



HB 0299

2003
CS

CHAMBER ACTION

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 City of Delray Beach, Palm Beach County; providing for codification of existing special laws relating to the creation, powers, and duties of the Delray Beach Downtown Development Authority; codifying, amending, reenacting, and repealing chapters 71-604, 72-524, 80-495, 87-520, 89-477, 91-385, 92-263, 94-476, and 98-503, 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 Delray Beach Downtown Development Authority. It is the intent of the Legislature in enacting this law to provide a single, comprehensive special act charter for the Authority, including all current legislative authority granted to the Authority by its several legislative enactments.



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29 Section 2. Chapters 71-604, 72-524, 80-495, 87-520, 89-
30 477, 91-385, 92-263, 94-476, and 98-503, Laws of Florida, are
31 codified, reenacted, and repealed as herein provided.

32 Section 3. The charter for the Delray Beach Downtown
33 Development Authority Act is reenacted and re-created to read:

34 Section 1. SHORT TITLE.--This Act shall be known and may
35 be cited as the "Delray Beach Downtown Development Authority
36 Act."

37 Section 2. DEFINITIONS AND RULES OF CONSTRUCTION.--Unless
38 qualified in the text, the following definitions and rules of
39 construction shall apply hereto:

40 (a) "Authority" means the Delray Beach Downtown
41 Development Authority hereby created, and any successor to its
42 functions, authority, rights, and obligations.

43 (b) "City" and "Delray Beach" mean the City of Delray
44 Beach, Florida.

45 (c) "City Council" means the Delray Beach City Council and
46 any succeeding governing body of the City.

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

50 (e) "Herein," "hereby," "hereof," and similar compounds
51 refer to the entire Act.

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

55 (g) "Majority" without qualification means a majority of a
56 quorum.



57 | (h) "State" means the State of Florida.
 58 | Section 3. DOWNTOWN AREA DESCRIPTION.--The Downtown
 59 | area includes all lands lying within boundaries described
 60 | as:
 61 | Beginning at a point on the intersection of the High
 62 | Water Mark of the Atlantic Ocean and the easterly
 63 | projection of the north line of the south half of Lot
 64 | 13, Plat of the Fractional East Half Section 16,
 65 | Township 46 South, Range 43 East (according to the
 66 | Plat thereof as recorded in Plat Book 1, page 25 of
 67 | the Public Records of Palm Beach County, Florida);
 68 | thence in a westerly direction along said easterly
 69 | projection, and the north line of the south half of
 70 | said Lot 13, and the westerly projection thereof, to
 71 | the centerline of the right of way for Andrews Avenue;
 72 | thence southerly along said centerline to the easterly
 73 | projection of the south property line of the Beach
 74 | Cabanas Condominium; thence westerly along said
 75 | easterly projection, and said south property line to
 76 | the west property line of the Beach Cabanas
 77 | Condominium; thence northerly along the west property
 78 | line of said Beach Cabanas Condominium to the south
 79 | property line of the Grove Condominium; thence
 80 | westerly along said south property line to the east
 81 | plat limit of Seabreeze Park Subdivision (according to
 82 | the plat thereof as recorded in Plat Book 4, Page 31
 83 | of the Public Records of Palm Beach County, Florida);
 84 | thence north along said east plat limit to the



85 northeast corner of Lot 21, of said Plat of Seabreeze
 86 Park; thence westerly along the north line of said Lot
 87 21 and the westerly projection thereof to the west
 88 plat limit of Seabreeze Park; thence southerly along
 89 said west plat limit to the southeast corner of Lot
 90 29, Lowry Park Estates (according to the plat thereof
 91 as recorded in Plat Book 24, Page 156 of the Public
 92 Records of Palm Beach County, Florida); thence in a
 93 northwesterly direction to the southwest corner of
 94 said Lot 29; thence continuing along the extension of
 95 said line to the intersection with the west right of
 96 way line of East Road (as shown on the said plat of
 97 Lowry Park Estates); thence southwesterly along said
 98 west right of way line to the northeast corner of Barr
 99 Terrace Condominium; thence southerly along the east
 100 property line of the Barr Terrace Condominium and the
 101 southerly extension thereof to a point of intersection
 102 with the south right of way line of East Atlantic
 103 Avenue (also known as State Road 806); thence westerly
 104 along said south right of way line of East Atlantic
 105 Avenue to the intersection of the centerline of the
 106 Intracoastal Waterway right of way; thence northerly
 107 along said centerline of the Intracoastal Waterway to
 108 the intersection with the easterly projection of the
 109 centerline of N.E. 1st Street right of way; thence
 110 westerly along said easterly projection, and the
 111 centerline of N.E. 1st Street right of way to a point
 112 of intersection with the southerly projection of the



