

By the Committee on Comprehensive Planning, Local and Military Affairs; and Senator Geller

316-2022-00

1                                   A bill to be entitled  
 2           An act relating to Palm Beach and Hendry  
 3           Counties; providing for codification of special  
 4           laws regarding special districts pursuant to  
 5           chapter 97-255, Laws of Florida, and chapter  
 6           98-320, Laws of Florida, relating to the Ritta  
 7           Drainage District, a special tax district of  
 8           the State of Florida composed of the Counties  
 9           of Palm Beach and Hendry; providing legislative  
 10          intent, and codifying and reenacting chapter  
 11          22882, Laws of Florida, 1945, chapter 61-1641,  
 12          Laws of Florida, chapter 76-461, Laws of  
 13          Florida, and chapter 84-500, Laws of Florida;  
 14          providing for minimum charter requirements;  
 15          providing for ratification of prior actions;  
 16          providing for repeal of all prior special acts  
 17          related to the Ritta Drainage District;  
 18          providing for severability; providing an  
 19          effective date.

20  
 21 Be It Enacted by the Legislature of the State of Florida:

22  
 23           Section 1. Pursuant to chapters 97-255 and 98-320,  
 24 Laws of Florida, this act constitutes the codification of all  
 25 special acts relating to the Ritta Drainage District, an  
 26 independent special district of the State of Florida. It is  
 27 the intent of the Legislature in enacting this law to provide  
 28 a single, comprehensive special act charter for the District,  
 29 including all current legislative authority granted to the  
 30 District by its several legislative enactments and any  
 31 additional authority granted by this act. It is further the

1 intent of this act to preserve all District authority,  
2 including the authority to annually assess and levy against  
3 the taxable property in the District.

4 Section 2. Chapter 22882, Laws of Florida, 1945, and  
5 chapters 61-1641, 76-461, and 84-500, Laws of Florida,  
6 relating to the Ritta Drainage District of Florida, are  
7 codified, reenacted, amended, and repealed as herein provided.

8 Section 3. The Ritta Drainage District is re-created  
9 and the charter for such district is re-created and reenacted  
10 to read:

11 Section 1. In accordance with section 189.404(3),  
12 Florida Statutes, the following shall constitute the minimum  
13 charter requirements of Ritta Drainage District:

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

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

27 (3) The District was created by chapter 22882, Laws of  
28 Florida, 1945, a special legislative act.

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

31

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

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

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

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

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

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

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

30           (12) In accordance with chapter 298, Florida Statutes,  
31 the District may continue to levy upon all of the real taxable

1 property in the District a special tax each year as  
2 maintenance tax.

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

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

10 (15) The geographic boundary limitations are as set  
11 forth in section 2, following.

12 Section 2. For the purpose of draining, reclaiming,  
13 and conserving the lands hereinafter described, and protecting  
14 the same from the effects of water, or lack of water, for  
15 controlling the water in the District and the water tables  
16 with respect to the lands therein, for agricultural and  
17 sanitary purposes, and for the public health, convenience,  
18 welfare, utility, and benefit, a drainage and water control  
19 district is hereby established to be known as "RITTA DRAINAGE  
20 DISTRICT," the territorial boundaries of which shall be as  
21 follows:

22  
23 Beginning at the quarter-section corner on the  
24 West line of Section 2, Township 44 South,  
25 Range 34 East, which point is common to the  
26 boundary of the South Florida Conservancy  
27 District;

28  
29 Thence southerly along the West line of Section  
30 2 to the Southwest corner of said Section 2;  
31 thence southerly along the West lines of

