre shall be entitled to 1
18 additional acre for any fraction of an acre owned when all
19 acreage has been aggregated for purposes of voting. The
20 membership and organization of the board shall be as set forth
21 in this act and chapter 298, Florida Statutes, as they may be
22 amended from time to time.

23 (6) The compensation of board members shall be
24 governed by this act and chapter 298, Florida Statutes, as
25 they may be amended from time to time.

26 (7) The administrative duties of the board of
27 supervisors shall be as set forth in this act and chapter 298,
28 Florida Statutes, as they may be amended from time to time.

29 (8) Requirements for financial disclosure, meeting
30 notices, reporting, public-records maintenance, and per diem
31 expenses for officers and employees shall be as set forth in

1 chapters 112, 189, 286, and 298, Florida Statutes, as they may
2 be amended from time to time.

3 (9) The procedures and requirements governing the
4 issuance of bonds, notes, and other evidence of indebtedness
5 by the district shall be as set forth in chapter 298, Florida
6 Statutes, and applicable general laws, as they may be amended
7 from time to time.

8 (10) The procedures for conducting district elections
9 and for qualification of electors shall be pursuant to
10 chapters 189 and 298, Florida Statutes, as they may be amended
11 from time to time. However, a quorum for purposes of holding
12 the annual meeting or any special meeting shall consist of
13 those landowners present in person or represented by proxy at
14 the meeting.

15 (11) The district may be financed by any method
16 established in this act, chapter 298, Florida Statutes, and
17 applicable general laws, as they may be amended from time to
18 time.

19 (12) The methods for collecting non-ad valorem
20 assessments, fees, or service charges shall be as set forth in
21 chapters 170, 197, and 298, Florida Statutes, and other
22 applicable general laws, as they may be amended from time to
23 time.

24 (13) The district's planning requirements shall be as
25 set forth in chapters 189 and 298, Florida Statutes, as they
26 may be amended from time to time.

27 (14) The district's geographic boundary limitations
28 shall be as set forth in section 4.

29 Section 8. Compensation of board members.--Each
30 supervisor shall be entitled to receive for his or her
31 services an amount not to exceed \$300 per month. The exact

1 amount of this compensation shall be set by the board of
2 supervisors.

3 Section 9. Conflict.--In the event of a conflict of
4 the provisions of this act with the provisions of any other
5 act, the provisions of this act shall control to the extent of
6 such conflict.

7 Section 10. Invalidity.--If any section or provision
8 of this act is determined to be invalid or unenforceable, such
9 determination shall not affect the validity and enforceability
10 of each other section and provision of this act.

11 Section 11. Chapter 24416, Laws of Florida, 1947;
12 chapter 25710, Laws of Florida, 1949; chapter 27425, Laws of
13 Florida, 1951; chapter 28936, Laws of Florida, 1953; chapter
14 30638, Laws of Florida, 1955; sections 2, 3, 4, 5, 6, and 7 of
15 chapter 59-1146, Laws of Florida; and chapter 88-468, Laws of
16 Florida, are repealed.

17 Section 12. This act shall take effect upon becoming a
18 law.

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