113 | west line of Lot 20, Block 115, Town of Linton
 114 | (according to the plat thereof as recorded in Plat
 115 | Book 1, Page 3 of the Public Records of Palm Beach
 116 | County, Florida); thence northerly along said
 117 | southerly projection of the west line of said Lot 20
 118 | to the southwest corner of said Lot 20; thence
 119 | northerly along the west lot lines of Lots 20, 19, 18,
 120 | 17, 16, 15, 14, 13, 12 and 11 of said Block 115 to the
 121 | northwest corner of Lot 11, of said Block 115; thence
 122 | northerly along the northern projection of the west
 123 | line of said Lot 11 to the southwest corner of Lot 20,
 124 | Block 114, said plat of the Town of Linton; thence
 125 | northerly along the west line of Lots 20, 19, 18, 17,
 126 | 16, 15, 14, 13, 12, and Lot 11 of said Block 114, to
 127 | the northwest corner of Lot 11, of said Block 114;
 128 | thence northerly along the northern projection of the
 129 | west line of said Lot 11 to the southwest corner of
 130 | Lot 14, Block 113, Highland Park (according to the
 131 | plat thereof as recorded in Plat Book 2, Page 79 of
 132 | the Public Records of Palm Beach, Florida); thence
 133 | northerly along the west line of Lots 14, 13, 12, 11,
 134 | 10, 9, 8, 7, 6, 5, 4, 3, 2, and 1 of said Block 113
 135 | to the northwest corner of Lot 1, of said Block 113;
 136 | thence northerly along the northern projection of the
 137 | west line of said Lot 1 to the intersection with the
 138 | centerline of the right of way of N.E. 4th Street;
 139 | thence westerly along said centerline of N.E. 4th
 140 | Street to the centerline of the right of way of N.E.



141 1st Avenue; thence southerly along said centerline of
 142 N.E.1st Avenue to the intersection with the centerline
 143 of the right of way of N.E. 3rd Street; thence
 144 easterly along said centerline of N.E. 3rd Street to
 145 the intersection of the northern projection of the
 146 east property line of Lot 1, Block 74, plat of the
 147 Subdivision of Block 74 (according to the plat thereof
 148 as recorded in Plat Book 11, Page 12 of the Public
 149 Records of Palm Beach, Florida); thence southerly
 150 along said projection, to the northeast corner of Lot
 151 1 of said plat of the Subdivision of Block 74; thence
 152 southerly along the east line of Lots 1, 2, 3, 4, 5,
 153 6, 7, 8, 9, 10, 11, and 12, and the southerly
 154 projection of the east line of Lot 12 of said plat of
 155 the Subdivision of Block 74 to the northeast corner of
 156 Lot 1, Block 75, said plat of the Town of Linton;
 157 thence southerly along the east line of Lots 1, 2, 3,
 158 4, 5, and 6, said Block 75, to the northeast corner of
 159 Lot 7 of said Block 75; thence westerly along the
 160 north line of Lot 7, Block 75 and the westerly
 161 projection of said north line of Lot 7, Block 75, to
 162 the centerline of the N.E.1st Avenue right of way;
 163 thence southerly along said centerline of N.E.1st
 164 Avenue right of way to its intersection with the
 165 centerline of N.E.1st Street; thence westerly along
 166 said centerline of N.E.1st Street to the intersection
 167 with the centerline of the Swinton Avenue right of way
 168 and N.W. 1st Street; thence in a westerly direction



