

By Senator Geller

29-1978-00

See HB 1561

1 A bill to be entitled
2 An act relating to South Florida Conservancy
3 District in Hendry and Palm Beach Counties;
4 providing for codification of special laws
5 relating to South Florida Conservancy District
6 pursuant to s. 189.429, F.S.; providing
7 legislative intent; amending, codifying,
8 reenacting, and repealing chapter 7975, Laws of
9 Florida, 1919, chapter 8899, Laws of Florida,
10 1921, chapter 11015, Laws of Florida, 1925,
11 chapters 12115 and 12116, Laws of Florida,
12 1927, chapter 13802, Laws of Florida, 1929,
13 chapter 16177, Laws of Florida, 1933, chapter
14 17258, Laws of Florida, 1935, chapter 20477,
15 Laws of Florida, 1941, chapter 23625, Laws of
16 Florida, 1947, chapter 25434, Laws of Florida,
17 1949, chapter 26738, Laws of Florida, 1951,
18 chapters 28355 and 28648, Laws of Florida,
19 1953, chapters 30177 and 30273, Laws of
20 Florida, 1955, chapter 59-867, Laws of Florida,
21 chapter 61-1403, Laws of Florida, chapter
22 61-1404, Laws of Florida, chapter 69-706, Laws
23 of Florida, chapter 71-380, Laws of Florida,
24 chapter 75-378, Laws of Florida, chapter
25 81-463, Laws of Florida, chapter 85-479, Laws
26 of Florida, and chapter 90-479, Laws of
27 Florida, relating to the South Florida
28 Conservancy District; recreating the district
29 and recreating and reenacting the district's
30 charter; providing for creation, status,
31 charter amendments, and boundaries; providing

1 for a board of supervisors and powers and
2 duties; providing minimum charter requirements
3 in accordance with s. 189.404, F.S. ;
4 authorizing fees for using works of the
5 district; providing for property rights;
6 subjecting state lands to assessments by the
7 district; making district bonds tax exempt;
8 providing for construction and effect;
9 providing an effective date.

10
11 Be It Enacted by the Legislature of the State of Florida:

12
13 Section 1. Pursuant to section 189.429, Florida
14 Statutes, this act constitutes the codification of all special
15 acts relating to South Florida Conservancy District. It is
16 the intent of the Legislature to provide a single,
17 comprehensive special act charter for the district including
18 all current legislative authority granted to the district by
19 its several legislative enactments and any additional
20 authority granted by this act and chapters 189 and 298,
21 Florida Statutes, as they are amended from time to time. It
22 is further the intent of this act to preserve all district
23 authority as set forth in this act, chapters 189 and 298,
24 Florida Statutes, and any other applicable general or special
25 law.

26 Section 2. Chapter 7975, Laws of Florida, 1919,
27 chapter 8899, Laws of Florida, 1921, chapter 11015, Laws of
28 Florida, 1925, chapters 12115 and 12116, Laws of Florida,
29 1927, chapter 13802, Laws of Florida, 1929, chapter 16177,
30 Laws of Florida, 1933, chapter 17258, Laws of Florida, 1935,
31 chapter 20477, Laws of Florida, 1941, chapter 23625, Laws of

1 Florida, 1947, chapter 25434, Laws of Florida, 1949, chapter
2 26738, Laws of Florida, 1951, chapters 28355 and 28648, Laws
3 of Florida, 1953, chapters 30177 and 30273, Laws of Florida,
4 1955, chapter 59-867, Laws of Florida, chapter 61-1403, Laws
5 of Florida, chapter 61-1404, Laws of Florida, chapter 69-706,
6 Laws of Florida, chapter 71-380, Laws of Florida, chapter
7 75-378, Laws of Florida, chapter 81-463, Laws of Florida,
8 chapter 85-479, Laws of Florida, and chapter 90-479, Laws of
9 Florida, relating to the South Florida Conservancy District,
10 are amended, codified, reenacted, and repealed as provided
11 herein.

12 Section 3. The South Florida Conservancy District in
13 Hendry and Palm Beach Counties is re-created and the charter
14 for such district is re-created and reenacted to read:

15 Section 1. Creation; status; charter amendments;
16 boundaries.--For the purpose of comprehensive water management
17 and control pursuant to chapter 298, Florida Statutes, as it
18 may be amended from time to time, the South Florida
19 Conservancy District, an independent water control district,
20 is hereby declared to exist. The district is organized and
21 exists for all purposes set forth in this charter and chapters
22 189 and 298, Florida Statutes. The district was created by
23 special act of the Legislature in 1919. Its charter may be
24 amended only by special act of the Legislature. The boundaries
25 of the district are declared to be as follows:

