



HB 1555

2003
CS

CHAMBER ACTION

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

The Committee on Local Government & Veterans' Affairs recommends the following:

Committee Substitute

Remove the entire bill and insert:

A bill to be entitled

An act relating to the West Palm Beach Downtown Development Authority, Palm Beach County; codifying the district's charter, chapters 67-2170, 77-664, 83-534, 84-540, 90-460, and 93-381, Laws of Florida; providing legislative intent; amending, codifying, and reenacting all special acts relating to the West Palm Beach Downtown Development Authority as a single act; repealing all prior special acts related to the authority; 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 West Palm Beach Downtown Development Authority, an independent special district. It is the intent of the Legislature in enacting this law to provide a single,



29 comprehensive special act charter for the West Palm Beach
 30 Downtown Development Authority including all current legislative
 31 authority granted to the West Palm Beach Downtown Development
 32 Authority by its several legislative enactments and any
 33 additional authority granted by this act. It is further the
 34 intent of this act to preserve all authority of the West Palm
 35 Beach Downtown Development Authority.

36 Section 2. Chapters 67-2170, 77-664, 83-534, 84-540, 90-
 37 460, and 93-381, Laws of Florida, are amended, codified,
 38 reenacted, and repealed as herein provided.

39 Section 3. The charter for the West Palm Beach Downtown
 40 Development Authority is re-created and reenacted to read:

41 Section 1. Short title.--This Act shall be known and may
 42 be cited as the "West Palm Beach Downtown Development Authority
 43 Act."

44 Section 2. Definitions and rules of construction.--Unless
 45 qualified in the text the following definitions and rules of
 46 construction shall apply hereto:

47 (a) "Authority" means the West Palm Beach Downtown
 48 Development Authority, hereby created, and any successor to its
 49 functions, authority, rights, and obligations.

50 (b) "City" and "West Palm Beach" mean the City of West
 51 Palm Beach, Florida.

52 (c) "City Commission" means the West Palm Beach City
 53 Commission and any succeeding governing body of the City.

54 (d) "Downtown" and "Downtown area" mean the area herein
 55 described and to which this Act primarily relates, including the
 56 central business district and its environs.



57 (e) "Herein," hereby," "hereof," and similar compounds
58 refer to the entire act.

59 (f) "Including" shall be construed as merely introducing
60 illustrative examples and not as limiting in any way the
61 generality of the inclusive term.

62 (g) "Majority" without qualification means a majority of a
63 quorum.

64 (h) "State" means the State of Florida.

65 (i) "Mayor" means the Mayor of the City of West Palm
66 Beach.

67 Section 3. Downtown area description.--The Downtown area
68 includes all lands lying within boundaries described as:

69
70 A parcel of land lying within the limits of the City
71 of West Palm Beach, Florida, being more particularly
72 described as follows:

73 BEGINNING at a point formed by the intersection of the
74 centerline of the Intracoastal Waterway channel in
75 Lake Worth and the Easterly extension of the
76 centerline of Okeechobee Boulevard; thence from said
77 POINT OF BEGINNING Westerly along said centerline of
78 Okeechobee Boulevard to its intersection with the
79 centerline of South Dixie Highway, as shown on
80 PHILLIPS POINT ADDITION OF WEST PALM BEACH, as
81 recorded in Plat Book 1, Page 52, Public Records of
82 Palm Beach County, Florida; thence Northerly along
83 the centerline of South Dixie Highway to its
84 intersection with the centerline of Hibiscus Street,