1           Sections 11 and 14 to the Southwest corner of  
2           Section 14, Township 44 South, Range 34 East;  
3  
4           Thence easterly along the south lines of  
5           Sections 14 and 13, Township 44 South, Range 34  
6           East, and along the South lines of Section 18,  
7           Township 44 South, Range 35 East, to the  
8           southeast corner of said Section 18;  
9  
10           Thence northerly along the East line of Section  
11           18, Township 44 South, Range 35 East, to the  
12           Northeast corner of said Section 18;  
13  
14           Thence easterly along the South line of  
15           Sections 8, 9 and 10, Township 44 South, Range  
16           35 East, to the South quarter-section corner of  
17           said Section 10;  
18  
19           Thence Southeasterly to a point on the East  
20           line of Section 15, Township 44 South, Range 35  
21           East, 80 feet South of the Northeast corner of  
22           said Section;  
23  
24           Thence easterly along a line 80 feet South of  
25           and parallel to the North line of Section 14,  
26           Township 44 South, Range 35 East, to the center  
27           line of the Everglades Drainage District's  
28           Miami Canal and the boundary of the South  
29           Florida Conservancy District;  
30  
31

1           Thence northeasterly along the center line of  
2           said Miami Canal and the boundary of the South  
3           Florida Conservancy District through Sections  
4           14, 11 and 2, Township 44 South, Range 35 East,  
5           to an intersection with the East and West  
6           quarter-section line of Section 2;

7  
8           Thence westerly along the East and West  
9           quarter-section or center lines of Sections 2,  
10          3, 4, 5 and 6, Township 44 South, Range 35  
11          East, and the East and West quarter-section  
12          lines of Sections 1 and 2, Township 44 South,  
13          Range 34 East, which lines are also the  
14          boundary of the South Florida Conservancy  
15          District, to the point of beginning.

16  
17           Section 3. (a) The governing Board of said District  
18          shall be designated the "Board of Supervisors of Ritta  
19          Drainage District," which shall be composed of three persons  
20          who shall be resident freeholders of the State of Florida.

21           (b) A meeting of the landowners of said District shall  
22          be held during the month of April each year for the purpose of  
23          electing Supervisors of said District and transacting such  
24          other business as may properly come before the meeting.  
25          Notice of landowners' meetings shall be given by causing  
26          publication thereof to be made for 2 successive weeks in some  
27          newspaper published in Palm Beach County or Hendry County,  
28          Florida, the first publication to be made at least 15 days  
29          prior to the date of such meeting. The meeting shall be held  
30          at the office of the District in Clewiston, or at such other  
31          place as the office of the District may in the future be

1 located, and the time and place for the holding of such  
2 meeting shall be stated in the notice. The landowners, when  
3 assembled, shall organize by the election of a Chair and  
4 Secretary of said meeting, who shall conduct the election. At  
5 such election, each acre of land in the District, except as  
6 hereinafter provided, shall represent one share, and each  
7 owner shall be entitled to one vote, in person or by proxy, in  
8 writing, duly executed, for each acre of land in said District  
9 owned by the landowner. A fraction of an acre shall be voted  
10 as the same fraction of a vote. Supervisors shall be elected  
11 for a period of 3 years and until his or her successor shall  
12 be elected or appointed and shall have qualified, such  
13 Supervisor to fill the office of the member whose term shall  
14 expire on said date.

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

19 (d) In the event of a vacancy in any office of  
20 Supervisor during the term for which such Supervisor is  
21 elected or appointed, the remaining Supervisors, or, if such  
22 remaining Supervisors fail to act within 30 days after the  
23 date of such vacancy, the Governor of the State of Florida,  
24 may fill such vacancy by appointment until the next annual  
25 meeting of the landowners of the District as herein provided.  
26 Any Supervisor appointed by the remaining Supervisors, or the  
27 Governor, shall have the same powers and duties as are hereby  
28 conferred upon the members of said Board of Supervisors so  
29 elected by the landowners.

30 (e) The Department of Environmental Protection shall  
31 designate some person to cast the vote for Supervisors or upon

1 any matter that may properly come before said meetings to the  
2 extent of the acreage owned by the State in said District. At  
3 any meeting of landowners, guardians may represent their  
4 wards; executors and administrators may represent estates of  
5 deceased persons; and trustees and other fiduciaries may  
6 represent their beneficiaries, and such representation may be  
7 by proxy, and private corporations may be represented by their  
8 officers or duly authorized agents; however, lands which are  
9 delinquent in the payment of Ritta Drainage District taxes for  
10 2 years or more after tax sale shall not be considered as  
11 lands entitling anyone to vote in said elections and meetings  
12 as owners thereof, and such lands shall not be considered as  
13 acreage within the District for the purpose of determining  
14 whether a quorum is present.