26
27 Beginning at a point of the East line of
28 Section 8, Township 43 South, Range 37 East,
29 Palm Beach County, Florida, 100 feet South of
30 the East quarter corner of Section 8; being a
31 common line between South Florida Conservancy

1 District and East Shore Water Control District;
2 thence running West along a line 100 feet South
3 of, and parallel to the East and West quarter
4 section line of Sections 8 and 7 to a point
5 being 4,700 feet West of the East boundary of
6 Section 7 and being a point of intersection;
7 thence running Northwesterly along a line which
8 bears North 52° West to a point being the
9 intersection with the Easterly right of way
10 line of the U.S.E.D. Levee L-D2. Thence
11 Southerly along the East right of way line of
12 Levee L-D2 through the following fractional
13 sections contiguous to Lake Okeechobee, to wit:
14 Sections 12, 13, 14, 23 and 26, Township 43
15 South, Range 36 East, to a point on the North
16 right of way line of State Road 717; thence
17 Southeasterly along the North right of way line
18 of State Road 717; through Section 26 and 25,
19 Township 43 South, Range 36 East, to a point
20 approximately 2,300 feet Southeasterly of the
21 West line of Section 25 (measured along State
22 Road 717) to a point, said point being half way
23 between two bridges across Canal No. 1 and
24 private canalying in Section 25, Township 43
25 South, Range 36 East;
26 Thence South along a line between two said
27 canals and parallel thereto to the intersection
28 of the South right of way line of Levee L-14
29 (Hillsboro Canal); thence Northwesterly on the
30 South right of way line of Levee L-14 to a
31 point of intersection with the center line of

1 the Lake Shore Levee of the Everglades Drainage
2 District, thence South 0° 02' West on said
3 center line to a point of intersection with the
4 South line of Section 25, Township 43 South,
5 Range 36 East; thence South 0° 08' West, 990.0
6 feet; thence South 68° 17' West, 793.1 feet;
7 thence South 14° 20' West, 3,401.9 feet; thence
8 South 47° 42' West, 1,118.3 feet; thence South
9 25° 50' West, 5,038.5 feet; thence South 87°
10 30' West to a point which the centerline of the
11 Lake Shore Levee of the Everglades Drainage
12 District intersects the East right of way of
13 Levee L-20 (North New River Canal);
14 Thence Southerly along the East right of way of
15 Levee L-20 to a point on the East and West half
16 section line of Section 14; thence West on
17 aforsaid half-section line of Section 14 to a
18 point 50 feet East of the East line of Section
19 15, Township 44 South, Range 36 East, thence
20 North 0° 7' East on a line 50 feet East and
21 parallel to the East line of Section 15 to the
22 intersection with the South boundary of the
23 Florida East Coast Railway right of way; thence
24 West along the South boundary of the Florida
25 East Coast Railway right of way through
26 Sections 15, 16 and 17 to a point on the West
27 line of Section 17 being 94.5 feet South of the
28 Northwest corner of Section 17, Township 44
29 South, Range 36 East; thence North 0° 5' East
30 on the West line of Section 17 and 8, to a
31 point 105.8 feet North of the Northwest corner

1 of Section 17; thence North 45° 0' West to a
2 point on the West line of Section 6, being 75.6
3 feet North of the Southwest corner of Section
4 6, Township 44 South, Range 36 East; thence
5 South 89° 21' West on a line 75 feet North and
6 parallel to the South line of Section 1, a
7 distance of 5,197 feet to a point 75.0 feet
8 from the East line of Section 2, Township 44
9 South, Range 35 East.
10 Thence North 0° 3' East on a line 75 feet East
11 of the East line of Section 2 and parallel
12 thereto to a point on the South right of way of
13 the U.S.E.D. Levee, L-D2, thence Westerly along
14 the South right of way of U.S.E.D. Levee to the
15 East right of way of Levee L-25 (Miami Canal)
16 thence South on the East right of way line of
17 Levee L-25 to the intersection of the North
18 right of way line of State Road 80 (new U.S.
19 27); thence Westerly along the North right of
20 way line of State Road 80 to the intersection
21 with the U.S.E.D. Levee L-D2 Southerly right of
22 way, thence Westerly along L-D2 right of way to
23 the intersection with the North line of Section
24 19, Township 43 South, Range 35 East, thence
25 West on the North line of Section 19 to the
26 intersection of the Southerly right of way of
27 State Road 80, thence Westerly along the
28 Southerly right of way of State Road 80 to the
29 intersection of old U.S. 27, thence Easterly
30 along the North right of way of State Road
31 S-80A (old U.S. 27) to the intersection of the

