

By Representative Ritter

1 A bill to be entitled
 2 An act relating to the Coral Springs
 3 Improvement District, Broward County; providing
 4 for codification of special laws regarding
 5 special districts pursuant to s. 189.429,
 6 Florida Statutes, relating to the Coral Springs
 7 Improvement District; codifying, reenacting,
 8 amending, and repealing special acts relating
 9 to the Coral Springs Improvement District;
 10 providing legislative intent; deleting
 11 gender-specific references; providing a
 12 district charter; providing that this act shall
 13 take precedence over any conflicting law to the
 14 extent of such conflict; providing an effective
 15 date.

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

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

27 Section 2. Chapters 70-617 and 89-419, Laws of
 28 Florida, relating to the Coral Springs Improvement District,
 29 are codified, reenacted, amended, and repealed as herein
 30 provided.

31

1 Section 3. The charter for the Coral Springs
2 Improvement District is re-created and reenacted to read:
3 Section 1. Creation of the district ratified and
4 approved; change of name of district to Coral Springs
5 Improvement District.--The decree of the circuit court in and
6 for the seventeenth judicial circuit of the State of Florida,
7 entered in chancery No. 66-1301, on the 8th day of September,
8 1966, creating and incorporating the Coral Springs Drainage
9 District as a public corporation of this state, and all
10 subsequent proceedings taken in the circuit court concerning
11 that district, are hereby ratified, confirmed, and approved,
12 except that the boundaries of said district shall be as
13 hereinafter described. The Coral Springs Drainage District
14 shall henceforth be known by the name of Coral Springs
15 Improvement District, and shall continue to be a public
16 corporation of this state and have perpetual existence. All
17 lawful debts, bonds, obligations, contracts, franchises,
18 promissory notes, audits, minutes, resolutions, and other
19 undertakings of the Coral Springs Drainage District are hereby
20 validated and shall continue to be valid and binding on the
21 Coral Springs Improvement District in accordance with their
22 respective terms, conditions, covenants, and tenor. Any
23 proceeding heretofore begun by the Coral Springs Drainage
24 District under chapter 298, Florida Statutes, or any other
25 law, for the construction of any improvements, works, or
26 facilities, for the assessment of benefits and damages or for
27 the borrowing of money shall not be impaired or avoided by
28 this act, but may be continued and completed in the name of
29 the Coral Springs Improvement District.
30
31

1 Section 2. Exclusion of lands and new boundaries.--The
2 following described lands formerly within the boundaries of
3 the district are excluded:

4
5 The North one-half of Section 26, Township 48
6 South, Range 41 East, Broward County, Florida.

7
8 The boundaries of the district shall be:

9
10 Beginning at the Northwest corner of Section
11 30, Township 48 South, Range 41, East; thence
12 Southerly along the West line of said Section
13 30 and along the West line of Section 31 of
14 said Township 48 South, Range 41 East to an
15 intersection with the North right-of-way line
16 of the Pompano Canal (C-14); thence Easterly
17 along the said North right-of-way line, through
18 said Section 31 and Sections 32, 33 and 34 of
19 said Township 48 South, Range 41 East to an
20 intersection with the East line of said Section
21 34; thence Northerly along the said East line
22 of Section 34 and along the East line of
23 Section 27, Township 48 South, Range 41 East,
24 to the Northeast corner of said Section 27;
25 thence Westerly along the North line of said
26 Section 27 and along the North lines of
27 Sections 28, 29 and 30 of said Township 48
28 South, Range 41 East to the said Northwest
29 corner of Section 30 and the Point of
30 Beginning; said lands situate, lying and being
31 in Broward County, Florida, which said boundary

1 embraces and includes these certain tracts or
2 parcels of land described as follows, to wit:
3
4 All of Sections 27 and 29; and Tracts 1 through
5 19 inclusive, Tracts 22 through 27 inclusive,
6 Tracts 30 through 32 inclusive, and those
7 portions of Tracts 20, 21, 28 and 29 lying
8 North of the North right-of-way line of the
9 Pompano Canal (C-14) of the subdivision of
10 Section 31; and Tracts 1 through 18 inclusive,
11 Tracts 22 through 26 inclusive, Tracts 31 and
12 32, and those portions of Tracts 19, 20, 21, 27
13 and 30 lying North of the North right-of-way
14 line of the Pompano Canal (C-14) of the
15 subdivision of Section 33, all according to the
16 Florida Fruit Lands Company's Subdivision Map
17 No. 2, recorded in Plat Book 1, Page 102, of
18 the public records of Palm Beach County,
19 Florida, together with all the platted road
20 rights-of-way contained therein; and all of
21 Sections 28 and 30; and those portions of
22 Sections 32 and 34 lying North of the North
23 right-of-way line of the Pompano Canal (C-14).
24
25 All of said property situate, lying and being
26 in Township 48 South, Range 41 East, Broward
27 County, Florida.
28
29 Section 3. Applicability of certain provisions of
30 chapter 298, Florida Statutes, to the Coral Springs
31 Improvement District; inconsistent laws inapplicable.--The

1 provisions of chapter 298, Florida Statutes, and all
2 amendments thereto, now existing or hereafter enacted, are
3 declared to be applicable to the Coral Springs Improvement
4 District insofar as not inconsistent with the provisions of
5 this act or any subsequent special acts relating to the Coral
6 Springs Improvement District. Notwithstanding the foregoing,
7 the provisions of sections 298.07, 298.11, 298.12, 298.14,
8 298.15, 298.17, 298.18, 298.19, 298.20, 298.23, 298.24,
9 298.25, 298.35, 298.37, 298.38, 298.39, 298.40, 298.401,
10 298.41, 298.42, 298.44, 298.45, 298.46, 298.48, 298.52,
11 298.54, 298.56, 298.57, 298.61, 298.69, 298.70, 298.71,
12 298.72, 298.73, and 298.74, Florida Statutes, and amendments
13 thereto, shall not be applicable to the Coral Springs
14 Improvement District.

15 Section 4. Definitions.--Unless the context shall
16 indicate otherwise, the following words as used in this act
17 shall have the following meanings:

18 (1) "Assessable improvements" includes, without
19 limitation, any and all drainage and land reclamation works
20 and facilities, sewer systems, storm sewers and drains, water
21 systems, streets, roads, or other projects of the district, or
22 that portion or portions thereof, local in nature and of
23 special benefit to the premises or lands served thereby, and
24 any and all modifications, improvements, and enlargements
25 thereof.

26 (2) "Bond" includes "certificate," and provisions
27 applicable to bonds shall be equally applicable to
28 certificates. "Bond" includes general obligation bonds,
29 assessment bonds, refunding bonds, revenue bonds, and such
30 other obligations in the nature of bonds as are provided for
31 in this act, as the case may be.

1 (3) "Board" means the board of supervisors of the
2 Coral Springs Improvement District, or if such board shall be
3 abolished, the board, body, or commission succeeding to the
4 principal functions thereof or to whom the powers given by
5 this act to the board shall be given by law.

6 (4) "Cost," when used with reference to any project,
7 includes, but is not limited to, the expenses of determining
8 the feasibility or practicability of acquisition,
9 construction, or reconstruction; the cost of surveys,
10 estimates, plans, and specifications; the cost of acquisition,
11 construction, or reconstruction; the cost of improvements;
12 engineering, fiscal, and legal expenses and charges; the cost
13 of all labor, materials, machinery, and equipment; the cost of
14 all lands, properties, rights, easements, and franchises
15 acquired; federal, state, and local taxes and assessments;
16 financing charges; the creation of initial reserve and debt
17 service funds; working capital; interest charges incurred or
18 estimated to be incurred on money borrowed prior to and during
19 construction and acquisition and for such period of time after
20 completion of construction or acquisition as the board may
21 determine; the cost of issuance of bonds pursuant to this act
22 including advertisements and printing, the cost of any
23 election held pursuant to this act, and all other expenses of
24 issuance of bonds; discount, if any, on the sale or exchange
25 of bonds; administrative expenses; such other expenses as may
26 be necessary or incidental to the acquisition, construction,
27 or reconstruction of any project or to the financing thereof,
28 or the development of any lands within the district; and
29 reimbursement of any public or private body, person, firm, or
30 corporation for any moneys advanced in connection with any of
31 the foregoing items of cost. Any obligation or expense

1 incurred prior to the issuance of bonds in connection with the
2 acquisition, construction, or reconstruction of any project or
3 improvements thereon, or in connection with any other
4 development of land that the board of the district shall
5 determine to be necessary or desirable in carrying out the
6 purposes of this act, may be treated as a part of such cost.

7 (5) "District" means the Coral Springs Improvement
8 District and "district manager" means the manager of the
9 district.

10 (6) "Landowner" means the owner of the freehold
11 estate, as appears by the deed record, including trustees,
12 private corporations, and owners of cooperative and
13 condominium units; it does not include reversioners,
14 remaindermen, or mortgagees, who shall not be counted and need
15 not be notified of proceedings under this act.

16 (7) "Project" means any development, improvement,
17 property, utility, facility, works, road, enterprise, service,
18 or convenience, now existing or hereafter undertaken or
19 established, under the provisions of this act or under chapter
20 298, Florida Statutes.

21 (8) "Sewer system" means any plant, system, facility,
22 or property and additions, extensions, and improvements
23 thereto at any future time constructed or acquired as part
24 thereof useful or necessary or having the present capacity for
25 future use in connection with the collection, treatment,
26 purification, or disposal of sewage, including, without
27 limitation, industrial wastes resulting from any processes of
28 industry, manufacture, trade, or business or from the
29 development of any natural resources; and, without limiting
30 the generality of the foregoing, shall include treatment
31 plants, pumping stations, lift stations, valves, force mains,

1 intercepting sewers, laterals, pressure lines, mains, and all
2 necessary appurtenances and equipment, all sewer mains,
3 laterals, and other devices for the reception and collection
4 of sewage from premises connected therewith, and all real and
5 personal property and any interest therein, rights, easements,
6 and franchises of any nature whatsoever relating to any such
7 system and necessary or convenient for operation thereof.

8 (9) "Water and flood control facilities" means any
9 canals, ditches, or other drainage facilities, reservoirs,
10 dams, levees, sluiceways, dredging holding basins, floodways,
11 pumping stations, or any other works, structures, or
12 facilities for the conservation, control, development,
13 utilization, and disposal of water, and any purposes
14 appurtenant, necessary, or incidental thereto, and includes
15 all real and personal property and any interest therein,
16 rights, easements, and franchises of any nature relating to
17 any such water and flood control facilities or necessary or
18 convenient for the acquisition, construction, reconstruction,
19 operation, or maintenance thereof.

20 (10) "Water system" means any plant, system, facility,
21 or property and additions, extensions, and improvements
22 thereto at any future time constructed or acquired as part
23 thereof, useful or necessary or having the present capacity
24 for future use in connection with the development of sources,
25 treatment, or purification and distribution of water and,
26 without limiting the generality of the foregoing, includes
27 dams, reservoirs, storage tanks, mains, lines, valves, pumping
28 stations, laterals, and pipes for the purpose of carrying
29 water to the premises connected with such system, and all real
30 and personal property and any interests therein, rights,
31 easements, and franchises of any nature whatsoever relating to

1 any such system and necessary or convenient for the operation
2 thereof.

3 Section 5. Board; election; organization; terms of
4 office; quorum; report and minutes.--

5 (1) The board of the district shall be the governing
6 body of the district and shall exercise the powers granted to
7 the district under this act and under chapter 298, Florida
8 Statutes. The board shall consist of five members, and except
9 as otherwise provided herein, each member shall hold office
10 for a term of 4 years and until his or her successor shall be
11 chosen and shall qualify. Four members shall be elected by a
12 majority vote of registered electors residing in the district
13 and voting in an election. The four candidates receiving the
14 highest number of votes shall be elected to the board. One
15 member shall be a City Commissioner of the City of Coral
16 Springs and shall be selected by a majority vote of the City
17 Commission. A designee may be substituted for the City
18 Commissioner and shall be selected by a majority vote of the
19 City Commission.

20 (2) The persons who are members of the board of
21 supervisors of the Coral Springs Drainage District elected on
22 October 4, 1966, shall constitute the members of the board
23 until June 1, 1971.

24 (3) Commencing upon the expiration of the existing
25 board members, all subsequent board members shall meet the
26 requirements as provided for herein. Existing board members'
27 terms shall be extended to November of the year in which their
28 terms expire. In November 2001, the two new board members
29 shall be selected or elected as provided for herein. Board
30 members to be elected shall be elected at an election
31 conducted by the supervisor of elections on the first Tuesday

1 in November of the year when the board member's term expires.
2 The cost of such election(s) shall be paid for by the
3 district. A landowner may vote in person or by proxy in
4 writing. Fractions of an acre shall be treated as 1 acre,
5 entitling the landowner to one vote with respect thereto.

