

By Representative Lynn

1 A bill to be entitled
 2 An act relating to Volusia County; providing
 3 for codification of special laws regarding
 4 special districts pursuant to s. 189.429, F.S.,
 5 relating to Daytona Beach Racing and
 6 Recreational Facilities District, an
 7 independent special district in Volusia County;
 8 providing legislative intent, and codifying and
 9 reenacting provisions of chapter 29588, Laws of
 10 Florida, chapter 29590, Laws of Florida,
 11 chapter 31343, Laws of Florida, chapter
 12 63-2023, Laws of Florida, chapter 73-647, Laws
 13 of Florida, and chapter 80-494, Laws of
 14 Florida; providing a district charter;
 15 providing for the severability of provisions
 16 deemed invalid; providing for the repeal of
 17 prior special acts relating to the Daytona
 18 Beach Racing and Recreational Facilities
 19 District; providing an effective date.

20
 21 Be It Enacted by the Legislature of the State of Florida:

22
 23 Section 1. Pursuant to section 189.429, Florida
 24 Statutes, this act constitutes the codification of all special
 25 acts relating to the Daytona Beach Racing and Recreational
 26 Facilities District. It is the intent of the Legislature in
 27 enacting this law to provide a single, comprehensive special
 28 act charter for the District, including all current
 29 legislative authority granted to the District by its several
 30 legislative enactments and any additional authority granted by
 31 this act.

1 Section 2. Chapter 29588, Laws of Florida, chapter
2 29590, Laws of Florida, chapter 31343, Laws of Florida,
3 chapter 63-2023, Laws of Florida, chapter 73-647, Laws of
4 Florida, and chapter 80-494, Laws of Florida, relating to the
5 Daytona Beach Racing and Recreational Facilities District, are
6 codified, reenacted, amended, and repealed as herein provided.

7 Section 3. The charter for the Daytona Beach Racing
8 and Recreational Facilities District is re-created and
9 reenacted to read:

10 Section 1. Definitions.--As used in this act, the
11 following words and terms shall have the following meanings,
12 unless some other meaning is plainly intended:

13 (a) The word "County" shall mean the County of Volusia
14 in the State of Florida.

15 (b) The term "Board of County Commissioners" or
16 "County Commissioners" shall mean the Board of County
17 Commissioners of Volusia County, Florida.

18 (c) The word "District" shall mean the Daytona Beach
19 Racing and Recreational Facilities District created and
20 established by this act.

21 (d) The term "District Commission" shall mean the
22 Daytona Beach Racing and Recreational Facilities Commission
23 created and established by this act.

24 (e) The term "racing and recreational facilities"
25 shall mean and shall include automobile and motorcycle
26 speedways, race tracks, testing grounds, fields for baseball,
27 football, or other sporting events, swimming pools, golf
28 courses, tennis courts, playgrounds, and other racing and
29 recreational facilities, and shall include but shall not be
30 limited to all lands, buildings, grandstands, stadiums, and
31 coliseums, all necessary appurtenances and equipment, and all

1 property, rights, easements, and franchises relating thereto
2 and deemed necessary or convenient for the operation thereof.

3 (f) The word "cost" as applied to any racing and
4 recreational facility shall mean and shall include the cost of
5 acquisition or construction, the cost of all labor, materials,
6 and equipment, the cost of all lands, property, rights,
7 easements, and franchises acquired, financing charges,
8 interest prior to and during construction and for 1 year after
9 completion of construction, cost of plans and specifications,
10 surveys and estimates of cost and of revenues, cost of
11 engineering and legal services, all expenses necessary or
12 incident to determining the feasibility or practicability of
13 such acquisition or construction, reasonable provisions for
14 working capital, administrative expenses, and such other
15 expenses as may be necessary or incident to the acquisition or
16 construction or the financing thereof herein authorized. Any
17 obligation or expense incurred by the County, the City of
18 Daytona Beach, or the District in connection with any of the
19 foregoing items of cost may be regarded as a part of such cost
20 and reimbursed to the County, the City of Daytona Beach, or
21 the District out of the proceeds of bonds issued under the
22 provisions of this act.

