

By Senator Geller

29-1828A-02

See HB 1017

1 A bill to be entitled
2 An act relating to the Plantation Acres
3 Improvement District, Broward County; providing
4 for codification of special laws relating to
5 the Plantation Acres Improvement District
6 pursuant to section 189.429, Florida Statutes;
7 providing legislative intent; codifying,
8 reenacting, and amending chapters 67-924,
9 82-274, 86-355, and 99-426, Laws of Florida;
10 providing for creation, status, charter
11 amendments, and boundaries; providing for
12 applicability of certain provisions of chapter
13 298, Florida Statutes; providing definitions;
14 providing for a board of supervisors and powers
15 and duties; providing for a district manager
16 and treasurer; providing for board member
17 compensation; providing for a seal; authorizing
18 the board to establish its fiscal year;
19 providing annual budget procedures; providing
20 for a water control plan; providing for
21 assessments and taxes; authorizing the issuance
22 of bonds; providing for liens; providing for
23 use of district facilities and services;
24 requiring bids for certain purchases;
25 authorizing the district's use of
26 rights-of-way; authorizing the board to enter
27 into agreements with other political bodies;
28 providing for action by landowners; providing
29 for enforcement and penalties; exempting
30 district property from execution; providing
31 minimum charter requirements in accordance with

1 section 189.404, Florida Statutes; providing
2 for construction, effect, and conflict;
3 repealing chapters 67-924, 82-274, 86-355, and
4 99-426, Laws of Florida; providing an effective
5 date.

6
7 Be It Enacted by the Legislature of the State of Florida:

8
9 Section 1. Intent.--Pursuant to section 189.429,
10 Florida Statutes, this act constitutes the codification of all
11 special acts relating to the Plantation Acres Improvement
12 District. It is the intent of the Legislature in enacting this
13 law to provide a single, comprehensive special act charter for
14 the district, including all current legislative authority
15 granted to the district by its several legislative enactments
16 and any additional authority granted by this act and chapters
17 189 and 298, Florida Statutes, as amended from time to time.

18 Section 2. Codification.--Chapters 67-924, 82-274,
19 86-355, and 99-426, Laws of Florida, relating to the
20 Plantation Acres Improvement District, formerly the Dixie
21 Drainage District, are codified, reenacted, and amended as
22 provided herein.

23 Section 3. The Plantation Acres Improvement District
24 is reenacted and the charter for the district is re-created
25 and reenacted to read:

26 Section 1. Creation; charter amendments; abolishment
27 of the Dixie Drainage District.--There is hereby created the
28 Plantation Acres Improvement District in Broward County,
29 Florida, which includes all of the area previously within the
30 Dixie Drainage District. The district was created by special
31 act of the Legislature in 1982 and its charter may be amended

1 only by special act of the Legislature. The abolishment of the
2 Dixie Drainage District by chapter 82-274, Laws of Florida, is
3 hereby ratified and confirmed.

4 Section 2. Status; boundaries.--The Plantation Acres
5 Improvement District is declared to be an independent
6 improvement district and a public corporation of the state
7 pursuant to chapter 298, Florida Statutes, and other
8 applicable general laws, as amended from time to time. The
9 district is created for the purposes of providing public
10 infrastructure, services, the assessment, levy, and collection
11 of taxes, non-ad valorem assessments, and fees, the operation
12 of district facilities and services, and all other purposes
13 stated in this act consistent with chapters 189 and 298,
14 Florida Statutes, and other applicable general laws. The
15 boundaries of the district shall be as follows:

16
17 Beginning at the intersection of the said North
18 right-of-way of the North New River Canal and
19 the East line of said Section 12; thence due
20 North along the said East line of Section 12
21 and along the East line of said Section 1 a
22 distance of 3163.04 feet; thence North 0°03'55"
23 West along the said East line of Section 1 and
24 along the East line of said Section 36, a
25 distance of 5420.00 feet; thence North 0°04'12"
26 East along the said East line of Section 36, a
27 distance of 3762.80 feet to the Northeast
28 corner of said Section 36 and the Southeast
29 corner of said Section 25; thence North
30 0°03'22" East along the East line of said
31 Section 25 a distance of 1519.54 feet; thence

1 North 0°04'014" West along the said East line
2 of Section 25 a distance of 3780.64 feet to the
3 Northeast corner of said Section 25; thence
4 North 88°46'30" West along the North line of
5 said Section 25 a distance of 5333.38 feet to
6 the Northwest corner thereof; thence South
7 0°31'53" East along the West line of said
8 Section 25 a distance of 5438.54 feet to the
9 Southwest corner of said Section 25 and the
10 Northwest corner of said Section 36; thence
11 South 0°01'08" East along the West line of said
12 Section 36, a distance of 5314.33 feet to the
13 Southwest corner of said Section 36 and the
14 Northwest corner of said Section 1; thence
15 South 0°03'19" East along the West line of said
16 Section 1, a distance of 5267.60 feet to the
17 Southwest corner of said Section 1 and the
18 Northwest corner of said Section 12; thence
19 South 0°00'03" West along the West line of said
20 Section 12, a distance of 353.64 feet to a
21 point on the said North right-of-way line of
22 the North New River Canal; thence South
23 75°17'10" East along the said North
24 right-of-way line, a distance of 5458.67 feet
25 to the Point of Beginning.

26
27 Said lands situate, lying and being in Broward
28 County, Florida, and which said boundary line
29 embraces and includes those certain tracts or
30 parcels of land described as follows:
31

1 Tracts 1 through 64, inclusive of the
2 Subdivision of Section 25, Township 49 South,
3 Range 40 East, according to the Florida Fruit
4 Lands Company's Subdivision Map No. 1, recorded
5 in Plat Book 2, Page 17 of the Public Records
6 of Dade County, Florida, together with all
7 rights-of-ways and dedications of record.
8
9 Tracts 1 through 24, inclusive, in the
10 Northeast Quarter (NE 1/4); Tracts 1 through
11 24, inclusive, in the Northwest Quarter (NW
12 1/4); Tracts 1 through 24, inclusive, in the
13 Southeast Quarter (SE 1/4); Tracts 1 through
14 24, inclusive in the Southwest Quarter (SW 1/4
15); all according to the subdivision of Section
16 36, Township 49 South, Range 40 East, according
17 to Chambers Land Company's Subdivision recorded
18 in Plat Book 1, Page 5-A of the Public Records
19 of Broward County, Florida, together with all
20 rights-of-way and dedications of record.
21
22 Tracts 1 through 64, inclusive, of the
23 Subdivision of Section 1, Township 50 South,
24 Range 40 East, according to the Florida Fruit
25 Lands Company's Subdivision Map No. 1, recorded
26 in Plat Book 2, Page 17 of the Public Records
27 of Dade County, Florida, together with all
28 rights-of-ways and dedications of record.
29
30
31

1 That portion of Section 12, Township 50 South,
2 Range 40 East, lying North of the North
3 right-of-way line of North New River Canal.

4
5 Said land comprising of all of Sections 25 and
6 36, Township 49 South, Range 40 East; and all
7 of Section 1, Township 50 South, Range 40 East;
8 and all that portion of Section 12, Township 50
9 South, Range 40 East, lying North of the North
10 right-of-way line of the North New River Canal.

11
12 Section 3. Applicability of certain provisions of
13 chapter 298, Florida Statutes, to the Plantation Acres
14 Improvement District; inconsistent laws inapplicable.--The
15 provisions of chapter 298, Florida Statutes, and all
16 amendments thereto, now existing or hereafter enacted, are
17 declared to be applicable to the Plantation Acres Improvement
18 District insofar as not inconsistent with the provisions of
19 this act or any subsequent special acts relating to the
20 Plantation Acres Improvement District. Said Plantation Acres
21 Improvement District shall have all of the powers and
22 authorities mentioned in or conferred by said chapter 298,
23 Florida Statutes, as it may be amended from time to time,
24 except as they may conflict with this act.

25 Section 4. Definitions.--Unless the context shall
26 indicate otherwise, the following words as used in this act
27 shall have the following meanings:

28 (1) "Assessable improvements" includes without
29 limitation any and all drainage and land reclamation works and
30 facilities, storm sewers and drains, streets, roads, or other
31 projects of the district, or that portion or portions thereof,

1 local in nature and of special benefit to the premises or
2 lands served thereby, and any and all modifications,
3 improvements, and enlargements thereof.

4 (2) "Bond" includes "certificate," and provisions
5 applicable to bonds shall be equally applicable to
6 certificates. "Bond" includes general obligations bonds,
7 assessment bonds, refunding bonds, revenue bonds, or any
8 combination thereof, and such other obligations in the nature
9 of bonds as are provided for in this act, as the case may be.

10 (3) "Board" means the board of supervisors of the
11 Plantation Acres Improvement District, or if such board shall
12 be abolished, the board, body, or commission succeeding to the
13 principal functions thereof or to whom the powers given by
14 this act to the board shall be given by law.

