

By Representative Harper

1                                   A bill to be entitled  
2           An act relating to Gladeview Water Control  
3           District, an independent special tax district  
4           in Palm Beach County; providing legislative  
5           intent; codifying, reenacting, amending, and  
6           repealng special acts relating to the district;  
7           providing district status and boundaries;  
8           providing for applicability of chapters 298 and  
9           189, Florida Statutes, and other general laws;  
10          providing a district charter; providing for  
11          ratification of prior acts; providing for  
12          liberal construction; providing a saving clause  
13          in the event any provision of the act is deemed  
14          invalid; providing an effective date.

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

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18           Section 1. Pursuant to section 189.429, Florida  
19 Statutes, this act constitutes the codification of all special  
20 acts relating to the Gladeview Water Control District. It is  
21 the intent of the Legislature in enacting this law to provide  
22 a single, comprehensive special act charter for the district,  
23 including all current legislative authority granted to the  
24 district by its several legislative enactments and any  
25 additional authority granted by this act.

26           Section 2. Chapters 9982 (1923), 13648 (1929), and  
27 57-850, Laws of Florida, relating to the Gladeview Water  
28 Control District, are codified, reenacted, amended, and  
29 repealed as herein provided.

30           Section 3. The charter for the Gladeview Water Control  
31 District is re-created and reenacted to read:

1           Section 1. Status and boundaries of Gladeview Water  
2 Control District.--The Gladeview Water Control District is  
3 hereby declared to be an independent water control district  
4 and a public corporation of the State of Florida pursuant to  
5 chapter 298, Florida Statutes, as it may be amended from time  
6 to time, and the lands lying within the area described as  
7 follows in Palm Beach County, Florida, shall hereby constitute  
8 the Gladeview Water Control District:

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10           Section Ten (10) and the West Half of Township  
11           Forty-four (44) South of Range Thirty-nine (39)  
12           East, in Palm Beach County, Florida.

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14           Section 2. The annual meeting of the landowners of  
15 said district shall be held in the month of June in each and  
16 every year beginning with the year 1924, at some date to be  
17 fixed by the board of supervisors, but if for any reason such  
18 annual meeting shall not be held in the month of June, it  
19 shall be held as soon thereafter as practicable. The  
20 landowners either in person or represented by proxy present at  
21 any annual meeting, adjourned meeting, or special meeting of  
22 the landowners of the Gladeview Water Control District, shall  
23 constitute a quorum for such meeting and shall organize at  
24 such meeting and determine all questions and elect supervisors  
25 for said district regardless of the amount of acreage  
26 represented at said meeting. At any such meeting each  
27 landowner shall be entitled to one vote for each acre owned by  
28 him or her.

29           Section 3. No suit or any cause of action of  
30 whatsoever kind or nature against the Gladeview Water Control  
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1 District shall be instituted later than 6 months from the date  
2 such cause of action shall have accrued.

3 Section 4. No suit or action for the recovery of  
4 damages upon any claim or demand arising either ex contractu  
5 or ex delicto shall be instituted against the Gladeview Water  
6 Control District unless a written statement giving the  
7 particulars of the cause of action and containing a notice of  
8 intention to sue shall be filed with the secretary of said  
9 district at least 30 days before the suit or action is  
10 instituted.

11 Section 5. Qualifications of board of  
12 supervisors.--All three members of the Board of Supervisors of  
13 Gladeview Water Control District shall be residents of the  
14 State of Florida but only one of such supervisors need be a  
15 landowner of Gladeview Water Control District. An officer or  
16 director of a corporation owning land in Gladeview Water  
17 Control District shall be deemed a landowner for purposes of  
18 this section.

19 Section 6. Minimum charter requirements.--In  
20 accordance with section 189.404(3), Florida Statutes, the  
21 following subsections shall constitute the charter of the  
22 Gladeview Water Control District:

23 (1) The district is organized and exists for all  
24 purposes set forth in this act and chapter 298, Florida  
25 Statutes, as they may be amended from time to time.

26 (2) The powers, functions, and duties of the district  
27 regarding ad valorem taxation, bond issuance, other  
28 revenue-raising capabilities, budget preparation and approval,  
29 liens and foreclosure of liens, use of tax deeds and tax  
30 certificates as appropriate for non-ad valorem assessments,  
31 and contractual agreements shall be as set forth in chapters

1 170, 189, 197, and 298, Florida Statutes, or any other  
2 applicable general or special law, as they may be amended from  
3 time to time.