23 Section 2. Daytona Beach Racing and Recreational
24 Facilities District.--A Racing and Recreational Facilities
25 District in Volusia County is hereby created and established
26 and shall be known as "Daytona Beach Racing and Recreational
27 Facilities District." Said District shall comprise the
28 following land in Volusia County:

29
30 BEGINNING at the Southwest corner of Section
31 18, Township 16 South, Range 32 East; thence

1 running Easterly along the South line of
2 Sections 18 through 13, Township 16 South,
3 Range 32 East and Sections 18 through 15,
4 Township 16 South, Range 33 East, to a point
5 where the South line of Section 15, Township 16
6 South, Range 33 East, intersects the South line
7 of the J. M. Sanchez Grant, being Section 40,
8 Township 16 South, Range 33 East; thence
9 following the Southerly and Easterly lines of
10 the said J. M. Sanchez Grant to a point where
11 the same would be intersected by the South line
12 of Lot 2, of Section 13, Township 16 South,
13 Range 33 East, extended West; thence Easterly
14 along the extension of the said South line of
15 said Lot 2 of said Section 13, Township 16
16 South, Range 33 East, and along the South line
17 of said Lot 2 extended Easterly, to the shore
18 of the Atlantic Ocean; thence running
19 Northwesterly along the shore of the Atlantic
20 Ocean to the present North Corporation Line of
21 Ormond Beach, Florida; the same being in an
22 Easterly extension of the South Line of Lot 3,
23 Section 3, Township 14 South, Range 32 East;
24 thence Westerly along said extension and along
25 the said South line of Lot 3, Section 3,
26 Township 14 South, Range 32 East and along the
27 said North Corporation Limits to a point in the
28 Center-line of the Intracoastal Waterway;
29 thence Northerly along the said Centerline to
30 an intersection with the Easterly extension of
31 the Centerline of Avenue Inglesa, as shown on

1 the plat of Daytona Shores, Section 1-A, of
2 record in Map Book 10, Page 72, Public Records
3 of Volusia County, Florida; thence
4 Southwesterly along said Center-line of Avenue
5 Inglesa and extension thereof to the
6 Center-line of the Tomoka River; thence
7 Southerly and Westerly along the meandering of
8 said Center-line of the Tomoka River to its
9 intersection with the Southwesterly
10 Right-of-way line of the Florida East Coast
11 Railway; thence Northwesterly along said
12 Right-of-way line to a point that is 1500 Ft.
13 Easterly of the Westerly line of the George
14 Anderson Grant, being Section 38, Township 14
15 South, Range 32 East, Volusia County, Florida,
16 said 1500 Ft. being measured parallel to the
17 Southerly line of said George Anderson Grant;
18 thence Southerly and parallel to the aforesaid
19 Westerly line of the George Anderson Grant, to
20 a point that is 990 Ft. Northerly from the
21 Southerly line of aforesaid George Anderson
22 Grant; thence Westerly and parallel to said
23 Southerly line of the George Anderson Grant to
24 the aforesaid Westerly line of the George
25 Anderson Grant; thence Southerly along said
26 Westerly line of the George Anderson Grant to
27 the North line of Section 12, Township 14
28 South, Range 31 East; thence West along the
29 North line of said Section 12, to the Northwest
30 corner of Government Lot 1 in said Section 12;
31 thence South along the west line of said