85 | as shown on POTTER ADDITION to West Palm Beach, as
86 | recorded in Plat Book 2, Page 42, Public Records of
87 | Palm Beach County, Florida; thence Westerly along the
88 | centerline of Hibiscus Street to its intersection with
89 | the main line track of the Florida East Coast
90 | Railroad; thence Northerly along the centerline of
91 | the main line track of the Florida East Coast Railroad
92 | to its intersection with a 14 foot alley, lying North
93 | of and adjacent to Block 62, Plat of MODEL LAND
94 | COMPANY ADDITION, as recorded in Plat Book 1, Page
95 | 106, Public Records of Palm Beach County, Florida;
96 | thence Westerly along said centerline of the 14 foot
97 | alley, to its intersection with the centerline of
98 | Georgia Avenue, as shown on HIGHLAND PARK LAND COMPANY
99 | ADDITION, as same as recorded in Plat Book 1, Page
100 | 122, Public Records of Palm Beach County, Florida;
101 | thence Southerly along the centerline of Georgia
102 | Avenue to its intersection with the centerline of Iris
103 | Street; thence Westerly along the centerline of Iris
104 | Street, to a point 62.00 feet West of the West line of
105 | Lot 9, Block 75, said HIGHLAND PARK LAND COMPANY
106 | ADDITION; thence Southerly along the line parallel to
107 | and 62.00 feet West of as measured at right angles to
108 | the West line of said Lot 9, Block 75, to its
109 | intersection with the centerline of an existing paved
110 | road, lying East of the location of the existing
111 | Connie Mack Ballfield, said existing paved road being
112 | the Northerly extension of Lake Avenue; thence



113 Southerly along the centerline of said Lake Avenue, to
 114 its intersection with the centerline of Jasmine
 115 Street, as same as shown on said HIGHLAND PARK LAND
 116 COMPANY ADDITION; thence Southerly along the
 117 centerline of said Lake Avenue to its intersection
 118 with the centerline of Okeechobee Boulevard, said
 119 centerline also being the South line of Section 21,
 120 Township 43 South, Range 43 East, Palm Beach County,
 121 Florida; thence Westerly along said centerline of
 122 Okeechobee Boulevard to its intersection with the
 123 centerline of the Seaboard Coast Line Railroad main
 124 line track; thence Northerly along the centerline of
 125 said Seaboard Coast Line Railroad to its intersection
 126 with the Easterly extension of the South line of a
 127 commercial Tract "A", as shown on CLEARWATER PARK, as
 128 recorded in Plat Book 33, Pages 120 and 121, Public
 129 Records of Palm Beach County, Florida; thence from
 130 said point of intersection, Southwesterly to a point
 131 formed by the intersection of the centerline of the
 132 existing Australian Avenue and the centerline of
 133 Okeechobee Boulevard; thence from said point of
 134 intersection, continue Northerly and Northwesterly
 135 along the centerline of Australian Avenue, as shown on
 136 the Plats of said CLEARWATER PARK and CLEARLAKE PARK,
 137 as same as recorded in Plat Book 30, Pages 149 and
 138 150, to its intersection with the centerline of First
 139 Street, as shown on said Plat of CLEARLAKE PARK;
 140 thence easterly along the centerline of said First



141 Street, to its intersection with the centerline of the
142 Seaboard Coast Line Railroad main line track; thence
143 Northerly along the centerline of said Seaboard Coast
144 Line Railroad main line track to its intersection with
145 the centerline of the Florida East Coast spur track,
146 as shown on the PLAT OF THE ORIGINAL TOWN SITE OF WEST
147 PALM BEACH, recorded in Plat Book 1, Page 2, Public
148 Records of Palm Beach County, Florida; thence
149 Easterly along the centerline of said Florida East
150 Coast Railroad spur track, to its intersection with
151 the centerline of Rosemary Avenue; thence Northerly
152 along the centerline of Rosemary Avenue, to its
153 intersection with the centerline of Third Street;
154 thence Easterly along the centerline of Third Street
155 to its intersection with the centerline of the Florida
156 East Coast main line track; thence Northerly along
157 the centerline of the Florida East Coast Railroad main
158 line track, to its intersection with the centerline of
159 Seventh Street; thence Easterly along the centerline
160 of Seventh Street to its intersection with the
161 centerline of North Railroad Avenue, as shown on
162 BRELSFORD PARK, recorded in Plat Book 8, Page 21,
163 Public Records of Palm Beach County, Florida; thence
164 Northerly along the centerline of North Railroad
165 Avenue to a point formed by the Westerly extension of
166 the centerline of an alley, lying in Block 4, of said
167 PLAT OF BRELSFORD PARK; thence Easterly along the
168 centerline of said alley through Block 4, to a point



