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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29 are codified, reenacted, amended, and repealed as herein  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. Five members shall be elected by a  
12 majority vote of registered electors residing in the district  
13 and voting in an election. Elected members of the board shall  
14 be residents of the district.

15 (2) The persons who are members of the board of  
16 supervisors of the Coral Springs Drainage District elected on  
17 October 4, 1966, shall constitute the members of the board  
18 until June 1, 1971.

19 (3) Commencing upon the expiration of the existing  
20 board members, all subsequent board members shall meet the  
21 requirements as provided for herein. Existing board members'  
22 terms shall be extended to November of the year in which their  
23 terms expire. In November, 2002, the two new board members  
24 shall be selected or elected as provided for herein. Board  
25 members to be elected shall be elected at an election  
26 conducted by the supervisor of elections on the first Tuesday  
27 in November of the year when the board member's term expires.  
28 The cost of such election(s) shall be paid for by the  
29 district. A landowner may vote in person or by proxy in  
30 writing. Fractions of an acre shall be treated as 1 acre,  
31 entitling the landowner to one vote with respect thereto.

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

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

12           (6) As soon as practicable after each election, the  
13 board shall organize by choosing one of the number president  
14 of the board and by electing a secretary, who need not be a  
15 member of the board.

16           (7) A majority of the members of the board shall  
17 constitute a quorum.

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

29           Section 6. Appointment and duties of district  
30 manager.--For the purpose of preserving and maintaining any  
31 facility constructed or erected under the provisions of this

1 act or under the provisions of chapter 298, Florida Statutes,  
2 and for maintaining and operating the equipment owned by the  
3 district and such other duties as may be prescribed by the  
4 board, the board may employ and fix the compensation of a  
5 district manager who shall have charge and supervision of the  
6 works of the district.

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

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

24 (2) The board is authorized to select as depositories  
25 in which the bonds of the board and of the district shall be  
26 deposited any banking corporation organized under the laws of  
27 Florida or under the National Banking Act, doing business in  
28 Florida, upon such terms and conditions as to the payment of  
29 interest by such depository upon the funds so deposited as the  
30 board may deem just and reasonable.

31

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

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

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

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

20           (2) To adopt a plan of reclamation; and to establish,  
21 construct, operate, and maintain a system of main and lateral  
22 canals, drains, ditches, levees, dikes, dams, sluices, locks,  
23 revetments, reservoirs, holding basins, floodways, pumping  
24 stations, syphons, culverts, and storm sewers to drain and  
25 reclaim the lands within the district and to connect some or  
26 any of them with roads and bridges as in the judgment of the  
27 board is deemed advisable to provide access to such  
28 facilities.

29           (3) To acquire and maintain appropriate sites for  
30 storage and maintenance of the equipment of the district; to  
31

1 acquire and maintain and construct a suitable building to  
2 house the office and records of the district.

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

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

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

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

30 (8) To construct or enlarge, or cause to be  
31 constructed or enlarged, any and all bridges or culverts that

1 may be needed in or out of the district, across any drain,  
2 ditch, canal, floodway, holding basin, excavation, public  
3 highway, tract, grade, fill, or cut; to construct roadways  
4 over levees and embankments; to construct any and all of said  
5 works and improvements across, through, or over any public  
6 right-of-way, highway, grade, fill, or cut in or out of the  
7 district.

8 (9) To hold, control, and acquire by donation,  
9 purchase, or condemnation, any easement, reservation, or  
10 dedication in the district, for any of the purposes herein  
11 provided. To condemn as provided by chapters 73 and 74,  
12 Florida Statutes, or acquire, by purchase or grant, for use in  
13 the district any land or property within the district  
14 necessary for the purposes of this act.

15 (10) To assess and impose upon all of the lands in the  
16 district an ad valorem tax, an annual drainage tax, and a  
17 maintenance tax as hereinafter provided.

18 (11) To impose and foreclose special assessments liens  
19 as hereinafter provided.

20 (12) To prohibit, regulate, and restrict by  
21 appropriate resolution all structures, materials, and things,  
22 whether solid, liquid, or gas, whether permanent or temporary  
23 in nature, which come upon, come into, connect to, or be a  
24 part of any facility owned or operated by the district.

25 (13) To administer and provide for the enforcement of  
26 all of the provisions herein, including the making, adopting,  
27 promulgating, amending, and repealing of all rules and  
28 regulations necessary or convenient for the carrying out of  
29 the duties, obligations, and powers conferred on the district  
30 created hereby.

31

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

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

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

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

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

24           (19) To lease as lessor or lessee to or from any  
25 person, firm, corporation, association, or body, public or  
26 private, any projects of the type that the district is  
27 authorized to undertake and facilities or property of any  
28 nature for the use of the district to carry out any of the  
29 purposes of this act.

30           (20) To regulate the supply and level of water within  
31 the district; to divert waters from one area, lake, pond,

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

14 (21) To own, acquire, construct, reconstruct, equip,  
15 operate, maintain, extend, and improve water systems and sewer  
16 systems or combined water and sewer systems; to regulate the  
17 use of sewers and the supply of water within the district and  
18 to prohibit or regulate the use and maintenance of outhouses,  
19 privies, septic tanks, or other sanitary structures or  
20 appliances within the district; to prescribe methods of  
21 pretreatment of wastes not amenable to treatment with domestic  
22 sewage before accepting such wastes for treatment and to  
23 refuse to accept such wastes when not sufficiently pretreated  
24 as may be prescribed, and to prescribe penalties for the  
25 refusal of any person or corporation to so pretreat such  
26 wastes; to sell or otherwise dispose of the effluent, sludge,  
27 or other byproducts as a result of sewage treatment; and to  
28 construct and operate connecting, intercepting, or outlet  
29 sewers and sewer mains and pipes and water mains, conduits, or  
30 pipelines in, along, or under any street, alleys, highways, or  
31 other public places or ways within or without the district,



1 when deemed necessary or desirable by the board. The plans for  
2 any water or sewer system shall be subject to the approval of  
3 the state board of health.

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

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

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

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

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

24 Section 12. Annual budget.--Prior to May 15th of each  
25 year after this act is effective, the secretary of the  
26 district shall prepare a proposed budget to be submitted to  
27 the board for their approval. The proposed budget shall  
28 include an estimate of all necessary expenditures of the  
29 district for the next ensuing fiscal year and an estimate of  
30 income to the district from the taxes and assessments provided  
31 in this act. The board shall consider the proposed budget item

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

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

28 (2) Special meetings of the board may be called at any  
29 time to receive reports of the board or for such other purpose  
30 as the board may determine upon 24 hours' notice to board  
31

1 members and to the public by posting at the district office at  
2 a public location set aside for notice purposes.

