

By Senator Geller

29-1749-00

See HB 1801

1 A bill to be entitled
2 An act relating to the Sugarland Drainage
3 District, Glades and Hendry Counties; providing
4 for codification of special laws relating to
5 the Sugarland Drainage District, a special
6 taxing district of the State of Florida,
7 composed of the Counties of Glades and Hendry;
8 providing legislative intent; codifying and
9 reenacting chapter 11136, Laws of Florida,
10 1925, chapter 18287, Laws of Florida, 1937,
11 chapter 26639, Laws of Florida, 1951, chapter
12 28515, Laws of Florida, 1953, chapter 28516,
13 Laws of Florida, 1953, and chapters 70-532,
14 72-433, 74-485, 75-381, 75-382, 77-562, and
15 82-297, Laws of Florida; providing for minimum
16 charter requirements; providing for Supervisor
17 qualifications; providing for ratification of
18 prior actions; providing for repeal of all
19 prior special acts relating to the Sugarland
20 Drainage District; providing an effective date.

21
22 Be It Enacted by the Legislature of the State of Florida:
23

24 Section 1. Pursuant to section 189.429, Florida
25 Statutes, this act constitutes the codification of all special
26 acts relating to the Sugarland Drainage District, which is an
27 independent special district and political subdivision of the
28 State of Florida. It is the intent of the Legislature in
29 enacting this law to provide a single comprehensive special
30 act charter for the district, including all current
31 legislative authority granted to the district by its several

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

5 Section 2. Chapter 11136, Laws of Florida, 1925;
6 chapter 18287, Laws of Florida, 1937; chapter 26639, Laws of
7 Florida, 1951; chapter 28515, Laws of Florida, 1953; chapter
8 28516, Laws of Florida, 1953; and chapters 70-532, 72-433,
9 74-485, 75-381, 75-382, 77-562, and 82-297, Laws of Florida,
10 are codified, reenacted, amended, and repealed as herein
11 provided.

12 Section 3. The Sugarland Drainage District is
13 re-created and the charter for such district is re-created and
14 reenacted to read:

15 Section 1. In accordance with section 189.404(3),
16 Florida Statutes, the following shall constitute the minimum
17 charter requirements of Sugarland Drainage District:

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

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

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1 (3) The District was created by chapter 11136, 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,
17 reclaiming, and conserving the lands hereinafter described,
18 and protecting the same from the effects of water, or lack of
19 water, for controlling the water in the District and the water
20 tables with respect to the lands therein, for agricultural and
21 sanitary purposes, and for the public health convenience,
22 welfare, utility, and benefit, Sugarland Drainage District is
23 hereby declared to exist and the boundaries of said Sugarland
24 Drainage District are hereby redefined and declared to be as
25 follows:

26
27 Beginning at the Northeast corner of Section
28 22, Township 43 S., Range 34E; thence South
29 along the East side of Sections 22, 27 and 34,
30 a distance of 2 miles and 80 feet to a point 80
31 feet south of the Southeast corner of said

1 Section 27, Township 43 S., Range 34 E; thence
2 West along a line 80 feet South of and parallel
3 to the South line of Sections 27,28, 29 and 30,
4 a distance of 4 miles to a point 80 feet South
5 of the Southwest corner of Section 30, Township
6 43 S., Range 34 E; thence continuing West along
7 a line 80 feet South of and parallel to the
8 South line of Section 25, Township 43 S., Range
9 33; E, a distance of one-half mile to a point
10 80 feet South of the South quarter, of said
11 Section 25, Township 43 S, Range 33 E; thence
12 South along the North and South quarter-section
13 line of Section 36, Township 43 S, Range 33 E,
14 a distance of 5200 more or less to the South
15 quarter corner of said Section 36; thence
16 continuing South along the North-South
17 quarter-section line of Section 1 T. 44 S, R 33
18 E, to the South 1/4 corner of said Section 1;
19 thence West along the South line of Section 1,
20 T 44 S, R 33 E, a distance of one-half mile to
21 the Southwest corner of Section 1, Township 44
22 S, Range 33 E; thence North along the West line
23 of Section 1, T 44 S, R33 E, Sections 36, 25,
24 24 and 13, T 43 S, R. 33 E., a distance of
25 approximately 5 miles to a point 160 feet South
26 of the section corner common to Sections 13,
27 14, 11 and 12, Township 43 S, Range 33 E;
28 thence West along a line 160 feet South of and
29 parallel to the North line of Sections 14, and
30 15, a distance of 2 miles to a point 160 feet
31 South of and 100 feet East of the Northwest

