

By Senator Saunders

25-1769-00

See HB 869

1 A bill to be entitled
2 An act relating to Cow Slough Water Control
3 District, a special tax district of the State
4 of Florida in Hendry and Collier Counties;
5 codifying the District's charter, chapter
6 89-426, Laws of Florida, pursuant to section
7 189.429, Florida Statutes; providing
8 legislative intent; amending, codifying, and
9 reenacting all special acts relating to Cow
10 Slough Water Control District as a single act;
11 repealing all prior special acts related to Cow
12 Slough Water Control District; providing an
13 effective date.

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15 Be It Enacted by the Legislature of the State of Florida:

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17 Section 1. Pursuant to section 189.429, Florida
18 Statutes, this act constitutes the codification of all special
19 acts relating to Cow Slough Water Control District. It is the
20 intent of the Legislature in enacting this law to provide a
21 single, comprehensive special act charter for the District
22 including all current legislative authority granted to the
23 District by its several legislative enactments and any
24 additional authority granted by this act. It is further the
25 intent of this act to preserve all District authority in
26 addition to any authority contained in chapter 298, Florida
27 Statutes, as amended from time to time.

28 Section 2. Chapter 89-426, Laws of Florida, creating
29 the Cow Slough Water Control District, is amended, codified,
30 reenacted, and repealed as herein provided.

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1 Section 3. The Cow Slough Water Control District is
2 re-created and the charter for such District is re-created and
3 reenacted to read:

4 Section 1. District creation; boundaries.--For the
5 purposes of comprehensive water management and control and
6 developing the lands hereinafter described and managing said
7 lands and water by means of the construction and maintenance
8 of canals, ditches, levees, dikes, pumping plants, and other
9 water control works and improvements, and for the purpose of
10 making the lands within said district available and habitable
11 for settlement and agriculture, and for the public
12 convenience, welfare, utility, and benefit, and for the other
13 purposes stated in this act and chapter 298, Florida Statutes,
14 a water control district is hereby created and established in
15 Hendry and Collier Counties, Florida, to be known as the Cow
16 Slough Water Control District, the territorial boundaries of
17 which shall be as follows, to wit:

18
19 Hendry County:

20 (1) In Township 45 South, Range 28 East: All
21 of section 13, 14 and 24; and Section 25 less
22 the following described parcel: Commencing at
23 the southwest corner of said Section 25; thence
24 N. 0-32-29 W. along the west boundary line of
25 said Section 25 a distance of 665.19 feet to
26 the Point-of-Beginning of this description;
27 thence continuing N. 0-32-29 W. along said west
28 boundary line of Section 25 a distance of
29 4656.88 feet to the northwest corner of said
30 Section 25; thence S. 87-56-46 E. along the
31 north boundary line of said Section 25 a

1 distance of 1950.00 feet; thence S. 0-27-54 E.
2 a distance of 1176.05 feet; thence S. 0-53-38
3 E. a distance of 2450.41 feet; thence S.
4 0-34-26 E. a distance of 1025.07 feet; thence
5 N. 88-07-20 W. a distance of 1963.85 feet to
6 the said Point-of-Beginning of this
7 description.

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9 (2) In Township 45 South, Range 29 East: All
10 of Sections 18 and 19; that portion of the
11 South 1/2, west of State Road 29 and the South
12 1/2 of the Northwest 1/4 of Section 20; all
13 Section 29 West of State Road 29; all of
14 Sections 30 and 31; and all of Section 32 west
15 of State Road 29.

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17 Collier County:
18 In Township 46 South, Range 29 East: All of
19 Section 5 west of State road 29; all of Section
20 6; that portion of Section 7 north of State
21 Road 82; all of Section 8 West of State Road
22 29; and, that portion of the North 1/2 of
23 Section 17 west of State Road 29.

24
25 It is hereby determined, declared, and enacted that said lands
26 in their present condition require comprehensive water control
27 and management for proper use and development, and that water
28 control for the purpose of irrigation, reclamation, and flood
29 protection of said lands and the creation of the district with
30 the power vested in it by this act and chapter 298, Florida
31 Statutes, as they may be amended from time to time, is in the

1 interest of and conducive to public welfare, health, and
2 convenience.

3 Section 2. Provisions of other laws made
4 applicable.--The Cow Slough Water Control District hereby
5 created shall be an independent water control district and a
6 public corporation of this state. The provisions of Florida
7 law applicable to water control districts or subdistricts
8 which are embodied in chapter 298, Florida Statutes, as it may
9 be amended from time to time, so far as not inconsistent with
10 this act, are hereby declared to be applicable to the Cow
11 Slough Water Control District. The Cow Slough Water Control
12 District shall have all of the powers and authorities
13 conferred in this act and chapter 298, Florida Statutes, as
14 they may be amended from time to time.

15 Section 3. Minimum charter requirements.--In
16 accordance with section 189.404(3), Florida Statutes, the
17 following subsections shall constitute the charter of the Cow
18 Slough 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.

22 (2) The powers, functions, and duties of the District,
23 including, but not limited to, ad valorem taxation, bond
24 issuance, other revenue-raising capabilities, budget
25 preparation and approval, liens and foreclosure of liens, use
26 of tax deeds and tax certificates as appropriate for non-ad
27 valorem assessments, and contractual agreements, shall be as
28 set forth in chapters 189, 197, and 298, Florida Statutes, or
29 any other applicable general or special law, as they may be
30 amended from time to time.

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1 (3) The District was created by special act of the
2 Florida Legislature by chapter 89-426, Laws of Florida, in
3 accordance with chapter 298, Florida Statutes.

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

6 (5) In accordance with chapter 189, Florida Statutes,
7 this act, and section 298.11, Florida Statutes, the District
8 is governed by a three-member board, elected on a one-acre,
9 one-vote basis by the landowners in the District. The
10 membership and organization of the board shall be as set forth
11 in this act and chapter 298, Florida Statutes, as they may be
12 amended from time to time.

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

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

19 (8) Requirements for financial disclosure, meeting
20 notices, reporting, public records maintenance, and per diem
21 expenses for officers and employees shall be as set forth in
22 chapters 112, 119, 189, 286, and 298, Florida Statutes, as
23 they may be amended from time to time.

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

29 (10) The procedures for conducting District elections
30 and for qualification of electors shall be pursuant to this
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1 act and chapters 189 and 298, Florida Statutes, as they may be
2 amended from time to time.

3 (11) The District may be financed by any method
4 established in this act, chapter 298, Florida Statutes, and
5 applicable general laws, as they may be amended from time to
6 time.

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

11 (13) 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 (14) The District's geographic boundary limitations
15 shall be as set forth in this act.

16 Section 4. If any provision of this act or the
17 application thereof to any person or circumstance is held
18 invalid, the invalidity shall not affect other provisions or
19 applications of the act which can be given effect without the
20 invalid provision or application, and to this end the
21 provisions of this act are declared severable.

22 Section 5. In the event of a conflict between the
23 provisions of this act and the provisions of any other act,
24 the provisions of this act shall control to the extent of such
25 conflict.

26 Section 6. This act shall be construed as a remedial
27 act and shall be liberally construed to promote the purpose
28 for which it is intended.

29 Section 7. Chapter 89-426, Laws of Florida, is
30 repealed.

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