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

6 (4) 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; however,  
10 landowners owning less than 1 acre shall be entitled to one  
11 vote. Landowners with more than 1 acre shall be entitled to  
12 one additional vote for any fraction of an acre greater than  
13 1/2 acre owned, when all of the landowner's acreage has been  
14 aggregated for purposes of voting. The membership and  
15 organization of the board shall be as set forth in this act  
16 and chapter 298, Florida Statutes, as they may be amended from  
17 time to time.

18 (5) The compensation of board members shall be  
19 governed by this act and chapter 298, Florida Statutes, as  
20 they may be amended from time to time.

21 (6) The administrative duties of the board of  
22 supervisors shall be as set forth in this act and chapter 298,  
23 Florida Statutes, as they may be amended from time to time.

24 (7) Requirements for financial disclosure, meeting  
25 notices, reporting, public records maintenance, and per diem  
26 expenses for officers and employees shall be as set forth in  
27 chapters 112, 189, 286, and 298, Florida Statutes, as they may  
28 be amended from time to time.

29 (8) The procedures and requirements governing the  
30 issuance of bonds, notes, and other evidence of indebtedness  
31 by the district shall be as set forth in chapter 298, Florida

1 Statutes, and applicable general laws, as they may be amended  
2 from time to time.

3 (9) The procedures for conducting district elections  
4 and for qualification of electors shall be pursuant to  
5 chapters 189 and 298, Florida Statutes, as they may be amended  
6 from time to time; however, a quorum for purposes of holding  
7 the annual meeting or any special meeting shall consist of  
8 those landowners present in person or represented by proxy at  
9 said meeting.

10 (10) The district may be financed by any method  
11 established in this act, chapter 298, Florida Statutes, and  
12 applicable general laws, as they may be amended from time to  
13 time.

14 (11) The methods for collecting non-ad valorem  
15 assessments, fees, or service charges shall be as set forth in  
16 chapters 170, 197, and 298, Florida Statutes, and other  
17 applicable general laws, as they may be amended from time to  
18 time.

19 (12) The district's planning requirements shall be as  
20 set forth in chapters 189 and 298, Florida Statutes, as they  
21 may be amended from time to time.

22 (13) The district's geographic boundary limitations  
23 shall be as set forth in this act.

24 (14) The district shall have all powers provided to it  
25 by this act, chapters 189 and 298, Florida Statutes, and other  
26 applicable general laws, as they may be amended from time to  
27 time.

28 Section 7. All acts and proceedings of the circuit  
29 court taken by, for, and on behalf of the district since the  
30 creation thereof, and all of the acts and proceedings of the  
31 board of supervisors, the commissioners, and all other

1 officers and agents of the district, and of the county, acting  
2 for and on behalf of the district, and any and all tax levies  
3 and assessments which have been made by the board of  
4 supervisors for and on behalf of the district, are each and  
5 every one of them, and each and every part thereof, hereby  
6 ratified, validated, and confirmed.

7       Section 4. It is intended that the provisions of this  
8 act shall be liberally construed for accomplishing the work  
9 authorized and provided for or intended to be provided for by  
10 this act, and where strict construction would permit or assist  
11 in the accomplishment of any part of the work authorized by  
12 this act, the liberal construction shall be chosen.

13       Section 5. If any section, subsection, sentence,  
14 clause, or phrase of this act is held to be unconstitutional,  
15 such holding shall not affect the validity of the remaining  
16 portions of the act, the Legislature hereby declaring that it  
17 would have passed this act and each section, subsection,  
18 sentence, clause, and phrase thereof, irrespective of any  
19 other separate section, subsection, sentence, clause, or  
20 phrase thereof, and irrespective of the fact that any one or  
21 more other sections, subsections, sentences, clauses, or  
22 phrases thereof may be declared unconstitutional.

23       Section 6. Chapter 9982 (1923), chapter 13648 (1929),  
24 and chapter 57-850, Laws of Florida, relating to the Gladeview  
25 Water Control District shall be repealed 10 days after the  
26 effective date of this act.

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

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