1 corner of Section 15; thence North a distance
2 of 160 feet to the North boundary of said
3 Section 15; thence West 100 feet to the
4 Northwest corner of Section 15; thence North to
5 the Northwest corner of said Section 10,
6 Township 43 S, Range 33 E, said point being on
7 the Township line between Township 43 S and
8 Township 42 S, also the County line between
9 Hendry and Glades Counties, Florida; thence
10 continue North along the extension West line of
11 Section 10 produced through the Southeast
12 quarter of Section 33, Township 42 S, Range 33
13 E, a distance of 1105 feet more or less to a
14 point on the North bank of Nine Mile Canal;
15 thence in a general Easterly direction along
16 the North bank of Nine Mile Canal through
17 Sections 33 and 34, Township 42 S, Range 33 E,
18 Sections 11 and 12, Township 43 S, Range 33 E,
19 and Section 7, Township 43 S, Range 34 E, the
20 following bearings and distances:

21
22 North 88° 43' East, 930.0 feet; South 89° 34'
23 East, 1000.0 feet; South 85° 51' East 770 feet;
24 South 80° 20' East 700.00 feet; South 70° 46'
25 East 900.0 feet; South 67° 20' East 1100.0
26 feet; South 65 ° 14' East 358.5 feet; South 65°
27 14' East 532.0 feet; South 61° 12' East 900.0
28 feet; South 58° 15' East 601.0 feet; South 54°
29 11' East 900.0 feet; South 52° 32' East 1700.0
30 feet; South 49° 31' East 900.0 feet; South 52°
31 14' East 700.0 feet; South 57° 27' East 1100.0

1 feet; South 65° 39' East 700.0 feet; South 78 °
2 24' East 360.5 feet; North 81° 13' East 861.5
3 feet; North 82° 49' East 800.0 feet; North 78°
4 35' East 550.0 feet; North 61° 05' East 363.5
5 feet; North 47° 05' East 1200.0 feet; North 47°
6 05' East 1700.0 feet; North 49° 21' East 600.0
7 feet; North 52° 28' East 457.0 feet; North 49°
8 09' East 878.4 feet; North 45° 43' East 800.0
9 feet; North 49° 24' East 300.0 feet to a point
10 on the South line of Section 31, Township 42
11 South, Range 34 East; thence East along the
12 South line of Sections 31 and 32, Township 42
13 S, Range 34 E. to the Westerly bank of the main
14 outfall canal of Sugarland Drainage District;
15 thence Northeasterly along said bank to the
16 intersection with the Southerly right of way of
17 the Central and Southern Florida Flood
18 Control's Canal C-21; thence Easterly along
19 said right of way to the Easterly bank of the
20 said main outfall canal; thence Southwesterly
21 along said Easterly bank to the intersection of
22 the Township line common to T. 42 S and T 43 S;
23 thence South along the North and South quarter
24 section line of Sections 8 and 17, a distance
25 of 2 miles to the North Quarter Section Corner
26 of Section 20, Township 43 S, Range 34 E;
27 thence East along the North line of Sections
28 20, 21, and 22, a distance of 2 1/2 miles to
29 the Northeast corner of Section 22, Township 43
30 S, Range 34 E, the point of beginning.
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1 Section 3. That for the purpose of paying the costs of
2 administering the affairs of Sugarland Drainage District
3 generally and for the purposes of maintaining, operating,
4 preserving, and rendering efficient the ditches, canals,
5 drains, levees, and other improvements, and to repair and to
6 restore the same when needed, and for the purpose of defraying
7 the current expenses of the District, the Board of Supervisors
8 is hereby authorized, empowered, and directed to levy and
9 impose, within Sugarland Drainage District, special taxes or
10 assessments, which shall be known and designated as the
11 "Maintenance Tax."

12 Section 4. Lands held by Trustees of the Internal
13 Improvement Fund of Florida shall be subject to the special
14 taxes or assessments authorized by this Act to be levied, and
15 in furtherance of the trusts upon which such lands are held,
16 the said Trustees are authorized and empowered to pay such
17 taxes or assessments out of any funds in hand derived from the
18 sale of lands, or otherwise.

19 Section 5. It shall be the duty of such officer or
20 officers as may be charged with the duty with respect to State
21 and County taxes to assess and levy upon all railroad
22 property, telegraph property, and telephone property within
23 said District the amount of such taxes and assessments as in
24 the case of State and County taxes, and to collect the said
25 taxes and assessments in the same manner as is required by law
26 with respect to the assessment and collection of taxes on such
27 property for State and County purposes, and to remit the same
28 to the Treasurer of Sugarland Drainage District in the same
29 manner as remittances are required to be made with respect to
30 other taxes.

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1 Section 6. That all taxes and assessments levied by or
2 for Sugarland Drainage District upon lands situated within the
3 district, as defined in this Act, be, and the same hereby are,
4 ratified, confirmed, and validated, and declared to be legal
5 and binding, notwithstanding any defects in the proceedings
6 pursuant to which such taxes and assessments were levied or
7 the failure upon the part of any officer or person to comply
8 with statutory provisions or requirements relating to the
9 assessment and levy of such taxes and assessments.

