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A bill to be entitled
 An act relating to St. Lucie County Mosquito Control District; codifying, reenacting, amending, and repealing special acts related to the district; providing a charter; providing boundaries of the district; providing for a governing board and operation of the district in accordance with ch. 388, F.S.; providing for compensation; providing for district powers, functions, and duties; providing a public nuisance declaration; providing bond procedures; providing for ad valorem taxes; providing boundary revision procedures; providing for construction and effect; repealing chapters 29502 (1953), 59-1794, 59-1796, 61-2760, 65-2187, 80-598, 87-510, and 96-461, Laws of Florida; providing an effective date.

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

Section 1. Pursuant to section 189.429, Florida Statutes, this act constitutes the codification of all special acts relating to the St. Lucie County Mosquito Control District. It is the intent of the Legislature to provide a single, comprehensive special act charter for the district including all current legislative authority granted to the district by its several legislative enactments and any additional authority granted by this act, chapters 189 and 388, Florida Statutes, and chapter 5E-13, Florida Administrative Code, as the same may be amended from time to time. It is further the intent of this act to preserve all district authority.

Section 2. Chapters 29502 (1953), 59-1794, 59-1796, 61-2760, 65-2187, 80-598, 87-510, and 96-461, Laws of Florida, are



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31 codified, reenacted, amended, and repealed as provided herein.

32 Section 3. The St. Lucie County Mosquito Control District
33 is re-created and reenacted to read:

34 Section 1. District boundaries.--A special taxing
35 district, lying wholly in St. Lucie County, to be known as the
36 St. Lucie County Mosquito Control District, is described as
37 follows:

38 Beginning at the Northeast corner of Section 3,
39 Township 34 South, Range 40 East; thence West to the
40 Northwest corner of Section 3, Township 34 South,
41 Range 38 East; thence South to the Southwest corner of
42 Section 34, Township 34 South, Range 38 East; thence
43 East to the Southwest corner of Section 36, Township
44 34 South, Range 38 East; thence South to the Southeast
45 corner of Northeast ¼ of Section 11, Township 36
46 South, Range 38 East; thence West to the Northwest
47 corner of the Southeast ¼ of Section 11, Township 36
48 South, Range 38 East; thence South to the Southwest
49 corner of the Southeast ¼ of Section 11, Township 36
50 South, Range 38 East; thence East to the Southwest
51 corner of Section 10, Township 36 South, Range 39
52 East; thence South to the Southwest corner of Section
53 34, Township 37 South, Range 39 East; thence East to
54 the Southeast corner of Section 36, Township 37 South,
55 Range 40 East; thence North to the Southwest corner of
56 Section 7, Township 37 South, Range 41 East; thence
57 East following the Section lines to the water's edge
58 of the Atlantic Ocean; thence meandering said water's
59 edge Northwesterly to the point of beginning.

60 AND



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61 A parcel of land of land lying in Sections 4, 5, 8, 9,
62 10, 16 and 17, Township 37 South, Range 39 East, and
63 Section 33, Township 36 South, Range 39 East, St.
64 Lucie County, Florida, said parcel being more
65 particularly described as follows:
66 Begin at the intersection of the centerline of Gatlin
67 Boulevard (also being the north line of Section 15)
68 and the westerly limits of Gatlin Boulevard Right-of-
69 Way and the westerly limits of those lands described
70 in an Order of Taking dated July 24, 1979 and recorded
71 in Official Record Book 311 at Pages 2946 through
72 2952, inclusive, Public Records of St. Lucie County,
73 Florida, and as shown on the Florida Department of
74 Transportation Right-of-Way maps for State Road #9.
75 (I-95), Section 94001-2412, dated 6/2/77, with last
76 revision of 9/11/79; thence South 89 degrees 57
77 minutes 05 seconds West, a distance of 7702.12 feet;
78 thence South 00 degrees 05 minutes 46 seconds West, a
79 distance of 757.53 feet; thence South 89 degrees 57
80 minutes 43 seconds West, a distance of 1159.20 feet;
81 thence North 00 degrees 40 minutes 03 seconds East, a
82 distance of 152.60 feet; thence North 54 degrees 52
83 minutes 19 seconds East, a distance of 153.89 feet;
84 thence North 11 degrees 24 minutes 07 seconds East, a
85 distance of 156.51 feet; thence North 14 degrees 02
86 minutes 38 seconds West, a distance of 439.20 feet; to
87 the beginning of a curve concave southerly, having a
88 radius of 200.00 feet and a central angle of 130
89 degrees 29 minutes 58 seconds, thence northerly,
90 westerly and finally southerly along the arc of said



