

1 A bill to be entitled
2 An act relating to the Disston Island
3 Conservancy District in Hendry and Glades
4 Counties; providing for codification of special
5 laws regarding special districts pursuant to
6 chapter 97-255, Laws of Florida, and chapter
7 98-320, Laws of Florida, relating to a special
8 tax district of the State of Florida composed
9 of the Counties of Hendry and Glades; providing
10 legislative intent, and codifying, amending,
11 and reenacting chapter 9977, Laws of Florida,
12 1923; chapter 14709, Laws of Florida, 1931;
13 chapter 75-383, Laws of Florida; and chapter
14 77-561, Laws of Florida; providing for minimum
15 charter requirements; providing powers,
16 functions, and duties of the District;
17 providing purpose and boundaries of the
18 District; providing for tax assessment for
19 services; providing authority to levy a
20 rehabilitation tax; providing for Supervisor
21 qualifications; providing for a quorum for
22 landowners' meetings; providing for
23 ratification of prior actions; providing for
24 repeal of all prior special acts related to the
25 Disston Island Conservancy District; providing
26 for severability; providing for effect of
27 conflicting laws; providing an effective date.

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29 Be It Enacted by the Legislature of the State of Florida:
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1 Section 1. Pursuant to chapter 97-255, Laws of
2 Florida, and chapter 98-320, Laws of Florida, this act
3 constitutes the codification of all special acts relating to
4 the Disston Island Conservancy District, an independent
5 special district and political subdivision of the State of
6 Florida. It is the intent of the Legislature in enacting this
7 law to provide a single, comprehensive special act charter for
8 the District, including all current legislative authority
9 granted to the District by its several legislative enactments
10 and any additional authority granted by this act. It is
11 further the intent of this act to preserve all District
12 authority, including the authority to annually assess and levy
13 against the taxable property in the District.

14 Section 2. Chapter 9977, Laws of Florida, 1923;
15 chapter 14709, Laws of Florida, 1931; and chapters 75-383 and
16 77-561, Laws of Florida, relating to the Disston Island
17 Conservancy District of Florida, are codified, reenacted,
18 amended, and repealed as herein provided.

19 Section 3. The Disston Island Conservancy District is
20 re-created and the charter for such district is re-created and
21 reenacted to read:

22 Section 1. (1) The District is organized and exists
23 for all purposes set forth in this act and chapter 298,
24 Florida Statutes, as they may be amended from time to time, so
25 far as not inconsistent with this act.

26 (2) The powers, functions, and duties of the District
27 regarding non-ad valorem assessments, bond issuance, other
28 revenue-raising capabilities, budget preparation and approval,
29 liens and foreclosure of liens, use of tax deeds and tax
30 certificates as appropriate for non-ad valorem assessments,
31 and contractual agreements shall be as set forth in chapters

1 189, 197, and 298, Florida Statutes, this act, or any other
2 applicable general or special law, as they may be amended from
3 time to time.

4 (3) The District was created by chapter 9977, Laws of
5 Florida, 1923, a special legislative act.

6 (4) The District's charter may be amended only by
7 special act of the Legislature.

8 (5) In accordance with chapter 298, Florida Statutes,
9 the District is governed by a Board of Supervisors. The
10 membership and organization of the Board shall be as set forth
11 in this act and chapter 298, Florida Statutes, as they may be
12 amended from time to time.

13 (6) The compensation of Board members shall be
14 governed by this act and chapter 298, Florida Statutes, as
15 they may be amended from time to time.

16 (7) The administrative duties of the Board shall be as
17 set forth in this act and chapter 298, Florida Statutes, as
18 they may be amended from time to time.

19 (8) Requirements for financial disclosure, meeting
20 notices, reporting, public records maintenance, and per diem
21 expenses for officers and employees shall be as set forth in
22 chapters 112, 189, 286, and 298, Florida Statutes, as they may
23 be amended from time to time.

24 (9) The procedures and requirements governing the
25 issuance of bonds, notes, and other evidence of indebtedness
26 by the District shall be as set forth in chapters 189 and 298,
27 Florida Statutes, and applicable general laws, as they may be
28 amended from time to time.

29 (10) The procedures for conducting District elections
30 and for qualification of electors shall be pursuant to
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1 chapters 189 and 298, Florida Statutes, and applicable general
2 laws, as they may be amended from time to time.

3 (11) The District may be financed by any method
4 established in this act, chapters 189 and 298, Florida
5 Statutes, or any applicable general laws, as they may be
6 amended from time to time.