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

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

31

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

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

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

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

25           (6) Within 20 days after the final adoption of the  
26 plan of reclamation by the board, the secretary of the  
27 district shall prepare and transmit a certified copy thereof  
28 to the clerk of the circuit court and at the same time the  
29 board shall file with said clerk a petition that the said  
30 court appoint three commissioners to appraise the lands to be  
31 acquired for right-of-way, holding basins, and other drainage

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

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

1 thereof shall cooperate with the commissioners and furnish to  
2 them such advice, assistance, and cooperation as they shall  
3 require.

4 (8) Immediately after qualifying as provided in the  
5 previous paragraph, the commissioners shall commence the  
6 performance of their duties; the chief engineer, or one of his  
7 or her assistants, shall accompany said commissioners when  
8 engaged in the discharge of their duties and shall render his  
9 or her opinion in writing when called for. Said commissioners  
10 shall proceed to view the premises and determine the value of  
11 the lands within or without the district to be acquired and  
12 used for rights-of-way, holding basins, and other works  
13 described in the plan of reclamation; they shall appraise all  
14 benefits and damages which will accrue to all lands by reason  
15 of the execution of the plan of reclamation. The commissioners  
16 in appraising benefits to lands, public highways, railroads,  
17 and other rights-of-way shall not consider what benefits will  
18 be derived by such property after other ditches, improvements,  
19 or other plans of reclamation shall have been constructed, but  
20 they shall appraise only such benefits as will be derived from  
21 the construction of the works and improvements described in  
22 the plan of reclamation or as the same may afford an outlet  
23 for drainage or protection from overflow of such property. The  
24 commissioners shall give due consideration and credit to any  
25 other drainage works which have already been constructed and  
26 which afford partial or complete protection to any tract or  
27 parcel of land within the district. The public highways,  
28 railroads, and other rights-of-way shall be appraised  
29 according to the increased physical efficiency and decreased  
30 maintenance cost of roadways by reason of the improvements.  
31 The commissioners shall have no power to change the plan of

1 reclamation. The commissioners shall prepare a report of their  
2 findings, which shall be arranged in tabular form, the columns  
3 of which shall be headed as follows: Column 1, Owner of  
4 Property Appraised; Column 2, Description of Property  
5 Appraised; Column 3, Number of Acres Appraised; Column 4,  
6 Amount of Benefits Appraised; Column 5, Amount of Damages  
7 Appraised; Column 6, Number of Acres to be Taken for  
8 Rights-of-way, Holding Basins, etc.; Column 7, Value of  
9 Property to be Taken. They shall also, by and with the advice  
10 of the chief engineer, estimate the cost of the works  
11 described in the plan of reclamation, which estimate shall  
12 include the cost of property required for rights-of-way,  
13 holding basins, and other works, the probable expense of  
14 organization and administration as estimated by the board of  
15 supervisors, and all of the expenses of the district during  
16 the period of executing the plan of reclamation. Before  
17 appraisals of compensation and damages are made, the board may  
18 report to the commissioners the parcels of land it may wish to  
19 purchase and for which it may wish appraisals to be made, both  
20 for easement and for purchase in fee simple, and the board may  
21 specify the particular purpose for which, and the extent to  
22 which, an easement in any property is desired, describing  
23 definitely such purpose and extent. Wherever so instructed to  
24 do by the board, the commissioners shall appraise lands that  
25 may be necessary or desirable for the district to own and,  
26 when so requested by the board, the commissioners shall also  
27 appraise both the total value of the land and also the damages  
28 due to any easement required for the purposes of the district.

29 The report of the commissioners shall be signed by at  
30 least a majority of the commissioners and filed in the office  
31 of the clerk of the circuit court of Broward County. Each

1 commissioner shall be paid \$100 per day for his or her  
 2 services and necessary expenses in addition thereto.  
 3 (9) Upon the filing of the report of the  
 4 commissioners, the clerk shall give notice thereof by causing  
 5 publication to be made once a week for 2 consecutive weeks in  
 6 a newspaper of general circulation in the district, published  
 7 in Broward County. It shall not be necessary for the clerk to  
 8 name the parties interested, nor to describe separate lots or  
 9 tracts of land in giving said notice, but it shall be  
 10 sufficient to publish the notice in the following form:

11  
 12 "NOTICE OF FILING COMMISSIONERS' REPORT FOR  
 13 CORAL SPRINGS IMPROVEMENT DISTRICT.

14  
 15 Notice is hereby given that the Commissioners  
 16 heretofore appointed to appraise benefits and  
 17 damages to property and lands located within  
 18 Coral Springs Improvement District in the State  
 19 of Florida and to appraise the cash value of  
 20 the land necessary to be taken for  
 21 rights-of-way, holding basins, and other works  
 22 of said district did file their report in the  
 23 office of the undersigned Clerk of the Circuit  
 24 Court, upon the ..... day of .....,  
 25 20....., and you, and each of you, are hereby  
 26 notified that you may examine said report and  
 27 file exceptions to same on or before the .....  
 28 day of ....., 20..... (which date  
 29 shall be not less than 28 days nor more than 30  
 30 days from the first date of publication).



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Clerk of the Circuit Court  
of Broward County, Florida"

The state board of drainage commissioners, the drainage district, or any owner of land or other property to be affected by said report, may file exception to any part, or all, of the report of said commissioners within the time specified in the notice prescribed in the preceding paragraph. All exceptions shall be heard and determined by the court. If no exceptions are filed, or if it is shown, upon the hearing of all of said exceptions, that the estimated cost of construction of improvements contemplated in the plan of reclamation is less than the benefits assessed against the lands in said district, the court shall approve and confirm said commissioners' report; but, if the court, upon hearing the objections filed, finds that any or all such objections should be sustained, it shall order the report changed to conform with such findings, and when so changed the court shall approve and confirm such report and enter its decree accordingly. The court shall adjudge and apportion the costs incurred by the exceptions filed, and shall condemn any land or other property that is shown by the report of the commissioners to be needed for rights-of-way, holding basins, or other works, following the procedure provided in chapters 73 and 74, Florida Statutes; provided, however, that any property owner may accept the assessment of damages in his or her favor made by the commissioners, or acquiesce in their failure to assess damages in his or her favor, and shall be construed to have done so, unless he or she gives the supervisors of the district, on or before the time shall have

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

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

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

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

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

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

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

28 Section 18. Tax liens.--All taxes of the district  
29 provided for in this act or chapter 298, Florida Statutes,  
30 together with all penalties for default in the payment of the  
31 same and all costs in collecting the same, including a

