

By Representative A. Greene

1 A bill to be entitled
2 An act relating to Palm Beach County; providing
3 for codification of special laws regarding
4 independent special districts pursuant to
5 chapter 97-255, Laws of Florida, and chapter
6 98-320, Laws of Florida, relating to the East
7 Shore Water Control District, a special tax
8 district of the State of Florida composed of
9 lands in Palm Beach County; providing
10 legislative intent; codifying, reenacting, and
11 amending chapter 20694, Laws of Florida, 1941;
12 chapter 23621, Laws of Florida, 1947; chapter
13 25151, Laws of Florida, 1949; chapter 26697,
14 Laws of Florida, 1951; chapter 28419, Laws of
15 Florida, 1953; chapter 30150, Laws of Florida,
16 1955; and chapters 57-434, 61-1640, 77-621, and
17 82-351, Laws of Florida; providing powers,
18 functions, and duties of the district with
19 respect to non-ad valorem assessments, bond
20 issuance, revenue-raising, budget preparation
21 and approval, liens and foreclosure of liens,
22 specified use of tax deeds and tax
23 certificates, and contractual agreements;
24 providing for governance of the district by a
25 Board of Supervisors; providing for membership,
26 organization, compensation, and administrative
27 duties of the board; specifying requirements
28 for financial disclosure, meeting notices,
29 reporting, public records, maintenance, and per
30 diem expenses; specifying procedures and
31 requirements governing the issuance of bonds,

1 notes, and other forms of indebtedness;
2 providing procedures for District elections and
3 qualification of electors; providing for method
4 of financing the District; authorizing the
5 District to continue to levy a special annual
6 maintenance tax upon all taxable real property
7 in the District; specifying the method for
8 collecting non-ad valorem assessments, fees,
9 and service charges; providing for District
10 planning requirements; setting the geographic
11 boundary limits of the District; providing for
12 election of the members of the Board of
13 Supervisors; providing for quorum for purpose
14 of holding elections; authorizing the Board of
15 Supervisors to enter into arrangements with
16 other drainage and water control districts for
17 specified purposes; increasing the District
18 maintenance tax cap; authorizing the Board of
19 Supervisors to employ a General Manager of the
20 District; authorizing the Board to require the
21 General Manager to furnish a bond; providing
22 for ratification of prior actions; providing
23 severability; providing an effective date.

24
25 Be It Enacted by the Legislature of the State of Florida:

26
27 Section 1. Pursuant to chapter 97-255, Laws of
28 Florida, and chapter 98-320, Laws of Florida, this act
29 constitutes the codification of all special acts relating to
30 the East Shore Water Control District, an independent special
31 district and political subdivision of the State of Florida.

1 It is the intent of the Legislature in enacting this law to
2 provide a single, comprehensive special act charter for the
3 District, including all current legislative authority granted
4 to the District by its several legislative enactments and any
5 additional authority granted by this act. It is further the
6 intent of this act to preserve all District authority,
7 including the authority to annually assess and levy against
8 the taxable property in the District.

9 Section 2. Chapter 20694, Laws of Florida, 1941;
10 chapter 23621, Laws of Florida, 1947; chapter 25151, Laws of
11 Florida, 1949; chapter 26697, Laws of Florida, 1951, chapter
12 28419, Laws of Florida, 1953, chapter 30150, Laws of Florida,
13 1955, and chapters 57-434, 61-1640, 77-621, and 82-351, Laws
14 of Florida, relating to the East Shore Water Control District
15 of Florida, are codified, reenacted, amended, and repealed as
16 herein provided.

17 Section 3. The East Shore Water Control District is
18 re-created and the charter for said district is re-created and
19 reenacted to read:

20 Section 1. Minimum charter requirements.--In
21 accordance with section 189.404(3), Florida Statutes, the
22 following shall constitute the minimum charter requirements of
23 East Shore Water Control District:

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

28 (b) The powers, functions, and duties of the District
29 regarding non-ad valorem assessments, 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
3 189, 197, and 298, Florida Statutes, this act, or any other
4 applicable general or special law, as they may be amended from
5 time to time.

6 (c) The District was created by chapter 20694, Laws of
7 Florida, 1941, a special legislative act.

8 (d) The District's charter may be amended only by
9 special act of the Legislature.

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

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

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

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

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

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

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

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

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

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

20 (o) The geographic boundary limitations are as set
21 forth in section 2.

22 Section 2. That for the purpose of draining and
23 reclaiming the lands hereinafter described and protecting the
24 same from the effects of water, for controlling the water in
25 the District and the water tables with respect to the lands
26 therein, for agricultural and sanitary purposes, and for the
27 public health, convenience, welfare, utility, and benefit, a
28 drainage and water control district is hereby established to
29 be known as "East Shore Water Control District," the
30 territorial boundaries of which shall be as follows:
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1 Beginning at a point, being in the Center Line
2 of the South boundary levee of the Pahokee
3 Water Control District and being the Northeast
4 corner of Township Forty-three (43) South,
5 Range Thirty-seven (37) East; thence running
6 South along the range line and the East
7 boundaries of Sections One (1), Twelve (12) and
8 Thirteen (13) to the Southeast corner of said
9 Section Thirteen (13); thence running West
10 along the south boundaries of Sections Thirteen
11 (13), Fourteen (14), Fifteen (15) and Sixteen
12 (16) to the Southwest corner of said Section
13 Sixteen (16), being a point of inter-section
14 with the West boundary levee of Pump Unit No.
15 Six (6), South Florida Conservancy District;
16 thence running North along the West boundaries
17 of Sections Sixteen (16) and Nine (9), being
18 the center line of the said South Florida
19 Conservancy District levee, to a point being
20 one hundred (100) feet South of the West
21 quarter corner of said Section Nine (9); thence
22 running West along a line one hundred (100)
23 feet South of, and parallel to the East and
24 West quarter section line of Sections Eight (8)
25 and Seven (7) to a point being four thousand
26 seven hundred (4,700) feet West of the East
27 boundary of Section Seven (7) and being a point
28 of intersection; thence running North Westerly
29 along a line which bears North fifty-two (52)
30 degrees West to a point being the intersection
31 with the center line of the U.S. Engineers War