6 (4) Each supervisor, before entering upon his or her
7 official duties, shall take and subscribe to an oath of office
8 as prescribed in section 298.13, Florida Statutes.

9 (5) All supervisors shall hold office for the terms
10 for which they are elected or appointed and until their
11 successors shall be chosen and qualify. In case of a vacancy
12 in the office of any supervisor, the remaining supervisor or
13 supervisors (even though less than a quorum) may fill such
14 vacancy by appointment of a new supervisor or supervisors for
15 the unexpired term of the supervisor who vacated his or her
16 office.

17 (6) As soon as practicable after each election, the
18 board shall organize by choosing one of the number president
19 of the board and by electing a secretary, who need not be a
20 member of the board.

21 (7) A majority of the members of the board shall
22 constitute a quorum.

23 (8) The board shall keep a permanent record book
24 entitled "Record of Proceedings of Coral Springs Improvement
25 District," in which shall be recorded minutes of all meetings,
26 resolutions, proceedings, certificates, bonds given by all
27 employees, and any and all corporate acts, which book shall at
28 reasonable times be opened to the inspection of any landowner,
29 taxpayer, resident, or bondholder of the district, and such
30 other persons as the board may determine to have a proper
31 interest in the proceedings of the board. Such record book

1 shall be kept at any office or other regular place of business
2 maintained by the board in Broward County.

3 Section 6. Appointment and duties of district
4 manager.--For the purpose of preserving and maintaining any
5 facility constructed or erected under the provisions of this
6 act or under the provisions of chapter 298, Florida Statutes,
7 and for maintaining and operating the equipment owned by the
8 district and such other duties as may be prescribed by the
9 board, the board may employ and fix the compensation of a
10 district manager who shall have charge and supervision of the
11 works of the district.

12 Section 7. Treasurer; depositories; fiscal agent.--

13 (1) The board shall designate a person who is a
14 resident of Florida, or a bank or trust company organized
15 under the laws of Florida or under the National Banking Act,
16 as treasurer of the district, who shall have charge of the
17 funds of the district. Such funds shall be disbursed only upon
18 the order of or pursuant to the resolution of the board by
19 warrant or check signed by the treasurer, or by such other
20 person as may be authorized by the board. The board may give
21 the treasurer such other or additional powers and duties as
22 the board may deem appropriate, and fix his or her
23 compensation. The board may require the treasurer to give a
24 bond in such amount, on such terms, and with such sureties as
25 may be deemed satisfactory to the board to secure the
26 performance by the treasurer of his or her powers and duties.
27 The board shall audit or have audited the books of the
28 treasurer at least once a year.

29 (2) The board is authorized to select as depositories
30 in which the bonds of the board and of the district shall be
31 deposited any banking corporation organized under the laws of

1 Florida or under the National Banking Act, doing business in
2 Florida, upon such terms and conditions as to the payment of
3 interest by such depository upon the funds so deposited as the
4 board may deem just and reasonable.

5 (3) The board may employ a fiscal agent to perform
6 such duties and services at such rate of compensation as the
7 board may determine.

8 Section 8. Compensation of board.--Each supervisor is
9 entitled to receive for his or her services an amount not to
10 exceed \$200 per month. In addition, each supervisor shall
11 receive reasonable traveling expenses for attending the place
12 of meeting from his or her residence. Unless the board by
13 resolution otherwise provides, such traveling expenses may not
14 be in excess of the amounts provided by law for state and
15 county officials.

16 Section 9. Powers.--The district shall have, and the
17 board may exercise, any or all of the following powers:

18 (1) To contract and be contracted with; to sue and be
19 sued in the name of the district; to adopt and use a seal; to
20 acquire by purchase, gift, devise, eminent domain (except as
21 limited herein), or otherwise, property, real or personal, or
22 any estate therein, within the district, to be used for any of
23 the purposes of this act.

24 (2) To adopt a plan of reclamation; and to establish,
25 construct, operate, and maintain a system of main and lateral
26 canals, drains, ditches, levees, dikes, dams, sluices, locks,
27 revetments, reservoirs, holding basins, floodways, pumping
28 stations, syphons, culverts, and storm sewers to drain and
29 reclaim the lands within the district and to connect some or
30 any of them with roads and bridges as in the judgment of the
31

1 board is deemed advisable to provide access to such
2 facilities.

3 (3) To acquire and maintain appropriate sites for
4 storage and maintenance of the equipment of the district; to
5 acquire and maintain and construct a suitable building to
6 house the office and records of the district.

7 (4) To clean out, straighten, widen, open up, or
8 change the course and flow, alter or deepen any canal, ditch,
9 drain, river, water course, or natural stream as within the
10 judgment of the board is deemed advisable to drain and reclaim
11 the lands within the district; to acquire, purchase, operate,
12 and maintain pumps, plants, and pumping systems for drainage
13 purposes; and to construct, operate, and maintain irrigation
14 works and machinery in connection with the purposes herein set
15 forth.

16 (5) To regulate and set forth by appropriate
17 resolution the drainage requirements and conditions to be met
18 for plats to be entitled to record on any land within the
19 district, including authority to require as a condition
20 precedent for any platting that good and sufficient bond be
21 posted to assure proper drainage for the area to be platted.

22 (6) To borrow money and issue bonds, certificates,
23 warrants, notes, or other evidences of indebtedness of the
24 district as hereinafter provided.

25 (7) To build and construct any other works and
26 improvements deemed necessary to preserve and maintain the
27 works in or out of the district; to acquire, construct,
28 operate, maintain, use, sell, convey, transfer, or otherwise
29 provide for machines and equipment for any purpose authorized
30 by this act or chapter 298, Florida Statutes; and to contract
31 for the purchase, construction, operation, maintenance, use,

- 1 sale, conveyance, and transfer of the said machinery and
2 equipment.
- 3 (8) To construct or enlarge, or cause to be
4 constructed or enlarged, any and all bridges or culverts that
5 may be needed in or out of the district, across any drain,
6 ditch, canal, floodway, holding basin, excavation, public
7 highway, tract, grade, fill, or cut; to construct roadways
8 over levees and embankments; to construct any and all of said
9 works and improvements across, through, or over any public
10 right-of-way, highway, grade, fill, or cut in or out of the
11 district.
- 12 (9) To hold, control, and acquire by donation,
13 purchase, or condemnation, any easement, reservation, or
14 dedication in the district, for any of the purposes herein
15 provided. To condemn as provided by chapters 73 and 74,
16 Florida Statutes, or acquire, by purchase or grant, for use in
17 the district any land or property within the district
18 necessary for the purposes of this act.
- 19 (10) To assess and impose upon all of the lands in the
20 district an ad valorem tax, an annual drainage tax, and a
21 maintenance tax as hereinafter provided.
- 22 (11) To impose and foreclose special assessments liens
23 as hereinafter provided.
- 24 (12) To prohibit, regulate, and restrict by
25 appropriate resolution all structures, materials, and things,
26 whether solid, liquid, or gas, whether permanent or temporary
27 in nature, which come upon, come into, connect to, or be a
28 part of any facility owned or operated by the district.
- 29 (13) To administer and provide for the enforcement of
30 all of the provisions herein, including the making, adopting,
31 promulgating, amending, and repealing of all rules and

1 regulations necessary or convenient for the carrying out of
2 the duties, obligations, and powers conferred on the district
3 created hereby.

4 (14) To cooperate with or contract with other drainage
5 districts or other governmental agencies as may be necessary,
6 convenient, incidental, or proper in connection with any of
7 the powers, duties, or purposes of the district as stated in
8 this act.

9 (15) To employ engineers, attorneys, agents,
10 employees, and representatives as the board of supervisors may
11 from time to time determine necessary and to fix their
12 compensation and duties.

13 (16) To exercise all of the powers necessary,
14 convenient, incidental, or proper in connection with any of
15 the powers, duties, or purposes of said district as stated in
16 this act.

17 (17) To construct, improve, and maintain roadways and
18 roads necessary and convenient to provide access to and
19 efficient development of areas made suitable and available for
20 cultivation, settlement, urban subdivision, homesites, and
21 other beneficial developments as a result of the drainage
22 operations of the district.

23 (18) To make use of any public easements, dedications
24 to public use, platted reservations for public purposes, or
25 any reservations for drainage purposes within the boundaries
26 of the district.

27 (19) To lease as lessor or lessee to or from any
28 person, firm, corporation, association, or body, public or
29 private, any projects of the type that the district is
30 authorized to undertake and facilities or property of any
31

1 nature for the use of the district to carry out any of the
2 purposes of this act.

3 (20) To regulate the supply and level of water within
4 the district; to divert waters from one area, lake, pond,
5 river, stream, basin, or drainage or water flood control
6 facility to any other area, lake, pond, river, stream, basin,
7 or drainage and water flood control facility; to regulate,
8 control, and restrict the development and use of natural or
9 artificial streams or bodies of water, lakes, or ponds; and to
10 take all measures determined by the board to be necessary or
11 desirable to prevent or alleviate land erosion. The powers
12 granted to the district by this subsection shall be concurrent
13 within the boundaries of the district with other public
14 bodies, agencies, or authorities as may be authorized by law.
15 The district is eligible to receive moneys, disbursements, and
16 assistance from the state available to flood control or water
17 management districts and the navigation districts or agencies.

18 (21) To own, acquire, construct, reconstruct, equip,
19 operate, maintain, extend, and improve water systems and sewer
20 systems or combined water and sewer systems; to regulate the
21 use of sewers and the supply of water within the district and
22 to prohibit or regulate the use and maintenance of outhouses,
23 privies, septic tanks, or other sanitary structures or
24 appliances within the district; to prescribe methods of
25 pretreatment of wastes not amenable to treatment with domestic
26 sewage before accepting such wastes for treatment and to
27 refuse to accept such wastes when not sufficiently pretreated
28 as may be prescribed, and to prescribe penalties for the
29 refusal of any person or corporation to so pretreat such
30 wastes; to sell or otherwise dispose of the effluent, sludge,
31 or other byproducts as a result of sewage treatment; and to

1 construct and operate connecting, intercepting, or outlet
2 sewers and sewer mains and pipes and water mains, conduits, or
3 pipelines in, along, or under any street, alleys, highways, or
4 other public places or ways within or without the district,
5 when deemed necessary or desirable by the board. The plans for
6 any water or sewer system shall be subject to the approval of
7 the state board of health.

8 (22) To own, acquire, construct, operate, and maintain
9 parks, playgrounds, picnic grounds, camping facilities, and
10 water recreation facilities within or without the district.

11 (23) To issue general obligation bonds, revenue bonds,
12 assessment bonds, or any other bonds or obligations authorized
13 by the provisions of this act or any other law, or any
14 combination of the foregoing, to pay all or part of the cost
15 of the acquisition, construction, reconstruction, extension,
16 repair, improvement, maintenance, or operation of any project
17 or combination of projects, to provide for any facility,
18 service, or other activity of the district and to provide for
19 the retirement or refunding of any bonds or obligations of the
20 district, or for any combination of the foregoing purposes.

21 (24) To exercise any and all other powers conferred
22 upon drainage districts by chapter 298, Florida Statutes.

23 Section 10. Seal.--The official seal of the district
24 shall bear the legend "Coral Springs Improvement District,
25 Broward County, Florida, Seal, Established 1966".

26 Section 11. Fiscal year.--The board by resolution
27 shall establish the fiscal year for the district.

28 Section 12. Annual budget.--Prior to May 15th of each
29 year after this act is effective, the secretary of the
30 district shall prepare a proposed budget to be submitted to
31 the board for their approval. The proposed budget shall

1 include an estimate of all necessary expenditures of the
2 district for the next ensuing fiscal year and an estimate of
3 income to the district from the taxes and assessments provided
4 in this act. The board shall consider the proposed budget item
5 by item and may either approve the budget as proposed by the
6 district manager or modify the same in part or in whole. The
7 board shall indicate their approval of the budget by
8 resolution, which resolution shall provide for a hearing on
9 the budget as approved. Notice of the hearing on the budget
10 shall be published in a newspaper in general circulation
11 within the district in Broward County once a week for 2
12 consecutive weeks; providing that the second publication shall
13 not be less than 7 days after the first publication. The
14 notice shall be directed to all landowners in the district and
15 shall state the purpose of the meeting. The notice shall
16 further contain a designation of the date, time, and place of
17 the public hearing, which shall be not less than 7 days after
18 the second publication. At the time and place designated in
19 the notice, the board shall hear all objections to the budget
20 as proposed and make such changes as the board deems
21 necessary. At the conclusion of the budget hearing the board
22 shall, by resolution, adopt the budget as finally approved by
23 the board.