HB 1555

2003
CS

169 formed by the intersection of the centerline of the
170 North/South alley running through said Block 4 of said
171 Plat of BRELSFORD PARK; thence Northerly along the
172 centerline of said alleyway, to its intersection with
173 the centerline of Eighth Street; thence Easterly along
174 the centerline of Eighth Street, to its intersection
175 with the centerline of North Flagler Drive; thence
176 Northerly along the centerline of North Flagler Drive,
177 to its intersection with the Easterly extension of the
178 North line of Lot 21, Block 8, revised Plat of GROVER
179 CARLBERG ADDITION, as recorded in Plat Book 9, Page
180 16, Public Records of Palm Beach County, Florida;
181 thence Easterly along the line being the Easterly
182 extension of the North line of said Lot 21, to its
183 intersection with the centerline of the Intracoastal
184 Waterway channel in Lake Worth; thence Southerly
185 along the centerline of the Intracoastal Waterway
186 channel to the POINT OF BEGINNING.

187
188 The annual tax levy made by section 8 shall hereafter apply to
189 and extend to the entire area hereinabove described.

190 Section 4. Creation of the Authority, composition, and
191 provisions relating to members.--There is hereby created a board
192 composed of seven members to be known officially as the "West
193 Palm Beach Downtown Development Authority." It is hereby
194 constituted a body corporate and an agency of the City; and
195 performance by the Authority of its duties and exercise of its



196 powers are hereby designated municipal functions and shall be so
 197 construed.

198 (a) The Mayor shall appoint the members of the Authority
 199 subject to the ratification of the City Commission by vote of
 200 three-fifths of its entire voting membership. By vote of four-
 201 fifths of its entire membership, after notice specifying the
 202 charges and a hearing held not earlier than 10 days after
 203 personal delivery of notice or mailing thereof by registered or
 204 certified mail addressed to the member at his or her latest
 205 known residence, the City Commission may remove a member of the
 206 Authority for good cause, including willful neglect of duty,
 207 incompetence or unfitness to perform his or her duty, or
 208 conviction of an offense involving moral turpitude. A member so
 209 removed shall be entitled to review by the circuit court of the
 210 action taken.

211 (b) Of the initial members, one shall be appointed for a
 212 term expiring July 1, 1968, two for terms expiring July 1, 1969,
 213 two for terms expiring July 1, 1970, and two for terms expiring
 214 July 1, 1993; and thereafter each member shall be appointed for
 215 a term of 3 years beginning July 1.

216 (c) To qualify for appointment to the Authority, and to
 217 remain qualified for service on it, a prospective member or a
 218 member already appointed shall reside in or have his or her
 219 principal place of business in the City, shall not be serving as
 220 a City officer or employee, and shall be an owner of realty
 221 within the Downtown area, a lessee thereof required by the lease
 222 to pay taxes thereon, or a director, officer, or managing agent
 223 of an owner or of a lessee thereof so required to pay taxes



224 thereon. The membership of the Authority shall be reasonably
 225 representative of property owner, residential, retail,
 226 professional, and financial interests in the District.

227 (d) Vacancy in office, which shall be filled within 10
 228 days after its occurrence for the remainder of the unexpired
 229 term, shall occur whenever a member is removed from office,
 230 becomes disqualified or otherwise unable to serve, resigns, or
 231 disappears without explanation for a period of 6 months. The
 232 Mayor shall fill any vacancy in office for the unexpired term,
 233 in accordance with subsection(a).

234 (e) Each member of the Authority shall serve without
 235 compensation for services rendered as a member but shall be
 236 reimbursed by the Authority for necessary and reasonable
 237 expenses actually incurred in the performance of duty. The
 238 Authority need not but may require that all its members or any
 239 or all of its officers or employees be required to post bond for
 240 faithful performance of duty, and the Authority shall pay
 241 bonding costs. No member of the Authority shall be personally
 242 liable for any action taken in attempting in good faith to
 243 perform his or her duty, or for a decision not to act, except in
 244 instances of fraud or willful neglect of duty.