7 (12) In accordance with chapter 298, Florida Statutes,
8 the District may continue to levy upon all of the real taxable
9 property in the District a special tax each year as
10 maintenance tax.

11 (13) The method for collecting non-ad valorem
12 assessments, fees, or service charges shall be as set forth in
13 chapters 197 and 298, Florida Statutes, as they may be amended
14 from time to time.

15 (14) The District's planning requirements shall be as
16 set forth in chapters 189 and 298, Florida Statutes, as they
17 may be amended from time to time.

18 (15) The geographic boundary limitations are as set
19 forth in section 2 following.

20 Section 2. That for the purpose of drainage,
21 irrigation, water control, and reclaiming the land hereinafter
22 described and protecting the same from the effects of water,
23 for agricultural and sanitary purposes, and for public
24 convenience and welfare for public utility and benefit, a
25 drainage and water control district is hereby created and
26 established, to exist and to be known as the Disston Island
27 Conservancy District, the territory boundary of which shall be
28 as follows to wit:

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30 Beginning at a point of intersection of the
31 landward boundary of the right-of-way of

1 Central and Southern Florida Flood Control
2 District LD-3, as recorded in Plat Book 2, page
3 88 of the public records of Glades County,
4 Florida and the easterly boundary of the S-77
5 discharge canal right-of-way as shown on the
6 Central and Southern Florida Flood Control
7 District right-of-way map, sheet 5 of 5 of
8 Drawing C-43-45, said point of intersection
9 being in fractional Section 12, Township 42,
10 South, Range 32 East as surveyed by the State
11 of Florida March 1918; thence proceeding in a
12 southeasterly direction along the said landward
13 boundary of the right-of-way of LD-3, through
14 said section 12; thence continue along the said
15 landward boundary of the right-of-way of LD-3
16 and LD-1 including all additional right-of-way
17 acquired this date forward through Sections 7,
18 18, 17, 16, 15, 14, 23 and 24 all in Township
19 42 south, Range 33 East; thence through
20 Sections 19 and 30, Township 42 South, Range 34
21 East to an intersection with the westerly
22 right-of-way of Central and Southern Florida
23 Flood Control District Canal C20 as shown on
24 Drawing C-20-5 of the C. & S. F. C. D.
25 right-of-way map, thence southeasterly along
26 the said westerly right-of-way of Canal C20
27 through Sections 30, 31 and 32, Township 42
28 South, Range 34 East to an intersection with
29 the westerly bank of the presently existing
30 SUGARLAND DRAINAGE DISTRICT OUTFALL CANAL in
31 Section 32, Township 42, South, Range 34 East;

1 thence southwesterly to an intersection with
 2 the boundary between Townships 42 and 43 South,
 3 said line also being the boundary between
 4 Glades and Hendry County and the north boundary
 5 of the SUGARLAND DRAINAGE DISTRICT; thence
 6 westerly along the said township line to a
 7 point on the northwest bank of the presently
 8 existing nine-mile canal in section 7, Township
 9 43 South, Range 34 East; thence following the
 10 said north bank of the nine-mile canal
 11 southwesterly, northwesterly and westerly, and
 12 coinciding with the north boundaries of the
 13 SUGARLAND DRAINAGE DISTRICT and the FLAGHOLE
 14 DRAINAGE DISTRICT respectively, through Section
 15 7, Township 43 South, Range 34 East, Sections
 16 12 and 11, Township 43 South, Range 33 East,
 17 Sections 34, 33, 32 and 31, Township 42 South,
 18 Range 33 East, Sections 36 and 35, Township 42
 19 South, Range 32 East to an intersection with
 20 the westerly toe of the existing Lake Hicpochee
 21 East Levee in Section 35, Township 42 South,
 22 Range 32 East; thence following the westerly
 23 toe of said levee along the shores of Lake
 24 Hicpochee in a northerly, northeasterly and
 25 northwesterly direction through Sections 35,
 26 34, 27, 26, 23 and 22, Township 42 South, Range
 27 32 East to an intersection with the south and
 28 east boundary of the right-of-way of the
 29 Caloosahatchee Canal (C-43) as existing in
 30 Section 22, Township 42 South, Range 32 East;
 31 thence northeasterly along the said

1 right-of-way through Sections 22, 15, 14, 11
2 and 12, Township 42 South, Range 32 East to the
3 Point of Beginning.