15 (f) The Supervisors of the District shall be entitled  
16 to receive as compensation for their services the same  
17 compensation, subject to the same conditions, as is now  
18 authorized to be paid by section 298.14, Florida Statutes, to  
19 supervisors of districts created under chapter 298, Florida  
20 Statutes, and operating under the provisions of said chapter  
21 or as said chapter or section 298.14, Florida Statutes, may  
22 hereafter be amended.

23 Section 4. The annual meeting of landowners of the  
24 Ritta Drainage District and any other meeting of landowners  
25 which may be convened shall be held at the office of the  
26 District in Clewiston, or at such other place as the office of  
27 the District may in the future be located.

28 Section 5. (a) In addition to all of the powers  
29 specifically conferred by this Act and such powers as may be  
30 incidental to the enumerated powers, the Board of Supervisors  
31 of Ritta Drainage District shall have the power to make



1 contracts; to adopt and use a common seal and alter the same  
2 at pleasure; to acquire, hold, and control by condemnation,  
3 gift, exchange, purchase, or otherwise any real or personal  
4 property, surveyors' notes, or engineering data which may be  
5 needed to carry out the provisions of this Act or which may be  
6 useful in the accomplishment of any of the purposes for which  
7 said District is created, and to sell, lease, or otherwise  
8 dispose of any such property; to appoint or employ such  
9 agents, engineers, attorneys, and employees as the business of  
10 the Board may require; to construct, purchase, operate, and  
11 maintain pumping plants and stations, including pumping  
12 machinery, motive equipment, and all appurtenant or auxiliary  
13 machines, devices, or equipment, and to contract for the  
14 construction, operation, and maintenance of the said pumping  
15 plants and stations, including the purchase and supply of  
16 electric and other power and energy for the operation of the  
17 same; to grant permits to owners of land within the District  
18 for the installation of water control structures upon such  
19 terms and conditions as the Board may determine and to  
20 supervise and regulate the operation of same; and to borrow  
21 money and issue notes and bonds therefor, as hereinafter  
22 provided, in order to enable the said Board to carry out and  
23 perform any powers conferred by this Act.

24 (b) The Board of Supervisors is hereby authorized and  
25 empowered to establish and construct a system of canals,  
26 drains, ditches, levees, dikes, dams, sluices, revetments,  
27 locks, reservoirs, holding basins, floodways, pumping  
28 stations, and other works and improvements, of such  
29 dimensions, depth, and proportion as in the judgment of the  
30 Board is advisable to drain, reclaim, and conserve the lands  
31 within said District to accomplish any of the purposes for

1 which said District was created, and to maintain and operate  
2 such works in such manner as said Board shall deem most  
3 advantageous to the improvement and development of the lands  
4 in said District and to accomplish the foregoing objectives;  
5 to clean out, straighten, open up, widen, change the course  
6 and flow of, alter, or deepen any canal, ditch, drain, river,  
7 watercourse, pond, creek, or country stream in said District  
8 that said Board may deem necessary to facilitate the drainage,  
9 reclamation, conservation, and improvement of the lands in  
10 said District, including navigation facilities, making the  
11 land within said District available for agricultural purposes,  
12 habitation, settlement, and general utilities; to concentrate,  
13 divert, or divide the flow of water in or out of said  
14 District; to construct or enlarge any bridges that may be  
15 needed by the District across any drain, ditch, canal, public  
16 highway, railroad right-of-way, tract, grade, fill, or cut; to  
17 construct such roadways over levees, embankments, and other  
18 works as may be needed by the District.