169 | along the centerline of N.W. 1st Street to a point of
170 | intersection with the centerline of N.W. 3rd Avenue;
171 | thence in a southerly direction along the centerline
172 | of N.W. 3rd Avenue to a point of intersection with the
173 | easterly extension of the north lot line of Lot 6,
174 | Revised Plat of Block 36, Plat Book 5, Page 38, as
175 | recorded in the public records of Palm Beach County,
176 | Florida; thence in a westerly direction along said
177 | extension, and the north line of said Lot 6, and the
178 | westerly extension thereof, to a point of intersection
179 | with the centerline of the north/south alley of said
180 | Revised Plat of Block 36; thence in a northerly
181 | direction along said centerline to a point of
182 | intersection with the easterly extension of the south
183 | line of Lot 21, of said Revised Plat of Block 36;
184 | thence in a westerly direction along said extension
185 | line, and the south line of said Lot 21, and the
186 | westerly extension thereof, to a point of intersection
187 | with the centerline of N.W. 4th Avenue; thence in a
188 | northerly direction along said centerline to a point
189 | of intersection with the centerline of N.W. 1st
190 | Street; thence in a westerly direction along the
191 | centerline of N.W.1st Street to a point of
192 | intersection with the southerly extension of the
193 | centerline of the north-south alley of Block 27, said
194 | plat of the Town of Linton (north half of block has
195 | since been replatted to the Plat of Resubdivision of
196 | Block 27, Plat Book 21, page 43, as recorded in the



197 Public records of Palm Beach County, Florida); thence
198 in a northerly direction along said extension line and
199 said centerline of the north-south alley, and the
200 northerly extension of said centerline to point of
201 intersection with the centerline of N.W. 2nd Street;
202 thence in a westerly direction along the centerline of
203 N.W. 2nd Street to a point of intersection with the
204 northerly extension of the west line of Lot 1, Plat of
205 Melvin S. Burd Subdivision, Plat Book 11, Page 73, as
206 recorded in the public records of Palm Beach County,
207 Florida; thence in a southerly direction along said
208 extension, and west lot lines of Lots 1, 2, 3, 4, 5,
209 6, 7, and 8, said Plat of Melvin S. Burd Subdivision,
210 to a point at the south west corner of said lot 8;
211 thence in a westerly direction along the westerly
212 extension of the south line of said Lot 8, and the
213 south line of Lot 16, said Plat of Melvin S. Burd
214 Subdivision, to a point of intersection of a line 135
215 feet east of and parallel with, the west line of Block
216 19, said plat of the Town of Linton; thence in a
217 southerly direction along said parallel line to a
218 point of intersection with a line 135 feet north of
219 and parallel with, the south line of said Block 19;
220 thence in a westerly direction along said line to a
221 point of intersection with a line 165 feet west of and
222 parallel with, the east line of said Block 19; thence
223 in a southerly direction along said line, and
224 southerly extension thereof, to a point of



225 | intersection with the centerline of N.W. 1st Street;
226 | thence in an easterly direction along said centerline
227 | to the point of intersection with the northerly
228 | extension of a line 135 feet east of and parallel
229 | with, the west line of Block 20, said plat of the Town
230 | of Linton; thence in a southerly direction along said
231 | extension and parallel line to a point of intersection
232 | with a line 300 feet south of and parallel with, the
233 | north line of said Block 20; thence in westerly
234 | direction along said parallel line to a point of
235 | intersection with the west line of said Block 20;
236 | thence in a westerly direction to a point at the
237 | southeast corner of Lot 17, Block 12, of the Plat of
238 | the Monroe Subdivision, Plat Book 14, Page 67, as
239 | recorded in the public records of Palm Beach County,
240 | Florida; thence in westerly direction along the south
241 | line of said Lot 17, and westerly extension thereof,
242 | to a point of intersection with the centerline of the
243 | north-south alley of said Block 12, Monroe
244 | Subdivision; thence in a northerly direction along
245 | said centerline to a point of intersection with the
246 | easterly extension of the north line of Lot 26, of
247 | said Block 12, Monroe Subdivision; thence in a
248 | westerly direction along said extension, and north
249 | line of said Lot 26, and westerly extension thereof,
250 | to a point of intersection with the centerline of N.W.
251 | 7th Avenue; thence in a southerly direction along said
252 | centerline to a point of intersection with the