1 Government Lot 1, to the Southwest corner of
2 said Government Lot 1; being also the Northeast
3 corner of Government Lot 3 in said Section 12;
4 thence West along the North line of said
5 Government Lot 3 to the Northwest corner
6 thereof; thence South along the West line of
7 Government Lot 3 aforesaid to the Southwest
8 comer thereof; thence East along the South line
9 of said Government Lot 3, being the North line
10 of Section 13 in aforesaid Township 14 South,
11 Range 31 East, to the intersection with the
12 West line of the Ann Papy Grant, being Section
13 38, Township 14 South, Range 31 East; thence
14 South along the West line of said Ann Papy
15 Grant to the Southwest corner thereof thence
16 East along the South line of said Ann Papy
17 Grant to the Northwest corner of Government Lot
18 1, Section 13, Township 14 South, Range 31
19 East; thence South along the West line of said
20 Government Lot 1 to the Southwest corner
21 thereof; thence East along the South line of
22 Government Lot 1, Section 13, Township 14
23 South, Range 31 East and along the South lines
24 of Government Lots 3, 2 and 1, Section 18,
25 Township 14 South, Range 32 East to the center
26 of the Tomoka River; thence Southerly along the
27 meandering of the center of the Tomoka River
28 and the West Branch thereof, to an intersection
29 with the Northerly Right-of-way Line of U. S.
30 Highway #92; thence Southwesterly along the
31 said Northerly Right-of-way Line of U. S.

1 Highway # 92 to an intersection with the West
2 line of Section 6, Township 16 South Range 32
3 East; thence Southerly along the West line of
4 Sections 6, 7 and 18, of said Township 16
5 South, Range 32 East, to the POINT OF
6 BEGINNING.

7
8 The District may contract and be contracted with, may sue and
9 be sued, and may plead and be impleaded.

10 Section 3. The powers, functions, and duties of the
11 District regarding ad valorem taxation, bond issuance, other
12 revenue raising capabilities, budget preparation and approval,
13 liens and foreclosure of liens, use of tax deeds and tax
14 certificates as appropriate for non-ad valorem assessments,
15 and contractual agreements shall be as set forth in this act
16 and in chapter 189, Florida Statutes, or any other applicable
17 general or special law, as they may be amended from time to
18 time.

19 Section 4. Creation and status.--The District was
20 created by a special act of the Legislature by chapter 31343,
21 Laws of Florida, 1955, in accordance with chapter 189, Florida
22 Statutes. The District is hereby declared to be an independent
23 special district pursuant to chapter 189, Florida Statutes.

24 Section 5. The District's charter may only be amended
25 by a special act of the Legislature.

26 Section 6. Daytona Beach Racing and Recreational
27 Facilities Commission.--The District shall be under the
28 management and control of a Commission known as the "Daytona
29 Beach Racing and Recreational Facilities Commission." The
30 District Commission shall consist of five members who shall be
31 qualified electors of the District. Two members of the

1 District Commission shall be appointed by the Board of County
2 Commissioners and two members shall be appointed by the City
3 Commission of the City of Daytona Beach; and one member shall
4 be appointed by the joint action of the Board of County
5 Commissioners and the City Commission of the City or by the
6 Governor as hereinafter provided. Members shall serve until
7 the specified termination of their respective appointed terms,
8 or for 4 years from the date of their appointment, whichever
9 is earlier. At least 30 days prior to the date of expiration
10 of the term of any member of the District Commission, the
11 successor of such member shall be appointed for a term of 4
12 years by the City or County as hereinabove provided. If the
13 City and County are unable to agree on the successor to be
14 named jointly by them within 5 days prior to the date of
15 expiration of the term of office of said member, such
16 appointment shall be made by the Governor of the State of
17 Florida. Each member shall serve until his or her successor
18 shall be appointed and shall qualify. In the event of a
19 vacancy in the District Commission resulting from the death,
20 resignation, or change of residence of any member thereof or
21 from any other cause, the successor of such member shall be
22 appointed for the unexpired term. Any member of the District
23 Commission shall be eligible for reappointment. Upon the
24 appointment of any member of the District Commission, the
25 Clerk of the City or County making the appointment shall
26 furnish a certificate of such appointment to said appointee
27 which shall be kept with the public records of the District
28 Commission and shall be noted in the minutes of the first
29 meeting of said District Commission following such
30 appointment. Each member of the District Commission shall be
31 reimbursed for the actual expenses necessarily incurred by him

1 or her in the performance of his or her duties. Such
2 reimbursement shall be the maximum amount of compensation that
3 any Commission member shall be entitled to receive.

