

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 water control districts
5 pursuant to s. 189.429, Florida Statutes,
6 relating to the East Beach Water Control
7 District, an independent special taxing water
8 control district in Palm Beach County;
9 providing legislative intent; codifying,
10 reenacting, and amending chapters 75-469,
11 77-624, 80-568, and 91-365, Laws of Florida;
12 providing status, purpose, and boundaries of
13 the district; providing for amendment of the
14 district charter; providing for a board of
15 supervisors; providing for organization of the
16 board of supervisors; providing powers and
17 duties of the board; specifying methods for
18 assessing and collecting non-ad valorem
19 assessments, fees, and service charges;
20 providing for district planning requirements;
21 specifying requirements for financial
22 disclosure, meeting notices, reporting, public
23 records maintenance, and per diem expenses;
24 providing severability; repealing chapters
25 75-469, 77-624, 80-568, and 91-365, Laws of
26 Florida; providing an effective date.

27
28 Be It Enacted by the Legislature of the State of Florida:

29
30 Section 1. Intent.--Pursuant to s. 189.429, Florida
31 Statutes, this act constitutes the codification of all special

1 acts relating to East Beach Water Control District. It is the
2 intent of the Legislature in enacting this law to provide a
3 single, comprehensive special act charter for the district,
4 including all current legislative authority granted to the
5 district by its several legislative enactments and any
6 additional authority granted by this act and chapters 189 and
7 298, Florida Statutes, as amended from time to time. It is
8 further the intent of this act to preserve all district
9 authority as set forth in this act and chapters 189 and 298,
10 Florida Statutes, as amended from time to time.

11 Section 2. Codification.--Chapters 75-469, 77-624,
12 80-568, and 91-365, Laws of Florida, relating to East Beach
13 Water Control District are codified, reenacted, amended, and
14 repealed as herein provided.

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

18 Section 1. District status; charter amendments;
19 boundaries.--For the purpose of comprehensive water management
20 and control pursuant to chapter 298, Florida Statutes, as it
21 may be amended from time to time, the East Beach Water Control
22 District, an independent water control district, is hereby
23 declared to exist. The district is organized and exists for
24 all purposes set forth in this act and chapters 189 and 298,
25 Florida Statutes. The district was created by special act of
26 the Legislature in 1945. Its charter may be amended only by
27 special act of the Legislature. The boundaries of the district
28 are declared to be as follows:

29
30 Beginning at a point on the east beach of Lake
31 Okeechobee in Palm Beach County, Florida, where

1 the section line dividing Section 4 and Section
2 9, Township 42 South, Range 37 East, intersects
3 the (east right of way boundary line of the
4 Federal Lake Okeechobee Levee).

5
6 Thence in a southwesterly direction along the
7 east right of way boundary of said Federal
8 Levee to a point where the said right of way
9 boundary intersects the section line dividing
10 Section 23 and Section 26, Township 42 South,
11 Range 36 East, (and the Everglades Drainage
12 District Levee).

13
14 Thence due east along (the Everglades Drainage
15 District Levee) and the section lines dividing
16 Sections 23 and 26 and Sections 24 and 25,
17 Township 42 South, Range 36 East, to a point of
18 intersection with the east shore of Pelican Bay
19 (being a point of the Everglades Drainage
20 District Levee).

21
22 Thence southerly along the said shore line of
23 Pelican Bay (and the Everglades Drainage
24 District Levee) to a point of intersection with
25 the township line dividing Township 42 South
26 and Township 43 South and (the East Shore Water
27 Control District Levee).

28
29 Thence east along the said Township line (and
30 Levee separating the East Shore Water Control
31 District) to a point being the intersection