15 (4) "Cost," when used with reference to any project,
16 includes, but is not limited to, the expenses of determining
17 the feasibility or practicability of acquisition,
18 construction, or reconstruction; the cost of surveys,
19 estimates, plans, and specifications; the cost of acquisition,
20 construction, or reconstruction; the cost of improvements;
21 engineering, fiscal, and legal expenses and charges; the cost
22 of all labor, materials, machinery, and equipment; the cost of
23 all lands, properties, rights, easements, and franchises
24 acquired; federal, state, and local taxes and assessments;
25 financing charges; the creation of initial reserve and debt
26 service funds; working capital; interest charges incurred or
27 estimated to be incurred on money borrowed prior to and during
28 construction and acquisition and for such period of time after
29 completion of construction or acquisition as the board may
30 determine; the cost of issuance of bonds pursuant to this act,
31 including advertisements and printing; the cost of any

1 election held pursuant to this act and all other expenses of
2 issuance of bonds; discount, if any, on the sale or exchange
3 of bonds; administrative expenses; such other expenses as may
4 be necessary or incidental to the acquisition, construction,
5 or reconstruction of any project or to the financing thereof,
6 or the development of any lands within the district; and
7 reimbursement of any public or private body, person, firm, or
8 corporation for any moneys advanced in connection with any of
9 the foregoing items of cost. Any obligation or expense
10 incurred prior to the issuance of bonds in connection with the
11 acquisition, construction, or reconstruction of any project or
12 improvements thereon, or in connection with any other
13 development of land that the board of the district shall
14 determine to be necessary or desirable in carrying out the
15 purposes of this act, may be treated as a part of such cost.

16 (5) "District" means the Plantation Acres Improvement
17 District and "District Manager" means the manager of the
18 district.

19 (6) "Landowner" means the owner of the freehold
20 estate, as appears by the deed record, including trustees,
21 private corporations, and owners of cooperative and
22 condominium units; it does not include reversioners,
23 remaindermen, or mortgagees, who shall not be counted and need
24 not be notified of proceedings under this act.

25 (7) "Project" means any development, improvement,
26 property, utility, facility, works, road, enterprise, service,
27 or convenience, now existing or hereafter undertaken or
28 established under the provisions of this act or under chapter
29 298, Florida Statutes.

30 (8) "Water and flood control facilities" means any
31 canals, ditches, or other drainage facilities, reservoirs,

1 dams, levees, sluiceways, dredging holding basins, floodways,
2 pumping stations, or any other works, structures, or
3 facilities for the conservation, control, development,
4 utilization, and disposal of water, and any purposes
5 appurtenant, necessary, or incidental thereto, and includes
6 all real and personal property and any interest therein,
7 rights, easements, and franchises of any nature relating to
8 any such water and flood control facilities or necessary or
9 convenient for the acquisition, construction, reconstruction,
10 operation, or maintenance thereof.

11 Section 5. Board of supervisors; election;
12 organization; terms of office; quorum; report and minutes.--

13 (1) The board of the district shall be the governing
14 body of the district and shall be elected on a nonpartisan
15 basis by the qualified electors in the district in accordance
16 with the provisions of section 189.405, Florida Statutes, as
17 amended from time to time. The board shall exercise the powers
18 granted to the district under this act and under chapters 189
19 and 298, Florida Statutes, as amended from time to time. The
20 board shall consist of five members, and except as otherwise
21 provided herein, each member shall hold office for a term of 4
22 years and until his or her successor shall be chosen and shall
23 qualify. A majority of the members of the board shall be
24 residents of Broward County, and all members shall be
25 residents of Florida. All members of the board shall be
26 landowners within the district.

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

30 (3) All supervisors shall hold office for the terms
31 for which they are elected or appointed and until their

1 successors shall be chosen and qualify. In case of a vacancy
2 in the office of any supervisor, the remaining supervisor or
3 supervisors (even though less than a quorum) may fill such
4 vacancy by appointment of a new supervisor or supervisors for
5 the unexpired term of the supervisor who vacated his or her
6 office.

7 (4) As soon as practicable after each election, the
8 board shall organize by choosing one supervisor to be chair
9 and one to be vice chair of the board and by appointing a
10 recording secretary, who need not be a member of the board. In
11 the event an employee of the district serves as the board's
12 recording secretary, an appointment to such office shall not
13 be necessary following an election.

14 (5) A majority of the members of the board shall
15 constitute a quorum.

16 (6) The board shall keep a permanent record book
17 entitled "Record of Proceedings of Plantation Acres
18 Improvement District," in which shall be recorded minutes of
19 all meetings, resolutions, proceedings, certificates, bonds
20 given by all employees, and any and all corporate acts, which
21 book shall at reasonable times be opened to the inspection of
22 any landowner, taxpayer, resident, or bondholder of the
23 district, and such other persons in accordance with chapter
24 119, Florida Statutes. Such record book shall be kept at any
25 office or other regular place of business maintained by the
26 board in Broward County.

27 Section 6. Appointment and duties of district
28 manager.--For the purpose of preserving and maintaining any
29 facility constructed or erected under the provisions of this
30 act or under the provisions of chapter 298, Florida Statutes,
31 and for maintaining and operating the equipment owned by the

1 district and such other duties as may be prescribed by the
2 board, the board may employ and fix the compensation of a
3 district manager who shall have charge and supervision of the
4 works of the district.

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

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

22 (2) The board shall select depositories in which the
23 bonds and funds of the board and of the district shall be
24 deposited in accordance with chapter 280, Florida Statutes,
25 governing public deposits.

26 Section 8. Compensation of board.--Each supervisor
27 shall be entitled to receive for his or her services an amount
28 not to exceed \$300 per month. In addition, each supervisor
29 shall receive reasonable traveling expenses for attending
30 district business outside of the district. Unless the board by
31 resolution otherwise provides, such traveling expenses shall

1 not be in excess of the amounts provided by law for state and
2 county officials.

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

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

11 (2) To adopt a water control plan; and to establish,
12 construct, operate, and maintain a system of main and lateral
13 canals, drains, ditches, levees, dikes, dams, sluices, locks,
14 revetments, reservoirs, holding basins, floodways, pumping
15 stations, syphons, culverts, and storm sewers to drain and
16 reclaim the lands within the district and to connect some or
17 any of them with roads and bridges as in the judgment of the
18 board is deemed advisable to provide access to such
19 facilities.

20 (3) To acquire and maintain appropriate sites for
21 storage and maintenance of the equipment of the district; and
22 to acquire and maintain and construct a suitable building to
23 house the office and records of the district.

24 (4) To clean out, straighten, widen, open up or change
25 the course and flow of, alter, or deepen any canal, ditch,
26 drain, river, water course, or natural stream as within the
27 judgment of the board is deemed advisable to drain and reclaim
28 the lands within the district; to acquire, purchase, operate
29 and maintain pumps, plants, and pumping systems for drainage
30 purposes; and to construct, operate, and maintain irrigation
31

1 works and machinery in connection with the purposes herein set
2 forth.

3 (5) To regulate and set forth by appropriate
4 resolution the drainage requirements and conditions to be met
5 for any development upon any land within the district,
6 including, but not limited to, authority to require as a
7 condition precedent for any development that good and
8 sufficient bond be posted to ensure proper drainage for the
9 area to be developed.

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

13 (7) To build and construct any other works and
14 improvements deemed necessary to preserve and maintain the
15 works in or out of the district; to acquire, construct,
16 operate, maintain, use, sell, convey, transfer, or otherwise
17 provide for machines and equipment for any purpose authorized
18 by this act or chapter 298, Florida Statutes; and to contract
19 for the purchase, construction, operation, maintenance, use,
20 sale, conveyance, and transfer of the said machinery and
21 equipment.

22 (8) To construct or enlarge, or cause to be
23 constructed or enlarged, any and all bridges or culverts that
24 may be needed in or out of the district, across any drain,
25 ditch, canal, floodway, holding basin, excavation, public
26 highway, tract, grade, fill, or cut; to construct roadways
27 over levees and embankments; and to construct any and all of
28 said works and improvements across, through, or over any
29 public right-of-way, highway, grade, fill, or cut in or out of
30 the district.

31

1 (9) To hold, control, and acquire by donation,
2 purchase, or condemnation, any easement, reservation, or
3 dedication in the district, for any of the purposes herein
4 provided; and to condemn as provided by chapters 73 and 74,
5 Florida Statutes, or acquire by purchase or grant for use in
6 the district, any land or property within the district
7 necessary for the purpose of this act.

8 (10) To assess and impose upon all of the lands in the
9 district an ad valorem tax, an annual improvement tax, and a
10 maintenance tax as hereinafter provided.

11 (11) To impose and foreclose special assessment liens
12 as hereinafter provided.

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

18 (13) To administer and provide for the enforcement of
19 all of the provisions herein, including the making, adopting,
20 promulgating, amending, and repealing of all regulations
21 necessary or convenient for the carrying out of the duties,
22 obligations, and powers conferred on the district created
23 hereby.

24 (14) To cooperate with or contract with other
25 governmental agencies as may be necessary, convenient,
26 incidental, or proper in connection with any of the powers,
27 duties, or purposes of the district as stated in this act.

28 (15) To employ engineers, attorneys, consultants,
29 agents, employees, and representatives as the board of
30 supervisors may from time to time determine necessary and to
31 fix their compensation and duties.