4
5 Before entering upon the duties of office, each member of the
6 District Commission shall take and file with the District an
7 oath to faithfully discharge the duties of his or her office,
8 and such other oaths as shall be required by law, and shall
9 execute a surety bond in the penal sum of \$5,000 payable to
10 the Governor of the State of Florida and conditioned upon the
11 faithful performance of the duties of office of such member.
12 Such bonds shall be approved by the District Commission and
13 filed with the Secretary and Treasurer thereof and such bonds
14 shall be signed by a surety company authorized to do business
15 in Florida.

16
17 Three members of the District Commission shall constitute a
18 quorum and the affirmative vote of three members of the
19 District Commission shall be necessary for any action taken by
20 the District Commission. A vacancy in the District Commission
21 shall not impair the rights of a quorum to exercise all the
22 rights and perform all the duties of the District Commission.
23 The District Commission shall elect one of its members as
24 Chair and shall also appoint a Secretary and Treasurer who may
25 or may not be a member of the District Commission. The
26 Secretary and Treasurer of the District Commission, prior to
27 entering upon his or her duties as such officer, shall execute
28 a surety bond in a penal sum, not less than \$25,000, to be
29 determined by the District Commission, payable to the Governor
30 of the State of Florida and conditioned upon the faithful
31 performance of the duties of his or her office, such bond to

1 be signed by a surety company authorized to do business in
2 Florida and to be approved by the District Commission and
3 filed with the Secretary and Treasurer thereof.

4 Section 7. General grant of powers.--The District
5 Commission is hereby authorized and empowered:

6 (a) To adopt bylaws for the regulation of its affairs
7 and the conduct of its business.

8 (b) To adopt an official seal for the District and to
9 alter the same at pleasure.

10 (c) To purchase or otherwise acquire, construct,
11 reconstruct, improve, extend, enlarge, equip, repair,
12 maintain, and operate any racing and recreational facilities
13 within the territorial limits of the District.

14 (d) To acquire by grant, purchase, gift, or devise or
15 by the exercise of the right of eminent domain all property,
16 real or personal, or any estate or interest therein necessary,
17 desirable, or convenient for the purposes of this act, and to
18 sell, convey, lease, rent, or assign all or any part thereof
19 and to exercise all of its powers and authority with respect
20 thereto.

21 (e) To issue bonds or to request the Board of County
22 Commissioners to issue bonds of the District, as hereinafter
23 provided, to pay the cost of purchasing or otherwise
24 acquiring, constructing, reconstructing, improving, extending,
25 enlarging, or equipping racing and recreational facilities.

26 (f) To issue refunding bonds or to request the Board
27 of County Commissioners to issue refunding bonds of the
28 District, as hereinafter provided, to refund any bonds then
29 outstanding which shall have been issued under the provisions
30 of this act.

31

1 (g) To lease, rent, or contract for the operation of
2 all or any part of any racing and recreational facilities.

3 (h) To fix and collect rates, rentals, fees, and
4 charges for the use of any racing and recreational facilities.

5 (i) To contract for the operation of concessions on or
6 in any racing and recreational facilities.

7 (j) To advertise within or without the state any
8 racing and recreational facilities.

9 (k) To make and enter into all contracts and
10 agreements necessary or incidental to the performance of the
11 duties imposed and the execution of the powers granted under
12 this act, and to employ such consulting and other engineers,
13 superintendents, managers, construction and financial experts,
14 and attorneys, and such employees and agents, as may, in the
15 judgment of the District Commission, be deemed necessary, and
16 to fix their compensation; provided, however, that all such
17 expenses shall be payable solely from funds made available
18 under the provisions of this act.

19 (l) To enter into contracts with the government of the
20 United States or the State of Florida or any agency or
21 instrumentality of either thereof, or with any municipality,
22 district, private corporation, copartnership, association, or
23 individual providing for or relating to racing and
24 recreational facilities.

25 (m) To do all acts or things necessary or convenient
26 to carry out the powers expressly granted in this act.