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5 Section 3. Additional Powers of the District.--In
6 addition to the powers provided for under chapter 298,
7 Drainage and Water Management Law, Florida Statutes, which
8 apply to the Disston Island Conservancy District, said
9 District shall have the following powers:

10 The District is hereby authorized to construct or
11 acquire all works and improvements as shall be necessary to
12 rehabilitate, improve, or conserve the works and facilities
13 heretofore constructed or acquired by said District and to
14 reconstruct, improve, clean, or renovate any of such works or
15 facilities heretofore constructed or acquired, in order to
16 properly provide for the drainage, irrigation, and water
17 control of the lands in said District, under the Water Control
18 Plan for said District now in effect, or as may be hereafter
19 revised or amended for said District. The powers conferred by
20 this Act shall include the right to clean out, straighten,
21 open up, widen, or change the course and flow, alter or deepen
22 any canal, ditch, or lateral in said District that the Board
23 of Supervisors thereof may deem necessary to be done to
24 facilitate the drainage, irrigation, and water control of the
25 lands in said District, and to generally perform any work or
26 construct or acquire any works or facilities which in the
27 judgment of the Board of Supervisors of said District is
28 necessary or desirable in connection with the rehabilitation
29 of the drainage works and facilities of said District as they
30 now exist.

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1 Section 4. Additional Powers.--The Supervisors of
2 Disston Island Conservancy District shall have the power to
3 designate maintenance areas within the District, and to levy
4 variable maintenance tax rates apportioned upon the basis of
5 benefits received by lands within the maintenance areas, and
6 to provide for special and additional services to any
7 particular area in the District which may require such special
8 or additional services as a result of the use of the land in
9 the area.

10 Section 5. Benefits Assessed.--It is hereby found and
11 determined that all lands receiving services within the
12 boundaries of the District receive equally benefits from the
13 water management works, facilities, and improvements as
14 constructed and maintained under existing water control plans
15 of the District; and, therefore, all said lands receiving
16 services shall be taxed equally for the maintenance,
17 rehabilitation, and improvement of the District's works,
18 facilities, and improvements.

19 Section 6. Rehabilitation Tax.--In order to implement
20 and carry out the additional powers of the District as
21 provided for in this Act, the District shall have the
22 authority to levy a rehabilitation tax from time to time
23 against all lands receiving services within the District. Such
24 tax shall be levied equally against all land receiving
25 services in the District and in the same manner as provided
26 for the levy of the maintenance tax. Any rehabilitation tax
27 levy shall be subject to the approval of the landowners at any
28 regular or special meeting called and the landowners voting as
29 provided for in section 298.11, Florida Statutes.

30 Section 7. The governing Board of Disston Island
31 Conservancy District shall be designated "Board of Supervisors

1 of Disston Island Conservancy District" and shall be composed
2 of three persons, who shall be resident Freeholders of the
3 State of Florida.

4 Section 8. Quorum for Landowners' Meeting.--The owners
5 and proxy holders of District acreage who are present at a
6 duly noticed landowners' meeting shall constitute a quorum for
7 the purpose of holding such election or any election
8 thereafter.

9 Section 9. That all other acts and proceedings of the
10 Circuit Court of said Hendry and Glades Counties taken by, for
11 and on behalf of said District since the creation thereof; and
12 all of the acts and proceedings of the Board of Supervisors,
13 the Commissioners, and all other officers and agents of said
14 District, and of said Hendry and Glades Counties, acting for
15 and on behalf of said District and any and all tax levies and
16 assessments which have been made by the said Board of
17 Supervisors for and on behalf of said District, and they are
18 each and every one of them, and each and every part thereof,
19 hereby ratified, validated, and confirmed.

20 Section 4. Chapter 9977, Laws of Florida, 1923;
21 chapter 10591, Laws of Florida, 1925; chapter 11510, Laws of
22 Florida, 1925; chapter 14709, Laws of Florida, 1931; chapter
23 75-383, Laws of Florida, and chapter 77-561, Laws of Florida
24 are repealed.

25 Section 5. In the event any section or provision of
26 this act is determined to be invalid or unenforceable, such
27 determination shall not affect the validity of or
28 enforceability of each other section and provision of this
29 act.

30 Section 6. In the event of a conflict of the
31 provisions of this act with the provisions of any other act

1 the provisions of this act shall control to the extent of such
2 conflict.

3 Section 7. This act shall take effect upon becoming a
4 law.

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