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

5 (17) To construct, improve, and maintain roadways and
6 roads necessary and convenient to provide access to, and
7 efficient development of, areas made suitable and available
8 for cultivation, development, settlement, urban subdivision,
9 homesites, and other beneficial developments as a result of
10 the drainage operations of the district.

11 (18) To make use of any public easements, dedications
12 to public use, platted reservations for public purposes, or
13 any reservations for roadway or drainage purposes within the
14 boundaries of the district.

15 (19) To lease as lessor or lessee to or from any
16 person, firm, corporation, association, or body, public or
17 private, any projects of the type that the district is
18 authorized to undertake and facilities or property of any
19 nature for the use of the district to carry out any of the
20 purposes of this act.

21 (20) To regulate the supply and level of water within
22 the district; to divert waters from one area, lake, pond,
23 river, stream, basin, or drainage or water flood control
24 facility to any other area, lake, pond, river, stream, basin,
25 or drainage and water flood control facility; to regulate,
26 control, and restrict the development and use of natural or
27 artificial streams or bodies of water, lakes, or ponds; and to
28 take all measures determined by the board to be necessary or
29 desirable to prevent or alleviate land erosion or flooding.
30 The powers granted to the district by this subsection shall be
31 concurrent, within the boundaries of the district, with other

1 public bodies, agencies, or authorities as may be authorized
2 by law. The district is eligible to receive moneys,
3 disbursements, and assistance from the state available to
4 flood control or water management districts and the navigation
5 districts or agencies.

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

16 (22) To establish administrative and financial "units"
17 within the district, as described and governed by section
18 298.353, Florida Statutes, as it may be amended from time to
19 time.

20 (23) To exercise any and all other powers conferred
21 upon water control districts by chapter 298, Florida Statutes.

22 Section 10. Seal.--The official seal of the district
23 shall bear the legend "Plantation Acres Improvement District,
24 Broward County, Florida, Seal, Established 1982."

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

27 Section 12. Annual budget.--Prior to June 1 of each
28 year after this act is effective, the treasurer of the
29 district shall prepare a proposed budget to be submitted to
30 the board for its approval. The proposed budget shall include
31 an estimate of all necessary expenditures of the district for

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

23 Section 13. Plan of improvement of roads and water
24 control; proceedings thereof.--The board may proceed to adopt
25 a water control plan as provided in chapter 298, Florida
26 Statutes, or as provided in this section. The board shall
27 cause to be made by the chief engineer, or such other engineer
28 or engineers as the board may employ for that purpose, a
29 complete and comprehensive plan for water control of the lands
30 or improvements of roads located within the district which
31

1 meets the requirements of sections 298.225 and 298.301,
2 Florida Statutes, as amended from time to time.

3 Section 14. Amendment of water control plan.--The
4 board may at any time and from time to time amend its water
5 control plan or any plan providing for the construction of
6 roads upon or the drainage of lands within the district in
7 accordance with the procedures established in chapter 298,
8 Florida Statutes, and may provide for such new and additional
9 drainage facilities, canals, ditches, levees, roads, and other
10 works as the board may determine. In connection with the
11 revision of any water control plan or the provision of any new
12 or additional road or drainage facilities, canals, ditches,
13 levees, or other works, or in the event the total taxes and
14 assessments theretofore levied or the funds derived from the
15 sale of bonds are insufficient to pay the cost of any drainage
16 works, benefits may be reassessed, additional assessments
17 made, and taxes levied in accordance with the procedures
18 provided in this act or in chapter 298, Florida Statutes. The
19 board may at any time approve and make effective technical
20 changes or modifications in any plan of improvement or
21 reclamation not affecting assessed benefits, levy of taxes, or
22 the security of bondholders.

23 Section 15. Assessing land for development;
24 apportionment of assessment.--After the requirements of
25 chapter 298, Florida Statutes, have been met regarding the
26 water control plan, engineer's report, and list of lands with
27 assessed benefits, the district shall levy a non-ad valorem
28 assessment or special assessment in accordance with chapter
29 298, Florida Statutes, as amended from time to time, and this
30 act.

31

1 Section 16. Prepayment of taxes or assessments.--The
2 board may provide that any tax or assessment may be paid at
3 any time before due, together with interest accrued thereon to
4 the date of prepayment and any prepayment premiums or
5 penalties, if such prior payment shall be permitted by the
6 proceedings authorizing any bonds or other obligations for the
7 payment of which special assessments have been pledged or
8 taxes levied.

9 Section 17. Tax liens.--All taxes and non-ad valorem
10 assessments of the district provided for in this act or
11 chapter 298, Florida Statutes, together with all penalties for
12 default in the payment of the same and all costs in collecting
13 the same, shall constitute a lien as provided in chapter 298,
14 Florida Statutes, as amended from time to time. A sale of any
15 of the real property within the district for state and county
16 or other taxes shall not operate to relieve or release the
17 property so sold from the lien for subsequent district taxes
18 or installments of district taxes which lien may be enforced
19 against such property as though no such sale thereof had been
20 made. The provisions of section 194.171, Florida Statutes, and
21 amendments thereto, shall be applicable to district taxes with
22 the same force and effect as if said provisions were expressly
23 set forth in this act.

24 Section 18. Issuance of bond anticipation notes.--In
25 addition to the other powers provided for in this act and not
26 in limitation thereof, the district shall have the power, at
27 any time and from time to time, after the authorization to
28 issue any bonds of the district, to borrow money for the
29 purposes for which such bonds are to be issued and in
30 anticipation of the receipt of the proceeds of the sale of
31 such bonds. Such bond anticipation notice may be issued, at

1 any time and from time to time, to issue bond anticipation
2 notes in a principal sum not in excess of the authorized
3 maximum amount of such bond issue. Such notes shall be in such
4 denomination or denominations, bear interest at such rate as
5 the board may determine not to exceed the maximum rate allowed
6 by law, mature at such time or times not later than 5 years
7 from the date of issuance, and be in such form and executed in
8 such manner as the board shall prescribe. Such notes may be
9 sold at either public or private sale or, if such notes shall
10 be renewal notes, may be exchanged for notes then outstanding
11 on such terms as the board shall determine. Such notes shall
12 be paid from the proceeds of such bonds when issued. The board
13 may, in its discretion, in lieu of retiring the notes by means
14 of bonds, retire them by means of current revenues or from any
15 taxes or assessments levied for the payment of such bonds,
16 but, in such event, a like amount of the bonds authorized
17 shall not be issued.

18 Section 19. Short term borrowing.--The district at any
19 time may obtain loans, in such amount and on such terms and
20 conditions as the board may approve, for the purpose of paying
21 any of the expenses of the district or any costs incurred or
22 that may be incurred in connection with any of the projects of
23 the district, which loans shall have a term not exceeding 2
24 years from the date of issuance and may be renewable for a
25 like term or terms and shall bear such interest as the board
26 may determine, not to exceed the highest rate allowed by law,
27 and may be payable from and secured by a pledge of such funds,
28 revenues, taxes, and assessments as the board may determine.
29 For the purpose of defraying such costs and expenses, the
30 district may issue negotiable notes, warrants, or other
31 evidences of debt signed on behalf of the district by any one

1 of the board duly authorized by the board, such notes or other
2 evidences of indebtedness to be payable at such times, to bear
3 such interest as the board may determine not to exceed the
4 highest rate allowed by general law per annum, and to be sold
5 or discounted at such price or prices and on such terms as the
6 board may deem advisable. The board shall have the right to
7 provide for the payment thereof by pledging the whole or any
8 part of the funds, revenues, taxes, and assessments of the
9 district. The approval of the qualified electors who are
10 freeholders residing in the district shall not be necessary
11 except where required by Florida law.

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

1 depository of the proceeds of bonds or of revenues, to furnish
2 such indemnifying bonds or to pledge such securities as may be
3 required by the district. Such resolution or trust agreement
4 may set forth the rights and remedies of the bondholders and
5 of the trustee, if any, and may restrict the individual right
6 of action by bondholders. The board may provide for the
7 payment of the proceeds of the sale of the bonds and the
8 revenues of any project to such officer, board, or depository
9 as it may designate for the custody thereof, and for the
10 method of disbursement thereof with such safeguards and
11 restrictions as it may determine. All expenses incurred in
12 carrying out the provisions of such resolution or trust
13 agreement may be treated as part of the cost of operation of
14 the project to which such trust agreement pertains.