27 Section 8. Issuance of bonds.--

28 (a) The District Commission is hereby authorized to
29 provide by resolution, at one time or from time to time, for
30 the issuance of special obligation bonds of the District
31 payable solely from rates, rentals, fees, and charges provided

1 for herein for the purpose of paying the cost of purchasing or
2 otherwise acquiring, constructing, reconstructing, improving,
3 extending, enlarging, or equipping racing and recreational
4 facilities.

5 (b) The Board of County Commissioners is hereby
6 directed to provide by resolution, at one time or from time to
7 time, upon the request of the District Commission and with the
8 concurrence of the District Commission in all of the
9 provisions of any such resolution, including the provisions of
10 any trust agreement authorized thereby, and in all
11 determinations to be made by the County Commissioners under
12 this section, for the issuance of general obligation bonds of
13 the District in an aggregate principal amount not exceeding \$3
14 million payable from rates, rentals, fees, and charges
15 provided for hereunder and, to the extent necessary, ad
16 valorem taxes levied as hereinafter provided, for the purpose
17 of paying the cost of purchasing or otherwise acquiring,
18 constructing, reconstructing, improving, extending, enlarging,
19 or equipping racing and recreational facilities; provided,
20 however, that any such bonds shall have been approved by the
21 majority of the votes cast in an election in which a majority
22 of the freeholders who are qualified electors residing in the
23 District shall have participated. Any such election shall be
24 held and the result thereof determined and declared in the
25 manner provided by the election code of 1951 and chapter 189,
26 Florida Statutes, or any amendments thereof.

27 (c) The bonds of each issue authorized pursuant to this
28 act shall be dated, shall mature at such time or times not
29 exceeding 40 years from their date or dates, and shall bear
30 interest at such rate or rates not exceeding 6 percent per
31 annum, as may be determined by the District Commission or the

1 County Commissioners, as the case may be, authorizing the
2 issuance of such bonds, hereinafter sometimes called the
3 "Authorizing Body," and may be made redeemable before
4 maturity, at the option of the Authorizing Body, at such price
5 or prices and under such terms and conditions as may be fixed
6 by the Authorizing Body prior to the issuance of the bonds.
7 The principal of and the interest on such bonds may be made
8 payable in any lawful medium. The Authorizing Body shall
9 determine the form and the manner of execution of the bonds,
10 including any interest coupons to be attached thereto, and
11 shall fix the denomination or denominations of the bonds and
12 the place or places of payment of principal and interest which
13 may be at any bank or trust company within or without the
14 state. In case any officer whose signature or a facsimile of
15 whose signature shall appear on any bonds or coupons shall
16 cease to be such officer before the delivery of such bonds,
17 such signature or such facsimile shall nevertheless be valid
18 and sufficient for all purposes the same as if he or she had
19 remained in office until such delivery. Notwithstanding any of
20 the other provisions of the act or any recitals in any bonds
21 issued under the provisions of this act, all such bonds shall
22 be deemed to be negotiable instruments under the laws of this
23 state. The bonds may be issued in coupon or in registered
24 form, or both, as the Authorizing Body may determine, and
25 provision may be made for the registration of any coupon bonds
26 as to principal alone and also as to both principal and
27 interest, and for the reconversion into coupon bonds of any
28 bonds registered as to both principal and interest. The
29 issuance of such bonds shall not be subject to any limitations
30 or conditions contained in any other law, and the Authorizing
31 Body may sell such bonds in such manner, either at public or

1 at private sale, and for such price, as it may determine to be
2 for the best interests of the District, but no such sale shall
3 be made at a price so low as to require the payment of
4 interest on the money received therefor at more than 6 percent
5 per annum, computed with relation to the absolute maturity of
6 the bonds in accordance with standard tables of bond values,
7 excluding, however, from such computation the amount of any
8 premium to be paid on redemption of any bonds prior to
9 maturity. Prior to the preparation of definitive bonds,
10 provision may be made for the issuance of interim receipts or
11 temporary bonds, with or without coupons, exchangeable for
12 definitive bonds when such bonds have been executed and are
13 available for delivery. Provision may also be made for the
14 replacement of any bonds which shall become mutilated or be
15 destroyed or lost.