24 Section 13. Notice and call of board meetings.--
25 (1) The board shall establish a regular meeting date
26 each month and shall meet no less than one time a month.
27 However, the board may decide by majority vote to take 1 month
28 off from meetings each year for a vacation. Meetings of the
29 board shall be held in a public place, and shall be held in
30 accordance with the requirements of chapter 286, Florida
31 Statutes.

1 (2) Special meetings of the board may be called at any
2 time to receive reports of the board or for such other purpose
3 as the board may determine upon 24 hours' notice to board
4 members and to the public by posting at the district office at
5 a public location set aside for notice purposes.

6 Section 14. Plan of reclamation; proceedings
7 thereof.--The board may proceed to adopt a plan of reclamation
8 as provided in chapter 298, Florida Statutes, or as provided
9 in this section, in which case the following shall apply:

10 (1) The board shall cause to be made by the chief
11 engineer or such other engineer or engineers as the board may
12 employ for that purpose, a complete and comprehensive plan for
13 the drainage and reclamation of the lands located within the
14 district. The engineer or engineers designated by the board to
15 make said plan shall make all necessary surveys of the lands
16 within the boundary lines of said district and of all lands
17 adjacent thereto that will be improved or reclaimed in part or
18 in whole by any system of drainage that may be outlined and
19 adopted, and shall make a report in writing to the board with
20 maps and profiles of said surveys, which report shall contain
21 a full and complete plan for drainage and reclaiming the lands
22 located within the district from overflow or damage by water,
23 with the length, width, and depth of such canals, ditches,
24 dikes, or levees or other works as may be necessary in
25 conjunction with any canals, drains, ditches, dikes, levees,
26 or other works heretofore constructed by any other drainage or
27 reclamation district, or any other person or persons, or which
28 may hereafter be built by any or either of such agencies that
29 may be necessary or which can be advantageously used in such
30 plan and also an estimate of the cost of carrying out and
31 completing the plan of reclamation, including the cost of

1 superintending the same and all incidental expenses in
2 connection therewith.

3 (2) Upon the completion of such plan, the board shall
4 hold a hearing thereon to hear objections thereto and shall
5 give notice of the time and place fixed for such hearing by
6 publication once each week for 2 consecutive weeks in a
7 newspaper of general circulation in the district published in
8 Broward County, and shall permit the inspection of said plan
9 at the office of the district by all persons interested. All
10 objections to said plan shall be filed at or before the time
11 fixed in said notice for the hearing and shall be in writing.

12 (3) After said hearing the board shall consider the
13 proposed plan and any objections thereto, and may modify,
14 reject, or adopt the plan, or may continue the hearing to a
15 day certain for further consideration of the proposed plan or
16 modifications thereof.

17 (4) When the board shall approve such a plan a
18 resolution shall be adopted and a certified copy thereof shall
19 be filed in the office of the secretary and incorporated by
20 him or her into the records of the district.

21 (5) The plan of reclamation may be altered in detail
22 from time to time until the appraisal record herein provided
23 is filed, but not in such manner as materially to affect the
24 conditions of its adoption. After the appraisal record has
25 been filed no alterations of the plan or reclamation shall be
26 made, except as provided by this act.

27 (6) Within 20 days after the final adoption of the
28 plan of reclamation by the board, the secretary of the
29 district shall prepare and transmit a certified copy thereof
30 to the clerk of the circuit court and at the same time the
31 board shall file with said clerk a petition that the said

1 court appoint three commissioners to appraise the lands to be
2 acquired for right-of-way, holding basins, and other drainage
3 works of the district and to assess benefits and damages
4 accruing to all lands within the district by reason of the
5 execution of the plan of reclamation. Immediately after the
6 filing of such petition the judge of said court in whose
7 division the petition shall have been assigned shall by an
8 order appoint three commissioners, who shall be freeholders
9 residing within Florida, and who shall not be landowners in
10 said district, nor of kin within the fourth degree of
11 consanguinity to any person owning land in said district. A
12 majority of said commissioners shall constitute a quorum and
13 shall control the action of the commissioners on all
14 questions.

15 (7) Immediately upon the filing of said order of
16 appointment, the secretary of the district shall notify each
17 of said commissioners of his or her appointment, and in the
18 said notice he or she shall state the time and place for the
19 first meeting of the commissioners. The secretary of the
20 district, or his or her deputy, shall attend such meeting and
21 shall furnish to the commissioners a complete list of lands
22 embraced in the district, or adjacent thereto, that will be
23 affected by the execution of the plan of reclamation. The
24 secretary shall also furnish to the commissioners a copy of
25 the plan of reclamation and such other papers, documents, and
26 information as the commissioners require. The commissioners at
27 the meeting shall each take and subscribe to an oath that he
28 or she will faithfully and impartially discharge his or her
29 duties as such commissioner and make a true report of the work
30 performed by such commissioners, and shall elect one of their
31 number chair. The secretary of the district, or his or her

1 deputy, shall be ex officio secretary to the commissioners,
2 and the attorney for the district, other agents, and employees
3 thereof shall cooperate with the commissioners and furnish to
4 them such advice, assistance, and cooperation as they shall
5 require.

6 (8) Immediately after qualifying as provided in the
7 previous paragraph, the commissioners shall commence the
8 performance of their duties; the chief engineer, or one of his
9 or her assistants, shall accompany said commissioners when
10 engaged in the discharge of their duties and shall render his
11 or her opinion in writing when called for. Said commissioners
12 shall proceed to view the premises and determine the value of
13 the lands within or without the district to be acquired and
14 used for rights-of-way, holding basins, and other works
15 described in the plan of reclamation; they shall appraise all
16 benefits and damages which will accrue to all lands by reason
17 of the execution of the plan of reclamation. The commissioners
18 in appraising benefits to lands, public highways, railroads,
19 and other rights-of-way shall not consider what benefits will
20 be derived by such property after other ditches, improvements,
21 or other plans of reclamation shall have been constructed, but
22 they shall appraise only such benefits as will be derived from
23 the construction of the works and improvements described in
24 the plan of reclamation or as the same may afford an outlet
25 for drainage or protection from overflow of such property. The
26 commissioners shall give due consideration and credit to any
27 other drainage works which have already been constructed and
28 which afford partial or complete protection to any tract or
29 parcel of land within the district. The public highways,
30 railroads, and other rights-of-way shall be appraised
31 according to the increased physical efficiency and decreased

1 maintenance cost of roadways by reason of the improvements.
2 The commissioners shall have no power to change the plan of
3 reclamation. The commissioners shall prepare a report of their
4 findings, which shall be arranged in tabular form, the columns
5 of which shall be headed as follows: Column 1, Owner of
6 Property Appraised; Column 2, Description of Property
7 Appraised; Column 3, Number of Acres Appraised; Column 4,
8 Amount of Benefits Appraised; Column 5, Amount of Damages
9 Appraised; Column 6, Number of Acres to be Taken for
10 Rights-of-way, Holding Basins, etc.; Column 7, Value of
11 Property to be Taken. They shall also, by and with the advice
12 of the chief engineer, estimate the cost of the works
13 described in the plan of reclamation, which estimate shall
14 include the cost of property required for rights-of-way,
15 holding basins, and other works, the probable expense of
16 organization and administration as estimated by the board of
17 supervisors, and all of the expenses of the district during
18 the period of executing the plan of reclamation. Before
19 appraisals of compensation and damages are made, the board may
20 report to the commissioners the parcels of land it may wish to
21 purchase and for which it may wish appraisals to be made, both
22 for easement and for purchase in fee simple, and the board may
23 specify the particular purpose for which, and the extent to
24 which, an easement in any property is desired, describing
25 definitely such purpose and extent. Wherever so instructed to
26 do by the board, the commissioners shall appraise lands that
27 may be necessary or desirable for the district to own and,
28 when so requested by the board, the commissioners shall also
29 appraise both the total value of the land and also the damages
30 due to any easement required for the purposes of the district.
31

1 The report of the commissioners shall be signed by at
2 least a majority of the commissioners and filed in the office
3 of the clerk of the circuit court of Broward County. Each
4 commissioner shall be paid \$100 per day for his or her
5 services and necessary expenses in addition thereto.

6 (9) Upon the filing of the report of the
7 commissioners, the clerk shall give notice thereof by causing
8 publication to be made once a week for 2 consecutive weeks in
9 a newspaper of general circulation in the district, published
10 in Broward County. It shall not be necessary for the clerk to
11 name the parties interested, nor to describe separate lots or
12 tracts of land in giving said notice, but it shall be
13 sufficient to publish the notice in the following form:

14
15 "NOTICE OF FILING COMMISSIONERS' REPORT FOR
16 CORAL SPRINGS IMPROVEMENT DISTRICT.

17
18 Notice is hereby given that the Commissioners
19 heretofore appointed to appraise benefits and
20 damages to property and lands located within
21 Coral Springs Improvement District in the State
22 of Florida and to appraise the cash value of
23 the land necessary to be taken for
24 rights-of-way, holding basins, and other works
25 of said district did file their report in the
26 office of the undersigned Clerk of the Circuit
27 Court, upon the day of,
28 20....., and you, and each of you, are hereby
29 notified that you may examine said report and
30 file exceptions to same on or before the
31 day of, 20..... (which date

1 failure to assess damages in his or her favor, and shall be
2 construed to have done so, unless he or she gives the
3 supervisors of the district, on or before the time shall have
4 expired for filing exceptions as provided in this act, notice
5 in writing that he or she demands an assessment of his or her
6 damages by a jury; in which event the supervisors of the
7 district shall institute in the circuit court of Broward
8 County an action to condemn the lands and other property that
9 must be taken or damaged in the making of such improvements,
10 with the right and privilege of paying into court a sum to be
11 fixed by the circuit court or judge, and proceeding with the
12 work, before the assessment by the jury; provided, any person
13 or party interested may prosecute and appeal to the
14 appropriate district court of appeal in the manner and within
15 the time provided by the Florida appellate rules.

16 The clerk of the circuit court of Broward County shall
17 transmit a certified copy of the court decree and copy of the
18 commissioners' report, as confirmed or amended by the court,
19 to the secretary of the board, and such clerk shall receive a
20 fee of \$5 for receiving, filing, and preserving same as a
21 permanent record.

22 Section 15. Adoption, revision, and revocation of plan
23 of reclamation.--In addition to and not in limitation of its
24 power to provide for and adopt a plan of reclamation provided
25 in section 14 and under section 298, Florida Statutes, and
26 amendments thereto, the board may at any time and from time to
27 time adopt, revoke, or modify in whole or in part, any plan of
28 reclamation or any plan providing for the drainage of lands
29 within the district, and may provide for such new and
30 additional drainage facilities, canals, ditches, levees, and
31 other works as the board may determine. In connection with the

1 revision of any plan of reclamation or the providing of any
2 new or additional drainage facilities, canals, ditches,
3 levees, or other works, or in the event the total taxes and
4 assessments theretofore levied or the funds derived from the
5 sale of bonds are insufficient to pay the cost of any drainage
6 works, benefits may be reassessed, additional assessments
7 made, and taxes levied in accordance with the procedures
8 provided in this act or in chapter 298, Florida Statutes. The
9 board may at any time approve and make effective technical
10 changes or modifications in any plan of reclamation or
11 drainage not affecting assessed benefits, levy of taxes, or
12 the security of bondholders.

13 Section 16. Assessing land for reclamation;
14 apportionment of tax; lands belonging to state assessed;
15 drainage tax record.--After the lists of lands, with the
16 assessed benefits and the decree and judgment of court, have
17 been filed in the office of the clerk of the circuit court as
18 provided in section 14, then the board shall, without any
19 unnecessary delay, levy a tax of such portion of said benefits
20 on all lands in the district to which benefits have been
21 assessed, as may be found necessary by the board of
22 supervisors to pay the costs of the completion of the proposed
23 works and improvements, as shown in said plan of reclamation
24 and in carrying out the objects of said district; and, in
25 addition thereto, 10 percent of said total amount for
26 emergencies. The said tax shall be apportioned to, and levied
27 on, each tract of land in said district in proportion to the
28 benefits assessed, and not in excess thereof; and in case
29 bonds are issued, as provided in this act, a tax shall be
30 levied in a sum not less than an amount 90 percent of which
31 shall be equal to the principal of said bonds. The amount of

1 bonds to be issued for paying the cost of the works as set
2 forth in the plan of reclamation shall be ascertained and
3 determined by the board; provided, however, that the total
4 amount of all bonds to be issued by the district shall in no
5 case exceed 90 percent of the benefits assessed upon the lands
6 of the district. The amount of the interest (as estimated by
7 said board), which will accrue on such bonds, shall be
8 included and added to the said tax, but the interest to accrue
9 on account of the issuing of said bonds shall not be construed
10 as a part of the costs of construction in determining whether
11 or not the expenses and costs of making said improvements are
12 equal to, or in excess of, the benefits assessed. The
13 secretary of the board of supervisors, as soon as said total
14 tax is levied, shall, at the expense of the district, prepare
15 a list of all taxes levied, in the form of a well-bound book
16 which book shall be endorsed and named "DRAINAGE TAX RECORD OF
17 CORAL SPRINGS IMPROVEMENT DISTRICT, BROWARD COUNTY, FLORIDA"
18 which endorsement shall be printed or written at the top of
19 each page in said book, and shall be signed and certified by
20 the president and secretary of the board, attested by the seal
21 of the district, and the same shall thereafter become a
22 permanent record in the office of said secretary.