15 Section 21. Sale of bonds.--Bonds may be sold in
16 blocks or installments at different times, or an entire issue
17 or series may be sold at one time. Bonds may be sold at public
18 or private sale after such advertisement, if any, as the board
19 may deem advisable, but not in any event at less than 95
20 percent of the par value thereof, together with accrued
21 interest thereon. Bonds may be sold or exchanged for refunding
22 bonds. Special assessment and revenue bonds may be delivered
23 as payment by the district of the purchase price or lease of
24 any project or part thereof, or a combination of projects or
25 parts thereof, or as the purchase price or exchanged for any
26 property, real, personal, or mixed, including franchises, or
27 services rendered by any contractor, engineer, or other
28 person, all at one time or in blocks from time to time, in
29 such manner and upon such terms as the board in its discretion
30 shall determine. The price or prices for any bonds sold,
31 exchanged, or delivered may be:

1 (1) The money paid for the bonds.
2 (2) The principal amount, plus accrued interest to the
3 date of redemption or exchange, or outstanding obligations
4 exchanged for refunding bonds.
5 (3) In the case of special assessment or revenue
6 bonds, the amount of any indebtedness to contractors or other
7 persons paid with such bonds, or the fair value of any
8 properties exchanged for the bonds, as determined by the
9 board.
10 Section 22. Authorization and form of bonds.--Bonds
11 may be authorized by resolution or resolutions of the board
12 which shall be adopted by a majority of all of the members
13 thereof then in office. Such resolution or resolutions may be
14 adopted at the same meeting at which they are introduced, and
15 need not be published or posted. The board may by resolution
16 authorize the issuance of bonds and fix the aggregate amount
17 of bonds to be issued, the purpose or purposes for which the
18 moneys derived therefrom shall be expended, the rate or rates
19 of interest, not to exceed the highest rate allowed by law,
20 the denomination of the bonds, whether or not the bonds are to
21 be issued in one or more series, the date or dates of
22 maturity, which shall not exceed 40 years from their
23 respective dates of issuance, the medium of payment, the place
24 or places within or without the state where payment shall be
25 made, registration privileges, redemption terms and privileges
26 (whether with or without premium), the manner of execution,
27 the form of the bonds including any interest coupons to be
28 attached thereto, the manner of execution of bonds and
29 coupons, and any and all other terms, covenants, and
30 conditions thereof, and the establishment of revenue or other
31 funds. Such authorizing resolution may further provide that

1 such bonds may be executed manually or by engraved,
2 lithographed, or facsimile signature, provided that where
3 signatures are engraved, lithographed, or facsimile, no bond
4 shall be valid unless countersigned by a registrar or other
5 officer designated by appropriate resolution of the board. The
6 seal of the district may be affixed, lithographed, engraved,
7 or facsimile on such bonds. In case any officer whose
8 signature shall appear on any bonds or coupons shall cease to
9 be such officer before the delivery of such bonds, such
10 signature or facsimile shall nevertheless be valid and
11 sufficient for all purposes the same as if he or she had
12 remained in office until such delivery.

13 Section 23. Interim certificates; replacement
14 certificates.--Pending the preparation of definitive bonds,
15 the board may issue interim certificates or receipts or
16 temporary bonds, in such form and with such provisions as the
17 board may determine, exchangeable for definitive bonds when
18 such bonds shall have been executed and are available for
19 delivery. The board may also provide for the replacement of
20 any bonds which shall become mutilated or shall be lost or
21 destroyed.

22 Section 24. Negotiability of bonds.--Any bond issued
23 under this act and any interim certificate, receipt, or
24 temporary bond, in the absence of an express recital on the
25 face thereof that it is nonnegotiable, shall be fully
26 negotiable and shall be and constitute negotiable instruments
27 within the meaning and for all purposes of the law merchant
28 and the laws of Florida.

29 Section 25. Defeasance.--The board may make such
30 provision with respect to the defeasance of the right, title,
31 and interest of the holders of any of the bonds and

1 obligations of the district in any revenues, funds, or other
2 properties by which such bonds are secured as the board deems
3 appropriate and, without limitation on the foregoing, may
4 provide that when such bonds or obligations become due and
5 payable or shall have been called for redemption, and the
6 whole amount of the principal and interest and premium, if
7 any, due and payable upon the bonds or obligations then
8 outstanding shall be paid, or sufficient moneys or direct
9 obligations of the United States Government the principal of
10 and the interest on which when due will provide sufficient
11 moneys, shall be held or deposited in trust for such purpose,
12 and provision shall also be made for paying all other sums
13 payable in connection with such bonds or other obligations,
14 then and in such event the right, title, and interest of the
15 holders of the bonds in any revenues, funds, or other
16 properties by which such bonds are secured shall thereupon
17 cease, determine, and become void, and the board may apply any
18 surplus in any sinking fund established in connection with
19 such bonds or obligations and all balances remaining in all
20 other funds or accounts other than money held for the
21 redemption or payment of the bonds or other obligations to a
22 lawful purpose of the district as the board shall determine.

23 Section 26. Issuance of additional bonds.--If the
24 proceeds of any bonds shall be less than the cost of
25 completing the project in connection with which such bonds are
26 issued, the board may authorize the issuance of additional
27 bonds, upon such terms and conditions as the board may provide
28 in the resolution authorizing the issuance thereof, but only
29 in compliance with the resolution or other proceedings
30 authorizing the issuance of the original bonds.

31

1 Section 27. Refunding bonds.--The district shall have
2 the power to issue bonds to provide for the retirement or
3 refunding of any bonds or obligations of the district that at
4 the time of such issuance are or subsequently thereto become
5 due and payable, or that at the time of issuance have been
6 called or are or will be subject to call for redemption within
7 10 years thereafter, or the surrender of which can be procured
8 from the holders thereof at prices satisfactory to the board.
9 Refunding bonds may be issued at any time when in the judgment
10 of the board such issuance will be advantageous to the
11 district. No approval of the qualified electors who are
12 freeholders residing in the district shall be required for the
13 issuance of refunding bonds except in cases where such
14 approval is required by the constitution. The board may by
15 resolution confer upon the holders of such refunding bonds all
16 rights, powers, and remedies to which the holders would be
17 entitled if they continued to be the owners and had possession
18 of the bonds for the refinancing of which said refunding bonds
19 are issued, including, but not limited to, the preservation of
20 the lien of such bonds on the revenues of any project or on
21 pledged funds, without extinguishment, impairment, or
22 diminution thereof. The provisions of this act pertaining to
23 bonds of the district shall, unless the context otherwise
24 requires, govern the issuance of refunding bonds, the form and
25 other details thereof, the rights of the holders thereof, and
26 the duties of the board with respect to the same.

27 Section 28. Revenue bonds.--
28 (1) The district shall have the power to issue revenue
29 bonds from time to time without limitation as to amount. Such
30 revenue bonds may be secured by or payable from the gross or
31 net pledge of the revenues to be derived from any project or

1 combination of projects, from the rates, fees, or other
2 charges to be collected from the users of any project or
3 projects, from any revenue-producing undertaking or activity
4 of the district, or from any other source or pledged security.
5 Such bonds shall not constitute an indebtedness of the
6 district, and the approval neither of the qualified electors
7 nor of the qualified electors who are freeholders shall be
8 required unless such bonds are additionally secured by the
9 full faith and credit and taxing power of the district in
10 which case approval of the qualified electors who are
11 freeholders shall be required.

12 (2) Any two or more projects may be combined and
13 consolidated into a single project, and may thereafter be
14 operated and maintained as a single project. The revenue bonds
15 authorized herein may be issued to finance any one or more of
16 such projects regardless whether or not such projects have
17 been combined and consolidated into a single project. If the
18 board deems it advisable, the proceedings authorizing such
19 revenue bonds may provide that the district may thereafter
20 combine the projects then being financed or theretofore
21 financed with other projects to be subsequently financed by
22 the district, and that revenue bonds to be thereafter issued
23 by the district shall be on parity with the revenue bonds then
24 being issued, all on such terms, conditions, and limitations
25 as shall be provided, and may further provide that the
26 revenues to be derived from the subsequent projects shall at
27 the time of the issuance of such parity revenue bonds be also
28 pledged to the holders of any revenue bonds theretofore issued
29 to finance the revenue undertakings which are later combined
30 with such subsequent projects. The district may pledge for the

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1 security of the revenue bonds a fixed amount, without regard
2 to any fixed proportion of the gross revenues of any project.

3 Section 29. General obligation bonds.--

4 (1) The district shall have the power from time to
5 time to issue general obligation bonds in an aggregate
6 principal amount of bonds outstanding at any one time not in
7 excess of 35 percent of the assessed value of the taxable
8 property within the district as shown on the pertinent tax
9 records at the time of the authorization of the general
10 obligation bonds for which the full faith and credit of the
11 district is pledged. Except for refunding bonds, no general
12 obligation bonds shall be issued unless the issuance thereof
13 shall have been approved at an election of the qualified
14 electors, which shall be called and held in accordance with
15 the requirements for such election as prescribed by the
16 constitution and election laws of Florida. Such elections
17 shall be called to be held in the district by the Board of
18 County Commissioners of Broward County upon the request of the
19 board of the district. The expenses of calling and holding
20 such referendum elections shall be borne by the district and
21 the district shall reimburse the county for any expenses
22 incurred in calling or holding such elections. In the
23 alternative, at the option of the board, the board may make
24 such other provision for the registration of such qualified
25 electors and the calling and holding of such elections as the
26 board may from time to time deem appropriate.

27 (2) The district may pledge its full faith and credit
28 for the payment of the principal and interest on such general
29 obligation bonds, and for any reserve or other funds provided
30 therefor, and may unconditionally and irrevocably pledge
31 itself to levy ad valorem taxes on all taxable property in the

1 district, to the extent necessary for the payment thereof,
2 without limitations as to rate or amount.