91 curve to the left, a distance of 455.53 feet to the
 92 curves end; thence South 35 degrees 27 minutes 24
 93 seconds West, a distance of 161.00 feet; thence South
 94 89 degrees 57 minutes 05 seconds West, a distance of
 95 1118.66 feet; thence North 43 degrees 15 minutes 34
 96 seconds West, a distance of 1.86 feet; thence North 09
 97 degrees 54 minutes 33 seconds East, a distance of
 98 528.17 feet; thence North 62 degrees 56 minutes 57
 99 seconds East, a distance of 710.69 feet; thence North
 100 39 degrees 35 minutes 38 seconds West, a distance of
 101 373.81 feet; thence South 80 degrees 50 minutes 18
 102 seconds West, a distance of 92.33 feet; thence North
 103 00 degrees 09 minutes 21 seconds East, A distance of
 104 4587.82 feet; to the southeasterly line of Grove No.
 105 3, as recorded in O.R. Book 383, at Page 1059, St.
 106 Lucie County Public Records (Special Warranty Deed
 107 from A. Duda & Sons, Inc. to D & M Indian River
 108 Groves) thence along said southerly and easterly line
 109 of Grove No. 3 the following courses and distances:
 110 North 74 degrees 07 minutes 42 seconds East, a
 111 distance of 3624.15 feet; thence North 02 degrees 40
 112 minutes 30 seconds West; a distance of 853.63 feet;
 113 thence North 03 degrees 34 minutes 36 seconds East, a
 114 distance of 264.67 feet; thence North 11 degrees 39
 115 minutes 14 seconds East, a distance of 299.59 feet;
 116 thence North 05 degrees 52 minutes 55 seconds East, a
 117 distance of 655.21 feet; thence North 13 degrees 31
 118 minutes 07 seconds East, a distance of 422.94 feet;
 119 thence departing said Grove No. 3, continue North 13
 120 degrees 31 minutes 07 seconds East, a distance of



121 51.88 feet; thence North 74 degrees 14 minutes 30
 122 seconds East; a distance of 2525.46 feet; thence North
 123 76 degrees 04 minutes 00 seconds East, a distance of
 124 1244.50 feet; thence North 65 degrees 11 minutes 40
 125 seconds East, a distance of 178.59 feet; thence North
 126 59 degrees 06 minutes 39 seconds East, a distance of
 127 424.13 feet; thence North 73 degrees 43 minutes 15
 128 seconds East, a distance of 14.12 feet; thence South
 129 50 degrees 55 minutes 52 seconds East, a distance of
 130 7.43 feet; thence North 56 degrees 01 minutes 38
 131 seconds East, a distance of 31.64 feet; thence North
 132 33 degrees 56 minutes 01 seconds East, a distance of
 133 30.15 feet; thence North 54 degrees 34 minutes 18
 134 seconds East, a distance of 298.73 feet; thence North
 135 85 degrees 53 minutes 58 seconds East, a distance of
 136 132.02 feet; thence North 70 degrees 54 minutes 26
 137 seconds East, a distance of 143.67 feet; thence North
 138 56 degrees 25 minutes 29 seconds East, a distance of
 139 121.35 feet; thence North 66 degrees 21 minutes 07
 140 seconds East, a distance of 557.84 feet; thence South
 141 00 degrees 35 minutes 12 seconds West along the
 142 northerly prolongation of the East line of the
 143 northeast quarter of said Section 4, a distance of
 144 271.44 feet to the northeast corner of Section 4;
 145 thence continue South 00 degrees 35 minutes 12 seconds
 146 West, along the East line of said Section 4, a
 147 distance of 2833.04 feet to the East quarter corner of
 148 said Section 4; thence South 00 degrees 36 minutes 27
 149 seconds West, a distance of 2651.97 feet to the
 150 northwest corner of Section 10; thence North 89