23 Section 17. Prepayment of taxes or assessments.--The
24 board may provide that any tax or assessment may be paid at
25 any time before due, together with interest accrued thereon to
26 the date of prepayment and any prepayment premiums or
27 penalties, if such prior payment shall be permitted by the
28 proceedings authorizing any bonds or other obligations for the
29 payment of which special assessments have been pledged or
30 taxes levied.

31

1 Section 18. Tax liens.--All taxes of the district
2 provided for in this act or chapter 298, Florida Statutes,
3 together with all penalties for default in the payment of the
4 same and all costs in collecting the same, including a
5 reasonable attorney's fee fixed by the court and taxed as cost
6 in the action brought to enforce payment, shall from January 1
7 for each year the property is liable to assessment and until
8 paid constitute a lien of equal dignity with the liens for
9 state and county taxes and other taxes of equal dignity with
10 state and county taxes upon all the lands against which such
11 taxes shall be levied. A sale of any of the real property
12 within the district for state and county or other taxes shall
13 not operate to relieve or release the property so sold from
14 the lien for subsequent district taxes or installments of
15 district taxes which lien may be enforced against such
16 property as though no such sale thereof had been made. The
17 provisions of Florida Statutes shall be applicable to district
18 taxes with the same force and effect as if said provisions
19 were expressly set forth in this act.

20 Section 19. Issuance of bond anticipation notes.--In
21 addition to the other powers provided for in this act and not
22 in limitation thereof, the district shall have the power, at
23 any time and from time to time after the issuance of any bonds
24 of the district shall have been authorized, to borrow money
25 for the purposes for which such bonds are to be issued in
26 anticipation of the receipt of the proceeds of the sale of
27 such bonds and to issue bond anticipation notes in a principal
28 sum not in excess of the authorized maximum amount of such
29 bond issue. Such notes shall be in such denomination or
30 denominations, bear interest at such rate as the board may
31 determine, not to exceed 10 percent per year, mature at such

1 time or times not later than 5 years from the date of
2 issuance, and be in such form and executed in such manner as
3 the board shall prescribe. Such notes may be sold at either
4 public or private sale, or if such notes shall be renewal
5 notes, may be exchanged for notes then outstanding on such
6 terms as the board shall determine. Such notes shall be paid
7 from the proceeds of such bonds when issued. The board may in
8 its discretion, in lieu of retiring the notes by means of
9 bonds, retire them by means of current revenues or from any
10 taxes or assessments levied for the payment of such bonds, but
11 in such event a like amount of the bonds authorized shall not
12 be issued.

13 Section 20. Short-term borrowing.--The district at any
14 time may obtain loans, in such amount and on such terms and
15 conditions as the board may approve, for the purpose of paying
16 any of the expenses of the district or any costs incurred or
17 that may be incurred in connection with any of the projects of
18 the district, which loans shall have a term not exceeding 2
19 years from the date of issuance thereof, and may be renewable
20 for a like term or terms, shall bear such interest as the
21 board may determine, not to exceed 10 percent per year, and
22 may be payable from and secured by a pledge of such funds,
23 revenues, taxes, and assessments as the board may determine.
24 For the purpose of defraying such costs and expenses, the
25 district may issue negotiable notes, warrants, or other
26 evidences of debt signed on behalf of the district by any one
27 of the board duly authorized by the board, such notes or other
28 evidences of indebtedness to be payable at such times, to bear
29 such interest as the board may determine not to exceed 10
30 percent per year, and to be sold or discounted at such price
31 or prices and on such terms as the board may deem advisable.

1 The board shall have the right to provide for the payment
2 thereof by pledging the whole or any part of the funds,
3 revenues, taxes, and assessments of the district. The approval
4 of the qualified electors who are freeholders residing in the
5 district shall not be necessary except where required by the
6 Florida Constitution.

7 Section 21. Trust agreements.--In the discretion of
8 the board, any issue of bonds may be secured by a trust
9 agreement by and between the district and a corporate trustee
10 or trustees, which may be any trust company or bank having the
11 powers of a trust company within or without the state. The
12 resolution authorizing the issuance of the bonds or such trust
13 agreement may pledge the revenues to be received from any
14 projects of the district and may contain such provisions for
15 protecting and enforcing the rights and remedies of the
16 bondholders as the board may approve, including, without
17 limitation, covenants setting forth the duties of the district
18 in relation to the acquisition, construction, reconstructions,
19 improvements, maintenance, repair, operation, and insurance of
20 any projects, the fixing and revising of the rates, fees, and
21 charges, and the custody, safeguarding, and application of all
22 moneys, and for the employment of counseling engineers in
23 connection with such acquisition, construction,
24 reconstruction, improvement, maintenance, repair, or
25 operation. It shall be lawful for any bank or trust company
26 incorporated under the laws of the state which may act as a
27 depository of the proceeds of bonds or of revenues to furnish
28 such indemnifying bonds or to pledge such securities as may be
29 required by the district. Such resolution or trust agreement
30 may set forth the rights and remedies of the bondholders and
31 of the trustee, if any, and may restrict the individual right

1 of action by bondholders. The board may provide for the
2 payment of the proceeds of the sale of the bonds and the
3 revenues of any project to such officer, board, or depository
4 as it may designate for the custody thereof, and for the
5 method of disbursement thereof with such safeguards and
6 restrictions as it may determine. All expenses incurred in
7 carrying out the provisions of such resolution or trust
8 agreement may be treated as part of the cost of operation of
9 the project to which such trust agreement pertains.

10 Section 22. Sale of bonds.--Bonds may be sold in
11 blocks or installments at different times, or an entire issue
12 or series may be sold at one time. Bonds may be sold at public
13 or private sale after such advertisement, if any, as the board
14 may deem advisable but not in any event at less than 90
15 percent of the par value thereof, together with accrued
16 interest thereon. Bonds may be sold or exchanged for refunding
17 bonds. Special assessment and revenue bonds may be delivered
18 as payment by the district of the purchase price or lease of
19 any project or part thereof, or a combination of projects or
20 parts thereof, or as the purchase price or exchanged for any
21 property, real, personal, or mixed, including franchises, or
22 services rendered by any contractor, engineer, or other
23 person, all at one time or in blocks from time to time, in
24 such manner and upon such terms as the board in its discretion
25 shall determine. The price or prices for any bonds sold,
26 exchanged, or delivered may be:

27 (a) The money paid for the bonds,

28 (b) The principal amount, plus accrued interest to the
29 date of redemption or exchange, or outstanding obligations
30 exchanged for refunding bonds, or
31

1 (c) In the case of special assessment or revenue
2 bonds, the amount of any indebtedness to contractors or other
3 persons paid with such bonds, or the fair value of any
4 properties exchanged for the bonds, as determined by the
5 board.

6 Section 23. Authorization and form of bonds.--Bonds
7 may be authorized by resolution or resolutions of the board
8 which shall be adopted by a majority of all of the members
9 thereof then in office. Such resolution or resolutions may be
10 adopted at the same meeting at which they are introduced, and
11 need not be published or posted. The board may by resolution
12 authorize the issuance of bonds, fix the aggregate amount of
13 bonds to be issued, the purpose or purposes for which the
14 moneys derived therefrom shall be expended, the rate or rates
15 of interest, not to exceed 10 percent per year, the
16 denomination of the bonds, whether or not the bonds are to be
17 issued in one or more series, the date or dates of maturity,
18 which shall not exceed 40 years from their respective dates of
19 issuance, the medium of payment, the place or places within or
20 without the state where payment shall be made, registration
21 privileges, redemption terms and privileges (whether with or
22 without premium), the manner of execution, the form of the
23 bonds including any interest coupons to be attached thereto,
24 the manner of execution of bonds and coupons, and any and all
25 other terms, covenants, and conditions thereof, and the
26 establishment of revenue or other funds. Such authorizing
27 resolution may further provide that such bonds may be executed
28 manually or by engraved, lithographed, or facsimile signature,
29 provided that where signatures are engraved, lithographed, or
30 facsimile no bond shall be valid unless countersigned by a
31 registrar or other officer designated by appropriate

1 resolution of the board. The seal of the district may be
2 affixed, lithographed, engraved, or otherwise reproduced in
3 facsimile on such bonds. In case any officer whose signature
4 shall appear on any bonds or coupons shall cease to be such
5 officer before the delivery of such bonds, such signature or
6 facsimile shall nevertheless be valid and sufficient for all
7 purposes the same as if he or she had remained in office until
8 such delivery.

9 Section 24. Interim certificates; replacement
10 certificates.--Pending the preparation of definitive bonds,
11 the board may issue interim certificates or receipts or
12 temporary bonds, in such form and with such provisions as the
13 board may determine, exchangeable for definitive bonds when
14 such bonds shall have been executed and are available for
15 delivery. The board may also provide for the replacement of
16 any bonds that shall become mutilated or be lost or destroyed.

17 Section 25. Negotiability of bonds.--Any bond issued
18 under this act and any interim certificate, receipt, or
19 temporary bond shall, in the absence of an express recital on
20 the face thereof that it is nonnegotiable, be fully negotiable
21 and shall be and constitute negotiable instruments within the
22 meaning and for all purposes of the law merchant and the laws
23 of Florida.

24 Section 26. Defeasance.--The board may make such
25 provision with respect to the defeasance of the right, title,
26 and interest of the holders of any of the bonds and
27 obligations of the district in any revenues, funds, or other
28 properties by which such bonds are secured as the board deems
29 appropriate and, without limitation on the foregoing, may
30 provide that when such bonds or obligations become due and
31 payable or shall have been called for redemption, and the

1 whole amount of the principal and interest and premium, if
2 any, due and payable upon the bonds or obligations then
3 outstanding shall be paid, or sufficient moneys or direct
4 obligations of the United States Government the principal of
5 and the interest on which when due will provide, sufficient
6 moneys, shall be held or deposited in trust for such purpose,
7 and provision shall also be made for paying all other sums
8 payable in connection with such bonds or other obligations,
9 then and in such event the right, title, and interest of the
10 holders of the bonds in any revenues, funds, or other
11 properties by which such bonds are secured shall thereupon
12 cease, determine, and become void, and the board may apply any
13 surplus in any sinking fund established in connection with
14 such bonds or obligations and all balances remaining in all
15 other funds or accounts other than money held for the
16 redemption or payment of the bonds or other obligations to any
17 lawful purpose of the district as the board shall determine.

18 Section 27. Issuance of additional bonds.--If the
19 proceeds of any bonds shall be less than the cost of
20 completing the project in connection with which such bonds are
21 issued, the board may authorize the issuance of additional
22 bonds, upon such terms and conditions as the board may provide
23 in the resolution authorizing the issuance thereof, but only
24 in compliance with the resolution or other proceedings
25 authorizing the issuance of the original bonds.

26 Section 28. Refunding bonds.--The district shall have
27 the power to issue bonds to provide for the retirement or
28 refunding of any bonds or obligations of the district that at
29 the time of such issuance are or subsequently thereto become
30 due and payable, or that at the time of issuance have been
31 called or are or will be subject to call for redemption within

1 10 years thereafter, or the surrender of which can be procured
2 from the holders thereof at prices satisfactory to the board.
3 Refunding bonds may be issued at any time when in the judgment
4 of the board such issuance will be advantageous to the
5 district. No approval of the qualified electors who are
6 freeholders residing in the district shall be required for the
7 issuance of refunding bonds except in cases where such
8 approval is required by the constitution. The board may, by
9 resolution, confer upon the holders of such refunding bonds
10 all rights, powers, and remedies to which the holders would be
11 entitled if they continued to be the owners and had possession
12 of the bonds for the refinancing of which said refunding bonds
13 are issued, including, but not limited to, the preservation of
14 the lien of such bonds on the revenues of any project or on
15 pledged funds, without extinguishment, impairment, or
16 diminution thereof. The provisions of this act pertaining to
17 bonds of the district shall, unless the context otherwise
18 requires, govern the issuance of refunding bonds, the form and
19 other details thereof, the rights of the holders thereof, and
20 the duties of the board with respect to the same.