245 Section 5. Authority bylaws and internal governance.--The
 246 Authority shall formulate and may amend its own rules of
 247 procedure and written bylaws not inconsistent herewith. A
 248 majority of its entire membership shall constitute a quorum for
 249 the transaction of business, but fewer than a quorum may adjourn
 250 from time to time and may compel the attendance of absent
 251 members. Except as otherwise provided herein or in the



HB 1555

2003
CS

252 Authority bylaws or rules of procedure, all action shall be
253 taken by vote of a majority of those present and voting, and
254 each member present shall vote on each matter unless barred from
255 voting as herein provided. The Authority shall select one of
256 its members as Chair and another as Vice Chair and shall
257 prescribe their duties, powers, and terms of serving. It shall
258 hold regular meetings at least once a month and shall provide in
259 its bylaws for holding special meetings. All meetings shall be
260 open to the public.

261
262 The bylaws may provide for the Mayor of the City, or his or her
263 representative, to attend meetings of the Board as an ex officio
264 member, but he or she shall not have any vote or power over the
265 Board except that he or she shall be entitled to speak on any
266 issue or question before the Board.

267 Section 6. Functions of the Authority.--The Authority
268 shall perform the following functions:

269 (a) Prepare an analysis of the economic conditions and
270 changes occurring in the Downtown area, including the effect
271 thereon of such factors as metropolitan growth, traffic
272 congestion, lack of adequate parking and other access
273 facilities, and structural obsolescence and deterioration.

274 (b) Formulate long-range plans for improving the
275 attractiveness and accessibility to the public of Downtown
276 facilities, promoting efficient use thereof, remedying the
277 deterioration of Downtown property values, and developing the
278 Downtown area.



HB 1555

2003
CS

279 (c) Recommend to the Mayor and to Downtown businesspersons
280 and residents the actions deemed most suitable for implementing
281 the Downtown development plans, including removal, razing,
282 repair, renovation, reconstruction, remodeling, and improvement
283 of existing structures, addition of new structures and
284 facilities, relocation of any of those existing, and changes in
285 patterns of and facilities for getting thereto and therefrom.

286 (d) Participate actively in the implementation and
287 execution of Downtown development plans, including
288 establishment, acquisition, construction, ownership, financing,
289 leasing, licensing, operation, and management of public
290 facilities deemed feasible and beneficial in effecting
291 implementation, but this paragraph shall not give the Authority
292 any power or control over any City property unless and until
293 assigned to it by the City Commission under the provisions of
294 paragraph(e) of this section.

295 (e) Carry on all projects and undertakings authorized by
296 law and within the limits of the powers granted to it by law,
297 such additional public projects and undertakings related to the
298 Downtown area as the Mayor may assign to it with its consent.

299 Section 7. Powers of the Authority.--In the performance of
300 the functions vested in or assigned to the Authority, it is
301 hereby granted the following powers:

302 (a) To enter into contracts and agreements, and to sue and
303 be sued as a body corporate.

304 (b) To have and use a corporate seal.

305 (c) To acquire, own, convey or otherwise dispose of, lease
306 as lessor or lessee, construct, maintain, improve, enlarge,



307 | raze, relocate, operate, and manage property and facilities of
308 | whatever type, and to grant or acquire licenses, easements, and
309 | options with respect thereto.

310 | (d) To accept grants and donations of any type of
311 | property, labor, or other thing of value from any public or
312 | private source.

313 | (e) To receive the proceeds of the tax hereby imposed.

314 | (f) To receive the revenues from any property or facility
315 | owned, leased, licensed, or operated by it or under its control,
316 | subject to the limitations imposed upon it by trusts or other
317 | agreements validly entered into by it.

318 | (g) To have exclusive control of all funds legally
319 | available to it, subject to limitations imposed upon it by law
320 | or by any agreement validly entered into by it.