19 (c) Said Board shall have the power and authority to  
20 pump water into or out of the canals, ditches, drains, and  
21 other works of the District, or on or from the lands in said  
22 District in such amounts as said Board shall determine; to  
23 regulate and control the flow of water into and out of said  
24 District; to maintain such water tables with respect to the  
25 lands in said District as in the judgment of the Board shall  
26 be to the best interests of the District and of the landowners  
27 therein; and to do or cause to be done or permit others to do  
28 all things which may be necessary, desirable, or convenient in  
29 order to accomplish any of the foregoing objectives.

30 (d) In maintaining and operating the canals, drains,  
31 levees, dikes, dams, locks, reservoirs, pumping stations,

1 water control structures, and other works and improvements,  
2 the Board of Supervisors of the District and its agents and  
3 employees shall have the authority at all reasonable times to  
4 enter upon the lands adjacent to any of such drainage works in  
5 order to transport and use equipment, machinery, and materials  
6 necessary to properly maintain, preserve, and operate such  
7 drainage works.

8 (e) In addition to the powers herein conferred upon  
9 the Board of Supervisors of Ritta Drainage District, said  
10 Board shall have and may exercise all of the powers conferred  
11 upon the Board of Supervisors of a drainage or water control  
12 district created under the provisions of chapter 298, Florida  
13 Statutes, and Acts amendatory thereof and supplemental  
14 thereto, except such as may be in conflict or inconsistent  
15 with the provisions of this Act.

16 (f) Without limiting the generality of the foregoing  
17 powers, the Board of Supervisors of said District is  
18 specifically authorized to construct or cause to be  
19 constructed the following-described water control facilities  
20 and public improvements within said District:

21 (1) Boundary Levees.--The lands of the Ritta Drainage  
22 District will be protected against the influence of outside  
23 waters by boundary levees, to-wit:

24 a. On the North by the existing boundary levee of the  
25 South Florida Conservancy District.

26 b. On the East by the construction of a levee along  
27 the west right-of-way boundary of the Everglades Drainage  
28 District's Miami Canal.

29 c. On the South by the construction of levees along  
30 the south boundary lines; namely, by a levee along the south  
31 bank of the main canal in Sections 15, 10, 9 and 8 and thence

1 be a levee along the east and south lines of Section 18 in  
2 Township 44 South, Range 35 East; and thence along the south  
3 line of Sections 13 and 14 in Township 44 South, Range 34  
4 East.

5 d. On the West by the construction of levees along the  
6 west boundary of Sections 14, 11 and the south half of Section  
7 2, Township 44 South, Range 34 East.

8 (2) Water Control - Pumping Plant.--Water control for  
9 the lands confined by these boundary levees will be largely  
10 dependent on pumping. Water control will be based on 1 inch  
11 of runoff from the reclamation area in 24 hours. This  
12 requires a pumping capacity of approximately 190,000 gallons  
13 of water per minute. The pumping plant will consist of three  
14 pumping units with all pertinent accessories, resting on  
15 concrete foundations placed on safe rock footing and the  
16 equipment protected by a substantial building. The source of  
17 water supply and an outlet for the disposal of water will be  
18 secured by a channel connection into the Miami Canal.

19 (3) Water Control - Main Canal.--The water taken in or  
20 discharged by the pumping plant will be distributed and  
21 collected by means of a main canal and a lateral ditch scheme.  
22 The main canal will be located east and west along the south  
23 line of Sections 10, 9, 8 and 7, Township 44 South, Range 35  
24 East, and of Sections 12 and 11 in Township 44 South, Range 35  
25 East.

26 (4) Water Control - Lateral System.--Water for the  
27 agricultural use of lands will be delivered or received by a  
28 scheme of north and south laterals connecting with the main  
29 canal at 1/2-mile intervals.

30 a. Each lateral will serve a specific area of land  
31 extending one-quarter mile on both sides of this facility,

1 thus providing an adequate source of water supply and an  
2 outlet for the detailed water requirements of individual  
3 farming tracts.

4 b. The Board shall have the power and authority to  
5 make such changes therein or additions thereto as shall be  
6 necessary in order to adequately drain, reclaim, and conserve  
7 the lands in said District, protect the same from the effects  
8 of water, or lack of water, and control the water in said  
9 District, and the water tables with respect to the lands  
10 therein.