151 degrees 54 minutes 10 seconds East along the North
 152 line of said Section 10, a distance of 1793.84 feet;
 153 to a point of intersection with the westerly Right-of-
 154 Way line of said I-95 and the said westerly line of
 155 the lands described in the Order of Taking dated July
 156 24, 1979 and recorded in Official Record Book 311 at
 157 Pages 2946 through 2952, inclusive, and with a non-
 158 tangent curve, concave easterly, having a radius of
 159 5983.58 feet and central angle of 23 degrees 41
 160 minutes 41 seconds, thence along the westerly line of
 161 said I-95 Right-of-Way and along the said westerly
 162 line of the lands described in the Order of Taking,
 163 dated July 24, 1979, the following courses and
 164 distance: thence southerly along the arc of said curve
 165 to the left, a distance of 2474.52 feet, said arc
 166 subtended by a chord which bears South 06 degrees 56
 167 minutes 28 seconds East, a distance of 2456.92 feet to
 168 the curves end; thence South 18 degrees 47 minutes 19
 169 seconds East, a distance of 714.03 feet; thence South
 170 14 degrees 47 minutes 19 seconds East, a distance of
 171 510.88 feet; thence South 07 degrees 32 minutes 07
 172 seconds East, a distance of 374.37 feet; thence South
 173 06 degrees 58 minutes 16 seconds West, a distance of
 174 373.49 feet; thence South 15 degrees 33 minutes 28
 175 seconds West, a distance of 491.49 feet; thence South
 176 34 degrees 39 minutes 50 seconds West, a distance of
 177 207.78 feet; thence South 70 degrees 02 minutes 50
 178 seconds West, a distance of 289.50 feet; thence South
 179 00 degrees 01 minutes 45 seconds West, a distance of
 180 64.09 feet; thence South 82 degrees 24 minutes 53



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181 seconds West, a distance of 317.56 feet; thence North
 182 89 degrees 58 minutes 15 seconds West, a distance of
 183 372.63 feet; thence North 89 degrees 58 minutes 15
 184 seconds West, a distance of 262.61 feet; thence South
 185 00 degrees 01 minutes 45 seconds West, a distance of
 186 100.00 feet, to the Point of Beginning.

187 AND

188 A parcel of land of land lying in Section 16, 20, 21,
 189 28, 29 and 33, Township 36 South, Range 39 East, St.
 190 Lucie County, Florida, said parcel being more
 191 particularly described as follows:

192 Begin at the intersection of the Southeasterly right
 193 of way line of the FEC Railroad and the Northeasterly
 194 right of way line of the SFWMD Canal C-24; thence
 195 Southeasterly along said Northeasterly right of way
 196 line of the C-24 to the intersection of the East Line
 197 of Section 33, Township 36 South, Range 39 East; thence
 198 North along the East line of Sections 33, 28, 21 AND
 199 16, Township 36 South, Range 39 East to the
 200 intersection of the Southeasterly right of way line of
 201 the FEC Railroad; thence Southwesterly along said
 202 Southeasterly right of way line to the Point of
 203 Beginning.

204 Section 2. Establishment; District Formation Ratified,
 205 Restated, and Approved.---

206 (1) The district, a dependent special district, is
 207 established for all purposes set forth in this act, chapters 189
 208 and 388, Florida Statutes, and chapter 5E-13, Florida
 209 Administrative Code, as the same may be amended from time to



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210 time. This charter may be amended only by special act of the
 211 Legislature.

212 (2) The St. Lucie County Mosquito Control District, as
 213 initially established pursuant to chapter 29502 (1953), Laws of
 214 Florida, and thereafter amended as provided by special acts of
 215 the Legislature, is ratified, confirmed, and approved.

