

By Representative A. Greene

1 A bill to be entitled
2 An act relating to Palm Beach County; providing
3 for codification of special acts relating to
4 special districts pursuant to chapters 97-255
5 and 98-320, Laws of Florida, relating to the
6 Pelican Lake Water Control District, a special
7 tax district of the State of Florida composed
8 of the County of Palm Beach; providing
9 legislative intent, and codifying, reenacting,
10 and repealing chapter 11087, Laws of Florida,
11 1925; chapter 12118, Laws of Florida, 1927;
12 chapter 18044, Laws of Florida, 1937; chapter
13 26739, Laws of Florida, 1951; and chapters
14 77-625, 80-564, and 97-321, Laws of Florida;
15 providing for minimum charter requirements;
16 providing for a District maintenance tax cap;
17 providing for ratification of prior actions;
18 providing for repeal of all prior special acts
19 related to the Pelican Lake Water Control
20 District; providing for severability; providing
21 an effective date.

22
23 Be It Enacted by the Legislature of the State of Florida:

24
25 Section 1. Pursuant to chapters 97-255 and 98-320,
26 Laws of Florida, this act constitutes the codification of all
27 special acts relating to the Pelican Lake Water Control
28 District, an independent special district and political
29 subdivision of the State of Florida. It is the intent of the
30 Legislature in enacting this law to provide a single,
31 comprehensive special act charter for the District, including

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

7 Section 2. Chapter 11087, Laws of Florida, 1925;
8 chapter 12118, Laws of Florida, 1927; chapter 18044, Laws of
9 Florida, 1937; chapter 26739, Laws of Florida, 1951; and
10 chapters 77-625, 80-564, and 97-321, Laws of Florida, relating
11 to the Pelican Lake Water Control District of Florida, are
12 codified, reenacted, amended, and repealed as herein provided.

13 Section 3. The Pelican Lake Water Control District is
14 re-created and the charter for such district is re-created and
15 reenacted to read:

16 Section 1. In accordance with section 189.404(3),
17 Florida Statutes, the following shall constitute the minimum
18 charter requirements of Pelican Lake Water Control District:

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

23 (2) The powers, functions, and duties of the District
24 regarding non-ad valorem assessments, bond issuance, other
25 revenue-raising capabilities, budget preparation and approval,
26 liens and foreclosure of liens, use of tax deeds and tax
27 certificates as appropriate for non-ad valorem assessments,
28 and contractual agreements shall be as set forth in chapters
29 189, 197, and 298, Florida Statutes, this act, or any other
30 applicable general or special law, as they may be amended from
31 time to time.

1 (3) The District was created by chapter 11087, Laws of
2 Florida, 1925, a special legislative act.

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

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

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

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

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

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

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

30 (11) The District may be financed by any method
31 established in this act, chapters 189 and 298, Florida

1 Statutes, or any applicable general laws, as they may be
2 amended from time to time.

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

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

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

14 (15) The geographic boundary limitations are as set
15 forth in section 2.

16 Section 2. That for the purpose of draining and
17 reclaiming the lands hereinafter described and protecting the
18 same from the effects of water, for agricultural and sanitary
19 purposes, and for the public health, convenience, welfare,
20 utility, and benefit, Pelican Lake Water Control District is
21 hereby declared to exist, and the creation thereof is in all
22 things ratified, validated, and confirmed; and the boundaries
23 of said Pelican Lake Water Control District are declared to be
24 as follows:

25
26 Beginning at a point where the south boundary
27 of Section 33, Township 41 South, Range 37
28 East, intersects the east right-of-way boundary
29 line of the Lake Okeechobee Federal Levee;
30
31

1 Thence in a north easterly direction along the
2 east right-of-way boundary line of said Federal
3 Levee to a point where the said right-of-way
4 boundary line intersects the north line of
5 Section 23, Township 41 South, Range 37 East;
6
7 Thence east along the north line of said
8 Section 23 to the northeast corner thereof;
9
10 Thence south along the east boundary of
11 Sections 23, 26 and 35 to the southeast corner
12 of Section 35;
13
14 Thence in Township 42 South, Range 37 East,
15 continuing south along the East boundary of
16 Sections 2 and 11 to a point where the east
17 line of said Section 11 intersects the south
18 right-of-way line of State Road No. 700;
19
20 Thence in a southeasterly direction along the
21 south right-of-way line of State Road No. 700
22 to a point where said right-of-way line
23 intersects the South line of Section 12,
24 Township 42 South, Range 37 East;
25
26 Thence in Township 42 South, Range 37 East,
27 west along the south boundary of Sections 12
28 and 11 to the southeast corner of Section 10;
29
30 Thence west along the south boundary of said
31 Section 10 a distance of 4,620 feet;

1
2 Thence north-northwesterly a distance of
3 approximately 1,580 feet to intersect the west
4 boundary of said Section 10 at a distance of
5 3,844.5 feet south of the northwest corner
6 thereof;

7
8 Thence north along the west boundary of said
9 Section 10 a distance of 3,844.5 feet to the
10 northwest corner thereof;

11
12 Thence west along the south boundary of Section
13 4 to the southwest corner thereof;

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15 Thence north along the west boundary of said
16 Section 4 to a point where the west line of
17 Section 4 intersects the east right-of-way line
18 of the Federal Levee aforementioned;

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20 Section 3. The Board of Supervisors of Pelican Lake
21 Water Control District shall be composed of three citizens of
22 the United States, who shall be resident freeholders of the
23 State of Florida.

24 Section 4. The Board of Supervisors of Pelican Lake
25 Water Control District is hereby authorized, empowered, and
26 directed to levy and impose upon all of the lands, including
27 lands held by the Trustees of the Internal Improvement Trust
28 Fund of Florida, or its successor, lying and being situate
29 within the boundaries of said District, a tax of not to exceed
30 the sum of \$30.00 per acre, per annum, and such tax shall be
31 known and designated a maintenance tax. The proceeds of said

1 maintenance tax shall be used for purposes for which
2 maintenance taxes are authorized to be levied by the
3 provisions of chapter 298, Florida Statutes.

4 Section 5. The members of the Board of Supervisors
5 shall be entitled to the maximum compensation now or hereafter
6 authorized to be paid by section 298.14, Florida Statutes, and
7 shall be reimbursed for their traveling expenses pursuant to
8 section 112.061, Florida Statutes, or as such statutes may
9 hereafter be amended.

10 Section 6. The Board of Supervisors is authorized and
11 empowered to enter into arrangements with other drainage or
12 water control districts for the pooling of insurance coverage,
13 purchase, rental, and use of supplies, equipment, buildings,
14 and facilities and for services of employees.

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

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

1 every one of them, and each and every part thereof, hereby
2 ratified, validated, and confirmed.

3 Section 4. Chapter 11087, Laws of Florida, 1925;
4 chapter 12118, Laws of Florida, 1927; chapter 18044, Laws of
5 Florida, 1937; chapter 26739, Laws of Florida, 1951; and
6 chapters 77-625, 80-564, and 97-321, Laws of Florida, are
7 repealed.

8 Section 5. In any case one or more of the sections or
9 provisions of this act or the application of such sections or
10 provisions to any situation, circumstance, or person shall for
11 any reason be held to be unconstitutional, such
12 unconstitutionality shall not affect any other sections or
13 provisions of this act or the application of such sections or
14 provisions to any other situation, circumstance, or person,
15 and it is intended that this law shall be construed and
16 applied as if such section or provision had not been included
17 herein for any unconstitutional application.

18 Section 6. This act shall take effect upon becoming a
19 law.

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