1 center line of North-South half section line of
2 Section 13, thence South on said North-South
3 half section line through Sections 13 and 24,
4 to a point 25 feet North of the center of
5 Section 24, Township 43 South, Range 34 East,
6 thence West along a line 25 feet North and
7 parallel to the East-West half section line in
8 Section 24 and 23 to the West line of Section
9 23.
10 Thence South along the West line of Sections 23
11 and 26, Township 43 South, Range 34 East;
12 thence West along the North line of Section 34,
13 a distance of 50 feet, thence South along a
14 line 50 feet West of and parallel to the West
15 line of Sections 35 and 2, Township 44 South,
16 Range 34 East, to the half section line of
17 Section 2, Township 44 South, Range 34 East;
18 thence East along the half section line of
19 Sections 2 and 1, Township 44 South, Range 34
20 East; thence East along the half section line
21 of Sections 6, 5, 4, 3 and 2, Township 44
22 South, Range 35 East, which is the common
23 boundary between South Florida Conservancy
24 District and Ritta Drainage District to the
25 East right of way line of the Levee L-25 (Miami
26 Canal).
27 Thence in a Southwesterly direction along the
28 East right of way line of said Levee L-25 to a
29 point 45 feet South of (measured at right
30 angles) the South line of Section 15, Township
31 44 South, Range 35 East; thence East along a

1 line 45 feet South and parallel to the South
2 line of Sections 15, 14 and 13, Township 44
3 South, Range 35 East, thence East along a line
4 45 feet South and parallel to the South section
5 line of Sections 18, 17 and 16, to the West
6 line of Section 22; thence South on West line
7 of Section 22 to the Southwest corner; thence
8 East on South line of Section 22 to the
9 Southeast corner; thence North on East line of
10 Section 22 to a point 40 feet South of the
11 Northeast corner; thence East on a line 40 feet
12 South and parallel to the South line of
13 Sections 14 and 13, Township 44 South, Range 36
14 East to a point 40 feet South of the Southeast
15 corner of said Section 13.
16 Thence in a Southeasterly direction along a
17 line 40 feet Southwesterly (measured at right
18 angles) of the South line of Lot 2 of the
19 hiatus between Ranges 36 and 37 East, Township
20 44 South, to a point 40 feet South of the
21 Southwest corner of Section 7, Township 44
22 South, Range 37 East; thence East along a line
23 40 feet South of and parallel to the South line
24 of Sections 7, 8, 9, 10, 11 and 12 to the
25 Southerly right of way of State Road 80, thence
26 in a Northwesterly direction along the
27 Southerly right of way line of State Road 80 to
28 a point whence the South right of way line of
29 State Road 80 intersects a point 40 feet East
30 (when measured at right angles) of the East
31

1 line of hiatus Lot 5 between Township 43 and 44
2 South, Range 37 East;
3 Thence in a Northeasterly direction on a line
4 40 feet Southeasterly (when measured at right
5 angles) of the East line of Lot 5 of the hiatus
6 between Townships 43 and 44 South, Range 37
7 East to a point 40 feet East of the Southeast
8 corner of Section 32, Township 43 South, Range
9 37 East; thence North along a line 40 feet East
10 of the East line of Section 32, a distance of
11 3,960 feet to a point; thence East along a line
12 parallel to and 3,960 feet North of the South
13 line of said Section 33 to the East line
14 thereof; thence North on the East line of
15 Sections 33, 28 and 21, to the Northeast corner
16 of Section 21; thence West along the North line
17 of Section 21 to the Northwest corner of
18 Section 21; thence North along the East line of
19 Sections 17 and 8, Township 43 South, Range 37
20 East, to the Point of Beginning.

21
22 Section 2. Board of supervisors; general manager;
23 powers and duties; minimum charter requirements.--

24 (1) The governing body of South Florida Conservancy
25 District shall be known as the board of supervisors of South
26 Florida Conservancy District, with the powers, duties,
27 privileges, and functions as set forth in this charter and
28 chapters 189 and 298, Florida Statutes, and shall consist of
29 three members who are residents of this state and citizens of
30 the United States. Each supervisor shall be entitled to
31 receive compensation pursuant to chapter 298, Florida

1 Statutes, and per diem in accord with general law for public
2 officials.

3 (2) The board of supervisors shall have the power to
4 employ a person to be designated general manager of the
5 district and to vest in such person such authority and to
6 delegate to such person the performance of such duties and to
7 provide such compensation as may be determined by the board of
8 supervisors. The board may require the general manager to
9 furnish bond with good and sufficient surety in such amount as
10 the board may by resolution determine. The board may provide
11 by resolution that the general manager and the secretary may
12 be one and the same person.