253 easterly extension to the south line of Lot 17, Block
 254 4, said Plat of Monroe Subdivision; thence in a
 255 westerly direction along said extension, and the south
 256 line of said Lot 17, and the westerly extension
 257 thereof, and the south line of Lot 26 and 25, Block 4,
 258 said Plat of Monroe Subdivision, and the westerly
 259 extension of said Lot 25 to a point of intersection
 260 with the centerline of N.W. 8th Avenue; thence in a
 261 northerly direction along said centerline to a point
 262 of intersection with the easterly extension of the
 263 south line of the Plat of West Side Heights, Plat Book
 264 13, Page 61, as recorded in the public records of Palm
 265 Beach County, Florida; thence in an westerly direction
 266 along said extension, and the south line of said Plat
 267 of West Side Heights, and the westerly extension
 268 thereof, to a point of intersection with the
 269 centerline of N.W. 10th Avenue; thence in a southerly
 270 direction along said centerline to a point of
 271 intersection with the easterly extension of the north
 272 line of Lot 11, Block 2, Plat of Atlantic Pines, Plat
 273 Book 13, Page 77, as recorded in the public records of
 274 Palm Beach County, Florida; thence in a westerly
 275 direction along said extension, and the north line of
 276 said Lot 11, and the westerly extension of the north
 277 line of said Lot 11, and the north line of Lot 30, of
 278 said Block 2, and the westerly extension of the north
 279 line of Lot 30 to a point of intersection with the
 280 centerline of N.W. 11th Avenue; thence in an westerly



281 | direction to a point at the northeast corner of Lot
282 | 14, Block 1, said Plat of Atlantic Pines; thence in a
283 | westerly direction along the north line of said Lot
284 | 14, and the westerly extension thereof to a point of
285 | intersection with the centerline of the north-south
286 | alley in Block 1, said Plat of Atlantic Pines; thence
287 | in a southerly direction along said centerline to a
288 | point of intersection with the easterly extension of
289 | the north line of Lot 34, of said Block 1; thence in a
290 | westerly direction along said extension, and the north
291 | line of said Lot 34, and the westerly extension
292 | thereof, to a point of intersection with the
293 | centerline of N.W. 12th Avenue; thence in a southerly
294 | direction along said centerline to a point of
295 | intersection with the easterly extension of the south
296 | line of Lot 21, Block 1, Plat of Atlantic Park
297 | Gardens, Plat Book 14, Page 56, as recorded in the
298 | public records of Palm Beach County, Florida; thence
299 | in a westerly direction along said extension, and
300 | south line of said Lot 21, and westerly extension
301 | thereof, and the south line of Lot 12, Block 1, said
302 | Plat of Atlantic Park Gardens, and the westerly
303 | extension thereof, to a point of intersection with
304 | centerline of N.W. 13th Avenue; thence in a westerly
305 | direction to a point at the southeast corner of Lot
306 | 12, Block 1, Plat of Odmanns Subdivision, Plat Book 4,
307 | Page 53, as recorded in the public records of Palm
308 | Beach County, Florida; thence in a westerly direction



309 | along the south line of said Lot 12, and the westerly
310 | extension thereof, and the south line of Lot 21, Block
311 | 1, said Plat of Odmanns Subdivision, to a point at the
312 | southwest corner of said Lot 21; thence in a southerly
313 | direction to a point at the northwest corner of Lot
314 | 21, Block 4, said Plat of Odmanns Subdivision; thence
315 | in an easterly direction along the north line of said
316 | Lot 21, and the easterly extension thereof, and the
317 | north line of Lot 12, said Block 4, and the easterly
318 | extension thereof, to a point of intersection with the
319 | centerline of S.W. 13th Avenue; thence in an easterly
320 | direction to a point at the northwest corner of Lot
321 | 12, Block 2, said Plat of Atlantic Park Gardens;
322 | thence in an easterly direction along the north line
323 | of said Lot 12, and the easterly extension thereof,
324 | and the north line of Lot 21, of said Block 2, and the
325 | easterly extension thereof, to a point of
326 | intersection with the centerline of S.W. 12th Avenue;
327 | thence in a southerly direction along said center line
328 | to a point of intersection with the westerly extension
329 | of the south line of Lot 13, Block 5, Plat of Atlantic
330 | Gardens, Plat Book 14, Page 63, as recorded in the
331 | public records of Palm Beach County, Florida; thence
332 | in an easterly direction along said extension, and the
333 | south line of said Lot 13, and easterly extension
334 | thereof, and the south line of Lot 22, and the
335 | easterly extension thereof, to a point of intersection
336 | with centerline of S.W. 11th Avenue; thence in a