1 Department Lake Okeechobee Levee, said point of
2 intersection being one hundred (100) feet
3 Southwest of the center line of the Federal
4 Levee Culvert No. Twelve (12); thence running
5 at right angles along the center line of said
6 Federal Levee a distance of two hundred (200)
7 feet, to a point of intersection; thence
8 running at right angles to the center line of
9 said Federal Levee along a line which bears
10 South fifty-two (52) degrees East to a point of
11 intersection; thence running East along a line
12 one hundred (100) feet North of and parallel
13 to, the East and West quarter section line of
14 Sections Seven (7) and Eight (8), to a point
15 being the intersection with the center line of
16 the Everglades Drainage District's Lake shore
17 levee; thence running Northerly along the
18 meander line of the said Everglades Drainage
19 District Levee to a point of intersection with
20 the North boundary of Section Five (5), being
21 the center line of the South boundary levee of
22 the East Beach Water Control District and the
23 Pahokee Water Control District; thence running
24 East along the Township line and the North
25 boundaries of Sections Five (5), Four (4),
26 Three (3), Two (2) and One (1), being the
27 center line of said Pahokee Water Control
28 District to the point of beginning.

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30 Section 3.(a) The governing Board of said District
31 shall be designated the "Board of Supervisors of East Shore

1 Water Control District" which shall be composed of three
2 persons, who shall be resident freeholders of the State of
3 Florida.

4 (b) A meeting of the landowners of said District shall
5 be held during the month of April each year for the purpose of
6 electing Supervisors of said District and transacting such
7 other business as may properly come before the meeting. At the
8 meetings of the landowners of the District, to be held in the
9 month of April in each year, Supervisors shall be elected for
10 a period of three (3) years and until his or her successor
11 shall be elected or appointed and shall have qualified, such
12 Supervisor to fill the office of the member whose term shall
13 expire on said date.

14 (c) The owners and proxy holders of District acreage
15 who are present at a duly noticed landowners' meeting shall
16 constitute a quorum for the purpose of holding such election
17 or any election thereafter.

18 Section 4. The members of the Board of Supervisors
19 shall be entitled to the maximum compensation now or hereafter
20 authorized to be paid by section 298.14, Florida Statutes, and
21 shall be reimbursed for their traveling expenses pursuant to
22 section 112.061, Florida Statutes, or as such statutes may
23 hereafter be amended.

24 Section 5. The Board of Supervisors is authorized and
25 empowered to enter into arrangements with other drainage or
26 water control districts for the pooling of insurance coverage,
27 purchase, rental, and use of supplies, equipment, buildings,
28 and facilities and for services of employees.

29 Section 6. That for the purpose of paying the cost of
30 administering the affairs of the District generally, and for
31 the purpose of maintaining, operating, preserving, and

1 rendering efficient the ditches, canals, drains, levees, and
2 other improvements herein authorized to be constructed, and to
3 repair and to restore the same when needed, and for the
4 purpose of defraying current expenses of the District, the
5 Board is hereby authorized, empowered, and directed to levy
6 and impose upon all of the lands, including lands held by the
7 Trustees of the Internal Improvement Fund of Florida, and
8 lands acquired by the State of Florida under the provisions of
9 chapter 18296, Laws of Florida, 1937, lying and being situate
10 within the boundaries of said District, as described in this
11 Act, a tax of not to exceed the sum of \$30.00 per acre per
12 annum, and such tax shall be known and designated as the
13 Maintenance Tax.

14 Section 7. The Board of Supervisors shall have the
15 power to employ a person to be designated General Manager of
16 the District and to vest in him or her such authority and to
17 delegate to him or her the performance of such duties and to
18 provide such compensation as may be determined by the Board of
19 Supervisors. The Board may require the General Manager to
20 furnish bond with good and sufficient surety in such amount as
21 the Board may by resolution determine.

22 Section 8. That all other acts and proceedings of the
23 Circuit Court of said Palm Beach County taken by, for, and on
24 behalf of said District since the creation thereof; and all of
25 the acts and proceedings of the Board of Supervisors, the
26 Commissioners, and all other officers and agents of said
27 District, and of said Palm Beach County, acting for and on
28 behalf of said District and any and all tax levies and
29 assessments which have been made by the Board of Supervisors
30 for and behalf of said District, by and they are each and
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1 every one of them, and each and every part thereof, hereby
2 ratified, validated, and confirmed.

3 Section 4. Chapter 20694, Laws of Florida, 1941;
4 chapter 23621, Laws of Florida, 1947; chapter 25151, Laws of
5 Florida, 1949; chapter 26697, Laws of Florida, 1951, chapter
6 28419, Laws of Florida, 1953; chapter 30150, Laws of Florida,
7 1955; chapters 57-434, 61-1640, 77-621, and 82-351, Laws of
8 Florida, relating to the East Shore Water Control District of
9 Florida, are hereby repealed.

10 Section 5. In the event any section or provision of
11 this act is determined to be invalid or unenforceable, such
12 determination shall not affect the validity of or
13 enforceability of each other section and provision of this
14 act.

15 Section 6. This act shall take effect upon becoming a
16 law.
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