13 (3) The district shall have and the board may exercise
14 all the powers and duties set forth in this charter and
15 chapter 298, Florida Statutes, as they may be amended from
16 time to time.

17 (4) The district shall also hold all powers,
18 functions, and duties set forth in this charter and chapters
19 189, 197, and 298, Florida Statutes, as they may be amended
20 from time to time, including, but not limited to, ad valorem
21 taxation, bond issuance, other revenue-raising capabilities,
22 budget preparation and approval, liens and foreclosure of
23 liens, use of tax deeds and tax certificates as appropriate
24 for non-ad valorem assessments, and contractual agreements.

25 (5) The methods for assessing and collecting non-ad
26 valorem assessments, fees, or service charges shall be as set
27 forth in chapter 189, chapter 197, or chapter 298, Florida
28 Statutes, as they may be amended from time to time.

29 (6) The district's planning requirements shall be as
30 set forth in this charter and chapters 189 and 298, Florida
31 Statutes, as they may be amended from time to time.

1 (7) The district's geographic boundary limitations
2 shall be as set forth in this charter.

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

8 Section 3. Fees for use of works of the district.--The
9 board of supervisors may assess and collect reasonable fees
10 for the connection to and use of the works of the district.
11 It is unlawful to connect with or make use of the works of the
12 district without consent in writing from the board of
13 supervisors, and the board has the authority to prevent, or if
14 done, estop or terminate the same.

15 Section 4. Property rights.--The state hereby grants
16 unto said district the necessary lands, easements, right of
17 way, riparian rights, restrictions, and reservations to lands
18 that may be vested in the state, the State Board of Education,
19 or the Trustees of the Internal Improvement Trust Fund and
20 property rights therein of every description required for the
21 public purposes and powers of said board.

22 Section 5. State lands.--

23 (1) The lands within said district held by the
24 Trustees of the Internal Improvement Trust Fund of the state
25 shall be subject to the taxes levied by or pursuant to the
26 provisions of this charter, and said trustees, in furtherance
27 of the trust upon which said lands are held, are hereby
28 authorized and directed to pay the same out of any moneys in
29 their hands derived from the sale of lands, or otherwise.

30 (2) The lands in said district used or held by, for or
31 in connection with the agricultural experiment station in the

1 Everglades or any branch of such station shall be subject to
2 the taxes levied by or pursuant to the provisions of this
3 charter, notwithstanding whether the title to or ownership of
4 such lands shall be vested in said trustees, the State Board
5 of Education, or any other state agency, and the Trustees of
6 the Internal Improvement Trust Fund are authorized and
7 directed to pay out of any monies in their hands derived from
8 the sale of lands, or otherwise, all South Florida Conservancy
9 District taxes heretofore levied and assessed, or which may
10 hereafter be levied and assessed, upon such lands.

11 Section 6. Bonds tax exempt.--All bonds issued and
12 sold by the South Florida Conservancy District as provided in
13 this charter shall forever be and remain exempt from all
14 state, county, and municipal taxation within this state, and
15 the board of supervisors shall have authority to insert a
16 provision on the face of said bonds reciting the fact that
17 said bonds are free from such taxation.

18 Section 4. Chapter 7975, Laws of Florida, 1919,
19 chapter 8899, Laws of Florida, 1921, chapter 11015, Laws of
20 Florida, 1925, chapters 12115 and 12116, Laws of Florida,
21 1927, chapter 13802, Laws of Florida, 1929, chapter 16177,
22 Laws of Florida, 1933, chapter 17258, Laws of Florida, 1935,
23 chapter 20477, Laws of Florida, 1941, chapter 23625, Laws of
24 Florida, 1947, chapter 25434, Laws of Florida, 1949, chapter
25 26738, Laws of Florida, 1951, chapters 28355 and 28648, Laws
26 of Florida, 1953, chapters 30177 and 30273, Laws of Florida,
27 1955, chapter 59-867, Laws of Florida, chapter 61-1403, Laws
28 of Florida, chapter 61-1404, Laws of Florida, chapter 69-706,
29 Laws of Florida, chapter 71-380, Laws of Florida, chapter
30 75-378, Laws of Florida, chapter 81-463, Laws of Florida,
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1 chapter 85-479, Laws of Florida, and chapter 90-479, Laws of
2 Florida, are repealed.

3 Section 5. This act shall be construed as remedial and
4 shall be liberally construed to promote the purpose for which
5 it is intended.

6 Section 6. In the event any section or provision of
7 this act is determined to be invalid or unenforceable, such
8 determination shall not affect the validity or enforceability
9 of each other section or provision of this act.

10 Section 7. In the event of a conflict of the
11 provisions of this act with the provisions of any other act,
12 the provisions of this act shall control to the extent of such
13 conflict.

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

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