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

16 Section 19. Issuance of bond anticipation notes.--In  
17 addition to the other powers provided for in this act and not  
18 in limitation thereof, the district shall have the power, at  
19 any time and from time to time after the issuance of any bonds  
20 of the district shall have been authorized, to borrow money  
21 for the purposes for which such bonds are to be issued in  
22 anticipation of the receipt of the proceeds of the sale of  
23 such bonds and to issue bond anticipation notes in a principal  
24 sum not in excess of the authorized maximum amount of such  
25 bond issue. Such notes shall be in such denomination or  
26 denominations, bear interest at such rate as the board may  
27 determine, not to exceed 10 percent per year, mature at such  
28 time or times not later than 5 years from the date of  
29 issuance, and be in such form and executed in such manner as  
30 the board shall prescribe. Such notes may be sold at either  
31 public or private sale, or if such notes shall be renewal

1 notes, may be exchanged for notes then outstanding on such  
2 terms as the board shall determine. Such notes shall be paid  
3 from the proceeds of such bonds when issued. The board may in  
4 its discretion, in lieu of retiring the notes by means of  
5 bonds, retire them by means of current revenues or from any  
6 taxes or assessments levied for the payment of such bonds, but  
7 in such event a like amount of the bonds authorized shall not  
8 be issued.

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

1 district shall not be necessary except where required by the  
2 Florida Constitution.

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

1 method of disbursement thereof with such safeguards and  
2 restrictions as it may determine. All expenses incurred in  
3 carrying out the provisions of such resolution or trust  
4 agreement may be treated as part of the cost of operation of  
5 the project to which such trust agreement pertains.

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

23 (a) The money paid for the bonds,

24 (b) The principal amount, plus accrued interest to the  
25 date of redemption or exchange, or outstanding obligations  
26 exchanged for refunding bonds, or

27 (c) In the case of special assessment or revenue  
28 bonds, the amount of any indebtedness to contractors or other  
29 persons paid with such bonds, or the fair value of any  
30 properties exchanged for the bonds, as determined by the  
31 board.



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

1 facsimile shall nevertheless be valid and sufficient for all  
2 purposes the same as if he or she had remained in office until  
3 such delivery.

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

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

19 Section 26. Defeasance.--The board may make such  
20 provision with respect to the defeasance of the right, title,  
21 and interest of the holders of any of the bonds and  
22 obligations of the district in any revenues, funds, or other  
23 properties by which such bonds are secured as the board deems  
24 appropriate and, without limitation on the foregoing, may  
25 provide that when such bonds or obligations become due and  
26 payable or shall have been called for redemption, and the  
27 whole amount of the principal and interest and premium, if  
28 any, due and payable upon the bonds or obligations then  
29 outstanding shall be paid, or sufficient moneys or direct  
30 obligations of the United States Government the principal of  
31 and the interest on which when due will provide, sufficient

1 moneys, shall be held or deposited in trust for such purpose,  
2 and provision shall also be made for paying all other sums  
3 payable in connection with such bonds or other obligations,  
4 then and in such event the right, title, and interest of the  
5 holders of the bonds in any revenues, funds, or other  
6 properties by which such bonds are secured shall thereupon  
7 cease, determine, and become void, and the board may apply any  
8 surplus in any sinking fund established in connection with  
9 such bonds or obligations and all balances remaining in all  
10 other funds or accounts other than money held for the  
11 redemption or payment of the bonds or other obligations to any  
12 lawful purpose of the district as the board shall determine.

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

21 Section 28. Refunding bonds.--The district shall have  
22 the power to issue bonds to provide for the retirement or  
23 refunding of any bonds or obligations of the district that at  
24 the time of such issuance are or subsequently thereto become  
25 due and payable, or that at the time of issuance have been  
26 called or are or will be subject to call for redemption within  
27 10 years thereafter, or the surrender of which can be procured  
28 from the holders thereof at prices satisfactory to the board.  
29 Refunding bonds may be issued at any time when in the judgment  
30 of the board such issuance will be advantageous to the  
31 district. No approval of the qualified electors who are

1 freeholders residing in the district shall be required for the  
2 issuance of refunding bonds except in cases where such  
3 approval is required by the constitution. The board may, by  
4 resolution, confer upon the holders of such refunding bonds  
5 all rights, powers, and remedies to which the holders would be  
6 entitled if they continued to be the owners and had possession  
7 of the bonds for the refinancing of which said refunding bonds  
8 are issued, including, but not limited to, the preservation of  
9 the lien of such bonds on the revenues of any project or on  
10 pledged funds, without extinguishment, impairment, or  
11 diminution thereof. The provisions of this act pertaining to  
12 bonds of the district shall, unless the context otherwise  
13 requires, govern the issuance of refunding bonds, the form and  
14 other details thereof, the rights of the holders thereof, and  
15 the duties of the board with respect to the same.

16 Section 29. Revenue bonds.--

17 (1) The district shall have the power to issue revenue  
18 bonds from time to time without limitation as to amount. Such  
19 revenue bonds may be secured by or payable from the gross or  
20 net pledge of the revenues to be derived from any project or  
21 combination of projects, from the rates, fees, or other  
22 charges to be collected from the users of any project or  
23 projects, from any revenue-producing undertaking or activity  
24 of the district, or from any other source or pledged security.  
25 Such bonds shall not constitute an indebtedness of the  
26 district, and the approval of neither the qualified electors  
27 nor the qualified electors who are freeholders shall be  
28 required unless such bonds are additionally secured by the  
29 full faith and credit and taxing power of the district.

30 (2) Any two or more projects may be combined and  
31 consolidated into a single project, and may thereafter be

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

20 Section 30. General obligation bonds.--

21 (1) The district shall have the power from time to  
22 time to issue general obligation bonds in an aggregate  
23 principal amount of bonds outstanding at any one time not in  
24 excess of 35 percent of the assessed value of the taxable  
25 property within the district as shown on the pertinent tax  
26 records at the time of the authorization of the general  
27 obligation bonds for which the full faith and credit of the  
28 district is pledged. Except for refunding bonds, no general  
29 obligation bonds shall be issued unless the issuance thereof  
30 shall have been approved at an election of freeholders held in  
31 accordance with the requirements for such election as

1 prescribed by the Constitution of Florida. Such elections  
2 shall be called to be held in the district by the Board of  
3 County Commissioners of Broward County upon the request of the  
4 board of the district. The expenses of calling and holding  
5 such referendum elections shall be borne by the district and  
6 the district shall reimburse the county for any expenses  
7 incurred in calling or holding such elections. In the  
8 alternative, at the option of the board, the board may make  
9 such other provision for the registration of such qualified  
10 electors who are freeholders and the calling and holding of  
11 such elections as the board may from time to time deem  
12 appropriate.