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

17 Section 7. The Board of Supervisors of Ritta Drainage  
18 District is authorized and empowered to borrow money for its  
19 corporate public purposes and give security therefor at  
20 interest rates not to exceed the then-prevailing interest rate  
21 at state and federally chartered lending institutions,  
22 provided such rates are authorized by general law. Bonds may  
23 be issued, either with or without coupons, bearing interest as  
24 provided by general law, payable semiannually, each maturing  
25 within 30 years from issuance, both principal and interest  
26 payable at some convenient banking house or trust company's  
27 office, to be named in said bonds. Bonds shall be signed by  
28 the President of the Board of Supervisors and attested with  
29 the seal of the District and by the signature of the Secretary  
30 of the Board. All bonds shall be authorized by resolution of  
31 the Board of Supervisors and shall be executed and delivered

1 to the Treasurer of the District, who shall sell the same in  
2 such quantities, on such dates, and on such terms as the Board  
3 of Supervisors deems necessary to meet the payments for the  
4 restoration work. All bonds shall be sold at public sale and  
5 shall be awarded to the bidder offering to purchase such bonds  
6 at the lowest net interest rate, which shall be determined by  
7 deducting the total amount of premium or adding the total  
8 amount of discount bid to the aggregate interest to be paid.  
9 Bonds shall not be sold for less than 95 cents on the dollar,  
10 with accrued interest, and shall state on their face the  
11 purpose for which they are issued and shall be payable out of,  
12 and shall constitute a first lien on, the moneys derived from  
13 the maintenance tax provided for this Act.

14 Section 8. The Board of Supervisors of Ritta Drainage  
15 District is authorized and empowered to borrow money for its  
16 corporate public purposes and give security therefor at such  
17 rates of interest allowed by law.

18 Section 9. Subject to the limitations herein  
19 contained, the said Board is hereby authorized and empowered  
20 to exercise the right of eminent domain and may condemn for  
21 the use of said District any and all lands, easements,  
22 rights-of-way, riparian rights, and other rights of every  
23 description, whether owned by private individuals, firms, or  
24 corporations or by public or quasi-public corporations,  
25 required for the use and purposes of said Board as herein set  
26 forth. In the condemnation of property, in pursuance of the  
27 power of eminent domain vested in said Board, the provisions  
28 of the laws of Florida governing condemnation proceedings  
29 instituted by counties, municipalities, or other public bodies  
30 are hereby made applicable, and condemnation proceedings may  
31 be instituted and prosecuted by the Board under and pursuant

1 to the provisions of chapter 73 or chapter 74, Florida  
2 Statutes. The said Drainage District recognizes the right,  
3 title, interest, and claim of Palm Beach County in and to a  
4 rock road located along the West bank of the Miami Canal,  
5 which road runs from State Road No. 25 southward for  
6 approximately 3 miles along said Canal. The said Drainage  
7 District shall not destroy said road or the rock road material  
8 adjacent thereto, nor shall it move any of said road  
9 materials; neither shall it move the County Road rock pile  
10 without first obtaining written permission from the County  
11 Commission by resolution. The said Drainage District agrees  
12 not to interfere, in any way, with the ingress and egress of  
13 traffic over said road. In the event the District shall, in  
14 its operations, find it necessary to interfere in any way with  
15 said road, it shall first obtain written permission to do so  
16 and shall provide the necessary bridges and detours so that  
17 traffic will be unobstructed for the passage of trucks and  
18 vehicles. Before applying for any written permission from the  
19 County Commission as set forth herein, the District shall  
20 first give public notice once each week for 4 consecutive  
21 weeks in a newspaper published in Belle Glade, Florida, and in  
22 Clewiston, Florida, of such application, giving in said notice  
23 full details as to what it proposes to do. Should the  
24 Drainage District, its agents or employees, or its contractors  
25 or subcontractors obstruct said road, or fail to keep said  
26 road open, and cause loss or damage to Palm Beach County or to  
27 any person, firm, partnership, or corporation using said road,  
28 or who has been using said road, the District shall be liable  
29 in damages therefor, and consent is hereby given by said  
30 District to any such suit brought for any such purpose or  
31 purposes.

