

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. It is the intent of the Legislature in enacting this

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

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14 of Florida, are codified, reenacted, amended, and repealed as  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

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

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

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

27       (b) The powers, functions, and duties of the District  
28 regarding non-ad valorem assessments, bond issuance, other  
29 revenue-raising capabilities, budget preparation and approval,  
30 liens and foreclosure of liens, use of tax deeds and tax  
31 certificates as appropriate for non-ad valorem assessments,

1 and contractual agreements shall be as set forth in chapters  
2 189, 197, and 298, Florida Statutes, this act, or any other  
3 applicable general or special law, as they may be amended from  
4 time to time.

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

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

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

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

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

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

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

30 (j) The procedures for conducting District elections  
31 and for qualification of electors shall be pursuant to

1 chapters 189 and 298, Florida Statutes, and applicable general  
2 laws, as they may be amended from time to time.

3 (k) 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 (l) 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 (m) 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 (n) 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 (o) The geographic boundary limitations are as set  
19 forth in section 2.

20 Section 2. That for the purpose of draining and  
21 reclaiming the lands hereinafter described and protecting the  
22 same from the effects of water, for controlling the water in  
23 the District and the water tables with respect to the lands  
24 therein, for agricultural and sanitary purposes, and for the  
25 public health, convenience, welfare, utility, and benefit, a  
26 drainage and water control district is hereby established to  
27 be known as "East Shore Water Control District," the  
28 territorial boundaries of which shall be as follows:

29  
30 Beginning at a point, being in the Center Line  
31 of the South boundary levee of the Pahoee

1 Water Control District and being the Northeast  
 2 corner of Township Forty-three (43) South,  
 3 Range Thirty-seven (37) East; thence running  
 4 South along the range line and the East  
 5 boundaries of Sections One (1), Twelve (12) and  
 6 Thirteen (13) to the Southeast corner of said  
 7 Section Thirteen (13); thence running West  
 8 along the south boundaries of Sections Thirteen  
 9 (13), Fourteen (14), Fifteen (15) and Sixteen  
 10 (16) to the Southwest corner of said Section  
 11 Sixteen (16), being a point of inter-section  
 12 with the West boundary levee of Pump Unit No.  
 13 Six (6), South Florida Conservancy District;  
 14 thence running North along the West boundaries  
 15 of Sections Sixteen (16) and Nine (9), being  
 16 the center line of the said South Florida  
 17 Conservancy District levee, to a point being  
 18 one hundred (100) feet South of the West  
 19 quarter corner of said Section Nine (9); thence  
 20 running West along a line one hundred (100)  
 21 feet South of, and parallel to the East and  
 22 West quarter section line of Sections Eight (8)  
 23 and Seven (7) to a point being four thousand  
 24 seven hundred (4,700) feet West of the East  
 25 boundary of Section Seven (7) and being a point  
 26 of intersection; thence running North Westerly  
 27 along a line which bears North fifty-two (52)  
 28 degrees West to a point being the intersection  
 29 with the center line of the U.S. Engineers War  
 30 Department Lake Okeechobee Levee, said point of  
 31 intersection being one hundred (100) feet

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

27  
 28 Section 3.(a) The governing Board of said District  
 29 shall be designated the "Board of Supervisors of East Shore  
 30 Water Control District" which shall be composed of three  
 31

1 persons, who shall be resident freeholders of the State of  
2 Florida.

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

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

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

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

28 Section 6. That for the purpose of paying the cost of  
29 administering the affairs of the District generally, and for  
30 the purpose of maintaining, operating, preserving, and  
31 rendering efficient the ditches, canals, drains, levees, and



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

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

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

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

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

13           Section 6. This act shall take effect upon becoming a  
14 law.