1 with the section line dividing Section 32 and
2 Section 33, Township 42 South, Range 37 East
3 (and the Levee separating the East Unit of the
4 Pahokee Water Control District).
5
6 Thence North along (the levee separating the
7 East Unit of the Pahokee Water Control District
8 and) the section lines dividing Sections 32 and
9 33, Sections 29 and 28 and Sections 20 and 21
10 of Township 42 South, Range 37 East to a point
11 of being the Northeast corner of Section 20.
12
13 Thence East along (the said East Unit
14 separation levee and) the section line dividing
15 Section 16 and 21, same Township and Range, to
16 a point being the Southeast corner of said
17 Section 16.
18
19 Thence North along (the said East Unit
20 separation levee and) the section line dividing
21 Section 16 and 15, same Township and Range, to
22 a point being the northeast corner of said
23 Section 16.
24
25 Thence go East along the South line of the
26 District C-4 canal levee as now laid out and in
27 use across Sections 10, 11 and 12, Township 42
28 South, Range 37 East, to the Southwesterly
29 right of way line of the West Palm Beach Canal;
30 Thence go Northwesterly along the Southwesterly
31 right of way line of the West Palm Beach Canal

1 to the North line of the District C-4 canal
2 levee as now laid out and in use; Thence go
3 West along the North line of the District C-4
4 canal levee as now laid out and in use across
5 Sections 12, 11, and 10, Township 42 South,
6 Range 37 East to point of intersection with the
7 Northeasterly line of the District levee as now
8 laid out and in use running along the East line
9 of State Lot 1, Section 10, Township 42 South,
10 Range 37 East, of the Plat of the Trustees of
11 the Internal Improvement Fund Subdivision of
12 that Part of Pelican Lake Bottom Lying East of
13 the Florida East Coast Railway as approved on
14 November 9, 1932, a copy of which is attached
15 to a deed recorded in the Public Records of
16 Palm Beach County, Florida, in Deed Book 821,
17 Page 369; Thence go Northwesterly along the
18 said North line of said levee and being the
19 East line of said State Lot 1, Section 10 to a
20 point of intersection with the East line of
21 Section 9, Township 42 South, Range 37 East.
22
23 Thence North along (the levee separating the
24 Pelican Lake Water Control District and) the
25 section line dividing Section 9 and 10, same
26 Township and Range, to a point being the
27 Northeast corner of said Section 9.
28
29 Thence West along (the said Pelican Lake
30 separation levee and the section line dividing
31

1 Section 4 and Section 9, Township 42 South,
2 Range 37 East, to a point of beginning.

3
4 Section 2. Minimum charter requirements; Board of
5 Supervisors; General Manager; powers and duties.--

6 (1) The governing body of East Beach Water Control
7 District shall be known as the Board of Supervisors of East
8 Beach Water Control District, with the powers, duties,
9 privileges, and functions as set forth in this act and
10 chapters 189 and 298, Florida Statutes, and shall consist of
11 three (3) members who are residents of the State of Florida
12 and citizens of the United States. Each Supervisor shall be
13 entitled to receive compensation pursuant to chapter 298,
14 Florida Statutes, and per diem in accordance with general law
15 for public officials.

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

26 (3) The district shall have and the board may exercise
27 all the powers and duties set forth in this act and chapter
28 298, Florida Statutes, as they may be amended from time to
29 time.

30 (4) The district shall also hold all powers,
31 functions, and duties set forth in this act and chapters 189,

1 197, and 298, Florida Statutes, as amended from time to time,
2 including, but not limited to, ad valorem taxation, bond
3 issuance, other revenue-raising capabilities, budget
4 preparation and approval, liens and foreclosure of liens, use
5 of tax deeds and tax certificates as appropriate for non-ad
6 valorem assessments, and contractual agreements.

7 (5) The methods for assessing and collecting non-ad
8 valorem assessments, fees, or service charges shall be as set
9 forth in chapters 189, 197, or 298, Florida Statutes, as
10 amended from time to time.

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

14 (7) The District's geographic boundary limitations
15 shall be as set forth in this act.

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, 119, 189, 286, and 298, Florida Statutes, as
20 amended from time to time.

21 Section 4. Chapters 75-469, 77-624, 80-568, and
22 91-365, Laws of Florida, are repealed.

23 Section 5. In case any one or more of the sections or
24 provisions of this act or the application of such sections or
25 provisions to any situation, circumstance, or person shall for
26 any reason be held to be unconstitutional, such
27 unconstitutionality shall not affect any other sections or
28 provisions of this act or the application of such sections or
29 provisions to any other situation, circumstance, or person,
30 and it is intended that this law shall be construed and
31

1 applied as if such section or provision had not been included
2 herein for any unconstitutional application.

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

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

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