321 | (h) To cooperate and enter into agreements with any
322 | governmental agency or other public body.

323 | (i) To make or receive from the City or Palm Beach County
324 | conveyances, leasehold interests, grants, contributions, loans,
325 | and other rights and privileges.

326 | (j) To request by resolution that the City exercise its
327 | municipal power of eminent domain in specific instances for the
328 | use and benefit of the Authority and, if the City complies with
329 | the request and the property involved is acquired, the Authority
330 | shall take over and assume control of such property on terms
331 | mutually agreed upon between the City and the Authority, but the
332 | Authority shall not thereafter be authorized to sell, lease, or
333 | otherwise dispose of such property so acquired without the
334 | formal consent of the City Commission.



HB 1555

2003
CS

335 (k) To issue and sell revenue certificates as hereinafter
336 provided, or in any other manner permitted by law and not
337 inconsistent with the provisions hereof, and to take all steps
338 deemed by it necessary or expedient for efficient preparation
339 and marketing of the certificates at public or private sale at
340 the best price obtainable, including the entry into binding
341 agreements with corporate trustees, underwriters, and the
342 holders of the certificates, and the employment and payment, as
343 a necessary expense of issuance, for the services of consultants
344 on valuations, costs and feasibility of undertaking, revenues to
345 be anticipated and other financial matters, architecture,
346 engineering, legal matters, accounting matters, and any other
347 fields in which expert advice may be needed to effectuate
348 advantageous issuance and marketing.

349 (l) To fix, regulate, and collect rates and charges for
350 facilities and services furnished by it or under its control and
351 to pledge the revenue to the payment of revenue certificates
352 issued by it.

353 (m) To borrow money on its unsecured notes, for a period
354 not exceeding 9 months, in an aggregate amount for all
355 outstanding unsecured notes not exceeding 50 percent of the
356 proceeds received during the immediately prior fiscal year from
357 the tax hereby imposed, and at an annual rate of interest not
358 exceeding the rate being charged at the time of the loan by
359 banks in the City on unsecured short-term loans to local
360 businesses.



HB 1555

2003
CS

361 (n) To acquire by rental or otherwise and to equip and
362 maintain a principal office for the conduct of its business and
363 such branch offices as it may from time to time deem expedient.

364 (o) To employ and prescribe the duties, authority,
365 compensation, and reimbursement of expenses of the Director of
366 the Authority, who shall act as its chief executive officer, a
367 general counsel, who shall be an attorney with at least 5 years
368 of experience in active Florida practice and so engaged at the
369 time of appointment, and such other personnel as it may, after
370 consultation with the Director, deem necessary from time to
371 time, provided that its personnel shall not be under civil
372 service regulations, may be employed to serve at its pleasure,
373 shall not in any event be contracted with for a term of
374 employment longer than 5 years, shall not while employed by it
375 serve as City officers or employees, and, with the exception of
376 its Secretary, shall not while employed by it serve as a member
377 of it.

378 (p) To exercise all powers incidental to the effective and
379 expedient exercise of the foregoing powers to the extent not in
380 conflict herewith or inconsistent herewith.

381 Section 8. Levy of ad valorem tax.--For the fiscal year of
382 the Authority beginning within the calendar year 1967, and for
383 each fiscal year thereafter, an ad valorem tax in addition to
384 all other ad valorem taxes is hereby levied annually for the
385 purpose of financing the operation of the Authority on all
386 property in the Downtown area that is subject to ad valorem
387 taxation for City operating expenses. The tax base shall be
388 assessed valuation made annually by the property appraiser. The



HB 1555

2003
CS

389 rate shall be 2 mills on each dollar of tax base in 1967 and
390 each year thereafter, provided that, for each year after the
391 first year of levy, the Authority may set a millage rate of less
392 than 2 mills for the ensuing fiscal year. The tax collector
393 shall collect the tax when and in the same manner in which he or
394 she collects the City ad valorem taxes, with the same discounts
395 for early payment, and shall pay the proceeds to the Authority.