337 southerly direction along said centerline to a point
338 of intersection with the westerly extension of the
339 south line of Lot 15, Block 8, said Plat of Atlantic
340 Gardens; thence in an easterly direction along said
341 extension, and the south line of said Lot 15, and the
342 easterly extension thereof, and the south line of Lot
343 24, of said Block 8, and the easterly extension
344 thereof, to a point of intersection with the
345 centerline of S.W. 10th Avenue; thence in an easterly
346 direction to a point at the southwest corner of Lot
347 10, Block 1, Plat of Belair Heights, Plat Book 20,
348 Page 45, as recorded in the public records of Palm
349 Beach County, Florida; thence in an easterly direction
350 along the south line of said Lot 10, and the easterly
351 extension thereof, and the south line of Lot 19, of
352 said Block 1, and the easterly extension thereof, to a
353 point of intersection with the centerline of S.W. 9th
354 Avenue; thence in a southerly direction along said
355 centerline to a point of intersection with the
356 westerly extension of the south line of Lot 6, Block
357 2, said Plat of Belair Heights; thence in an easterly
358 direction along said extension, and the south line of
359 said Lot 6, to a point at the southeast corner of said
360 Lot 6; thence in a northerly direction along the east
361 line of said Lot 6, and Lot 5, to a point of
362 intersection with a line 250 feet north of, and
363 parallel with, the south line of Lot 9, Plat of the
364 Subdivision of 17-46-43, Plat Book 1, Page 4, as



365 recorded in the public records of Palm Beach County,
366 Florida; thence in an easterly direction along said
367 line to a point of intersection with the centerline of
368 S.W. 8th Avenue; thence in a southerly direction along
369 said centerline to a point of intersection with the
370 westerly extension of the south line of Lot 16, Block
371 5, Plat of the Subdivision of Block 5, Plat Book 21,
372 Page 43, as recorded in the public records of Palm
373 Beach County, Florida; thence in an easterly direction
374 along said extension, and the south line of Lot 16 and
375 Lot 25, of said Block 5, and the easterly extension of
376 the south line of said Lot 25, to a point of
377 intersection with the centerline of S.W. 7th Avenue;
378 thence in an easterly direction to the point of
379 intersection of a line 385 feet south of, and parallel
380 with, the north line Block 13, said Plat of the Town
381 of Linton, and the west line of said Block 13; thence
382 in an easterly direction along said parallel line to a
383 point of intersection with a line 135 west of, and
384 parallel with, the east line of said Block 13; thence
385 in a northerly direction along the directly
386 aforementioned parallel line to a point of
387 intersection with a line 250 feet north of, and
388 parallel with, the south line of said Block 13; thence
389 in an easterly direction along the directly aforemen-
390 tioned parallel line to a point of intersection with
391 the centerline of S.W. 6th Avenue; thence in a
392 northerly direction along said centerline to a point



393 | of intersection with a line 290 north of, and parallel
394 | with, the south line of Block 21, said Plat of the
395 | Town of Linton; thence in an easterly direction along
396 | said parallel line to a point of intersection with a
397 | line 135 feet east of, and parallel with, the west
398 | line of said Block 21; thence in a southerly direction
399 | along directly aforementioned parallel line to a point
400 | of intersection with the centerline of S.W. 1st
401 | Street; thence in an easterly direction along said
402 | centerline to a point of intersection with the
403 | southerly extension of the west line of Lot 27, Block
404 | 29, Plat of the Resubdivision of Blocks 29 & 37, Plat
405 | Book 9, Page 66, as recorded in the public records of
406 | Palm Beach County, Florida; thence in a northerly
407 | direction along said extension, and the west line of
408 | Lots 27, 26, 25, 24, 23, 22, 21, 20, 19, 18, 17, 16,
409 | 15, 14 (all in said Block 29), to a point at the
410 | northwest corner of said Lot 14; thence in an easterly
411 | direction along the north line of said Lot 14, and
412 | easterly extension thereof, to a point of intersection
413 | with the centerline of S.W. 4th Avenue; thence in a
414 | southerly direction along said centerline to a point
415 | of intersection with the centerline of S.W. 1st
416 | Street; thence in an easterly direction along the
417 | centerline of S.W. 1st Street to a point of
418 | intersection with the centerline of S.W. 3rd Avenue;
419 | thence in a southerly direction along the centerline
420 | of S.W. 3rd Avenue to a point of intersection with the