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

20 (3) If the board shall determine to issue general  
21 obligation bonds for more than one different purpose, the  
22 approval of the issuance of the bonds for each and all such  
23 purposes may be submitted to the freeholders on one and the  
24 same ballot. The failure of the freeholders to approve the  
25 issuance of bonds for any one or more purposes shall not  
26 defeat the approval of bonds for any purpose that shall be  
27 approved by the freeholders.

28 Section 31. Bonds as legal investment or  
29 security.--Notwithstanding any provisions of any other law to  
30 the contrary, all bonds issued under the provisions of this  
31 act shall constitute legal investments for savings banks,

1 banks, trust companies, insurance companies, executors,  
2 administrators, trustees, guardians, and other fiduciaries,  
3 and for any board, body, agency, instrumentality, county,  
4 municipality, or other political subdivision of the state, and  
5 shall be and constitute securities which may be deposited by  
6 banks or trust companies as security for deposits of state,  
7 county, municipal, or other public funds, or by insurance  
8 companies as required or voluntary statutory deposits.

9       Section 32. Covenants.--Any resolution authorizing the  
10 issuance of bonds may contain such covenants as the board may  
11 deem advisable and all such covenants shall constitute valid  
12 and legally binding and enforceable contracts between the  
13 district and the bondholders, regardless of the time of  
14 issuance thereof. Such covenants may include, without  
15 limitation, covenants concerning the disposition of the bond  
16 proceeds, the use and disposition of project revenues, the  
17 pledging of revenues, taxes, and assessments, the obligations  
18 of the district with respect to the operation of the project  
19 and the maintenance of adequate project revenues, the issuance  
20 of additional bonds, the appointment, powers, and duties of  
21 trustees and receivers, the acquisition of outstanding bonds  
22 and obligations, restrictions on the establishing of competing  
23 projects or facilities, restrictions on the sale or disposal  
24 of the assets and property of the district, the priority of  
25 assessment liens, the priority of claims by bondholders on the  
26 taxing power of the district, the maintenance of deposits to  
27 assure the payment of revenues by users of district facilities  
28 and services, the discontinuance of district services by  
29 reason of delinquent payments, acceleration upon default, the  
30 execution of necessary instruments, the procedure for amending  
31 or abrogating covenants with the bondholders, and such other

1 covenants as may be deemed necessary or desirable for the  
2 security of the bondholders.

3 Section 33. Validity of bonds; validation  
4 proceedings.--

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

29 (2) The power of the district to issue bonds under the  
30 provisions of this act may be determined and any of the bonds  
31 of the district may be validated and confirmed by circuit



1 court decree, under the provisions of chapter 75, Florida  
2 Statutes, and laws amendatory thereof or supplementary  
3 thereto.

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

29 Section 35. Pledge by the state to the bondholders of  
30 the district and to the Federal Government.--The State of  
31 Florida pledges to the holders of any bonds issued under this

1 act that it will not limit or alter the rights of the district  
2 to own, acquire, construct, reconstruct, improve, maintain,  
3 operate, or furnish the projects or to levy and collect the  
4 taxes, assessments, rentals, rates, fees, and other charges  
5 provided for herein and to fulfill the terms of any agreement  
6 made with the holders of such bonds or other obligations, that  
7 it will not in any way impair the rights or remedies of the  
8 holders.

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

19 Section 37. Annual installment taxes.--  
20 (1) The board shall annually determine, order, and  
21 levy the annual installment of the total taxes which are  
22 levied under section 298.36, Florida Statutes, which shall be  
23 due and be collected during each year that county taxes are  
24 due and collected and said annual installment and levy shall  
25 be evidenced to and certified by the board not later than  
26 August 31st of each year to the Broward County property  
27 appraiser. Said tax shall be entered by the county property  
28 appraiser on the county tax rolls and shall be collected by  
29 the Broward County tax collector in the same manner and the  
30 same time as county taxes and the proceeds thereof paid to the  
31 district. The tax shall be a lien until paid on the property

1 against which assessed and enforceable in like manner as  
2 county taxes.

3 (2) In the alternative, the board may by resolution  
4 determine the amount of taxes as provided by section 298.37,  
5 Florida Statutes, and thereafter the annual installments shall  
6 be levied, collected, and enforced as provided in chapter 298,  
7 Florida Statutes.

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

31

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

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

17           Section 41. Tax exemption.--As the exercise of the  
18 powers conferred by this act constitutes the performance of  
19 essential public functions, and as the projects of the  
20 district will constitute public property used for public  
21 purposes, all assets and properties of the district, and all  
22 bonds issued hereunder and interest paid thereon, and all  
23 fees, charges, and other revenues derived by the district from  
24 the projects provided by this act shall be exempt from all  
25 taxes by the state or by any political subdivision, agency, or  
26 instrumentality thereof; provided, however, that nothing in  
27 this act shall be deemed to exempt from taxation any property,  
28 project, facility, business activity, or enterprise that  
29 cannot validly be undertaken as a public function by special  
30 taxing districts or other public bodies under the laws and  
31 Constitution of Florida; and further, that nothing in this act

1 shall be deemed to exempt any property, project, facility, or  
2 business activity or enterprise of the district, or revenues  
3 derived therefrom, which would be subject to taxation under  
4 the general laws of Florida if such property, project, or  
5 facility were owned or undertaken by a municipal corporation.

6 Section 42. Special assessments.--The board may  
7 provide for the construction or reconstruction of assessable  
8 improvements as defined in section 4, and for the levying of  
9 special assessments upon benefited property for the payment  
10 thereof, under the provisions of this section.

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

17 The initial proceeding under subsection (1) or  
18 subsection (2) of this section shall be the passage by the  
19 board of a resolution ordering the construction or  
20 reconstruction of such assessable improvements, indicating the  
21 location by terminal points and routes and either giving a  
22 description of the improvements by its material, nature,  
23 character, and size or giving two or more descriptions with  
24 the directions that the material, nature, character, and size  
25 shall be subsequently determined in conformity with one of  
26 such descriptions. Drainage improvements need not be  
27 continuous and may be in more than one locality. The  
28 resolution ordering any such improvement may give any short  
29 and convenient designation to each improvement ordered  
30 thereby, and the property against which assessments are to be  
31 made for the cost of such improvement may give any short and

1 convenient designation to each improvement ordered thereby,  
2 and the property against which assessments are to be made for  
3 the cost of such improvement may be designated as an  
4 assessment district, followed by a letter or number or name to  
5 distinguish it from other assessment districts, after which it  
6 shall be sufficient to refer to such improvement and property  
7 by such designation in all proceedings and assessments, except  
8 in the notices required by this section.