3 (3) If the board shall determine to issue general
4 obligation bonds for more than one different purpose, the
5 approval of the issuance of the bonds for each and all such
6 purposes may be submitted to the electors on one and the same
7 ballot. The failure of the electors to approve the issuance of
8 bonds for any one or more purposes shall not defeat any
9 approval of bonds for any other purpose.

10 Section 30. Bonds as legal investment or
11 security.--Notwithstanding any provisions of any other law to
12 the contrary, all bonds issued under the provisions of this
13 act shall constitute legal investment for savings banks,
14 banks, trust companies, insurance companies, executors,
15 administrators, trustee guardians, and other fiduciaries, and
16 for any board, body, agency, instrumentality, county,
17 municipality, or other political subdivision of the state, and
18 shall be and constitute securities which may be deposited by
19 banks or trust companies as security for deposits of state,
20 county, municipal, or other public funds, by insurance
21 companies as required or voluntary statutory deposits.

22 Section 31. Covenants.--Any resolution authorizing the
23 issuance of bonds may contain such covenants as the board may
24 deem advisable and all such covenants shall constitute valid
25 and legally binding and enforceable contracts between the
26 district and the bondholders, regardless of the time of
27 issuance thereof. Such covenants may include, without
28 limitation, covenants concerning the disposition of the bond
29 proceeds, the use and disposition of project revenues, the
30 pledging of revenues, taxes, and assessments, the obligation
31 of the district with respect to the operation of the project

1 and the maintenance of adequate project revenues, the issuance
2 of additional bonds, the appointment powers and duties of
3 trustees and receivers, the acquisition of outstanding bonds
4 and obligations, restrictions on the establishing of competing
5 projects or facilities, restrictions on the sale or disposal
6 of the assets and property of the district, the priority of
7 assessment liens, the priority of claims by bondholders on the
8 taxing power of the district, the maintenance of deposits to
9 ensure the payment of revenues by users of district facilities
10 or services, the discontinuance of district services by reason
11 of delinquent payments, acceleration upon default, the
12 execution of necessary instruments, the procedure for amending
13 or abrogating covenants with the bondholders, and such other
14 covenants as may be deemed necessary or desirable for the
15 security of the bondholders.

16 Section 32. Validity of bonds; validation
17 proceedings.--

18 (1) Any bonds issued by the district shall be
19 incontestable in the hands of bona fide purchasers or holders
20 for value and shall not be invalid because of any irregularity
21 or defects in proceedings for the issue and sale thereof.
22 Prior to the issuance of any bonds, the district may, but is
23 not required to, publish notice at least once in a newspaper
24 or newspapers of general circulation in Broward County and
25 within the district stating the date of adoption of the
26 resolution authorizing such obligations, the amount, the
27 maximum rate of interest and maturity of such obligations, and
28 the purpose in general terms for which such obligations are to
29 be issued, and further stating that any action or proceeding
30 questioning the validity of such obligations or of the
31 proceedings authorizing the issuance thereof, or of any of the

1 covenants made therein, must be instituted within 20 days
2 after the first publication of such notice, or the validity of
3 such obligations, proceedings, and covenants shall not be
4 thereafter questioned in any court whatsoever. If no such
5 action or proceeding is so instituted within such 20-day
6 period, then the validity of such obligations, proceedings,
7 and covenants shall be conclusive, and all persons or parties
8 whatsoever shall be forever barred from questioning the
9 validity of such obligations, proceedings, or covenants in any
10 court whatsoever.

11 (2) The power of the district to issue bonds under the
12 provisions of this act may be determined and any of the bonds
13 of the district may be validated and confirmed by circuit
14 court decree under the provisions of chapter 75, Florida
15 Statutes, and laws amendatory thereof or supplementary
16 thereto.

17 Section 33. Authority for issuance of bonds.--This act
18 constitutes full and complete authority for the issuance of
19 bonds and the exercise of the powers of the district provided
20 herein. No procedures or proceedings, publications, notices,
21 consents, approvals, orders, acts, or things by the board, or
22 any board, officers, commission, department, agency, or
23 instrumentality of the district, other than those required by
24 this act, shall be required to issue any bonds or to do any
25 act or perform anything under this act, and the issuance or
26 sale of bonds pursuant to the provisions of this act need not
27 comply with the requirements of any other law applicable to
28 the issuance or sale of bonds, except as otherwise provided in
29 this act, and shall not require the consent or approval of the
30 board of drainage commissioners of the State of Florida or of
31 any other board, officers, commission, department, agency, or

1 instrumentality of the State of Florida or any political
2 subdivision thereof. Except as otherwise provided herein, no
3 proceedings or procedures of any character whatever shall be
4 necessary or required for the issuance of bonds other than the
5 adoption of an appropriate resolution by the board as provided
6 in this act with respect to the issuance of the same. The
7 powers conferred by this act on the district with respect to
8 the issuance and sale of bonds shall be in addition and
9 supplemental to the powers conferred by any other law.

10 Section 34. Pledge by the State of Florida to the
11 bondholders of the district and to the Federal
12 Government.--The State of Florida pledges to the holders of
13 any bonds issued under this act that it will not limit or
14 alter the rights of the district to own, acquire, construct,
15 reconstruct, improve, maintain, operate, or furnish the
16 projects or to levy and collect the taxes, assessments,
17 rentals, rates, fees, and other charges provided for herein
18 and to fulfill the terms of any agreement made with the
19 holders of such bonds or other obligations, and that it will
20 not in any way impair the right or remedies of the holders.

21 Section 35. Ad valorem taxes.--The board shall have
22 the power to levy and assess an ad valorem tax on all the
23 taxable property in the district to pay the principal of and
24 interest on any general obligation bonds of the district, or
25 to provide for any sinking or other funds established in
26 connection with any such bonds, or both. The ad valorem tax
27 provided for herein shall not exceed 2 mills and shall be in
28 addition to the county and all other ad valorem taxes provided
29 for by law. Such tax shall be assessed, levied, and collected
30 in the same manner and same time as county taxes. The tax
31

1 shall be a lien until paid on the property against which
2 assessed, enforceable in like manner as county tax liens.

3 Section 36. Annual installment taxes.--The board may
4 levy and collect annual installment taxes. Such taxes shall be
5 levied in accordance with chapter 298, Florida Statutes, as
6 amended from time to time.

7 Section 37. Maintenance tax.--The board may levy an
8 annual maintenance tax. Such tax shall be levied in accordance
9 with chapter 298, Florida Statutes, as amended from time to
10 time.

11 Section 38. Enforcement of taxes.--The collection and
12 enforcement of all assessments or taxes levied by the district
13 shall be as provided in chapter 298, Florida Statutes, as
14 amended from time to time.

15 Section 39. When unpaid tax is delinquent;
16 penalty.--All taxes provided for in this act shall become
17 delinquent and bear penalties in accordance with chapter 298,
18 Florida Statutes, as amended from time to time.

19 Section 40. Tax exemption.--As the exercise of the
20 powers conferred by this act constitute the performance of
21 essential public functions, and as the projects of the
22 district will constitute public property used for public
23 purposes, all assets and properties of the district, and all
24 bonds issued hereunder and interest paid thereon, and all
25 fees, charges, and other revenues derived by the district from
26 the projects provided by this act shall be exempt from all
27 taxes by the state or by any political subdivision, agency, or
28 instrumentality thereof. However, nothing in this act shall be
29 deemed to exempt from taxation any property, project,
30 facility, or business activity or enterprise that cannot
31 validly be undertaken as a public function by special taxing

1 districts or other public bodies under the laws and
2 Constitution of Florida and, further, that nothing in this act
3 shall be deemed to exempt any property, project, facility, or
4 business activity or enterprise of the district, or revenues
5 derived therefrom, which would be subject to taxation under
6 the general laws of Florida if such property, project, or
7 facility were owned or undertaken by a municipal corporation.

8 Section 41. Non-ad valorem or special
9 assessments.--The board shall levy non-ad valorem or special
10 assessments in accordance with this section or chapter 189,
11 chapter 197, or chapter 298, Florida Statutes:

12 (1) AUTHORITY FOR PROVIDING IMPROVEMENTS AND LEVYING
13 AND COLLECTING SPECIAL ASSESSMENTS AGAINST PROPERTY
14 BENEFITED.--The board may provide for the construction,
15 reconstruction, repair, paving, repaving, hard surfacing,
16 rehard surfacing, widening, guttering, and drainage of
17 streets; may provide for the drainage and reclamation of wet,
18 low, or overflowed lands; and may provide for the payment of
19 all or any part of the costs of any such improvements by
20 levying and collecting special assessments on the abutting,
21 adjoining, contiguous, or other specifically benefited
22 property.

23 (2) METHOD OF PRORATING SPECIAL ASSESSMENTS.--Special
24 assessments against property deemed to be benefited by local
25 improvements, as provided for in section 42(1), shall be
26 assessed upon the property specially benefited by the
27 improvement in proportion to the benefits to be derived
28 therefrom, said special benefits to be determined and prorated
29 according to such method as the board may prescribe.