396 Section 9. Authority records and fiscal management.--The
397 fiscal year of the Authority shall coincide with that of the
398 City.

399 (a) All funds of the Authority shall be received, held,
400 and secured like other public funds by the appropriate fiscal
401 officers of the DDA. The funds of the Authority shall be
402 maintained under a separate account, shall be used for only the
403 purposes herein authorized, and shall be disbursed only by
404 direction of or with the approval of the Authority pursuant to
405 requisitions signed by the Director or other designated chief
406 fiscal officer of the Authority and countersigned in such
407 instances and manner as the Authority bylaws may prescribe. The
408 Authority may pay the City as an operating expense a reasonable
409 amount for the services rendered by the City to it at its
410 request.

411 (b) The Authority bylaws shall provide for maintenance of
412 minutes and other official records of its proceedings and
413 actions, for preparation and adoption of an annual budget for
414 each ensuing fiscal year, for internal supervision and control
415 of its accounts, which function the appropriate City fiscal
416 officers may perform for it at its request, and for an external



HB 1555

2003
CS

417 audit at least annually by an independent certified public
418 accountant who has no personal interest, direct or indirect, in
419 its fiscal affairs. The bylaws shall specify the means by which
420 each of these functions is to be performed and, as to those
421 functions assigned to Authority personnel, the manner and
422 schedule of performance.

423 (c) No member or employee of the Authority shall
424 participate by vote or otherwise on behalf of the Authority in
425 any matter in which he or she has a direct financial interest or
426 an indirect financial interest other than that of the benefits
427 to be derived generally from the development of the Downtown
428 area. Participation with knowledge of such interest shall
429 constitute malfeasance and shall result, as regards a member, in
430 automatic forfeiture of office or, as regards an employee, in
431 prompt dismissal.

432 Section 10. Tax exemption of Authority property.--All
433 income, property, and facilities of the Authority are hereby
434 dedicated to the effectuation of essential municipal purposes,
435 and their use is declared an essential municipal function; and
436 they are granted the same exemptions from taxation as are
437 afforded to income, property, and facilities of the City.

438 Section 11. Provisions governing issuance of
439 certificates.--Issuance of revenue certificates by the Authority
440 shall be governed by the following general provisions:

441 (a) Revenue certificates for purposes hereof are limited
442 to obligations that are secured solely by pledge of revenues
443 produced by the facility or facilities for the benefit of which
444 the certificates are issued and the sale proceeds used, that do



HB 1555

2003
CS

445 not constitute a general debt of the Authority, that are not
446 secured directly or indirectly, in whole or in part, by pledge
447 of taxing powers, and that do not constitute a lien or
448 encumbrance, legal or equitable, on any real property of the
449 Authority or on any of its personal property other than the
450 revenues pledged to secure payment of the certificates.

451 (b) The faith and credit of the City shall not be pledged
452 and the City shall not be obligated directly or indirectly to
453 make any payments on or appropriate any funds for certificates
454 issued by the Authority.

455 (c) The rate or rates of interest and the sale price of
456 the certificates by the Authority shall be such that the net
457 interest cost to it on the proceeds received from the sale shall
458 not exceed an average annual rate of 6 percent, computed with
459 relation to the absolute maturity of the certificates in
460 accordance with standard tables of bond values and excluding
461 from the computation the amount of any premium to be paid on
462 redemption of the certificates prior to maturity.

463 (d) Before issuing any revenue certificates, the Authority
464 shall as to each issue:

465 (1) Prepare or procure from a reputable source detailed
466 estimates of the total cost of the undertaking for which the
467 certificates are contemplated and of the annual revenues to be
468 obtained therefrom and pledged as security for payment of the
469 certificates.

470 (2) Determine that the anticipated net proceeds from their
471 sale, together with any other funds available and intended for
472 the purposes of the issue, will be sufficient to cover all costs



HB 1555

2003
CS

473 of the undertaking and of preparing and marketing the issue or
474 connected therewith.