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

15 Printing and publishing notices and proceedings;

16 Costs of abstracts of title; and

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

29 The district engineer shall next prepare in duplicate a  
30 tentative apportionment of the estimated total cost of the  
31 improvement as between the district and each lot or parcel of

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

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

1 request of any person, firm, or corporation having or claiming  
2 to have any interest in any lot or parcel of land, the name  
3 and post office address of such person, firm, or corporation,  
4 together with a brief description or designation of such lot  
5 or parcel, and it shall be the duty of the secretary of the  
6 board to mail a copy of such notice to such person, firm, or  
7 corporation at such address at least 10 days before the time  
8 for the hearing as stated in such notice, but the failure of  
9 the secretary of the board to keep such record or so to  
10 inscribe any name or address or to mail any such notice shall  
11 not constitute a valid objection to holding the hearing as  
12 provided in this section or to any other action taken under  
13 the authority of this section.

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

20 All objections to any such resolution on the ground  
21 that it contains items which cannot be properly assessed  
22 against property, or that it is, for any default or defect in  
23 the passage or character of the resolution or the plans or  
24 specifications or estimate, void or voidable in whole or in  
25 part, or that it exceeds the power of the board, shall be made  
26 in writing in person or by attorney, and filed with the  
27 secretary of the board at or before the time or adjourned time  
28 of such hearing. Any objections against the making of any  
29 assessable improvements not so made shall be considered as  
30 waived, and if any objection shall be made and overruled or  
31 shall not be sustained, the confirmation of the resolution



1 shall be the final adjudication of the issue presented unless  
2 proper steps shall be taken in a court of competent  
3 jurisdiction to secure relief within 20 days.

4 Whenever any resolution providing for the construction  
5 or reconstruction of assessable improvements and for the  
6 levying of special assessments upon benefited property for the  
7 payment thereof shall have been confirmed, and said special  
8 assessments are levied under this subsection (1) as  
9 hereinabove provided, or at any time thereafter, the board may  
10 issue assessment bonds payable out of such assessments when  
11 collected. Such bonds shall mature not later than 2 years  
12 after the maturity of the last annual installment in which  
13 said special assessments may be paid, as provided in  
14 subsection (3) hereof, and shall bear such interest as the  
15 board may determine not to exceed 10 percent per year. Such  
16 assessment bonds shall be executed, shall have such provisions  
17 for redemption prior to maturity, and shall be sold in the  
18 manner and be subject to all of the applicable provisions  
19 contained in this act applicable to other bonds, except as the  
20 same are inconsistent with the provisions of this section. The  
21 amount of such assessment bonds for any assessable  
22 improvement, prior to the confirmation of the preliminary  
23 assessment roll provided for in subsection (1), shall not  
24 exceed the estimated amount of the cost of such assessable  
25 improvements which are to be specially assessed against the  
26 lands and real estate of the engineer referred to in this  
27 section.

28 After the passage of the resolution authorizing the  
29 construction or reconstruction of assessable improvements has  
30 been confirmed as provided for above where special assessments  
31 are levied under subsection (1) or after the final

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

1 contract price with corporate surety satisfactory to the board  
2 conditioned for the performance of the work in accordance with  
3 such contract. The board shall have the right to reject any or  
4 all bids, and if all bids are rejected the board may  
5 readvertise or may determine to do the work by the district  
6 forces without contract.

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

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

23 (b) The total cost of the improvements and the amount  
24 of incidental expense.

25 The preliminary roll shall be advisory only and shall  
26 be subject to the action of the board as hereafter provided.  
27 Upon the filing with the secretary of the board of the  
28 preliminary assessment roll, the secretary of the board shall  
29 publish at least once in a newspaper published in Broward  
30 County and of general circulation in the district, a notice  
31 stating that at a meeting of the board to be held on a certain

1 day and hour, not less than 15 days from the date of such  
2 publication, which meeting may be a regular, adjourned, or  
3 special meeting, all interested persons may appear and file  
4 written objections to the confirmation of such roll. Such  
5 notice shall state the class of the assessable improvements  
6 and the location thereof by terminal points and route.

7 At the time and place stated in such notice the board  
8 shall meet and receive the objections in writing of all  
9 interested persons as stated in such notice. The board may  
10 adjourn the hearing from time to time. After the completion  
11 thereof the board shall either annul or sustain or modify in  
12 whole or in part the prima facie assessment as indicated on  
13 such roll, either by confirming the prima facie assessment  
14 against any or all lots or parcels described therein or by  
15 canceling, increasing, or reducing the same, according to the  
16 special benefits which the board decides each such lot or  
17 parcel has received or will receive on account of such  
18 improvement. If any property that may be chargeable under this  
19 section shall have been omitted from the preliminary roll or  
20 if the prima facie assessment shall not have been made against  
21 it, the board may place on such roll an apportionment to such  
22 property. The board shall not confirm any assessment in excess  
23 of the special benefits to the property assessed, and the  
24 assessments so confirmed shall be in proportion to the special  
25 benefits. Forthwith after such confirmation such assessment  
26 roll shall be delivered to the secretary of the board. The  
27 assessment so made shall be final and conclusive as to each  
28 lot or parcel assessed unless proper steps are taken within 30  
29 days in a court of competent jurisdiction to secure relief. If  
30 the assessment against any property shall be sustained or  
31 reduced or abated by the court, the secretary of the board

1 shall note that fact on the assessment roll opposite the  
2 description of the property affected thereby. The amount of  
3 the special assessment against any lot or parcel which may be  
4 abated by the court, unless the assessment upon all benefited  
5 property be abated, or the amount by which such assessment is  
6 so reduced, may by resolution of the board be made chargeable  
7 against the district at large; or, at the discretion of the  
8 board, a new assessment roll may be prepared and confirmed in  
9 the manner hereinabove provided for the preparation and  
10 confirmation of the original assessment roll.

11 Pending the final confirmation of such special  
12 assessments in the manner provided in this subsection (1), the  
13 district shall have a lien on all such lands and real estate  
14 after the confirmation of the initial resolution, in the  
15 manner provided in this subsection (1).