30 (3) RESOLUTION REQUIRED TO DECLARE SPECIAL
31 ASSESSMENTS.--When the board may determine to make any

1 assessable improvement and defray the whole or any part of the
2 expense thereof by special assessments, the board shall so
3 declare by resolution stating the nature of the proposed
4 improvement, designating the street or streets to be improved,
5 the location of storm sewers and drains, or the location of
6 the drainage project, and the part or portion of the expense
7 thereof to be paid by special assessments, the manner in which
8 said assessments shall be made, when said assessments are to
9 be paid, and what part, if any, shall be apportioned to be
10 paid from the general improvement fund of the board; and said
11 resolution shall also designate the lands upon which the
12 special assessments shall be levied and, in describing said
13 lands, it shall be sufficient to describe them as "all lots
14 and lands adjoining and contiguous or bounding and abutting
15 upon such improvements or specially benefited thereby and
16 further designated by the assessment plat hereinafter provided
17 for." Such resolution shall also state the total estimated
18 cost of the improvement. Such estimated cost shall include the
19 cost of construction or reconstruction, the cost of all labor
20 and materials, the cost of all lands, property, rights,
21 easements, and franchises acquired, financing charges,
22 interest prior to and during construction and for 1 year after
23 completion of construction, discount on the sale of special
24 assessment bonds, cost of plans and specifications,
25 inspections, surveys of estimates of costs and of revenues,
26 cost of engineering and legal services, printing and
27 publishing notices and proceedings, abstracting title, and all
28 other expenses necessary or incident to determining the
29 feasibility or practicability of such construction or
30 reconstruction, administrative expense, and such other expense
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1 as may be necessary or incident to the financing herein
2 authorized.

3 (4) PLANS AND SPECIFICATIONS, WITH ESTIMATED COST OF
4 PROPOSED IMPROVEMENT REQUIRED BEFORE ADOPTION OF
5 RESOLUTION.--At the time of the adoption of the resolution
6 provided for in subsection (3), there shall be on file with
7 the secretary of the board an assessment plat showing the area
8 to be assessed, with plans and specifications, and an estimate
9 of the apportioned cost and benefit to each lot of the
10 proposed improvement, which assessment plat, plans and
11 specifications, and estimate shall be open to the inspection
12 of the public.

13 (5) PUBLICATION OF RESOLUTION.--Upon the adoption of
14 the resolution provided for in subsection (3), the board shall
15 cause said resolution to be published one time in a newspaper
16 of general circulation published in the district, and shall
17 cause said resolution to be published once a week for a period
18 of 2 weeks in a newspaper of general circulation published in
19 Broward County.

20 (6) ASSESSMENT ROLL.--Upon the adoption of the
21 resolution aforesaid, the board shall cause to be made an
22 assessment roll in accordance with the method of assessment
23 provided for in said resolution, which assessment roll shall
24 be completed and filed with the secretary of the board as
25 promptly as possible. Said assessment roll shall show the lots
26 and lands assessed and the amount of the benefit to and the
27 assessment against each lot or parcel of land. If said
28 assessment is to be paid in installments, the number of annual
29 installments in which the assessment is divided shall also be
30 entered and shown upon said assessment roll.

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1 (7) PUBLICATION OF ASSESSMENT ROLL.--Upon the
2 completion of said assessment roll, the board shall by
3 resolution fix a time and place at which the owners of the
4 property to be assessed, or any other persons interested
5 therein, may appear and be heard as to the propriety and
6 advisability of making such improvements, as to the cost
7 thereof, as to the manner of payment therefor, and as to the
8 amount thereof to be assessed against each property so
9 improved. Ten days' notice in writing of such time and place
10 shall be given to such property owners which shall be served
11 by mailing a copy of such notice to each of such property
12 owners at his or her last known address, the names and
13 addresses of such property owners to be obtained from the
14 records of the property appraiser or from such other sources
15 as the board or engineer deems reliable, with proof of such
16 mailing to be made by the affidavit of the secretary of the
17 district, or by the engineer, said proof to be filed with the
18 secretary, provided that failure to mail said notice or
19 notices shall not invalidate any of the proceedings hereunder.
20 Notice of the time and place of such hearing shall also be
21 given by two publications a week apart in a newspaper of
22 general circulation in the district, and in like manner in a
23 newspaper of general circulation published in Broward County,
24 provided that the last publication shall be at least 1 week
25 prior to the date of the hearing. Said notice shall describe
26 the streets or other areas to be improved and advise all
27 persons interested that the description of each property to be
28 assessed and the amount to be assessed to each piece or parcel
29 of property may be ascertained at the office of the secretary
30 of the board. Such service by publication shall be verified by
31

1 the affidavit of the publisher and filed with the secretary of
2 the district.

3 (8) EQUALIZING BOARD TO HEAR COMPLAINTS AND ADJUST
4 ASSESSMENTS; OBJECTIONS; WAIVER OF OBJECTIONS; REBATE OF
5 DIFFERENCE IN COST AND ASSESSMENT; CREATION OF LIEN.--At the
6 time and place named in the notice provided for in subsection
7 (7), the board shall meet as an equalizing board to hear and
8 consider any and all objections as to such special assessments
9 and shall adjust and equalize the said assessments on a basis
10 of justice and right; and all objections to any such
11 assessment roll on the grounds it contains items which cannot
12 be properly assessed against the property, or that it is, for
13 any default or defect in the passage or character of the
14 assessment roll or the plans or specifications or estimate,
15 void or voidable in whole or in part, or that it exceeds the
16 power of the board, shall be made in writing in person or by
17 attorney, and filed with the secretary of the board at or
18 before the time or adjourned time of such hearing of the
19 assessment roll. Any objections against the making of
20 assessable improvements not so made shall be considered waived
21 and, if any objections shall be made and overruled or shall
22 not be sustained, the confirmation of the assessment shall be
23 the final adjudication of the issue presented unless proper
24 steps shall be taken in a court of competent jurisdiction to
25 secure relief within 20 days of such confirmation; and, when
26 so equalized and approved by resolution of the board, such
27 assessments shall stand confirmed and remain legal, valid, and
28 binding first liens, upon the property against which such
29 assessments are made, until paid. However, upon completion of
30 the improvement, the board shall credit to each of said
31 assessments the difference in the assessment as originally

1 made, approved, and confirmed, and the proportionate part of
2 the actual cost of said improvement to be paid by special
3 assessments as finally determined upon the completion of said
4 improvement, provided that in no event shall the final
5 assessments exceed the amount of benefits originally assessed.
6 Promptly after such confirmation, the assessments shall be
7 recorded by the secretary in a special book, to be known as
8 the "Improvement Lien Book," and the record of the lien in
9 said book shall constitute prima facie evidence of its
10 validity. The board may by resolution grant a discount equal
11 to all or a part of the payee's proportionate share of the
12 cost of the project consisting of bond financing costs, such
13 as capitalized interest, funded reserves, and bond discount
14 included in the estimated cost of the project, upon payment in
15 full of any assessment during such period prior to the time
16 such financing costs are incurred as may be specified by the
17 board.

18 (9) PRIORITY OF LIEN; INTEREST; AND METHOD OF
19 PAYMENT.--Said special assessments shall be payable at the
20 time and in the manner stipulated in the resolution providing
21 for said improvements; shall remain liens, coequal with the
22 lien of all state, county, district, and municipal taxes,
23 superior in dignity to all other liens, titles, and claims,
24 until paid; shall bear interest, at a rate not to exceed 1
25 percent above the rate of interest at which the improvement
26 bonds authorized pursuant to this act and used for the
27 improvement are sold, from the date of the acceptance of said
28 improvement; and may, by the resolution aforesaid, be made
29 payable in not more than 20 equal yearly installments, to
30 which, if not paid when due, there shall be added a penalty at
31 the rate of 1 percent per month, until paid. However, said

1 assessments may be paid without interest at any time within 30
2 days after the improvement is completed and a resolution
3 accepting the same has been adopted by the board.

4 (10) PAYMENT AND COLLECTION OF SPECIAL ASSESSMENT;
5 FORECLOSURE; SERVICE OF PROCESS.--

6 (a) Any assessment may be paid at the office of the
7 secretary of the board within 30 days after the confirmation
8 thereof, without interest. Thereafter, all assessments shall
9 be payable in equal installments, with interest as determined
10 by the board, not to exceed the highest rate allowed by law,
11 from the expiration of said 30 days in each of the succeeding
12 number of years not exceeding 20, which the board shall
13 determine by resolution. However, the board may provide that
14 any assessment may be paid at any time before due, together
15 with interest accrued thereon to the date of payment, if such
16 prior payment shall be permitted by the proceedings
17 authorizing any assessment bonds or other obligations for the
18 payment of which such special assessments have been pledged.

19 (b) All such special assessments levied pursuant to
20 this act may, in the discretion of the board, be collected by
21 the tax collector of the county at the same time as the
22 general county taxes are collected, and the board shall in
23 such event certify to the county tax collector in each year a
24 list of all such special assessments and names of the owners
25 of and a description of the properties against which such
26 special assessments have been levied and the amounts due
27 thereon in such year, and interest thereon for any
28 deficiencies for prior years. The amount to be collected in
29 such year may include, in the discretion of the board, the
30 principal installment of such special assessments which will
31 become due at any time in the next succeeding fiscal year, and

1 all or any part of the interest which will become due on such
2 special assessments during such fiscal year, together with any
3 deficiencies for prior years.