475 (3) Determine that the annual revenues anticipated from
476 the undertaking will be sufficient to pay the estimated annual
477 cost of maintaining, repairing, operating, and replacing to any
478 necessary extent not only the undertaking but also the punctual
479 payment of the principal of and interest on the contemplated
480 certificates.

481 (4) Shall specify these determinations in and include the
482 supporting estimates as parts of the resolution providing for
483 the issue.

484 (e) The Authority may, as to any issue of revenue
485 certificates, engage the services of a corporate trustee for the
486 issue and may treat any or all of the costs of carrying out the
487 trust agreement as part of the operating costs of the
488 undertaking for which the certificates are issued.

489 (f) The Authority shall from time to time establish such
490 rentals, rates, and charges, or shall by legally binding
491 agreement maintain such control thereof, as to meet punctually
492 all payments on the certificates and also the costs of operation
493 of the undertaking and its maintenance and repair, including
494 reserves therefor and for depreciation, replacement, and any
495 necessary extensions.

496 (g) Revenue certificates may be issued for the purposes of
497 funding, refunding, or both.

498 (h) All revenue certificates issued pursuant hereto shall
499 be negotiable instruments for all purposes.



HB 1555

2003
CS

500 Section 12. Transfer upon cessation of the
501 Authority.--Should the Authority cease to exist or to operate
502 for whatever reason, all its property of whatever kind shall
503 forthwith become the property of the City, subject to the
504 outstanding obligations of the Authority, and the City shall use
505 this property to the maximum extent then practicable for
506 effectuating the purposes hereof and shall succeed to and
507 exercise all powers of the Authority insofar as such exercise is
508 not in conflict with or inconsistent with the provisions of the
509 City charter or other law applicable to the City.

510 Section 13. Act cumulative; no notice required.--Neither
511 this Act nor anything herein contained shall be construed as a
512 restriction or limitation upon any powers which the Authority
513 might otherwise have under any laws of this State, but shall be
514 construed as cumulative of such powers. The foregoing sections
515 of this Act shall be deemed to provide a complete, additional,
516 and alternative method for the doing of the things authorized
517 thereby and shall be regarded as supplemental and additional to
518 powers conferred by other laws, provided that the issuance of
519 revenue certificates and revenue refunding certificates under
520 the provisions of this Act need not comply with the requirements
521 of any other law applicable to the issuance of certificates and
522 bonds, including, particularly, chapters 670-680 of Florida
523 Statutes 2002 (also known as Uniform Commercial Code, Title
524 XXXIX), as same may be amended. No proceedings, notice, or
525 approval shall be required for the organization of the
526 Authority or the issuance of any certificates or any instrument
527 as security therefor, except as provided herein or pursuant



HB 1555

2003
CS

528 hereto, any law to the contrary notwithstanding, provided that
529 nothing herein shall be construed to deprive the State and its
530 governmental subdivisions of their respective police powers over
531 any properties of the Authority.

532 Section 14. Establishment and Amendment of Charter.--The
533 West Palm Beach Downtown Development Authority was established
534 by special act of the Legislature. The Charter of the West Palm
535 Beach Downtown Development Authority may be amended by special
536 act of the Legislature.

537 Section 15. Liberal construction and severability.--The
538 provisions of this Act, being necessary for the welfare of the
539 City and its inhabitants, shall be liberally construed to
540 effectuate the purposes herein set forth and are severable.
541 Should any portion hereof be finally held invalid by a court of
542 competent jurisdiction, each other portion shall remain
543 effective to the maximum practicable extent.

544 Section 4. The provisions of this act, being necessary for
545 the welfare of the City and its inhabitants, shall be liberally
546 construed to effectuate the purposes herein set forth and are
547 severable. Should any portion hereof be finally held invalid by
548 a court of competent jurisdiction, each other portion shall
549 remain effective to the maximum practicable extent.

550 Section 5. Chapters 67-2170, 77-664, 83-534, 84-540, 90-
551 460, and 93-381, Laws of Florida, are hereby repealed.

552 Section 6. This act shall take effect upon becoming a law.
553
554