16 (2) The district engineer, under the procedure  
17 provided for in this subsection (2) shall next, after the  
18 passage of the initial resolution and filing of the plans and  
19 estimates of cost by the district engineer, prepare an  
20 assessment roll for the district in duplicate, which  
21 assessment roll shall contain an apportionment of the  
22 estimated total cost of the improvement as between the  
23 district and each lot or parcel of land subject to the special  
24 assessment under the initial resolution, such apportionment to  
25 be made in accordance with the provisions of the initial  
26 resolution. One of the duplicates of said assessment roll  
27 shall be filed with the secretary of the board and the other  
28 duplicate shall be retained by the district engineer in his or  
29 her files, all thereof to remain open to public inspection.

30 Upon the completion and filing of said assessment roll  
31 the secretary to the board shall cause a copy thereof to be

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

29 At the time and place named in the notice provided for  
30 in the above paragraph, the board shall meet as an equalizing  
31 board to hear and consider any and all complaints as to said

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

26 All objections to any such assessment roll on the  
27 ground that it contains items which cannot be properly  
28 assessed against property, or that it is, for any default or  
29 defect in the passage or character of the assessment roll or  
30 the plans or specifications or estimate, void or voidable in  
31 whole or in part, or that it exceeds the power of the board,

1 shall be made in writing in person or by attorney, and filed  
2 with the secretary of the board at or before the time or  
3 adjourned time of such hearing on the assessment roll. Any  
4 objections against the making of any assessable improvements  
5 not so made shall be considered as waived, and if any  
6 objections shall be made and overruled or shall not be  
7 sustained, the confirmation of the assessment roll shall be  
8 the final adjudication of the issue presented unless proper  
9 steps shall be taken in a court of competent jurisdiction to  
10 secure relief within 20 days.

11 All the provisions of subsection (1) not inconsistent  
12 with subsection (2) shall apply to the levy of special  
13 assessments under subsection (2).

14 (3) Any assessment may be paid at the office of the  
15 secretary of the board within 60 days after the confirmation  
16 thereof, without interest. Thereafter all assessments shall be  
17 payable in equal installments, with interest as determined by  
18 the board, not to exceed 10 percent per year, from the  
19 expiration of said 60 days in each of the succeeding number of  
20 years which the board shall determine by resolution, not  
21 exceeding 20; provided, however, that the board may provide  
22 that any assessment may be paid at any time before due,  
23 together with interest accrued thereon to the date of payment,  
24 if such prior payment shall be permitted by the proceedings  
25 authorizing any assessment bonds or other obligations for the  
26 payment of which such special assessments have been pledged.

27 All such special assessments levied pursuant to this  
28 act may, in the discretion of the board, be collected by the  
29 tax collector of the county at the same time as the general  
30 county taxes are collected by the tax collector of the county,  
31 and the board shall in such event certify to the county tax



1 collector in each year a list of all such special assessments  
2 and a description of and names of the owners of the properties  
3 against which such special assessments have been levied and  
4 the amounts due thereof in such year, and interest thereon for  
5 any deficiencies for prior years. The amount to be collected  
6 in such year may include, in the discretion of the board, the  
7 principal installment of such special assessments which will  
8 become due at any time in the next succeeding fiscal year, and  
9 all or any part of the interest which will become due on such  
10 special assessments during such next fiscal year, together  
11 with any deficiencies for prior years.

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

25 All charges of the county tax collector or of the  
26 district, and the fees, costs, and expenses of any paying  
27 agents, trustees, or other fiduciaries for assessment bonds  
28 issued under this act, shall be deemed to be costs of the  
29 operation and maintenance of any drainage improvements in  
30 connection with which such special assessments were levied and  
31 the board shall be authorized and directed to provide for the

1 payment each year of such costs of collection, fees, and other  
2 expenses from the maintenance tax as provided in this act as  
3 shall be mutually agreed upon between the board and the county  
4 tax collector as additional compensation for his or her  
5 services for each such assessment district in which the  
6 special assessments are collected by him or her.

7 All assessments shall constitute a lien upon the  
8 property so assessed from the date of final confirmation  
9 thereof, of the same nature and to the same extent as the lien  
10 for general county taxes falling due in the same year or years  
11 in which such assessments or installments thereof fall due,  
12 and any assessment or installment not paid when due shall be  
13 collectable with such interest and with reasonable attorney's  
14 fees and costs, but without penalties, by the district by  
15 proceedings in a court of equity to foreclose the line of  
16 assessments as a lien for mortgages is or may be foreclosed  
17 under the laws of the state; provided that any such  
18 proceedings to foreclose shall embrace all installments of  
19 principal remaining unpaid with accrued interest thereon,  
20 which installments shall, by virtue of the institution of such  
21 proceedings, immediately become due and payable. Nevertheless,  
22 if, prior to any sale of the property under decree of  
23 foreclosure in such proceedings, payment be made of the  
24 installment or installments which are shown to be due under  
25 the provisions of subsections (1) or (2) of this section, and  
26 by this subsection (3) and all costs, including interest and  
27 reasonable attorney's fees, such payment shall have the effect  
28 of restoring the remaining installments to their original  
29 maturities as provided by the resolution passed pursuant to  
30 this subsection (3) and the proceedings shall be dismissed. It  
31 shall be the duty of the board to enforce the prompt

1 collection of assessment by the means herein provided, and  
2 such duty may be enforced at the suit of any holder of bonds  
3 issued under this act in a court of competent jurisdiction by  
4 mandamus or other appropriate proceedings or action. Not later  
5 than 30 days after the annual installments are due and  
6 payable, it shall be the duty of the board to direct the  
7 attorney for the district to institute actions within 2 months  
8 after such direction to enforce the collection of all special  
9 assessments for assessable improvements made under this  
10 section and remaining due and unpaid at the time of such  
11 direction. Such action shall be prosecuted in the manner and  
12 under the conditions in and under which mortgages are  
13 foreclosed under the laws of the state. It shall be lawful to  
14 join in one action the collection of assessments against any  
15 or all property assessed by virtue of the same assessment roll  
16 unless the court shall deem such joinder prejudicial to the  
17 interest of any defendant. The court shall allow reasonable  
18 attorney's fees for the attorney for the district and the same  
19 shall be collectable as a part of or in addition to the costs  
20 of the action. At the sale pursuant to decree in any such  
21 action, the district may be a purchaser to the same extent as  
22 an individual person or corporation, except that the part of  
23 the purchase price represented by the assessments sued upon  
24 and the interest thereon need not be paid in cash. Property so  
25 acquired by the district may be sold or otherwise disposed of.

26 All assessments and charges made under the provisions  
27 of this section for the payment of all or any part of the cost  
28 of any assessable improvements for which assessment bonds  
29 shall have been issued under the provisions of this act, or  
30 which have been pledged as additional security for any other  
31 bonds or obligations issued under this act, shall be

1 maintained in a special fund or funds and be used only for the  
2 payment of principal or interest on such assessment bonds or  
3 other bonds or obligations.