421 westerly extension of the south line of the Plat of
422 Palm Beach County South County Judicial Center, Plat
423 Book 60, Page 124, as recorded in the public records
424 of Palm Beach County, Florida; thence in an easterly
425 direction along said extension, and the south line of
426 said Plat of Palm Beach County South County Judicial
427 Center, and easterly extension thereof, to a point of
428 intersection with the centerline of S.W. 2nd Avenue;
429 thence in a northerly direction along said centerline
430 to a point of intersection with the centerline of S.W.
431 1st Street; thence in an easterly direction along the
432 centerline of S.W. 1st Street to a point of
433 intersection with the centerline of S.W. 1st Avenue;
434 thence in a northerly direction along the centerline
435 of S.W. 1st Avenue to a point of intersection westerly
436 extension of the south line of Lot 1, Block 61, said
437 Plat of the Town of Linton; thence in an easterly
438 direction along said extension, and the south line of
439 Lots 1, 2, 3, 4, said Block 61, and the easterly
440 extension of said Lot 4, to a point of intersection
441 with the centerline of Swinton Avenue; thence
442 southerly along said centerline of Swinton Avenue to
443 its intersection with the westerly projection of the
444 north line of Lot 7, plat of the Subdivision of Block
445 69, Plat Book 2, Page 43, as recorded in the public
446 records of Palm Beach County, Florida; thence easterly
447 along said westerly projection to the northwest corner
448 of said Lot 7; thence east along the north line of



449 said Lot 7, to the northeast corner of said Lot 7;
450 thence easterly along the westerly projection of the
451 north line of Lot 24, said plat of the Subdivision of
452 Block 69, to the northwest corner of said Lot 24;
453 thence easterly along the north line of said Lot 24
454 to the northeast corner of said Lot 24; thence
455 easterly along the eastern projection of the north
456 line of said Lot 24 to the intersection with the
457 centerline of the right of way of S.E. 1st Avenue;
458 thence southerly along said centerline of S.E. 1st
459 Avenue to the intersection with the centerline of the
460 right of way of S.E. 2nd Street; thence easterly along
461 said centerline of S.E. 2nd Street to the intersection
462 of the northerly projection of the west line of Lot 2,
463 Roebucks Resubdivision of Block 103 (according to the
464 plat thereof as recorded in Plat Book 28, Page 19 of
465 the Public Records of Palm Beach County, Florida);
466 thence southerly along said northerly projection of
467 the west line of said Lot 2 to the northwest corner of
468 said Lot 2; thence southerly along the west line of
469 Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, and 12 of said
470 Roebucks Resubdivision of Block 103 to the southwest
471 corner of said Lot 12; thence southerly along the
472 south projection of the west line of said Lot 12 to
473 the intersection with the centerline of the right of
474 way of S.E. 3rd Street; thence easterly along said
475 centerline of S.E. 3rd Street to the southerly
476 projection of the west line of Lot 13, Gracey-Byrd