4 (c) The board may, in lieu of providing for the
5 collection of said special assessments by the tax collector of
6 the county, provide for the collection of said special
7 assessments by the district under such terms and conditions as
8 the board shall determine. In such event, the bills or
9 statements for the amounts due in any fiscal year shall be
10 mailed to the owners of all properties affected by such
11 special assessments at such time or times as the board shall
12 determine and such bills or statements may include all or any
13 part of the principal and interest which will mature and
14 become due on the annual installments of such special
15 assessments during the fiscal year in which installments of
16 such special assessments are payable.

17 (d) All charges of the county tax collector or of the
18 district, and the fees, costs, and expenses of any paying
19 agents, trustees, or other fiduciaries for assessment bonds
20 issued under this act, shall be deemed to be costs of
21 operation and maintenance of any drainage or road improvements
22 in connection with which such special assessments were levied,
23 and the board shall be authorized and directed to provide for
24 the payment each year of such costs of collection, fees, and
25 other expenses from the maintenance tax assessment provided in
26 this act as shall be mutually agreed upon between the board
27 and the county tax collector as additional compensation for
28 his or her services for each such assessment district in which
29 the special assessments are collected by the county tax
30 collector.

31

1 (e) All assessments shall constitute a lien upon the
2 property so assessed from the date of final confirmation
3 thereof, of the same nature and to the same extent as the lien
4 for general county taxes falling due in the same year or years
5 in which such assessments or installments thereof fall due,
6 and any assessment or installment not paid when due shall be
7 collectible with such interest and with a reasonable
8 attorney's fee and costs, but without penalties, by the
9 district by proceedings in a court of equity to foreclose the
10 lien of assessments as a lien for mortgages is or may be
11 foreclosed under the laws of the state, provided that any such
12 proceedings to foreclose shall embrace all installments of
13 principal remaining unpaid with accrued interest thereon,
14 which installments shall, by virtue of the institution of such
15 proceedings, immediately become due and payable. In the
16 foreclosure of any special assessment, service of process
17 against unknown or nonresident defendants may be had by
18 publication, as now provided by law in other chancery suits.
19 The foreclosure proceedings shall be prosecuted to a sale and
20 conveyance of the property involved in said proceedings as now
21 provided by law in suits to foreclose mortgages; or, in the
22 alternative, said proceeding may be instituted and prosecuted
23 under chapter 173, Florida Statutes. Nevertheless, if, prior
24 to any sale of the property under decree of foreclosure in
25 such proceedings, payment be made of the installment or
26 installments which are shown to be due under the provisions of
27 this section, and all costs, including interest and reasonable
28 attorney's fees, such payment shall have the effect of
29 restoring the remaining installments to their original
30 maturities as provided by the resolution and the proceedings
31 shall be dismissed at the cost and expense of the landowner.

1 It shall be the duty of the board to enforce the prompt
2 collection of assessment by the means herein provided, and
3 such duty may be enforced by suit by any holder of bonds
4 issued and then outstanding under this act in a court of
5 competent jurisdiction by mandamus or other appropriate
6 proceedings. Not later than 30 days after the annual
7 installments are due and payable, it shall be the duty of the
8 board to direct the attorney for the district to institute
9 actions within 2 months after such direction to enforce the
10 collection of all special assessments for assessable
11 improvements made under this section and remaining due and
12 unpaid at the time of such direction. It shall be lawful to
13 join in one action the collection of assessments against any
14 or all property assessed by virtue of the same assessment roll
15 unless the court shall expressly order such joinder
16 prejudicial to the interest of any defendant. The court shall
17 allow a reasonable attorney's fee for the attorney for the
18 district and the same shall be collectible as a part of or in
19 addition to the costs of the action. At the sale pursuant to
20 decree in any such action, the district may be a purchaser to
21 the same extent as an individual person or corporation, except
22 that the part of the purchase price represented by the
23 assessments sued upon and the costs incident thereto and
24 interest thereon need not be paid in cash. Property so
25 acquired by the district may be sold or otherwise disposed of.
26 (f) Broward County and each school district and other
27 political subdivision wholly or partly within the district
28 shall possess the same power and be subject to the same duties
29 and liabilities in respect of assessments under this section
30 affecting the real estate of such county, school district, or
31 other political subdivision which private owners of real

1 estate possess or are subject to hereunder, and such real
2 estate of any such county, school district, and political
3 subdivision shall be subject to liens for said assessments in
4 all cases where the same property would be subject to such
5 liens had it, at the time the lien attached, been owned by a
6 private owner.

7 (11) ADVERTISEMENT FOR BIDS.--After the passage of the
8 resolution authorizing the construction or reconstruction of
9 assessable improvements and the final confirmation of the
10 assessment roll, the board shall publish at least once in a
11 newspaper published in Broward County and of general
12 circulation in the district, a notice calling for sealed bids
13 to be received by the district for the construction of the
14 work, unless in the initial resolution the board shall have
15 declared its intention to have the work done by district
16 forces without contract. The notice shall refer in general
17 terms to the extent and nature of the improvements and may
18 identify the same by the short designation indicated in the
19 initial resolution and by reference to the plans and
20 specifications on file. If the initial resolution shall have
21 given two or more alternative descriptions of the assessable
22 improvements as to its material, nature, character, and size,
23 and if the board shall not have theretofore determined upon a
24 definite description, the notice shall call for bids upon each
25 of such descriptions. Bids may be requested for the work as a
26 whole or for any part thereof separately and bids may be asked
27 for any one or more of such assessable improvements authorized
28 by the same or different resolutions, but any bid covering
29 work upon more than one improvement shall be in such form as
30 to permit a separation of cost as to each improvement. The
31 notice shall require bidders to file with their bids either a

1 certified check drawn upon an incorporated bank or trust
2 company in such amount or percentage of their respective bids,
3 as the board shall deem advisable, or a bid bond in like
4 amount with corporate surety satisfactory to the board to
5 ensure the execution of a contract to carry out the work in
6 accordance with such plans and specifications and ensure the
7 filing, at the making of such contract, of a bond in the
8 amount of the contract price with corporate surety
9 satisfactory to the board conditioned upon the full
10 performance of the work in accordance with such contract and
11 full payment for all materials and labor expense incurred
12 thereby. The board shall have the right to reject any or all
13 bids and, if all bids are rejected, the board may readvertise
14 or may determine to do the work by the district forces without
15 contract.

16 (12) BONDS MAY BE ISSUED TO AN AMOUNT NOT EXCEEDING
17 THE AMOUNT OF LIENS ASSESSED FOR THE COST OF IMPROVEMENTS TO
18 BE PAID BY SPECIAL ASSESSMENT.--After the equalization,
19 approval, and confirmation of the levying of the special
20 assessments for improvements as provided by this section and
21 as soon as a contract for said improvement has been finally
22 let, the board may by resolution or ordinance authorize the
23 issuance of bonds, to be designated "Improvement Bonds, Series
24 No. " in an amount not in excess of the aggregate amount of
25 said liens levied for such improvements. Said bonds shall be
26 payable from a special and separate fund to be known as the
27 "Improvement Fund, Series No. " which shall be used solely for
28 the payment of the principal and interest of said "Improvement
29 Bonds, Series No. " and for no other purpose. Said fund shall
30 be deposited in a separate bank account and all the proceeds
31 collected from the principal, interest, and penalties of said

1 liens shall be deposited and held in said fund. Said bonds so
2 issued shall never exceed the amount of liens assessed, and
3 said bonds shall mature not later than 6 months after the
4 maturity of the last installment of said liens. Said bonds
5 shall bear certificates signed by the secretary of the board
6 certifying that the amount of liens levied, the proceeds of
7 which are pledged to the payment of said bonds, are equal to
8 the amount of the bonds issued. The bonds may be delivered to
9 the contractor in payment for his or her work or may be sold
10 at public or private sale for not less than par and accrued
11 interest, the proceeds to be used in paying for the cost of
12 the work. Said bonds shall not be a charge on, or payable out
13 of, the general revenues of the district, but shall be payable
14 solely out of said assessments, installments, interest, and
15 penalties. Any surplus remaining after payment of all bonds
16 and interest thereon shall revert to the district and be used
17 for any board purpose.

18 Section 42. Issuance of certificates of indebtedness
19 based on assessments for assessable improvements; assessment
20 bonds.--

21 (1) The board may, after any assessments for
22 assessable improvements are made, determined, and confirmed,
23 as provided in section 41, issue certificates of indebtedness
24 for the amount so assessed against the abutting property or
25 property otherwise benefited, as the case may be, and in that
26 event separate certificates shall be issued against each part
27 or parcel of land or property assessed, which certificates
28 shall state the general nature of the improvement for which
29 the said assessment is made. Said certificates shall be
30 payable in annual installments in accordance with installments
31 of the special assessment for which they are issued. The board

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

13 (2) The district may also issue assessment bonds or
14 other obligations payable from a special fund into which such
15 certificates of indebtedness referred to in the preceding
16 subsection may be deposited; or, if such certificates of
17 indebtedness have been issued, the district may assign to such
18 special fund for the benefit of the holders of such assessment
19 bonds or other obligations, or to a trustee for such
20 bondholders, the assessment liens provided for in this act
21 unless such certificates of indebtedness or assessment liens
22 have been theretofore pledged for any bonds or other
23 obligations authorized hereunder. If the board creates such
24 special fund and issues such assessment bonds or other
25 obligations, the proceeds from such certificates of
26 indebtedness and from assessment liens deposited therein shall
27 be used only for the payment of the assessment bonds or other
28 obligations issued as provided in this section. The district
29 is hereby authorized to covenant with the holders of such
30 assessment bonds or other obligations that it will diligently
31 and faithfully enforce and collect all the special assessments

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

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

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

29 (5) All assessment bonds or other obligations issued
30 under the provisions of this act, except certificates of
31 indebtedness issued against separate lots or parcels of land

1 or property as provided in this section, shall be and
2 constitute and have all the qualities and incidents of
3 negotiable instruments under the law merchant and the laws of
4 Florida.