16
17 Bonds may be issued under the provisions of this act without
18 obtaining the consent of any other department, commission,
19 board, bureau, or agency of the state, and without any other
20 proceeding or the happening of any other condition or thing
21 than those proceedings, conditions, or things which are
22 specifically required by this act.

23
24 The proceeds of such bonds shall be used solely for the
25 purpose for which such bonds shall have been authorized, and
26 shall be disbursed in such manner and under such restrictions,
27 if any, as the Authorizing Body may provide in the authorizing
28 resolution or in any trust agreement securing such bonds. If
29 the proceeds of such bonds, by error of estimates or
30 otherwise, shall be less than such cost, additional bonds may
31 in like manner be issued, subject to the limitations contained

1 herein on the maximum amount of general obligation bonds which
2 may be issued, to provide the amount of such deficit, and,
3 unless otherwise provided in the authorizing resolution of
4 such trust agreement, shall be deemed to be of the same issue
5 and shall be entitled to payment from the same fund without
6 preference or priority of the bonds first issued for the same
7 purpose.

8
9 Any resolution or trust agreement providing for the issuance
10 of or securing bonds hereunder may also contain such
11 limitations upon the issuance of additional bonds as the
12 Authorizing Body may determine to be proper, and such
13 additional bonds shall be issued under such restrictions and
14 limitations as may be prescribed by such resolution or trust
15 agreement.

16
17 The maximum amount of general obligation bonds which may be
18 issued under this act may be increased by the Legislature by
19 subsequent legislation. Special obligation bonds of the
20 District payable solely from rates, rentals, fees, and charges
21 for the use of the racing and recreational facilities, issued
22 under the provisions of this act, shall not be deemed to
23 constitute a debt of the District or a pledge of the faith and
24 credit of the District, and a statement to that effect shall
25 be recited on the face of the bonds.

26 Section 9. Revenues.--The District Commission shall
27 fix rates, rentals, fees, and other charges for the use of the
28 racing and recreational facilities and may revise such rates,
29 rentals, fees, and charges from time to time. Such rates,
30 rentals, fees, and charges shall not be subject to supervision
31 or regulation by any department, commission, board, bureau, or

1 agency of the state, or of any political subdivision of the
2 state. Such rates, rentals, fees, and charges shall be so
3 fixed and revised as to provide the most revenue practicable
4 from such facilities.

5 Section 10. Trust agreement; pledges and
6 covenants.--Any resolution authorizing the issuance of bonds
7 under the provisions of this act may provide for the execution
8 of a trust agreement securing such bonds, and such resolution
9 or trust agreement may contain such provisions for protecting
10 and enforcing the rights and remedies of the bondholders as
11 may be reasonable and proper and not in violation of law,
12 including covenants setting forth the duties of the District
13 Commission in relation to the acquisition, construction,
14 reconstruction, improvement, extension, enlargement,
15 equipment, maintenance, repair, operation, and insurance of
16 any racing and recreational facilities and provisions for the
17 custody, safeguarding, and application of all moneys, and for
18 the employment of consulting engineers in connection with such
19 acquisition, construction, reconstruction, improvement,
20 extension, enlargement, equipment, maintenance, repair,
21 operation, and insurance of any such racing and recreational
22 facilities. Such resolution or trust agreement may set forth
23 the rights and remedies of the bondholders and of the trustee,
24 if any, and may restrict the individual right of action by
25 bondholders as is customary in trust agreements or trust
26 indentures. In addition to the foregoing, such resolution or
27 trust agreement may contain such other provisions as may be
28 deemed reasonable and proper for the security of the
29 bondholders. Except as in this act otherwise provided, such
30 resolution or trust agreement may provide for the payment of
31 the proceeds of the sale of the bonds and the revenues of the

1 racing and recreational facilities to such officer, board, or
2 depository as may be designated for the custody thereof, and
3 for the method of disbursement thereof, with such safeguards
4 and restrictions as may be deemed desirable. All expenses
5 incurred in carrying out the provisions of such resolution or
6 trust agreement may be treated as a part of the cost of
7 operation.