1           Section 10. The drainage and reclamation work to be  
2 constructed in said District shall be upon such locations and  
3 shall be constructed in such manners and in accordance with  
4 such specifications as the Board of Supervisors of the  
5 District may from time to time determine.

6           Section 11. The Board may, in its discretion, let any  
7 part or all of the work to be performed within said District  
8 by contract, but no contract for an amount in excess of  
9 \$50,000 shall be let until notice thereof shall have been  
10 published not less than once a week for 2 consecutive weeks  
11 before the date set for the letting of such contract in a  
12 newspaper in Palm Beach County or Hendry County. The work so  
13 advertised shall be awarded to the lowest responsible bidder,  
14 as may be determined by said Board; however, the Board shall  
15 have the right to reject any and all bids and to readvertise,  
16 as hereinbefore provided. The Board shall have the right to  
17 require a bond with a surety to be approved by the Board in  
18 such amount as the Board may determine, conditioned that the  
19 contractor will well and truly carry out the contract in  
20 accordance with the terms thereof. Nothing in this section  
21 shall prevent the Board of Supervisors from undertaking and  
22 performing work without a contract and by labor operating  
23 under the direction of the Board, its engineer, or its  
24 employees.

25           Section 12. For the purpose of paying the cost of  
26 administering the affairs of the District generally, and for  
27 the purpose of maintaining, operating, preserving, and  
28 rendering efficient the ditches, canals, drains, levees,  
29 engines, and pumps, and other improvements herein authorized  
30 to be constructed, and to repair and restore the same when  
31 needed, and for the purpose of defraying current expenses of



1 the District, the Board is authorized, empowered, and directed  
2 to levy and impose upon all of the lands, including lands  
3 owned or held by the State of Florida or the Board of Trustees  
4 of the Internal Improvement Trust Fund of Florida, lying and  
5 being situate within the boundaries of said District, as  
6 described in this Act, a tax not to exceed the sum of \$30 per  
7 acre, per annum, and such tax shall be known and designated as  
8 the "Maintenance Tax." It is hereby ascertained, determined,  
9 and declared that all of the works or public improvements  
10 constructed by or for Ritta Drainage District, pursuant to the  
11 provisions of this Act will confer benefits upon the lands  
12 within said District in an amount at least equal to the taxes  
13 authorized to be levied by the provisions of this Act for  
14 subsequent years, and that all lands in said District will be  
15 benefited equally by said drainage works and improvements.

16 Section 13. (a) There are hereby established for  
17 Ritta Drainage District the following separate and distinct  
18 funds:

19 (1) Debt Service Fund, into which shall be paid the  
20 proceeds of the Debt Service Taxes authorized to be levied  
21 upon the lands within said District for subsequent years by  
22 the provisions of this Act.

23 (2) Maintenance Fund, into which shall be paid the  
24 proceeds of the Maintenance Taxes authorized to be levied upon  
25 the lands within said District for subsequent years by the  
26 provisions of this Act.

27 (b) The Board is hereby authorized and empowered to  
28 establish from time to time such other funds for the moneys of  
29 the District as it may determine to be necessary, advisable,  
30 or expedient.

31

1           (c) Each of the funds created by or pursuant to the  
2 provisions of this Act shall be held inviolate and the moneys  
3 from time to time in each of such funds shall be used only for  
4 the purposes for which said funds, respectively, are required  
5 to be devoted in accordance with the provisions of this Act.

6           (d) The Debt Service Fund shall be used for the  
7 purposes for which the Debt Service Taxes are authorized by  
8 this Act to be levied, and for the maintenance of any reserve  
9 or sinking fund which may be established by resolution of the  
10 Board for the purpose of paying the principal of and interest  
11 on any bonds which may be issued pursuant to the provisions of  
12 this Act.

13           (e) The Maintenance Fund shall be used for the  
14 purposes for which the Maintenance Taxes are authorized by  
15 this Act to be levied.