4 Broward County and each school district and other  
5 political subdivision wholly or partly within the district  
6 shall possess the same power and be subject to the same duties  
7 and liabilities in respect of assessments under this section  
8 affecting the real estate of such county, school district, or  
9 other political subdivision which private owners of real  
10 estate possess or are subject to hereunder, and such real  
11 estate of any such county, school district, and political  
12 subdivision shall be subject to liens for said assessments in  
13 all cases where the same property would be subject to such  
14 liens had it at the time the lien attached been owned by a  
15 private owner.

16 Section 43. Issuance of certificates of indebtedness  
17 based on assessments for assessable improvements; assessment  
18 bonds.--

19 (1) The board may, after any assessments for  
20 assessable improvements are made, determined, and confirmed,  
21 as provided in section 42, issue certificates of indebtedness  
22 for the amount so assessed against the abutting property or  
23 property otherwise benefited, as the case may be, and separate  
24 certificates shall be issued against each part or parcel of  
25 land or property assessed, which certificates shall state the  
26 general nature of the improvement for which the said  
27 assessment is made. Said certificates shall be payable in  
28 annual installments in accordance with the installments of the  
29 special assessment for which they are issued. The board may  
30 determine the interest to be borne by such certificates, not  
31 to exceed 10 percent per year, and may sell such certificates

1 at either private or public sale and determine the form,  
2 manner of execution, and other details of such certificates.  
3 Such certificates shall recite that they are payable only from  
4 the special assessments levied and collected from the part or  
5 parcel of land or property against which they are issued. The  
6 proceeds of such certificates may be pledged for the payment  
7 of principal of and interest on any revenue bonds or general  
8 obligation bonds issued to finance in whole or in part such  
9 assessable improvement, or, if not so pledged, may be used to  
10 pay the cost or part of the cost of such assessable  
11 improvements.

12 (2) The district may also issue assessment bonds or  
13 other obligations payable from a special fund into which such  
14 certificates of indebtedness referred to in the preceding  
15 paragraph may be deposited; or, if such certificates of  
16 indebtedness have not been issued, the district may assign to  
17 such special fund for the benefit of the holders of such  
18 assessment bonds or other obligations, or to a trustee for  
19 such bondholders, the assessment liens provided for in this  
20 act unless such certificates of indebtedness or assessment  
21 liens have been theretofore pledged for any bonds or other  
22 obligations authorized hereunder. In the event of the creation  
23 of such special fund and the issuance of such assessment bonds  
24 or other obligations, the proceeds of such certificates of  
25 indebtedness of assessment liens deposited therein shall be  
26 used only for the payment of the assessment bonds or other  
27 obligations issued as provided in this section. The district  
28 is hereby authorized to covenant with the holders of such  
29 assessment bonds or other obligations that it will diligently  
30 and faithfully enforce and collect all the special assessments  
31 and interest and penalties thereon for which such certificates

1 of indebtedness or assessment liens have been deposited in or  
2 assigned to such fund and to foreclose such assessment liens  
3 so assigned to such special fund or represented by the  
4 certificates of indebtedness deposited in said special fund,  
5 after such assessment liens have become delinquent, and  
6 deposit the proceeds derived from such foreclosure, including  
7 interest and penalties, in such special fund, and to make any  
8 other covenants deemed necessary or advisable in order to  
9 properly secure the holders of such assessment bonds or other  
10 obligations.

11 (3) The assessment bonds or other obligations issued  
12 pursuant to this section shall have such dates of issue and  
13 maturity as shall be deemed advisable by the board, provided,  
14 however, that the maturities of such assessment bonds or other  
15 obligations shall not be more than 2 years after the due date  
16 of the last installment which will be payable on any of the  
17 special assessments for which such assessment liens, or the  
18 certificates of indebtedness representing such assessment  
19 liens, are assigned to or deposited in such special fund.

20 Such assessment bonds or other obligations issued under  
21 this section shall bear such interest as the board may  
22 determine, not to exceed 10 percent per year, shall be  
23 executed, shall have such provisions for redemption prior to  
24 maturity, and shall be sold in the manner and be subject to  
25 all of the applicable provisions contained in this act for  
26 revenue bonds, except as the same may be inconsistent with the  
27 provisions of this section.

28 All assessment bonds or other obligations issued under  
29 the provisions of this act, except certificates of  
30 indebtedness issued against separate lots or parcels of land  
31 or property as provided in this section, shall be and

1 constitute and have all the qualities and incidents of  
2 negotiable instruments under the law merchant and the laws of  
3 the state.

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

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

23 (1) The district has the right to:

24 (a) Pay any delinquent state, county, district,  
25 municipal, or other tax or assessment upon lands located  
26 wholly or partially within the boundaries of the district; and

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

31

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

10           (3) In any sale of land pursuant to section 194.21,  
11 Florida Statutes, and amendments thereto, the district may  
12 certify to the clerk of the circuit court of the county  
13 holding such sale, the amount of taxes due to the district  
14 upon the lands sought to be sold, and the district shall share  
15 in the disbursement of the sales proceeds in accordance with  
16 the provisions of this act and under law.

17           Section 46. Mandatory use of certain district  
18 facilities and services.--The district may require all lands,  
19 buildings, and premises, and all persons, firms, and  
20 corporations within the district to use the drainage,  
21 reclamation, and water and sewer facilities of the district.  
22 Subject to such exceptions as may be provided by the  
23 resolutions, rules, or by-laws of the board, and subject to  
24 the terms and provisions of any resolution authorizing any  
25 bonds and agreements with bondholders, no drainage and  
26 reclamation or water and sewer facilities shall be constructed  
27 or operated within the district unless the board gives its  
28 consent thereto and approves the plans and specifications  
29 therefor.

30           Section 47. Bids required.--No contract shall be let  
31 by the board for the construction or maintenance of any



1 project authorized by this act, nor shall any goods, supplies,  
2 or materials be purchased when the amount thereof to be paid  
3 by said district shall exceed \$4,000, unless notice of bids  
4 shall be advertised once a week for 2 consecutive weeks in a  
5 newspaper published in Broward County and in general  
6 circulation in the district, and in each case the bid of the  
7 lowest responsible bidder shall be accepted, unless all bids  
8 are rejected because the bids are too high. The board may  
9 require the bidders to furnish bond with responsible surety to  
10 be approved by the board. Nothing in this section shall  
11 prevent the board from undertaking and performing the  
12 construction, operation, and maintenance of any project or  
13 facility authorized by this act, by the employment of labor,  
14 material, and machinery.