5 Section 43. Foreclosure of liens.--Any lien in favor
6 of the district arising under chapter 298, Florida Statutes,
7 or under this act may be foreclosed by the district by
8 foreclosure proceedings in the name of the district in the
9 circuit court in like manner as is provided in chapter 173,
10 Florida Statutes, and amendments thereto, and the provisions
11 of said chapter shall be applicable to such proceedings with
12 the same force and effect as if said provisions were expressly
13 set forth in this act. Any act required or authorized to be
14 done by or on behalf of a city or town in foreclosure
15 proceedings under chapter 173, Florida Statutes, may be
16 performed by such officer or agent of the district as the
17 board of supervisors may designate. Such foreclosure
18 proceedings may be brought at any time after the expiration of
19 1 year from the date any tax, or installment thereof, becomes
20 delinquent.

21 Section 44. Payment of taxes and redemption of tax
22 liens of the district; sharing in proceeds of tax sale under
23 section 197.542, Florida Statutes.--

24 (1) The district has the right to:

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

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

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 upon all the real
7 property against which said taxes were levied. The lien of the
8 district may be foreclosed in the manner provided in this act.

9 (3) In any sale of land pursuant to section 197.542,
10 Florida Statutes, and amendments thereto, the district may
11 certify to the clerk of the circuit court of the county
12 holding such sale the amount of taxes due to the district upon
13 the lands sought to be sold, and the district shall share in
14 the disbursement of the sales proceeds in accordance with the
15 provisions of this act and under law.

16 Section 45. Mandatory use of certain district
17 facilities and services.--The district may require all lands,
18 buildings, and premises and all persons, firms, and
19 corporations within the district to use the reclamation,
20 roads, and drainage facilities of the district. Subject to
21 such exceptions as may be provided by the resolutions, rules,
22 or bylaws of the board, and subject to the terms and
23 provisions of any resolution authorizing any bonds and
24 agreements with bondholders, no drainage, roads, or
25 reclamation facilities shall be constructed, reconstructed, or
26 operated within the district unless the board gives its
27 consent thereto and approves the plans and specifications
28 therefor.

29 Section 46. Bids required.--No contract shall be let
30 by the board for the construction or maintenance of any
31 project authorized by this act, except pursuant to chapter 298

1 or chapter 255, Florida Statutes, and other applicable general
2 law.

3 Section 47. Maintenance of projects across
4 rights-of-way.--The district shall have the power to
5 construct, operate, and maintain its projects in, along, or
6 under any dedications to the public, platted rights-of-way,
7 platted reservations, easements, streets, alleys, highways, or
8 other public places or ways, and across any drain, ditch,
9 canal, floodway, holding basin, excavation, grade, fill, or
10 cut, within or without the district.

11 Section 48. Agreements with other political bodies for
12 the joint discharge of common functions.--The board and any
13 other political bodies, whether now in existence or hereafter
14 created, are authorized to enter into and carry into effect
15 contracts and agreements relating to the common powers,
16 duties, and functions of the board and any other political
17 bodies, to the end that there may be effective cooperation and
18 coordination in discharging their common functions, powers,
19 and duties.

20 Section 49. Action taken on consent of
21 landowners.--Any action required under this act or under
22 chapter 298, Florida Statutes, to be taken on public hearing
23 for the purposes of receiving and passing on objections by
24 landowners may be taken without such notice or hearing upon
25 the written consent of all the landowners affected by such
26 action.

27 Section 50. Enforcement and penalties.--The board or
28 any aggrieved person may have recourse to such remedies in law
29 or equity as may be necessary to ensure compliance with the
30 provisions of this act, including injunctive relief to enjoin
31 or restrain any person violating the provisions of this act,

1 or the bylaws, resolutions, regulations, rules, codes, and
2 orders adopted under or pursuant to this act. In case any
3 building or structure is erected, constructed, reconstructed,
4 altered, repaired, converted, or maintained, or any building,
5 structure, land, or water is used, in violation of this act,
6 or of any code, order, resolution, or other regulation made
7 under authority conferred by this act or under law, the board
8 and any citizen residing in the district may institute any
9 appropriate action or proceeding to prevent such unlawful
10 erection, construction, reconstruction, alteration, repair,
11 conversion, maintenance, or use, to restrain, correct, or
12 avoid such violation, to prevent the occupancy of such
13 building, structure, land, or water, and to prevent any
14 illegal act, conduct, business, or use in or about such
15 premises, land, or water.

16 Section 51. Exemption of district property from
17 execution.--All district property shall be exempt from levy
18 and sale by virtue of an execution and no execution or other
19 judicial process shall issue against such property, nor shall
20 any judgment against the district be a charge or lien on its
21 property or revenues, provided that nothing herein contained
22 shall apply to or limit the rights of bondholders to pursue
23 any remedy for the enforcement of any lien or pledge given by
24 the district in connection with any of the bonds or
25 obligations of the district.

26 Section 52. Minimum charter requirements.--In
27 accordance with section 189.404(3), Florida Statutes, the
28 following subsections satisfy the minimum charter requirements
29 of the Plantation Acres Improvement District:
30
31

1 (1) The district is organized and exists for all
2 purposes set forth in this act and chapters 189 and 298,
3 Florida Statutes, as they may be amended from time to time.

4 (2) The powers, functions, and duties of the district
5 regarding ad valorem taxation, bond issuance, other
6 revenue-raising capabilities, budget preparation and approval,
7 liens and foreclosure of liens, use of tax deeds and tax
8 certificates as appropriate for ad valorem taxes, non-ad
9 valorem assessments, and contractual agreements shall be as
10 set forth in this act and chapters 170, 189, 197, 200, and
11 298, Florida Statutes, or any other applicable general or
12 special law, as they may be amended from time to time.

13 (3) The district was created by special act of the
14 Legislature in 1982.

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

17 (5) In accordance with this act and chapter 189,
18 Florida Statutes, the district is governed by a five-member
19 board elected by the qualified electors in the district. The
20 membership and organization of the board shall be as set forth
21 in this act and chapter 189, Florida Statutes, as they may be
22 amended from time to time.

23 (6) The compensation of board members shall be
24 governed by this act and chapter 189, Florida Statutes, as
25 they may be amended from time to time.

26 (7) The administrative duties of the board of
27 supervisors shall be as set forth in this act and chapter 298,
28 Florida Statutes, as they may be amended from time to time.

29 (8) Requirements for financial disclosure, meeting
30 notices, reporting, public records maintenance, and per diem
31 expenses for officers and employees shall be as set forth in

1 chapters 112, 189, 286, and 298, Florida Statutes, as they may
2 be amended from time to time.

3 (9) The procedures and requirements governing the
4 issuance of bonds, notes, and other evidence of indebtedness
5 by the district shall be as set forth in this act and chapter
6 298, Florida Statutes, and applicable general laws, as they
7 may be amended from time to time.

8 (10) The procedures for conducting district elections
9 and for qualification of electors shall be pursuant to this
10 act and chapter 189, Florida Statutes, as they may be amended
11 from time to time.

12 (11) The district may be financed by any method
13 established in this act, chapter 189 or chapter 298, Florida
14 Statutes, and applicable general laws, as they may be amended
15 from time to time.

16 (12) The methods for collecting ad valorem taxes,
17 non-ad valorem assessments, fees, or service charges shall be
18 as set forth in this act, chapters 170, 197, 200, and 298,
19 Florida Statutes, and other applicable general laws, as they
20 may be amended from time to time.

21 (13) The district's planning requirements shall be as
22 set forth in this act and chapters 189 and 298, Florida
23 Statutes, as they may be amended from time to time.

24 (14) The district's geographic boundary limitations
25 shall be as set forth in this act.

26 Section 4. Construction.--This act shall be construed
27 as remedial and shall be liberally construed to promote the
28 purpose for which it is intended.

29 Section 5. Effect.--In the event that any part of this
30 act should be held void for any reason, such holding shall not
31 affect any other part thereof.

1 Section 6. Conflict.--Except as otherwise provided in
2 this act, in the event of a conflict of the provisions of this
3 act with the provisions of any other act, the provisions of
4 this act shall control to the extent of such conflict.

5 Section 7. Repeal of prior special acts.--Chapters
6 67-924, 82-274, 86-355, and 99-426, Laws of Florida, are
7 repealed.

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

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