477 Subdivision of Block 119 (according to the plat
 478 thereof as recorded in Plat Book 10, Page 52 of the
 479 Public Records of Palm Beach County, Florida); thence
 480 northerly along said southerly projection of said Lot
 481 13 to the southwest corner of said Lot 13; thence
 482 northerly along the west lot line of Lots 13, 14, 15,
 483 16, 17, 18, 19, 20, 21, 22, 23, and 24, of said plat
 484 of Gracey-Byrd Subdivision to the northwest corner of
 485 Lot 24, of said Gracey-Byrd Subdivision; thence
 486 northerly along the northern projection of the west
 487 line of said Lot 24 to the southwest corner of Lot 12,
 488 subdivision of Block 118 (according to the plat
 489 thereof as recorded in Plat Book 2, Page 8 of the
 490 Public Records of Palm Beach County, Florida); thence
 491 northerly along the west lines of Lots 12, 11, 10, 9,
 492 8, 7, 6, 5, 4, 3, 2, and 1, of said subdivision of
 493 Block 118 to the northwest corner of Lot 1 of said
 494 subdivision of Block 118; thence northerly along the
 495 northern projection of the west line of said Lot 1 to
 496 the southwest corner of Lot 24, Block 117, said plat
 497 of the Town of Linton; thence northerly along the west
 498 line of Lots 24, 23, 22, 21, 20, and 19 of said Block
 499 117, to the southwest corner of Lot 18 of said Block
 500 117; thence easterly along the south line of said Lot
 501 18, and easterly projection thereof, to the east right
 502 of way line of S.E. 7th Avenue; thence northerly along
 503 the east right of way line of S.E. 7th Avenue to the
 504 northwest corner of Lot 12, Palm Square, an unrecorded



505 | plat located in Block 125 and Block 133, said plat of
506 | the Town of Linton; thence easterly along the north
507 | lot lines of Lots 12, 43, 59, and 90 of said
508 | unrecorded plat of Palm Square, and easterly
509 | projection of the north line of said lot 90, to the
510 | point of intersection with the east right of way line
511 | of the Intracoastal Waterway; thence southerly along
512 | the east right of way line of the Intracoastal
513 | Waterway to the southwest corner of the Waterway East
514 | Commercial Condominium property; thence easterly along
515 | the south line of said property and easterly extension
516 | thereof to the southwest corner of Lot A, John B.
517 | Reid's Village Subdivision (according to the plat
518 | thereof as recorded in Plat Book 21, Page 95 of the
519 | Public Records of Palm Beach County, Florida); thence
520 | easterly along the south line of said Lot A, to a
521 | point on the southeast corner of said Lot A; thence in
522 | a northerly direction along the west line of Lot 7,
523 | Block C of said plat of John B. Reid's Village
524 | Subdivision to the northwest corner of said Lot 7;
525 | thence easterly along the north line of said Lot 7, to
526 | the northeast corner of said Lot 7; thence southerly
527 | along the east line of said Lot 7 to the southeast
528 | corner of said Lot 7; thence in an easterly direction
529 | to the southwest corner of Lot 8, Block 4, Ocean Park
530 | Subdivision (according to the plat thereof as recorded
531 | in Plat Book 5, Page 15 of the Public Records of Palm
532 | Beach County, Florida); thence easterly along the



533 south line of said Lot 8 to the southeast corner of
534 said Lot 8; thence in a northerly direction along the
535 east line of Lots 8, 7, and 6, to the northeast corner
536 of said Lot 6 (being in Block 4, Ocean Park
537 Subdivision, as recorded in Plat Book 5, Page 15 of
538 the Public Records of Palm Beach County, Florida);
539 thence easterly to the southwest corner of Lot 8,
540 Block 3 of said Ocean Park Subdivision; thence
541 easterly along the south line of said Lot 8 to the
542 southeast corner of said Lot 8; thence northerly along
543 the east line of said Lot 8 and Lot 7 to the northwest
544 corner of Lot 24, Block 3 of said Ocean Park
545 Subdivision; thence easterly along the north line of
546 said Lot 24, to the northeast corner of said Lot 24;
547 thence easterly to the northwest corner of Lot 7,
548 Block 2, of said Ocean Park Subdivision; thence in an
549 easterly direction along the north line of lots 7 and
550 24, Block 2, of said Ocean Park Subdivision, to the
551 northeast corner of said Lot 24; thence easterly to
552 the northwest corner of Lot 16, Block 1, of said Ocean
553 Park Subdivision; thence easterly along the north line
554 of Lots 16 and 2, Block 1, of said Ocean Park
555 Subdivision to a point at the northeast corner of said
556 Lot 2, Block 1, of said Ocean Park Subdivision; thence
557 easterly along an extension of the north line of Lot
558 2, Block 1, of said Ocean Park Subdivision to the mean
559 high water line of the Atlantic Ocean; thence



560 northerly along said high water line to the point of
 561 beginning.