16           Section 14. (a) The Board of Supervisors of the  
17 District shall assemble and organize by choosing one of their  
18 number President of the Board and electing some suitable  
19 person Secretary of the District who may or may not be a  
20 member of the Board of Supervisors. The Board may, in its  
21 discretion, require the Secretary to execute a bond in such  
22 amount as it may determine for the faithful performance of his  
23 or her duties.

24           (b) Two members of the Board of Supervisors shall  
25 constitute a quorum. The Board of Supervisors shall, by  
26 resolution, fix the time and place for holding regular  
27 meetings, but special meetings may be called at any time or  
28 place by the President or any two members of the Board of  
29 Supervisors. The meeting place of said Board may be either  
30 within or without the District.

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1           (c) The Board of Supervisors shall employ some  
2 competent person or some Bank or Trust Company as Treasurer of  
3 the District. The same person may act as Secretary and  
4 Treasurer of said District if the Board shall deem it to be  
5 advisable. The Treasurer shall execute a bond in such sum as  
6 shall be fixed by the Board and with a Surety approved by the  
7 Board, conditioned that he or she will well and truly perform  
8 the duties imposed upon him or her by this Act and that he or  
9 she will account for all moneys coming into his or her hands  
10 as Treasurer of the District. The Treasurer shall pay out  
11 funds of the District only upon checks, drafts, or warrants  
12 issued by the District, which checks, drafts, or warrants  
13 shall be signed by the Treasurer and countersigned by at least  
14 one member of the Board of Supervisors.

15           (d) The Board shall select and appoint some competent  
16 person as Chief Engineer of the District.

17           Section 15. All taxes or assessments levied pursuant  
18 to the provisions of this Act shall constitute a lien upon  
19 said lands as of the first day of January of each year in  
20 which the assessments are made, which liens shall be superior  
21 in dignity to all other liens upon said lands except liens for  
22 State and County taxes and shall be equal in dignity to the  
23 lien for said State and County taxes.

24           Section 16. The Trustees of the Internal Improvement  
25 Trust Fund of Florida are authorized, empowered, and directed  
26 to pay out of any moneys in their hands derived from the sale  
27 of lands or otherwise, the taxes or assessments levied  
28 pursuant to the provisions of this Act upon all lands owned by  
29 the State of Florida or the said Trustees within the  
30 boundaries of Ritta Drainage District.

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1           Section 17. All other acts and proceedings of the  
2 Circuit Court of said Palm Beach and Hendry Counties taken by,  
3 for, and on behalf of said District since the creation  
4 thereof, and all of the acts and proceedings of the Board of  
5 Supervisors, the Commissioners, and all other officers and  
6 agents of said District, and of said Palm Beach and Hendry  
7 Counties, acting for and on behalf of said District, and any  
8 and all tax levies and assessments which have been made by the  
9 said Board of Supervisors for and on behalf of said District,  
10 are each one of them, and each part thereof, hereby ratified,  
11 validated, and confirmed.

12           Section 4. Chapter 22882, Laws of Florida, 1945, and  
13 chapters 61-1641, 76-461, and 84-500, Laws of Florida,  
14 relating to the Ritta Drainage District of Florida, are hereby  
15 repealed to the extent they are inconsistent herewith.

16           Section 5. In the event any one or more of the  
17 sections or provisions of this Act or the application of such  
18 sections or provisions to any situation, circumstance, or  
19 person is for any reason held to be unconstitutional, such  
20 unconstitutionality shall not affect any other section or  
21 provision of this Act or the application of such section or  
22 provision to any other situation, circumstance, or person, and  
23 it is intended that this law shall be construed and applied as  
24 if such section or provision had not been included herein for  
25 any unconstitutional application.

26           Section 6. This act shall take effect upon becoming a  
27 law.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
COMMITTEE SUBSTITUTE FOR  
SB 2664

The CS makes the following changes to the bill as filed:  
it clarifies that the special district is not a subdivision of  
the state;  
it corrects a scrivener's error relating to section 5 of the  
charter; and  
removes a provision relating to interest rates which  
contradicts the previous section of the charter.