15 Section 48. Maintenance of projects across  
16 rights-of-way.--The district shall have the power to construct  
17 and operate its projects in, along, or under any dedications  
18 to the public, platted rights-of-way, platted reservations,  
19 streets, alleys, highways, or other public places or ways, and  
20 across any drain, ditch, canal, floodway, holding basin,  
21 excavation, grade, fill, or cut, within or without the  
22 district.

23 Section 49. Agreements with state commissions and  
24 others.--The board shall have the power to retain and enter  
25 into agreements with fiscal agents, financial advisors, state  
26 commissions, engineers, and other consultants or advisors with  
27 respect to the issuance and sale of any bonds, and the cost  
28 and expense thereof may be treated as part of the cost and  
29 expense of such project. Upon request of the board, any state  
30 commission may provide such technical assistance or other

31

1 services relating to bond issues as may be necessary or  
2 desirable under the circumstances.

3 Section 50. Agreements with other political bodies for  
4 the joint discharge of common functions.--The board and any  
5 other political bodies, whether now in existence or hereafter  
6 created, are authorized to enter into and carry into effect  
7 contracts and agreements relating to the common powers,  
8 duties, and functions of the board and any other political  
9 bodies, to the end that there may be effective cooperation and  
10 coordination in discharging their common functions, powers,  
11 and duties.

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

14 (1) The district is authorized to prescribe, fix,  
15 establish, and collect rates, fees, rentals, or other charges  
16 (hereinafter sometimes referred to as "revenues"), and to  
17 revise the same from time to time, for the facilities and  
18 services furnished by the district, within or without the  
19 limits of the district; including, but not limited to,  
20 drainage facilities, recreation facilities, and water and  
21 sewer systems, to recover the costs of making connection with  
22 any district facility or system; and to provide for reasonable  
23 penalties against any user or property for any such rates,  
24 fees, rentals, or other charges that are delinquent.

25 (2) No such rates, fees, rentals, or other charges for  
26 any of the facilities or services of the district shall be  
27 fixed until after a public hearing at which all the users of  
28 the proposed facility or services or owners, tenants, or  
29 occupants served or to be served thereby and all other  
30 interested persons shall have an opportunity to be heard  
31 concerning the proposed rates, fees, rentals, or other

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

22 (3) Such rates, fees, rentals, and charges shall be  
23 just and equitable and uniform for users of the same class,  
24 and where appropriate may be based or computed either upon the  
25 amount of service furnished or upon the number or average  
26 number of persons residing or working or otherwise occupying  
27 the premises served, or upon any other factor affecting the  
28 use of the facilities furnished, or upon any combination of  
29 the foregoing factors, as may be determined by the board on an  
30 equitable basis.

31

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

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

9           (b) Pay when due all bonds and interest thereon for  
10 the payment of which such revenues are, or shall have been,  
11 pledged or encumbered, including reserves for such purpose;  
12 and

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

16           (5) The board shall have the power to enter into  
17 contracts for the use of the projects of the district and with  
18 respect to the services and facilities furnished or to be  
19 furnished by the district, including, but not limited to,  
20 service agreements with landowners and others within or  
21 without the district providing for the drainage of land by the  
22 district or the furnishing of any of the other services and  
23 facilities of the district, for such consideration and on such  
24 other terms and conditions as the board may approve. No  
25 hearing or notice thereof shall be required prior to the  
26 authorization or execution by the board of any such contract  
27 or agreement, and the same shall not be subject to revision  
28 except in accordance with their terms. Such contracts or  
29 agreements, and revenues or service charges received or to be  
30 received by the district thereunder, may be pledged as  
31 security for any of the lands of the district.

1           Section 52. Recovery of delinquent charges.--In the  
2 event that any of the rates, fees, rentals, charges, or  
3 delinquent penalties shall not be paid as and when due and  
4 shall be in default for 30 days or more, the unpaid balance  
5 thereof and all interest accrued thereon, together with  
6 reasonable attorney's fees and costs, may be recovered by the  
7 district in a civil action.

8           Section 53. Discontinuance of service.--In the event  
9 that the fees, rentals, or other charges for the services and  
10 facilities of any project are not paid when due, the board  
11 shall have the power to discontinue and shut off the same  
12 until such fees, rentals, or other charges, including  
13 interest, penalties, and charges for the shutting off and  
14 discontinuance and the restoration of such services and  
15 facilities, are fully paid, and for such purposes may enter on  
16 any lands, waters, and premises of any person, firm,  
17 corporation, or body, public or private, within or without the  
18 district limits. Such delinquent fees, rentals, or other  
19 charges, together with interest, penalties, and charges for  
20 the shutting off and discontinuance and the restoration of  
21 such services and facilities, and the reasonable attorney's  
22 fees and other expenses, may be recovered by the district,  
23 which may also enforce payment of such delinquent fees,  
24 rentals, or other charges by any other lawful method of  
25 enforcement.

26           Section 54. Action taken on consent of  
27 landowners.--Any action required under this act or under  
28 chapter 298, Florida Statutes, to be taken on public hearing  
29 for the purpose of receiving and passing on objections by  
30 landowners may be taken without such notice or hearing upon  
31

1 the written consent of all of the landowners affected by such  
2 action.

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

23 Section 56. Suits against the district.--Any suit or  
24 action brought or maintained against the district for damage  
25 arising out of tort, including, without limitation, any claim  
26 arising upon account of an act causing an injury or loss of  
27 property, personal injury, or death, shall be subject to the  
28 limitations provided in section 768.28, Florida Statutes.

29 Section 57. Exemption of district property from  
30 execution.--All district property shall be exempt from levy  
31 and sale by virtue of an execution and no execution or other

1 judicial process shall issue against such property, nor shall  
2 any judgment against the district be a charge or lien on its  
3 property or revenues, provided that nothing herein contained  
4 shall apply to or limit the rights of bondholders to pursue  
5 any remedy for the enforcement of any lien or pledge given by  
6 the district in connection with any of the bonds or  
7 obligations of the district.

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

10           Section 5. In case any one or more of the sections or  
11 provisions of this act or the application of such sections or  
12 provisions to any situation, circumstances, or person, shall  
13 for any reason be held to be unconstitutional, such  
14 unconstitutionality shall not affect any other sections or  
15 provisions as to any other situation, circumstances, or  
16 person, and it is intended that this law shall be construed  
17 and applied as if such section or provision had not been  
18 included herein for any unconstitutional application.

19           Section 6. In the event of a conflict of the  
20 provisions of this act with the provisions of any other act,  
21 the provisions of this act shall control to the extent of such  
22 conflict.

23           Section 7. This act shall take effect upon becoming a  
24 law.

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