216 Section 3. Governing Board.--The governing body of the St.
 217 Lucie County Mosquito Control District (the "district") shall be
 218 the members of the Board of County Commissioners of St. Lucie
 219 County. As soon as practicable after the County Commissioners
 220 of St. Lucie County have assumed office, the commissioners shall
 221 meet to organize as the governing board of the St. Lucie County
 222 Mosquito Control District. The Clerk of the Circuit Court of
 223 St. Lucie County shall act as secretary and treasurer without
 224 right to vote as a member of the board or hold other office
 225 thereon without additional compensation for his or her services,
 226 exercising all powers and performing all duties as provided by
 227 this act. At this meeting, the board shall elect a chair from
 228 among their number.

229 Section 4. Compensation.--The members of the board of
 230 county commissioners and the employees of said district when
 231 traveling outside the boundaries of St. Lucie County whether
 232 within or without the state, on official business duly
 233 authorized in an open meeting, shall each be reimbursed for the
 234 actual transportation expenses paid in accordance with the
 235 provisions of section 112.061, Florida Statutes, as it may be
 236 amended from time to time. In addition, they shall each be
 237 reimbursed for meals and actual lodging expenses paid in
 238 accordance with the provisions of section 112.061, Florida



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239 Statutes, said traveling expenses to be paid from the funds of
240 said district.

241 Section 5. District Powers.--The governing body of the
242 district (the "governing board" or the "board") shall have all
243 the powers of a body corporate, including the power to sue and
244 be sued as a corporation in the name of the district in any
245 court; to enter into contracts and purchase goods, supplies,
246 materials, and equipment pursuant to purchasing regulations
247 adopted by the board in accordance with applicable general law;
248 to purchase, hold, lease, and convey such real property as the
249 board may deem proper to carry out the purposes of this action;
250 to employ a director and such experts, agents, and employees as
251 the board may require; to borrow money; to issue negotiable
252 promissory notes and bonds as hereinafter provided; to withdraw
253 and disburse deposited funds of the district to enable it to
254 carry out the provisions of this act; to consider and approve or
255 deny petitions to amend the boundaries of the district; and to
256 carry liability insurance against tort actions and to pay from
257 the appropriate funds of the district the premiums on such
258 insurance. Such insurance may be carried in such amounts and
259 against such risks as the board, in its discretion, decides;
260 however, in consideration of the premium at which each policy
261 shall be written, it shall be a part of the policy contract
262 between the insurance company and the district that the company
263 shall not be entitled to the benefit or the defense of
264 governmental immunity of the district by reason of exercising a
265 governmental function in any suit brought against the district;
266 immunity of the district against liability for damages is waived
267 only to the extent of liability insurance carried by the
268 district; and the Legislature hereby finds and determines that



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269 the carrying of liability insurance as provided herein is for a
 270 district purpose. In addition to any powers set forth in this
 271 act, the district shall likewise exercise such powers,
 272 functions, and duties as may be set forth in chapters 189 and
 273 388, Florida Statutes, and chapter 5E-13, Florida Administrative
 274 Code, as the same may be amended from time to time, including,
 275 but not limited to, bond issuance, budget preparation and
 276 approval, liens and foreclosure of liens, and contractual
 277 agreements. The district may be financed by any method
 278 established in this act, chapter 189, Florida Statutes, or
 279 chapter 388, Florida Statutes, as the same may be amended from
 280 time to time, or any other applicable general or special law.
 281 The board shall have those administrative duties set forth in
 282 this act and chapters 189 and 388, Florida Statutes, as the same
 283 may be amended from time to time.

284 Section 6. Surety Bond.--The Clerk of the Circuit Court of
 285 St. Lucie County shall be required by this act to give to the
 286 governing board of said district a good and sufficient surety
 287 bond in the sum of \$10,000 conditioned on his or her faithfully
 288 performing the duties of his or her office and well and truly
 289 accounting for all moneys of said district coming into his or
 290 her custody or control. The premium of said bond shall be paid
 291 out of the funds of the district. Said bond shall be approved
 292 by the board and shall be filed in the office of the state
 293 comptroller.