10 Section 7. That all action taken by the Board of
11 Supervisors of Sugarland Drainage District, the officers and
12 agents of said District, in connection with the refinancing of
13 the indebtedness of the District by or through loans
14 authorized or disbursed by Reconstruction Finance Corporation,
15 and all contracts, undertakings, and agreements entered into
16 by said District or said Board with Reconstruction Finance
17 Corporation in connection with said loans, are, and each of
18 them is, hereby ratified, validated, confirmed, and declared
19 to be legal, valid, and binding; and said Board is hereby
20 specifically authorized to carry out, perform, and execute any
21 and all agreements, undertakings, and contracts with
22 Reconstruction Finance Corporation relative to such loans.

23 Section 8. That all proceedings, acts, and doings,
24 taken, done, and performed by the Board of Supervisors,
25 agents, and officers of Sugarland Drainage District, and
26 landowners of said District in meetings assembled including
27 the election of Supervisors, since the creation of the
28 District, are, and each of them is, hereby ratified,
29 validated, confirmed, and declared to be legal, valid, and
30 binding.

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1 Section 9. All special taxes or assessments heretofore
2 levied and assessed upon lands within the boundaries of
3 Sugarland Drainage District, be, and the same hereby are,
4 ratified, confirmed, and validated, and declared to be legal
5 and binding.

6 Section 10. Sugarland Drainage District is divided
7 into 2 zones as follows:

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9 Zone A. Shall include those lands located
10 south of U.S. Highway 27 and east of Canal No.
11 4; namely the west 1/2 of Section 17, all of
12 Section 18, 19, 20, 21, 22, 27, 28, 29 and 30,
13 Township 43 S, Range 34 E; and the east 1/2 of
14 Sections 13, 24, and 25, Township 43 S, Range
15 33 E.

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17 Zone B. Shall include those lands within the
18 District located north of U.S. Highway 27 and
19 west of Canal No. 4; namely, that portion south
20 of 9 Mile Canal of Sections 33 and 34, Township
21 42 S, Range 33 E, and Section 7 and the west
22 1/2 of Section 8, Township 43 S., Range 34 E
23 and Sections 10, 11, and 12; plus the west 1/2
24 of Sections 13, 21, 25 and 36, Township 43 S,
25 Range 33 E and the west 1/2 of Section 1,
26 Township 44 S, Range 33 E.

27
28 Section 11. For the purpose for which maintenance
29 taxes of the Sugarland Drainage District are authorized to be
30 levied, the Board of Supervisors of Sugarland Drainage
31 District is hereby authorized, empowered, and directed to levy

1 and impose, in the manner provided by law, upon the lands
2 within the boundaries of the District a maintenance tax.

3 Section 12. In imposing the taxes authorized to be
4 levied by this act, or as it may hereafter be amended, the
5 separate parcels of less than one (1) acre shall be assessed
6 the tax amount applicable to parcels of one (1) acre.

7 Section 13. It is hereby ascertained, determined, and
8 declared that the benefits accrued and to accrue to the lands
9 within Sugarland Drainage District by virtue of the works or
10 public improvements which have been constructed heretofore by
11 or under the authority of the Board of Supervisors of said
12 district are at least equal in amount to the taxes and
13 assessments authorized by this act to be levied; and that all
14 lands in Zone A are equally benefited and all lands in Zone B
15 are equally benefited and that the benefits to each zone are
16 in proportion to the amount of taxes authorized to be levied
17 against each zone.

18 Section 14. The Board of Supervisors of Sugarland
19 Drainage District shall have the power to designate
20 maintenance areas identifying those lands requiring a higher
21 degree of water management within Sugarland Drainage District
22 and to levy variable maintenance tax rates upon the basis of
23 benefits received by lands within the maintenance area.

24 Section 15. The Board of Supervisors of Sugarland
25 Drainage District may enter into arrangements with other like
26 drainage or water control districts to share a pro-rata cost
27 of insurance coverage, rental, purchases, and use of supplies,
28 equipment, buildings, and facilities and for service of
29 employees.

30 Section 16. The governing Board of Sugarland Drainage
31 District shall be designated "Board of Supervisors of

1 Sugarland Drainage District" and shall be composed of three
2 persons, who shall be resident Freeholders of the State of
3 Florida.

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

15 Section 4. Chapter 11136, Laws of Florida, 1925;
16 chapter 18287, Laws of Florida, 1937; chapter 26639, Laws of
17 Florida, 1951; chapter 28515, Laws of Florida, 1953; chapter
18 28516, Laws of Florida, 1953; and chapters 70-532, 72-433,
19 74-485, 75-381, 75-382, 77-562, and 82-297, Laws of Florida,
20 are hereby repealed, except to the extent inconsistent
21 herewith.

22 Section 5. In case any one or more of the sections or
23 provisions of this Act or the application of such sections or
24 provisions to any situation, circumstances, or person shall
25 for any reason be held to be unconstitutional, such
26 unconstitutionality shall not affect any other sections or
27 provisions of this Act or the application of such sections or
28 provisions to any other situation, circumstances, or person,
29 and it is intended that this law shall be construed and
30 applied as if such section or provision had not been included
31 herein for any unconstitutional application.

1 Section 6. In the event of a conflict of the
2 provisions of this act with the provisions of any other act,
3 the provisions of this act shall control to the extent of such
4 conflict.

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

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