21 Section 29. Revenue bonds.--

22 (1) The district shall have the power to issue revenue
23 bonds from time to time without limitation as to amount. Such
24 revenue bonds may be secured by or payable from the gross or
25 net pledge of the revenues to be derived from any project or
26 combination of projects, from the rates, fees, or other
27 charges to be collected from the users of any project or
28 projects, from any revenue-producing undertaking or activity
29 of the district, or from any other source or pledged security.
30 Such bonds shall not constitute an indebtedness of the
31 district, and the approval of neither the qualified electors

1 nor the qualified electors who are freeholders shall be
2 required unless such bonds are additionally secured by the
3 full faith and credit and taxing power of the district.

4 (2) Any two or more projects may be combined and
5 consolidated into a single project, and may thereafter be
6 operated and maintained as a single project. The revenue bonds
7 authorized herein may be issued to finance any one or more
8 such projects, regardless of whether or not such projects have
9 been combined and consolidated into a single project. If the
10 board deems it advisable, the proceedings authorizing such
11 revenue bonds may provide that the district may thereafter
12 combine the projects then being financed or theretofore
13 financed with other projects to be subsequently financed by
14 the district, and that revenue bonds to be thereafter issued
15 by the district shall be on parity with the revenue bonds then
16 being issued, all on such terms, conditions, and limitations
17 as shall be provided, and may further provide that the
18 revenues to be derived from the subsequent projects shall at
19 the time of the issuance of such parity revenue bonds be also
20 pledged to the holders of any revenue bonds theretofore issued
21 to finance the revenue undertakings which are later combined
22 with such subsequent projects. The district may pledge for the
23 security of the revenue bonds a fixed amount, without regard
24 to any fixed proportion of the gross revenues of any project.

25 Section 30. General obligation bonds.--

26 (1) The district shall have the power from time to
27 time to issue general obligation bonds in an aggregate
28 principal amount of bonds outstanding at any one time not in
29 excess of 35 percent of the assessed value of the taxable
30 property within the district as shown on the pertinent tax
31 records at the time of the authorization of the general

1 obligation bonds for which the full faith and credit of the
2 district is pledged. Except for refunding bonds, no general
3 obligation bonds shall be issued unless the issuance thereof
4 shall have been approved at an election of freeholders held in
5 accordance with the requirements for such election as
6 prescribed by the Constitution of Florida. Such elections
7 shall be called to be held in the district by the Board of
8 County Commissioners of Broward County upon the request of the
9 board of the district. The expenses of calling and holding
10 such referendum elections shall be borne by the district and
11 the district shall reimburse the county for any expenses
12 incurred in calling or holding such elections. In the
13 alternative, at the option of the board, the board may make
14 such other provision for the registration of such qualified
15 electors who are freeholders and the calling and holding of
16 such elections as the board may from time to time deem
17 appropriate.

18 (2) The district may pledge its full faith and credit
19 for the payment of the principal and interest on such general
20 obligations bonds, and for any reserve or other funds provided
21 therefor, and may unconditionally and irrevocably pledge
22 itself to levy ad valorem taxes on all taxable property in the
23 district, to the extent necessary for the payment thereof,
24 without limitations as to rate or amount.

25 (3) If the board shall determine to issue general
26 obligation bonds for more than one different purpose, the
27 approval of the issuance of the bonds for each and all such
28 purposes may be submitted to the freeholders on one and the
29 same ballot. The failure of the freeholders to approve the
30 issuance of bonds for any one or more purposes shall not
31

1 defeat the approval of bonds for any purpose that shall be
2 approved by the freeholders.

3 Section 31. Bonds as legal investment or
4 security.--Notwithstanding any provisions of any other law to
5 the contrary, all bonds issued under the provisions of this
6 act shall constitute legal investments for savings banks,
7 banks, trust companies, insurance companies, executors,
8 administrators, trustees, guardians, and other fiduciaries,
9 and for any board, body, agency, instrumentality, county,
10 municipality, or other political subdivision of the state, and
11 shall be and constitute securities which may be deposited by
12 banks or trust companies as security for deposits of state,
13 county, municipal, or other public funds, or by insurance
14 companies as required or voluntary statutory deposits.

15 Section 32. Covenants.--Any resolution authorizing the
16 issuance of bonds may contain such covenants as the board may
17 deem advisable and all such covenants shall constitute valid
18 and legally binding and enforceable contracts between the
19 district and the bondholders, regardless of the time of
20 issuance thereof. Such covenants may include, without
21 limitation, covenants concerning the disposition of the bond
22 proceeds, the use and disposition of project revenues, the
23 pledging of revenues, taxes, and assessments, the obligations
24 of the district with respect to the operation of the project
25 and the maintenance of adequate project revenues, the issuance
26 of additional bonds, the appointment, powers, and duties of
27 trustees and receivers, the acquisition of outstanding bonds
28 and obligations, restrictions on the establishing of competing
29 projects or facilities, restrictions on the sale or disposal
30 of the assets and property of the district, the priority of
31 assessment liens, the priority of claims by bondholders on the

1 taxing power of the district, the maintenance of deposits to
2 assure the payment of revenues by users of district facilities
3 and services, the discontinuance of district services by
4 reason of delinquent payments, acceleration upon default, the
5 execution of necessary instruments, the procedure for amending
6 or abrogating covenants with the bondholders, and such other
7 covenants as may be deemed necessary or desirable for the
8 security of the bondholders.

9 Section 33. Validity of bonds; validation
10 proceedings.--

11 (1) Any bonds issued by the district shall be
12 incontestable in the hands of bona fide purchasers or holders
13 for value and not be invalid because of any irregularity or
14 defects in the proceedings for the issue and sale thereof.
15 Prior to the issuance of any bonds, the district may, but is
16 not required to, publish a notice at least once in a newspaper
17 or newspapers published or of general circulation in Broward
18 County and within the district stating the date of adoption of
19 the resolution authorizing such obligations, the amount, the
20 maximum rate of interest and maturity of such obligations, and
21 the purpose in general terms for which such obligations are to
22 be issued, and further stating that any action or proceeding
23 questioning the validity of such obligations or of the
24 proceedings authorizing the issuance thereof, or of any of the
25 covenants made therein, must be instituted within 20 days
26 after the first publication of such notice, or the validity of
27 such obligations, proceedings, and covenants shall not be
28 thereafter questioned in any court whatsoever. If no such
29 action or proceeding is so instituted within such 20-day
30 period then the validity of such obligations, proceedings, and
31 covenants shall be conclusive, and all persons or parties

1 whatsoever shall be forever barred from questioning the
2 validity of such obligations, proceedings, or covenants in any
3 court whatsoever.

4 (2) The power of the district to issue bonds under the
5 provisions of this act may be determined and any of the bonds
6 of the district may be validated and confirmed by circuit
7 court decree, under the provisions of chapter 75, Florida
8 Statutes, and laws amendatory thereof or supplementary
9 thereto.

10 Section 34. Within act furnishes full authority for
11 issuance of bonds.--This act constitutes full and complete
12 authority for the issuance of bonds and the exercise of the
13 powers of the district provided herein. No procedures or
14 proceedings, publications, notices, consents, approvals,
15 orders, acts, or things by the board, or any board, officers,
16 commission, department, agency, or instrumentality of the
17 district, other than those required by this act, shall be
18 required to issue any bonds or to do any act or perform
19 anything under this act, and the issuance or sale of bonds
20 pursuant to the provisions of this act need not comply with
21 the requirements of any other law applicable to the issuance
22 or sale of bonds, except as otherwise provided in this act,
23 and shall not require the consent or approval of the board of
24 drainage commissioners of the State of Florida or of any other
25 board, officers, commission, department, agency, or
26 instrumentality of the state or any political subdivision
27 thereof. Except as otherwise provided herein, no proceedings
28 or procedures of any character whatever shall be necessary or
29 required for the issuance of bonds other than the adoption of
30 an appropriate resolution by the board as provided in this act
31 with respect to the issuance of the same. The powers conferred

1 by this act on the district with respect to the issuance and
2 sale of bonds shall be in addition and supplemental to the
3 powers conferred by any other law.

4 Section 35. Pledge by the state to the bondholders of
5 the district and to the Federal Government.--The State of
6 Florida pledges to the holders of any bonds issued under this
7 act that it will not limit or alter the rights of the district
8 to own, acquire, construct, reconstruct, improve, maintain,
9 operate, or furnish the projects or to levy and collect the
10 taxes, assessments, rentals, rates, fees, and other charges
11 provided for herein and to fulfill the terms of any agreement
12 made with the holders of such bonds or other obligations, that
13 it will not in any way impair the rights or remedies of the
14 holders.

15 Section 36. Ad valorem taxes.--The board shall have
16 the power to levy and assess an ad valorem tax on all the
17 taxable real and tangible personal property in the district to
18 pay the principal of and interest on any general obligation
19 bonds of the district, to provide for any sinking or other
20 funds established in connection with any such bonds. The ad
21 valorem tax provided for herein shall be in addition to county
22 and all other ad valorem taxes provided for by law. Such tax
23 shall be assessed, levied, and collected in the same manner
24 and same time as county taxes.

25 Section 37. Annual installment taxes.--

26 (1) The board shall annually determine, order, and
27 levy the annual installment of the total taxes which are
28 levied under section 298.36, Florida Statutes, which shall be
29 due and be collected during each year that county taxes are
30 due and collected and said annual installment and levy shall
31 be evidenced to and certified by the board not later than

1 August 31st of each year to the Broward County property
2 appraiser. Said tax shall be entered by the county property
3 appraiser on the county tax rolls and shall be collected by
4 the Broward County tax collector in the same manner and the
5 same time as county taxes and the proceeds thereof paid to the
6 district. The tax shall be a lien until paid on the property
7 against which assessed and enforceable in like manner as
8 county taxes.

9 (2) In the alternative, the board may by resolution
10 determine the amount of taxes as provided by section 298.37,
11 Florida Statutes, and thereafter the annual installments shall
12 be levied, collected, and enforced as provided in chapter 298,
13 Florida Statutes.

14 Section 38. Maintenance tax.--To maintain and preserve
15 the drainage improvements of the district, a maintenance tax
16 shall be evidenced to and certified by the board of
17 supervisors not later than August 31st of each year to the
18 property appraiser and shall be entered by the property
19 appraiser on the county tax rolls and shall be collected by
20 the tax collector in the same manner and time as county taxes
21 and the proceeds therefrom paid to the district. The tax shall
22 be a lien until paid on the property against which assessed
23 and enforceable in like manner as county taxes. If the
24 maintenance is for original construction based upon an
25 apportionment of benefits, the maintenance tax shall be
26 apportioned on the same basis of the net assessments of
27 benefits assessed or accruing for original construction and
28 shall not exceed 10 percent thereof in any 1 year. If the
29 maintenance is for other drainage improvements owned,
30 operated, or acquired by the district, the amount of said
31 maintenance tax shall be determined by the board based upon a

1 report of the chief engineer and assessed by the board, upon
2 such lands, which may be all of the lands within the district
3 benefited by the maintenance thereof, apportioned between the
4 benefited lands in proportion to the benefits received by each
5 tract of land.

6 Section 39. Enforcement of taxes.--The collection and
7 enforcement of all taxes levied by the district shall be at
8 the same time and in like manner as county taxes and the
9 provision of the Florida Statutes relating to the sale of
10 lands for unpaid and delinquent county taxes, the issuance,
11 sale, and delivery of tax certificates for such unpaid and
12 delinquent county taxes, the redemption thereof, the issuance
13 to individuals of tax deeds based thereon, and all other
14 procedures in connection therewith shall be applicable to the
15 district to the same extent as if said statutory provisions
16 were expressly set forth herein. All taxes shall be subject to
17 the same discounts as county taxes.

18 Section 40. When unpaid tax is delinquent;
19 penalty.--All taxes provided for in this act shall become
20 delinquent and bear penalties on the amount of said taxes in
21 the same manner as county taxes.

22 Section 41. Tax exemption.--As the exercise of the
23 powers conferred by this act constitutes the performance of
24 essential public functions, and as the projects of the
25 district will constitute public property used for public
26 purposes, all assets and properties of the district, and all
27 bonds issued hereunder and interest paid thereon, and all
28 fees, charges, and other revenues derived by the district from
29 the projects provided by this act shall be exempt from all
30 taxes by the state or by any political subdivision, agency, or
31 instrumentality thereof; provided, however, that nothing in

1 this act shall be deemed to exempt from taxation any property,
2 project, facility, business activity, or enterprise that
3 cannot validly be undertaken as a public function by special
4 taxing districts or other public bodies under the laws and
5 Constitution of Florida; and further, that nothing in this act
6 shall be deemed to exempt any property, project, facility, or
7 business activity or enterprise of the district, or revenues
8 derived therefrom, which would be subject to taxation under
9 the general laws of Florida if such property, project, or
10 facility were owned or undertaken by a municipal corporation.