294 Section 7. Meetings and Quorum.--The board shall determine
 295 and fix the time of its meetings pursuant to chapters 189 and
 296 388, Florida Statutes, as they may be amended from time to time.
 297 Special meetings may be held at the call of the chair or any two
 298 members of the board on 24 hours' notice to each member of said



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299 board or, if all members are present, a special meeting may,
300 with their consent, be held without notice. Three members of
301 the board shall constitute a quorum to transact business and a
302 majority of members in attendance at any meeting, with the chair
303 voting, shall govern.

304 Section 8. Audits.--The books of said district shall be
305 audited by the same officers and in like manner as the books of
306 county officers pursuant to general law.

307 Section 9. District Budgets; Hearing.--Requirements for
308 the district's fiscal year and budget shall be as set forth in
309 section 388.201, Florida Statutes, and chapter 5E-13, Florida
310 Administrative Code, as they may be amended from time to time.

311 Section 10. Additional Powers.--The board shall have the
312 power and authority to hold, control, and acquire by gift or
313 purchase for the use of the district any real or personal
314 property and to condemn any lands or easements needed for the
315 purposes of said district. Said board is authorized to exercise
316 the right of eminent domain and institute and maintain
317 condemnation proceedings in the same manner as municipalities
318 under the laws of the state as provided for in chapters 388, 73,
319 and 74, Florida Statutes, and chapter 5E-13, Florida
320 Administrative Code, as they may be amended from time to time.

321 Section 11. Disposal and Packing Rules and
322 Regulations.--Said board shall have the power and authority, by
323 resolution, to prescribe rules and regulations governing the
324 disposal within the district of all cull citrus fruits and
325 vegetables, and packing house and canning plant refuse, which
326 rules and regulations shall be enforced by the duly authorized
327 peace officers of St. Lucie County. Any person, firm, or
328 corporation who violates such rules and regulations shall be



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329 punished as provided in the general law for punishment of a
330 misdemeanor.

331 Section 12. Power to do all Things Necessary.--The
332 district is hereby fully authorized to do and perform all things
333 necessary to carry out the intent and purposes of chapter 388,
334 Florida Statutes, and chapter 5E-13, Florida Administrative
335 Code, as they may be amended from time to time.

336 Section 13. Public Nuisance Declaration.--All depressions,
337 marshes, ponds, lakes, lagoons, ditches, and other places in the
338 district wherein mosquitoes and said flies incubate or hatch are
339 hereby declared to be public nuisances, as harmful or inimical
340 to the comfort, health, and welfare of the inhabitants thereof,
341 and to be abated as hereinafter provided.

342 Section 14. Additional Powers.--The board is authorized to
343 cooperate with any board or boards created in adjacent districts
344 or counties for similar purposes. It is authorized to accept
345 donations from individuals or property owners for the purposes
346 of this act. If the board shall determine that the proceeds of
347 the bond issue hereinafter provided for, together with any
348 donations, are sufficient to eliminate mosquito, house fly, sand
349 fly, or other arthropod incubating or breeding areas from the
350 entire district, then the board is authorized to have the
351 election called as hereinafter provided.

352 Section 15. Bonds.--The procedures and requirements
353 governing the issuance of bonds, notes, and other evidences of
354 indebtedness by the district shall be as set forth in this act
355 and chapter 189, Florida Statutes, as the same may be amended
356 from time to time, and any other applicable general or special
357 laws.



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358 Section 16. Ad Valorem Taxes.--The district's current ad
359 valorem levy is hereby confirmed and ratified. The procedures
360 and requirements governing the levy of ad valorem taxes by the
361 district shall be as set forth in this act and section 388.221,
362 Florida Statutes, as the same may be amended from time to time,
363 and any other applicable general or special laws.

364 Section 17. Power to Perform Work.--The board may have any
365 and all work performed by contract with or without
366 advertisement, or without contract, by machinery, equipment, and
367 labor employed directly by the board.