8
9 Any pledge of revenues made by such resolution or trust
10 agreement shall be valid and binding from the time when the
11 pledge is made; the rates, rentals, fees, and charges and any
12 other revenues so pledged and thereafter received by the
13 District Commission shall immediately be subject to the lien
14 of such pledge without any physical delivery thereof or
15 further act; and the lien of any such pledge shall be valid
16 and binding as against all parties having claims of any kind
17 in tort, contract, or otherwise against the District,
18 irrespective of whether such parties have notice thereof.

19 Section 11. Levy of taxes.--The Board of County
20 Commissioners is hereby authorized and required to levy
21 annually a tax upon all taxable property within the District
22 sufficient to pay the principal of and the interest on all
23 general obligation bonds issued under the provisions of this
24 act as the same shall respectively become due and payable;
25 provided, however, that the amount of such annual tax levy may
26 be reduced in any year by so much of the amount of the
27 proceeds of rates, rentals, fees, and charges, if any, then on
28 deposit to the credit of a special fund for the payment of
29 such principal and interest as shall be certified to the Board
30 of County Commissioners by the District Commission as
31 available for the payment of such principal and interest

1 during the year from which such tax shall be levied, but any
2 such proceeds on deposit to the credit of any reserve account
3 in such special fund shall not be taken into account in
4 determining the amount of such tax levy. The proceeds of such
5 tax levy shall when collected be paid into such special fund
6 and used for no other purpose than the payment of such
7 principal and interest.

8 Section 12. Trust funds.--All moneys received pursuant
9 to the authority of this act shall be deemed to be trust
10 funds, to be held and applied solely as provided in this act.
11 Any resolution authorizing the issuance of bonds shall provide
12 that any officer to whom, or any bank, trust company or other
13 fiscal agent to which, such moneys shall be paid shall act as
14 trustee of such moneys and shall hold and apply the same for
15 the purposes hereof, subject to such regulations as this act
16 and such resolution may provide.

17 Section 13. Remedies.--Any holder of bonds issued
18 under the provisions of this act or of any of the coupons
19 appertaining thereto, and the trustee under any trust
20 agreement, except to the extent the rights herein given may be
21 restricted by the resolution authorizing the issuance of such
22 bonds or such trust agreement, may, either at law or in
23 equity, by suit, action, mandamus, or other proceeding,
24 protect and enforce any and all rights under the laws of the
25 state or granted hereunder or under such resolution or trust
26 agreement, and may enforce and compel the performance of all
27 duties required by this act or by such resolution or trust
28 agreement to be performed by the District, the District
29 Commission, the Board of County Commissioners, or by any
30 officer thereof, including the fixing, charging, and
31 collecting of rates, rentals, fees, and charges.

1 Section 14. Refunding Bonds.--The District Commission
2 is hereby authorized to provide by resolution for the issuance
3 of special obligation refunding bonds of the District, and the
4 Board of County Commissioners is hereby authorized to provide
5 by resolution, upon the request of the District Commission and
6 with the concurrence of the District Commission in all of the
7 provisions of such resolution, for the issuance of general
8 obligation refunding bonds of the District, for the purpose of
9 refunding any bonds then outstanding which shall have been
10 issued under the provisions of this act, including the payment
11 of any redemption premium thereon and any interest accrued or
12 to accrue to the date of redemption of such bonds, or for the
13 combined purpose of refunding any such outstanding bonds and
14 paying all or any part of the cost of purchasing or otherwise
15 acquiring, constructing, reconstructing, improving, extending,
16 enlarging, or equipping any racing and recreational
17 facilities; provided, however, that the proceeds of any
18 portion of any such general obligation refunding bonds to be
19 applied to paying all or any part of the cost of purchasing or
20 otherwise acquiring, constructing, reconstructing, improving,
21 extending, enlarging, or equipping any racing or recreational
22 facilities as above provided, together with the aggregate
23 amount of bonds theretofore issued under section 8(b) hereof
24 shall not exceed the aggregate principal amount of \$3 million.
25 The issuance of such bonds, the maturities and other details
26 thereof, the rights and remedies of the holders thereof, and
27 the rights, powers, privileges, duties, and obligations of the
28 district, of the County Commissioners, and of the District
29 Commission, with respect to the same shall be governed by the
30 foregoing provisions of this act insofar as the same may be
31 applicable.