11 Section 42. Special assessments.--The board may
12 provide for the construction or reconstruction of assessable
13 improvements as defined in section 4, and for the levying of
14 special assessments upon benefited property for the payment
15 thereof, under the provisions of this section.

16 Such special assessments may be levied and assessed in
17 either of the alternate methods provided in subsections (1)
18 and (2) below, and except for such procedure, all the other
19 provisions of this section and this act shall apply to levy of
20 such special assessments under either subsection (1) or
21 subsection (2) hereof.

22 The initial proceeding under subsection (1) or
23 subsection (2) of this section shall be the passage by the
24 board of a resolution ordering the construction or
25 reconstruction of such assessable improvements, indicating the
26 location by terminal points and routes and either giving a
27 description of the improvements by its material, nature,
28 character, and size or giving two or more descriptions with
29 the directions that the material, nature, character, and size
30 shall be subsequently determined in conformity with one of
31 such descriptions. Drainage improvements need not be

1 continuous and may be in more than one locality. The
2 resolution ordering any such improvement may give any short
3 and convenient designation to each improvement ordered
4 thereby, and the property against which assessments are to be
5 made for the cost of such improvement may give any short and
6 convenient designation to each improvement ordered thereby,
7 and the property against which assessments are to be made for
8 the cost of such improvement may be designated as an
9 assessment district, followed by a letter or number or name to
10 distinguish it from other assessment districts, after which it
11 shall be sufficient to refer to such improvement and property
12 by such designation in all proceedings and assessments, except
13 in the notices required by this section.

14 As soon as possible after the passage of such
15 resolution the engineer for the district shall prepare, in
16 duplicate, plans and specifications for each improvement
17 ordered thereby and an estimate of the cost thereof. Such cost
18 shall include, in addition to the items of cost as defined in
19 this act, the following items of incidental expenses:

20 Printing and publishing notices and proceedings;

21 Costs of abstracts of title; and

22 Any other expense necessary or proper in conducting the
23 proceedings and work provided for in this section, including
24 the estimated amount of discount, if any, financial expenses
25 upon the sale of assessment bonds or any other obligations
26 issued hereunder for which such special assessment bonds or
27 any other obligations issued hereunder for which such special
28 assessments are to be pledged, and interest prior to and until
29 not more than 2 years after the completion of said assessable
30 improvements. If the resolution shall provide alternative
31 descriptions of material, nature, character, and size, such

1 estimate shall include an estimate of the cost of the
2 improvement of each such description.

3 The district engineer shall next prepare in duplicate a
4 tentative apportionment of the estimated total cost of the
5 improvement as between the district and each lot or parcel of
6 land subject to special assessment under the resolution, such
7 apportionment to be made in accordance with the provisions of
8 the resolution and in relation to apportionment of cost
9 provided herein for the preliminary assessment roll. Such
10 tentative apportionment of total estimated cost shall not be
11 held to limit or restrict the duties of the engineer in the
12 preparation of such preliminary assessment roll under
13 subsection (1) hereof. One of the duplicates of such plans,
14 specifications, and estimates and such tentative apportionment
15 shall be filed with the secretary of the board and the other
16 duplicate shall be retained by the engineer in his or her
17 files, all thereof to remain open to public inspection.

18 (1) If the special assessments are to be levied under
19 this subsection (1) the secretary of the board upon filing
20 with him or her of such plans, specifications, estimates, and
21 tentative apportionment of cost shall publish once in a
22 newspaper published in Broward County and of general
23 circulation in the district, a notice stating that at a
24 meeting of the board on a certain day and hour, not earlier
25 than 15 days from such publication, the board will hear
26 objections of all interested persons to the confirmation of
27 such resolution, which notice shall state in brief and general
28 terms a description of the proposed assessable improvements
29 with the location thereof, and shall also state that plans,
30 specifications, estimates, and tentative apportionment of cost
31 thereof are on file with the secretary of the board. A copy of

1 the notice shall be mailed to the landowners of the land to be
2 benefited by construction of the assessable improvement. The
3 landowners shall be determined by reference to the last
4 available tax roll of Broward County. The secretary of the
5 board shall keep a record in which shall be inscribed, at the
6 request of any person, firm, or corporation having or claiming
7 to have any interest in any lot or parcel of land, the name
8 and post office address of such person, firm, or corporation,
9 together with a brief description or designation of such lot
10 or parcel, and it shall be the duty of the secretary of the
11 board to mail a copy of such notice to such person, firm, or
12 corporation at such address at least 10 days before the time
13 for the hearing as stated in such notice, but the failure of
14 the secretary of the board to keep such record or so to
15 inscribe any name or address or to mail any such notice shall
16 not constitute a valid objection to holding the hearing as
17 provided in this section or to any other action taken under
18 the authority of this section.

19 At the time named in such notice, or to which an
20 adjournment may be taken by the board, the board shall receive
21 any objections of interested persons and may then or
22 thereafter repeal or confirm such resolution with such
23 amendments, if any, as may be desired by the board and which
24 do not cause any additional property to be specially assessed.

25 All objections to any such resolution on the ground
26 that it contains items which cannot be properly assessed
27 against property, or that it is, for any default or defect in
28 the passage or character of the resolution or the plans or
29 specifications or estimate, void or voidable in whole or in
30 part, or that it exceeds the power of the board, shall be made
31 in writing in person or by attorney, and filed with the

1 secretary of the board at or before the time or adjourned time
2 of such hearing. Any objections against the making of any
3 assessable improvements not so made shall be considered as
4 waived, and if any objection shall be made and overruled or
5 shall not be sustained, the confirmation of the resolution
6 shall be the final adjudication of the issue presented unless
7 proper steps shall be taken in a court of competent
8 jurisdiction to secure relief within 20 days.
9 Whenever any resolution providing for the construction
10 or reconstruction of assessable improvements and for the
11 levying of special assessments upon benefited property for the
12 payment thereof shall have been confirmed, and said special
13 assessments are levied under this subsection (1) as
14 hereinabove provided, or at any time thereafter, the board may
15 issue assessment bonds payable out of such assessments when
16 collected. Such bonds shall mature not later than 2 years
17 after the maturity of the last annual installment in which
18 said special assessments may be paid, as provided in
19 subsection (3) hereof, and shall bear such interest as the
20 board may determine not to exceed 10 percent per year. Such
21 assessment bonds shall be executed, shall have such provisions
22 for redemption prior to maturity, and shall be sold in the
23 manner and be subject to all of the applicable provisions
24 contained in this act applicable to other bonds, except as the
25 same are inconsistent with the provisions of this section. The
26 amount of such assessment bonds for any assessable
27 improvement, prior to the confirmation of the preliminary
28 assessment roll provided for in subsection (1), shall not
29 exceed the estimated amount of the cost of such assessable
30 improvements which are to be specially assessed against the
31

1 lands and real estate of the engineer referred to in this
2 section.
3 After the passage of the resolution authorizing the
4 construction or reconstruction of assessable improvements has
5 been confirmed as provided for above where special assessments
6 are levied under subsection (1) or after the final
7 confirmation of the assessment roll where such assessments are
8 levied under subsection (2), the board may publish at least
9 once in a newspaper published in Broward County and of general
10 circulation in the district, a notice calling for sealed bids
11 to be received by the board on a date not earlier than 15 days
12 from the first publication for the construction of the work,
13 unless in the initial resolution the board shall have declared
14 its intention to have the work done by district forces without
15 contract. The notice shall refer in general terms to the
16 extent and nature of the improvements and may identify the
17 same by the short designation indicated in the initial
18 resolution and by reference to the plans and specifications on
19 file. If the initial resolution shall have given two or more
20 alternative descriptions of the assessable improvements as to
21 its material, nature, character, and size, and if the board
22 shall not have theretofore determined upon a definite
23 description, the notice shall call for bids upon each of such
24 descriptions. Bids may be requested for the work as whole or
25 for any part thereof separately and bids may be asked for any
26 one or more of such assessable improvements authorized by the
27 same or different resolutions, but any bid covering work upon
28 more than one improvement shall be in such form as to permit a
29 separation of cost as to each improvement. The notice shall
30 require bidders to file with their bids either a certified
31 check drawn upon an incorporated bank or trust company in such

1 amount or percentage of their respective bids, as the board
2 shall deem advisable, or a bid bond in like amount with
3 corporate surety satisfactory to the board to ensure the
4 execution of a contract to carry out the work in accordance
5 with such plans and specifications and ensure the filing at
6 the making of such contract, of a bond in the amount of the
7 contract price with corporate surety satisfactory to the board
8 conditioned for the performance of the work in accordance with
9 such contract. The board shall have the right to reject any or
10 all bids, and if all bids are rejected the board may
11 readvertise or may determine to do the work by the district
12 forces without contract.

13 Promptly after the completion of the work, in the case
14 of special assessments levied under subsection (1), the
15 engineer for the district, who is hereby designated as the
16 official of the district to make the preliminary assessment of
17 benefits from assessable improvements, shall prepare a
18 preliminary assessment roll and file the same with the
19 secretary of the board which roll shall contain the following:

20 (a) A description of abutting lots and parcels of land
21 or lands which will benefit from such assessable improvements
22 and the amount of such benefits to each such lot or parcel of
23 land. Such lots and parcels shall include the property of
24 Broward County and any school district or other political
25 subdivision. There shall also be given the name of the owner
26 of record of each lot or parcel where practicable, and in all
27 cases there shall be given a statement of the method of
28 assessment used by the engineer for determining the benefits.

29 (b) The total cost of the improvements and the amount
30 of incidental expense.

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1 The preliminary roll shall be advisory only and shall
2 be subject to the action of the board as hereafter provided.
3 Upon the filing with the secretary of the board of the
4 preliminary assessment roll, the secretary of the board shall
5 publish at least once in a newspaper published in Broward
6 County and of general circulation in the district, a notice
7 stating that at a meeting of the board to be held on a certain
8 day and hour, not less than 15 days from the date of such
9 publication, which meeting may be a regular, adjourned, or
10 special meeting, all interested persons may appear and file
11 written objections to the confirmation of such roll. Such
12 notice shall state the class of the assessable improvements
13 and the location thereof by terminal points and route.

14 At the time and place stated in such notice the board
15 shall meet and receive the objections in writing of all
16 interested persons as stated in such notice. The board may
17 adjourn the hearing from time to time. After the completion
18 thereof the board shall either annul or sustain or modify in
19 whole or in part the prima facie assessment as indicated on
20 such roll, either by confirming the prima facie assessment
21 against any or all lots or parcels described therein or by
22 canceling, increasing, or reducing the same, according to the
23 special benefits which the board decides each such lot or
24 parcel has received or will receive on account of such
25 improvement. If any property that may be chargeable under this
26 section shall have been omitted from the preliminary roll or
27 if the prima facie assessment shall not have been made against
28 it, the board may place on such roll an apportionment to such
29 property. The board shall not confirm any assessment in excess
30 of the special benefits to the property assessed, and the
31 assessments so confirmed shall be in proportion to the special

1 benefits. Forthwith after such confirmation such assessment
2 roll shall be delivered to the secretary of the board. The
3 assessment so made shall be final and conclusive as to each
4 lot or parcel assessed unless proper steps are taken within 30
5 days in a court of competent jurisdiction to secure relief. If
6 the assessment against any property shall be sustained or
7 reduced or abated by the court, the secretary of the board
8 shall note that fact on the assessment roll opposite the
9 description of the property affected thereby. The amount of
10 the special assessment against any lot or parcel which may be
11 abated by the court, unless the assessment upon all benefited
12 property be abated, or the amount by which such assessment is
13 so reduced, may by resolution of the board be made chargeable
14 against the district at large; or, at the discretion of the
15 board, a new assessment roll may be prepared and confirmed in
16 the manner hereinabove provided for the preparation and
17 confirmation of the original assessment roll.

18 Pending the final confirmation of such special
19 assessments in the manner provided in this subsection (1), the
20 district shall have a lien on all such lands and real estate
21 after the confirmation of the initial resolution, in the
22 manner provided in this subsection (1).