368 Section 18. Damage or Obstruction.--Whoever shall
369 willfully damage any of the property of the district created
370 under this act or any works constructed, maintained, or
371 controlled by said district, or shall obstruct or cause to be
372 obstructed any of the operations of said district, shall be
373 punished as provided in the general law for punishment of a
374 misdemeanor.

375 Section 19. Disclosure and Expenses.--Requirements for
376 financial disclosure, meeting notices, public records
377 maintenance, and per diem expenses for officers and employees
378 shall be as set forth in chapters 112, 119, 189, 286, and 388,
379 Florida Statutes, as the same may be amended from time to time.

380 Section 20. Change in District Boundaries.--

381 (1) Any property owner owning real property within St.
382 Lucie County may petition the board to amend the boundaries of
383 the district to include his or her property. The property owner
384 shall file a petition to amend the district boundaries with the
385 secretary of the board. A petitioner must own property within
386 the area he or she seeks to have added to the district.



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387 (2) In reviewing petitions for amendment of the boundaries
388 of the district, the board shall consider whether the property
389 to be included in the district is contiguous to the boundaries
390 of the district or, if the property is not contiguous to the
391 boundaries of the district, whether the property is of such
392 existing or planned development to warrant inclusion in the
393 district.

394 (3) The petition to amend the district boundaries shall be
395 available from the secretary of the board and shall include, but
396 not be limited to, the following information: the petitioner's
397 name and address, the proposed amendment to the district
398 boundaries, a statement that petitioner owns real property lying
399 within the area he or she seeks to have added to the district, a
400 legal description of the petitioner's property lying within the
401 area he or she seeks to have added to the district, and a
402 statement describing why the district boundaries should be so
403 amended.

404 (4) When the secretary of the board determines that a
405 completed petition to amend the district boundaries has been
406 filed, he or she shall notify the board so that a public hearing
407 may be set and notice given. Upon notification by the
408 secretary, the board shall place the petition on the agenda of a
409 regular meeting for public hearing. The board shall then
410 publish notice of the public hearing on the petition twice in a
411 newspaper of general circulation in St. Lucie County not more
412 than 30 days or less than 15 days before the date of the
413 hearing, excluding Sundays and legal holidays. A copy of the
414 notice of public hearing shall be available in the office of the
415 secretary of the board during regular business hours.



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416 (5) Any time after the publication of notice, any person,
417 upon reasonable request, may examine the petition in question,
418 and any material submitted in support of opposition to the
419 petition, in the office of the secretary of the board during
420 regular office hours. Any person shall be entitled to obtain
421 copies of the petition and other materials upon reasonable
422 request and payment of a fee to cover the actual costs of
423 providing such copies.

424 (6) Any person may appear at the public hearing or may be
425 represented by counsel or agent and may submit documents,
426 materials, and other written or oral testimony either
427 individually or as a representative of an organization.

428 (7) At the time and place specified in the notice of
429 hearing, the board shall conduct a public hearing on the
430 petition. Within a reasonable time after the public hearing,
431 the board shall approve or disapprove the petition. However, if
432 the petition is approved, the property described in the petition
433 may be added to the district only upon approval by a majority
434 vote of qualified electors of the area proposed to be added
435 voting in a referendum called for such purpose.

436 (8) Notification of the results of the referendum shall be
437 mailed to the petitioner, and a copy of the notification shall
438 be filed in the office of the secretary of the board.

439 (9) If the amendment to the district boundaries is
440 approved, the secretary of the board shall file notification of
441 the final decision, including the boundaries as amended, with
442 the Department of Agriculture and Consumer Services and the St.
443 Lucie County Property Appraiser.



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444 (10) Ad valorem taxes of property added to the district
445 shall be initially imposed no earlier than January 1 subsequent
446 to the approval of the petition.

447 Section 4. This act shall be construed as remedial and
448 shall be liberally construed to promote the purpose for which it
449 is intended.

450 Section 5. In the event that any part of this act should
451 be held void for any reason, such holding shall not affect any
452 other part thereof.

453 Section 6. Chapters 29502 (1953), 59-1794, 59-1796, 61-
454 2760, 65-2187, 80-598, 87-510, and 96-461, Laws of Florida, are
455 repealed.

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

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