1 Section 15. Contracts; competition.--The District
2 Commission may enter into any contracts or agreements
3 authorized by this act by negotiation and without public
4 advertisement or otherwise obtaining competition if in the
5 sole determination of the District Commission such action is
6 for the best interests of the District.

7 Section 16. Inconsistent laws inapplicable.--All other
8 general or special laws, or parts thereof, inconsistent
9 herewith are hereby declared to be inapplicable to the
10 provisions of this act and the issuance of bonds under the
11 provisions of this act need not comply with the requirements
12 of any other law relating to the issuance of bonds.

13 Section 17. The terms "racing and recreational
14 facilities," "race tracks," and "sporting events," used in
15 this act, shall not embrace or include but shall exclude all
16 race track and jai alai fronton permits and permittees
17 conducting pari-mutuel pools in this state; and the provisions
18 of this act shall not apply to race tracks and jai alai
19 frontons licensed and authorized to operate under chapter 550,
20 Florida Statutes, and amendments thereto.

21 Section 18. Declaration of public purposes.--It is
22 hereby determined and declared by the Legislature of the State
23 of Florida that all of the powers conferred upon the District
24 and the County by this act, and the exercise of such powers or
25 any of them, constitute and are proper public purposes and are
26 for the welfare and benefit of the District and its
27 inhabitants.

28 Section 19. Alternative method.--This act shall be
29 deemed to provide an additional and alternative method for the
30 doing of the things authorized hereby and shall be regarded as
31 supplemental to powers conferred by other laws, and shall not

1 be regarded as in derogation of any powers now existing. This
2 act being necessary for the welfare of the inhabitants of the
3 District and the County shall be liberally construed to effect
4 the purposes thereof.

5 Section 20. The showing of commercial motion pictures
6 as described in section 847.013, Florida Statutes, in or upon
7 any of the facilities as defined in section 1(e) is
8 prohibited.

9 Section 21. Financial disclosure.--Requirements for
10 financial disclosure, meeting notices, reporting, public
11 records maintenance, and per diem expenses for officers and
12 employees shall be as set forth in chapters 112 and 189,
13 Florida Statutes.

14 Section 22. The procedures for District elections and
15 for the qualification of electors shall be pursuant to this
16 act and in accordance with chapter 189, Florida Statutes, as
17 it may be amended from time to time.

18 Section 23. Financing.--The District may be financed
19 by any method established in this act, and any applicable
20 general laws as they may be amended from time to time.

21 Section 24. The methods for collecting non-ad valorem
22 assessments, fees, or service charges shall be as set forth in
23 this act, chapter 189, Florida Statutes, and other applicable
24 general laws as they may be amended from time to time.

25 Section 25. The District's planning requirements shall
26 be as set forth in chapter 189, Florida Statutes, as it may be
27 amended from time to time.

28 Section 4. Chapters 29588 and 29590, Laws of Florida,
29 1953, were repealed by chapter 31343, Laws of Florida, 1955.
30 Chapter 31343, Laws of Florida, 1955; chapter 63-2023, Laws of
31

1 Florida; chapter 73-647, Laws of Florida; and chapter 80-494,
2 Laws of Florida, are repealed.
3 Section 5. The provisions of this act are severable,
4 and it is the intention to confer the whole or any part of the
5 powers herein provided for and if any of the provisions of
6 this act or any of the powers granted by this act shall be
7 held unconstitutional by any court of competent jurisdiction,
8 the decision of such court shall not affect or impair any of
9 the remaining provisions of this act or any of the remaining
10 powers granted by this act. It is hereby declared to be the
11 legislative intent that this act would have been adopted had
12 such unconstitutional provision or power not been included
13 therein.
14 Section 6. This act shall take effect upon becoming a
15 law.
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