23 (2) The district engineer, under the procedure
24 provided for in this subsection (2) shall next, after the
25 passage of the initial resolution and filing of the plans and
26 estimates of cost by the district engineer, prepare an
27 assessment roll for the district in duplicate, which
28 assessment roll shall contain an apportionment of the
29 estimated total cost of the improvement as between the
30 district and each lot or parcel of land subject to the special
31 assessment under the initial resolution, such apportionment to

1 be made in accordance with the provisions of the initial
2 resolution. One of the duplicates of said assessment roll
3 shall be filed with the secretary of the board and the other
4 duplicate shall be retained by the district engineer in his or
5 her files, all thereof to remain open to public inspection.
6 Upon the completion and filing of said assessment roll
7 the secretary to the board shall cause a copy thereof to be
8 published once in a newspaper published in Broward County and
9 of general circulation in the district, together with a notice
10 directed to all property owners interested in said special
11 assessments stating that at a meeting of the board on a
12 certain day and hour, not earlier than 15 days from such
13 publication, the board, sitting as an equalizing board, will
14 hear objections of all interested persons to the final
15 confirmation of such assessment roll, and will finally confirm
16 such assessment roll or take such action relative thereto as
17 it deems necessary and advisable. A copy of the notice shall
18 be mailed to the landowners of the land to be benefited by
19 construction of the assessable improvement. The landowners
20 shall be determined by reference to the last available tax
21 roll of Broward County. The secretary of the board shall keep
22 a record in which shall be inscribed, at the request of any
23 person, firm, or corporation having or claiming to have any
24 interest in any lot or parcel of land, the name and post
25 office address of such person, firm, or corporation, together
26 with a brief description or designation of such lot or parcel,
27 and it shall be the duty of the secretary of the board to mail
28 a copy of such notice to such person, firm, or corporation at
29 such address at least 10 days before the time for the hearing
30 as stated in such notice, but the failure of the secretary of
31 the board to keep such record or so to inscribe any name or

1 address or to mail any such notice shall not constitute a
2 valid objection to holding the hearing as provided in this
3 section or to any other action taken under the authority of
4 this section.

5 At the time and place named in the notice provided for
6 in the above paragraph, the board shall meet as an equalizing
7 board to hear and consider any and all complaints as to said
8 special assessments, and shall adjust and equalize the said
9 special assessments on a basis of justice and right, and when
10 so equalized and approved such special assessments shall stand
11 confirmed and remain legal, valid, and binding liens upon the
12 properties upon which such special assessments are made, until
13 paid in accordance with the provisions of this act; provided,
14 however, that upon the completion of such improvements, if the
15 actual cost of such assessable improvements is less than the
16 amount of such special assessments levied, the district shall
17 rebate to the owners of any properties which shall have been
18 specially assessed for such assessable improvements the
19 difference in the special assessments as originally made,
20 levied, and confirmed, and the proportionate part of the
21 actual cost of said assessable improvements as finally
22 determined upon the completion of said assessable
23 improvements; and in the event that the actual cost of said
24 assessable improvements shall be more than the amount of such
25 special assessments confirmed and levied, finally determined
26 upon the completion of said assessable improvements, the
27 proportionate part of such excess cost of such assessable
28 improvements may be levied against all of the lands and
29 properties against which such special assessments were
30 originally levied, or, in the alternative, the board may, in
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1 its discretion, pay such excess cost from any legally
2 available funds.

3 All objections to any such assessment roll on the
4 ground that it contains items which cannot be properly
5 assessed against property, or that it is, for any default or
6 defect in the passage or character of the assessment roll or
7 the plans or specifications or estimate, void or voidable in
8 whole or in part, or that it exceeds the power of the board,
9 shall be made in writing in person or by attorney, and filed
10 with the secretary of the board at or before the time or
11 adjourned time of such hearing on the assessment roll. Any
12 objections against the making of any assessable improvements
13 not so made shall be considered as waived, and if any
14 objections shall be made and overruled or shall not be
15 sustained, the confirmation of the assessment roll shall be
16 the final adjudication of the issue presented unless proper
17 steps shall be taken in a court of competent jurisdiction to
18 secure relief within 20 days.

19 All the provisions of subsection (1) not inconsistent
20 with subsection (2) shall apply to the levy of special
21 assessments under subsection (2).

22 (3) Any assessment may be paid at the office of the
23 secretary of the board within 60 days after the confirmation
24 thereof, without interest. Thereafter all assessments shall be
25 payable in equal installments, with interest as determined by
26 the board, not to exceed 10 percent per year, from the
27 expiration of said 60 days in each of the succeeding number of
28 years which the board shall determine by resolution, not
29 exceeding 20; provided, however, that the board may provide
30 that any assessment may be paid at any time before due,
31 together with interest accrued thereon to the date of payment,

1 if such prior payment shall be permitted by the proceedings
2 authorizing any assessment bonds or other obligations for the
3 payment of which such special assessments have been pledged.

4 All such special assessments levied pursuant to this
5 act may, in the discretion of the board, be collected by the
6 tax collector of the county at the same time as the general
7 county taxes are collected by the tax collector of the county,
8 and the board shall in such event certify to the county tax
9 collector in each year a list of all such special assessments
10 and a description of and names of the owners of the properties
11 against which such special assessments have been levied and
12 the amounts due thereof in such year, and interest thereon for
13 any deficiencies for prior years. The amount to be collected
14 in such year may include, in the discretion of the board, the
15 principal installment of such special assessments which will
16 become due at any time in the next succeeding fiscal year, and
17 all or any part of the interest which will become due on such
18 special assessments during such next fiscal year, together
19 with any deficiencies for prior years.

20 The board may, in lieu of providing for the collection
21 of said special assessments by the tax collector of the
22 county, provide for the collection of said special assessments
23 by the district under such terms and conditions as the board
24 shall determine. In such event, the bills or statements for
25 the amounts due in any fiscal year shall be mailed to the
26 owners of all properties affected by such special assessments
27 at such time or times as the board shall determine and such
28 bills or statements may include all or any part of the
29 principal and interest which will mature and become due on the
30 annual installments of such special assessments during the

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1 fiscal year in which installments of such special assessments
2 are payable.

3 All charges of the county tax collector or of the
4 district, and the fees, costs, and expenses of any paying
5 agents, trustees, or other fiduciaries for assessment bonds
6 issued under this act, shall be deemed to be costs of the
7 operation and maintenance of any drainage improvements in
8 connection with which such special assessments were levied and
9 the board shall be authorized and directed to provide for the
10 payment each year of such costs of collection, fees, and other
11 expenses from the maintenance tax as provided in this act as
12 shall be mutually agreed upon between the board and the county
13 tax collector as additional compensation for his or her
14 services for each such assessment district in which the
15 special assessments are collected by him or her.

16 All assessments shall constitute a lien upon the
17 property so assessed from the date of final confirmation
18 thereof, of the same nature and to the same extent as the lien
19 for general county taxes falling due in the same year or years
20 in which such assessments or installments thereof fall due,
21 and any assessment or installment not paid when due shall be
22 collectable with such interest and with reasonable attorney's
23 fees and costs, but without penalties, by the district by
24 proceedings in a court of equity to foreclose the line of
25 assessments as a lien for mortgages is or may be foreclosed
26 under the laws of the state; provided that any such
27 proceedings to foreclose shall embrace all installments of
28 principal remaining unpaid with accrued interest thereon,
29 which installments shall, by virtue of the institution of such
30 proceedings, immediately become due and payable. Nevertheless,
31 if, prior to any sale of the property under decree of

1 foreclosure in such proceedings, payment be made of the
2 installment or installments which are shown to be due under
3 the provisions of subsections (1) or (2) of this section, and
4 by this subsection (3) and all costs, including interest and
5 reasonable attorney's fees, such payment shall have the effect
6 of restoring the remaining installments to their original
7 maturities as provided by the resolution passed pursuant to
8 this subsection (3) and the proceedings shall be dismissed. It
9 shall be the duty of the board to enforce the prompt
10 collection of assessment by the means herein provided, and
11 such duty may be enforced at the suit of any holder of bonds
12 issued under this act in a court of competent jurisdiction by
13 mandamus or other appropriate proceedings or action. Not later
14 than 30 days after the annual installments are due and
15 payable, it shall be the duty of the board to direct the
16 attorney for the district to institute actions within 2 months
17 after such direction to enforce the collection of all special
18 assessments for assessable improvements made under this
19 section and remaining due and unpaid at the time of such
20 direction. Such action shall be prosecuted in the manner and
21 under the conditions in and under which mortgages are
22 foreclosed under the laws of the state. It shall be lawful to
23 join in one action the collection of assessments against any
24 or all property assessed by virtue of the same assessment roll
25 unless the court shall deem such joinder prejudicial to the
26 interest of any defendant. The court shall allow reasonable
27 attorney's fees for the attorney for the district and the same
28 shall be collectable as a part of or in addition to the costs
29 of the action. At the sale pursuant to decree in any such
30 action, the district may be a purchaser to the same extent as
31 an individual person or corporation, except that the part of

1 the purchase price represented by the assessments sued upon
2 and the interest thereon need not be paid in cash. Property so
3 acquired by the district may be sold or otherwise disposed of.

4 All assessments and charges made under the provisions
5 of this section for the payment of all or any part of the cost
6 of any assessable improvements for which assessment bonds
7 shall have been issued under the provisions of this act, or
8 which have been pledged as additional security for any other
9 bonds or obligations issued under this act, shall be
10 maintained in a special fund or funds and be used only for the
11 payment of principal or interest on such assessment bonds or
12 other bonds or obligations.

13 Broward County and each school district and other
14 political subdivision wholly or partly within the district
15 shall possess the same power and be subject to the same duties
16 and liabilities in respect of assessments under this section
17 affecting the real estate of such county, school district, or
18 other political subdivision which private owners of real
19 estate possess or are subject to hereunder, and such real
20 estate of any such county, school district, and political
21 subdivision shall be subject to liens for said assessments in
22 all cases where the same property would be subject to such
23 liens had it at the time the lien attached been owned by a
24 private owner.

25 Section 43. Issuance of certificates of indebtedness
26 based on assessments for assessable improvements; assessment
27 bonds.--

28 (1) The board may, after any assessments for
29 assessable improvements are made, determined, and confirmed,
30 as provided in section 42, issue certificates of indebtedness
31 for the amount so assessed against the abutting property or

1 property otherwise benefited, as the case may be, and separate
2 certificates shall be issued against each part or parcel of
3 land or property assessed, which certificates shall state the
4 general nature of the improvement for which the said
5 assessment is made. Said certificates shall be payable in
6 annual installments in accordance with the installments of the
7 special assessment for which they are issued. The board may
8 determine the interest to be borne by such certificates, not
9 to exceed 10 percent per year, and may sell such certificates
10 at either private or public sale and determine the form,
11 manner of execution, and other details of such certificates.
12 Such certificates shall recite that they are payable only from
13 the special assessments levied and collected from the part or
14 parcel of land or property against which they are issued. The
15 proceeds of such certificates may be pledged for the payment
16 of principal of and interest on any revenue bonds or general
17 obligation bonds issued to finance in whole or in part such
18 assessable improvement, or, if not so pledged, may be used to
19 pay the cost or part of the cost of such assessable
20 improvements.

21 (2) The district may also issue assessment bonds or
22 other obligations payable from a special fund into which such
23 certificates of indebtedness referred to in the preceding
24 paragraph may be deposited; or, if such certificates of
25 indebtedness have not been issued, the district may assign to
26 such special fund for the benefit of the holders of such
27 assessment bonds or other obligations, or to a trustee for
28 such bondholders, the assessment liens provided for in this
29 act unless such certificates of indebtedness or assessment
30 liens have been theretofore pledged for any bonds or other
31 obligations authorized hereunder. In the event of the creation

1 of such special fund and the issuance of such assessment bonds
2 or other obligations, the proceeds of such certificates of
3 indebtedness of assessment liens deposited therein shall be
4 used only for the payment of the assessment bonds or other
5 obligations issued as provided in this section. The district
6 is hereby authorized to covenant with the holders of such
7 assessment bonds or other obligations that it will diligently
8 and faithfully enforce and collect all the special assessments
9 and interest and penalties thereon for which such certificates
10 of indebtedness or assessment liens have been deposited in or
11 assigned to such fund and to foreclose such assessment liens
12 so assigned to such special fund or represented by the
13 certificates of indebtedness deposited in said special fund,
14 after such assessment liens have become delinquent, and
15 deposit the proceeds derived from such foreclosure, including
16 interest and penalties, in such special fund, and to make any
17 other covenants deemed necessary or advisable in order to
18 properly secure the holders of such assessment bonds or other
19 obligations.

20 (3) The assessment bonds or other obligations issued
21 pursuant to this section shall have such dates of issue and
22 maturity as shall be deemed advisable by the board, provided,
23 however, that the maturities of such assessment bonds or other
24 obligations shall not be more than 2 years after the due date
25 of the last installment which will be payable on any of the
26 special assessments for which such assessment liens, or the
27 certificates of indebtedness representing such assessment
28 liens, are assigned to or deposited in such special fund.

29 Such assessment bonds or other obligations issued under
30 this section shall bear such interest as the board may
31 determine, not to exceed 10 percent per year, shall be

1 executed, shall have such provisions for redemption prior to
2 maturity, and shall be sold in the manner and be subject to
3 all of the applicable provisions contained in this act for
4 revenue bonds, except as the same may be inconsistent with the
5 provisions of this section.

6 All assessment bonds or other obligations issued under
7 the provisions of this act, except certificates of
8 indebtedness issued against separate lots or parcels of land
9 or property as provided in this section, shall be and
10 constitute and have all the qualities and incidents of
11 negotiable instruments under the law merchant and the laws of
12 the state.

13 Section 44. Foreclosure of liens.--Any lien in favor
14 of the district arising under chapter 298, Florida Statutes,
15 or under this act may be foreclosed by the district by
16 foreclosure proceedings in the name of the district in the
17 circuit court in like manner as is provided in chapter 173,
18 Florida Statutes, and amendments thereto, and the provisions
19 of said chapter shall be applicable to such proceedings with
20 the same force and effect as if said provisions were expressly
21 set forth in this act. Any act required or authorized to be
22 done by or on behalf of a city or town in foreclosure
23 proceedings under chapter 173, Florida Statutes, may be
24 performed by such officer or agent of the district as the
25 board of supervisors may designate. Such foreclosure
26 proceedings may be brought at any time after the expiration of
27 one year from the date any tax, or installment thereof,
28 becomes delinquent.

29 Section 45. Payment of taxes and redemption of tax
30 liens by the district; sharing in proceeds of tax sale under
31 section 194.21, Florida Statutes.--

1 (1) The district has the right to:
2 (a) Pay any delinquent state, county, district,
3 municipal, or other tax or assessment upon lands located
4 wholly or partially within the boundaries of the district; and

5 (b) Redeem or purchase any tax sales certificate
6 issued or sold on account of any state, county, district,
7 municipality, or other taxes or assessments upon lands located
8 wholly or partially within the boundaries of the district.

9 (2) Delinquent taxes paid, or tax sales certificates
10 redeemed or purchased, by the district, together with all
11 penalties for the default in payment of the same and all costs
12 in collecting the same and a reasonable attorney's fee, shall
13 constitute a lien in favor of the district of equal dignity
14 with the liens of state and county taxes and other taxes of
15 equal dignity with state and county taxes, upon all the real
16 property against which said taxes were levied. The lien of the
17 district may be foreclosed in the manner provided in this act.

18 (3) In any sale of land pursuant to section 194.21,
19 Florida Statutes, and amendments thereto, the district may
20 certify to the clerk of the circuit court of the county
21 holding such sale, the amount of taxes due to the district
22 upon the lands sought to be sold, and the district shall share
23 in the disbursement of the sales proceeds in accordance with
24 the provisions of this act and under law.

25 Section 46. Mandatory use of certain district
26 facilities and services.--The district may require all lands,
27 buildings, and premises, and all persons, firms, and
28 corporations within the district to use the drainage,
29 reclamation, and water and sewer facilities of the district.
30 Subject to such exceptions as may be provided by the
31 resolutions, rules, or by-laws of the board, and subject to

1 the terms and provisions of any resolution authorizing any
2 bonds and agreements with bondholders, no drainage and
3 reclamation or water and sewer facilities shall be constructed
4 or operated within the district unless the board gives its
5 consent thereto and approves the plans and specifications
6 therefor.

7 Section 47. Bids required.--No contract shall be let
8 by the board for the construction or maintenance of any
9 project authorized by this act, nor shall any goods, supplies,
10 or materials be purchased when the amount thereof to be paid
11 by said district shall exceed \$4,000, unless notice of bids
12 shall be advertised once a week for 2 consecutive weeks in a
13 newspaper published in Broward County and in general
14 circulation in the district, and in each case the bid of the
15 lowest responsible bidder shall be accepted, unless all bids
16 are rejected because the bids are too high. The board may
17 require the bidders to furnish bond with responsible surety to
18 be approved by the board. Nothing in this section shall
19 prevent the board from undertaking and performing the
20 construction, operation, and maintenance of any project or
21 facility authorized by this act, by the employment of labor,
22 material, and machinery.

23 Section 48. Maintenance of projects across
24 rights-of-way.--The district shall have the power to construct
25 and operate its projects in, along, or under any dedications
26 to the public, platted rights-of-way, platted reservations,
27 streets, alleys, highways, or other public places or ways, and
28 across any drain, ditch, canal, floodway, holding basin,
29 excavation, grade, fill, or cut, within or without the
30 district.

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1 Section 49. Agreements with state commissions and
2 others.--The board shall have the power to retain and enter
3 into agreements with fiscal agents, financial advisors, state
4 commissions, engineers, and other consultants or advisors with
5 respect to the issuance and sale of any bonds, and the cost
6 and expense thereof may be treated as part of the cost and
7 expense of such project. Upon request of the board, any state
8 commission may provide such technical assistance or other
9 services relating to bond issues as may be necessary or
10 desirable under the circumstances.

11 Section 50. Agreements with other political bodies for
12 the joint discharge of common functions.--The board and any
13 other political bodies, whether now in existence or hereafter
14 created, are authorized to enter into and carry into effect
15 contracts and agreements relating to the common powers,
16 duties, and functions of the board and any other political
17 bodies, to the end that there may be effective cooperation and
18 coordination in discharging their common functions, powers,
19 and duties.

20 Section 51. Fees, rentals, and charges; procedure for
21 adoption and modifications; minimum revenue requirements.--

22 (1) The district is authorized to prescribe, fix,
23 establish, and collect rates, fees, rentals, or other charges
24 (hereinafter sometimes referred to as "revenues"), and to
25 revise the same from time to time, for the facilities and
26 services furnished by the district, within or without the
27 limits of the district; including, but not limited to,
28 drainage facilities, recreation facilities, and water and
29 sewer systems, to recover the costs of making connection with
30 any district facility or system; and to provide for reasonable
31

1 penalties against any user or property for any such rates,
2 fees, rentals, or other charges that are delinquent.
3 (2) No such rates, fees, rentals, or other charges for
4 any of the facilities or services of the district shall be
5 fixed until after a public hearing at which all the users of
6 the proposed facility or services or owners, tenants, or
7 occupants served or to be served thereby and all other
8 interested persons shall have an opportunity to be heard
9 concerning the proposed rates, fees, rentals, or other
10 charges. Notice of such public hearing setting forth the
11 proposed schedule or schedules of rates, fees, rentals, and
12 other charges shall have been published in a newspaper in
13 Broward County and of general circulation in the district at
14 least once at least 10 days prior to such public hearing,
15 which may be adjourned from time to time. After such hearing
16 such schedule or schedules, either as initially proposed, or
17 as modified or amended, may be finally adopted. A copy of the
18 schedule or schedules of such rates, fees, rentals, or charges
19 as finally adopted shall be kept on file in an office
20 designated by the board and shall be open at all reasonable
21 times to public inspection. The rates, fees, rentals, or
22 charges so fixed for any class of users or property served
23 shall be extended to cover any additional users or properties
24 thereafter served which shall fall in the same class, without
25 the necessity of any notice or hearing. Any change or revision
26 of rates, fees, rentals, or charges may be made in the same
27 manner as the same were originally established, as hereinabove
28 provided, except that if such changes or revisions are made
29 substantially pro rata as to all classes of the type of
30 service involved no notice or hearing shall be required.
31

1 (3) Such rates, fees, rentals, and charges shall be
2 just and equitable and uniform for users of the same class,
3 and where appropriate may be based or computed either upon the
4 amount of service furnished or upon the number or average
5 number of persons residing or working or otherwise occupying
6 the premises served, or upon any other factor affecting the
7 use of the facilities furnished, or upon any combination of
8 the foregoing factors, as may be determined by the board on an
9 equitable basis.

10 (4) The rates, fees, rentals, or other charges
11 prescribed shall be such as will produce revenues, together
12 with any other assessments, taxes, revenues, or fund available
13 or pledged for such purpose, at least sufficient to provide
14 for the items hereinafter listed, but not necessarily in the
15 order stated to:

16 (a) Provide for all expenses of operation and
17 maintenance of such facility or service;

18 (b) Pay when due all bonds and interest thereon for
19 the payment of which such revenues are, or shall have been,
20 pledged or encumbered, including reserves for such purpose;
21 and

22 (c) Provide for any other funds which may be required
23 under the resolution or resolutions authorizing the issuance
24 of bonds pursuant to this act.

25 (5) The board shall have the power to enter into
26 contracts for the use of the projects of the district and with
27 respect to the services and facilities furnished or to be
28 furnished by the district, including, but not limited to,
29 service agreements with landowners and others within or
30 without the district providing for the drainage of land by the
31 district or the furnishing of any of the other services and

1 facilities of the district, for such consideration and on such
2 other terms and conditions as the board may approve. No
3 hearing or notice thereof shall be required prior to the
4 authorization or execution by the board of any such contract
5 or agreement, and the same shall not be subject to revision
6 except in accordance with their terms. Such contracts or
7 agreements, and revenues or service charges received or to be
8 received by the district thereunder, may be pledged as
9 security for any of the lands of the district.

10 Section 52. Recovery of delinquent charges.--In the
11 event that any of the rates, fees, rentals, charges, or
12 delinquent penalties shall not be paid as and when due and
13 shall be in default for 30 days or more, the unpaid balance
14 thereof and all interest accrued thereon, together with
15 reasonable attorney's fees and costs, may be recovered by the
16 district in a civil action.

17 Section 53. Discontinuance of service.--In the event
18 that the fees, rentals, or other charges for the services and
19 facilities of any project are not paid when due, the board
20 shall have the power to discontinue and shut off the same
21 until such fees, rentals, or other charges, including
22 interest, penalties, and charges for the shutting off and
23 discontinuance and the restoration of such services and
24 facilities, are fully paid, and for such purposes may enter on
25 any lands, waters, and premises of any person, firm,
26 corporation, or body, public or private, within or without the
27 district limits. Such delinquent fees, rentals, or other
28 charges, together with interest, penalties, and charges for
29 the shutting off and discontinuance and the restoration of
30 such services and facilities, and the reasonable attorney's
31 fees and other expenses, may be recovered by the district,

1 which may also enforce payment of such delinquent fees,
2 rentals, or other charges by any other lawful method of
3 enforcement.

4 Section 54. Action taken on consent of
5 landowners.--Any action required under this act or under
6 chapter 298, Florida Statutes, to be taken on public hearing
7 for the purpose of receiving and passing on objections by
8 landowners may be taken without such notice or hearing upon
9 the written consent of all of the landowners affected by such
10 action.

11 Section 55. Enforcement and penalties.--The board or
12 any aggrieved person may have recourse to such remedies in law
13 and equity as may be necessary to ensure compliance with the
14 provisions of this act, including injunctive relief to enjoin
15 or restrain any person violating the provisions of this act,
16 and any by-laws, resolutions, regulations, rules, codes, and
17 orders adopted under this act. In case any building or
18 structure is erected, constructed, reconstructed, altered,
19 repaired, converted, or maintained, or any building,
20 structure, land, or water is used, in violation of this act,
21 or of any code, order, resolution, or other regulation made
22 under authority conferred by this act or under law, the board
23 and any citizen residing in the district may institute any
24 appropriate action or proceeding to prevent such unlawful
25 erection, construction, reconstruction, alteration, repair,
26 conversion, maintenance, or use, to restrain, correct, or
27 avoid such violation, to prevent the occupancy of such
28 building, structure, land, or water, and to prevent any
29 illegal act, conduct, business, or use in or about such
30 premises, land, or water.

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1 Section 56. Suits against the district.--Any suit or
2 action brought or maintained against the district for damage
3 arising out of tort, including, without limitation, any claim
4 arising upon account of an act causing an injury or loss of
5 property, personal injury, or death, shall be subject to the
6 limitations provided in section 768.28, Florida Statutes.

7 Section 57. Exemption of district property from
8 execution.--All district property shall be exempt from levy
9 and sale by virtue of an execution and no execution or other
10 judicial process shall issue against such property, nor shall
11 any judgment against the district be a charge or lien on its
12 property or revenues, provided that nothing herein contained
13 shall apply to or limit the rights of bondholders to pursue
14 any remedy for the enforcement of any lien or pledge given by
15 the district in connection with any of the bonds or
16 obligations of the district.

17 Section 4. Chapters 70-617 and 89-419, Laws of
18 Florida, are repealed.

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

28 Section 6. In the event of a conflict of the
29 provisions of this act with the provisions of any other act,
30 the provisions of this act shall control to the extent of such
31 conflict.

1 Section 7. This act shall take effect upon becoming a
2 law.
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