562 Section 4. CREATION OF THE AUTHORITY; COMPOSITION AND
 563 PROVISIONS RELATING TO MEMBERS.--There is hereby created a board
 564 composed of seven members to be known officially as the "Delray
 565 Beach Downtown Development Authority." It is hereby constituted
 566 a body corporate and an agency of the City, and performance by
 567 the Authority of its duties and exercise of its powers are
 568 hereby designated municipal functions and shall be so construed.

569 (a) The City Council shall by vote of a majority of its
 570 entire membership appoint the members of the Authority, and by
 571 vote of four-fifths of its entire membership, after notice
 572 specifying the charges and a hearing held not earlier than ten
 573 days after personal delivery of notice or mailing thereof by
 574 registered or certified mail addressed to the member at his or
 575 her latest known residence, the City Council may remove a member
 576 of the Authority for good cause, including willful neglect of
 577 duty, incompetence or unfitness to perform his or her duty, or
 578 conviction of an offense involving moral turpitude. A member so
 579 removed shall be entitled to review by the circuit court of the
 580 action taken.

581 (b) Each member shall be appointed for a term of three
 582 years beginning July 1. Two members shall be appointed
 583 commencing on July 1 following the referendum approving the
 584 expansion of the Delray Beach Downtown Development Authority
 585 boundaries.

586 (c) To qualify for appointment to the Authority, and to
 587 remain qualified for service on it, a prospective member or a



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588 member already appointed shall reside in or have his or her
589 principal place of business in the City and shall not be serving
590 as a City officer or employee. At least four of the members
591 shall be owners of realty within the Downtown area, a lessee
592 thereof required by the lease to pay taxes thereon, or a
593 director, officer, or managing agent of an owner or of a lessee
594 thereof so required to pay taxes thereon. To the extent that it
595 is possible, appointments to the Authority shall be made so that
596 the members shall be geographically proportioned as evenly as is
597 possible within the Downtown area as described in Section 3, as
598 amended.

599 (d) Vacancy in office, which shall be filled within thirty
600 days of its occurrence for the remainder of the unexpired term,
601 shall occur whenever a member is removed from office, becomes
602 disqualified or otherwise unable to serve, resigns, or
603 disappears without explanation for a period of six months. The
604 City Council shall fill any vacancy in office for the unexpired
605 term.

606 (e) Each member of the Authority shall serve without
607 compensation for services rendered as a member but may be
608 reimbursed by the Authority for necessary and reasonable
609 expenses actually incurred in the performance of duty. The
610 Authority need not but may require that all of its members or
611 any or all of its officers or employees be required to post bond
612 for faithful performance of duty, and the Authority shall pay
613 bonding costs. No member of the Authority shall be personally
614 liable for any action taken in attempting in good faith to



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615 perform his or her duty, or for a decision not to act, except in
616 instances of fraud or willful neglect of duty.

617 Section 5. AUTHORITY BYLAWS AND INTERNAL GOVERNMENT.--The
618 Authority shall formulate and may amend its own rules of
619 procedure and written bylaws not inconsistent herewith. A
620 majority of its entire membership shall constitute a quorum for
621 the transaction of business. All action shall be taken by at
622 least four affirmative votes of the Authority, and each member
623 present shall vote on each matter unless barred from voting as
624 herein provided. The Authority shall select one of its members
625 as Chair and another as Vice Chair and shall prescribe their
626 duties, powers, and terms of serving. It shall hold regular
627 meetings at least once a month and shall provide in its bylaws
628 for holding special meetings. All meetings shall be open to the
629 public. The bylaws may provide for the Mayor of the City, or
630 his or her representative, to attend meetings of the Board as an
631 ex officio member, but he or she shall not have any vote or
632 power over the Board except that he or she shall be entitled to
633 speak on any issue or question before the Board.

634 Section 6. FUNCTIONS OF THE AUTHORITY.--The Authority
635 shall perform the following functions:

636 (a) Prepare an analysis of the economic conditions and
637 changes occurring in the Downtown area, including the effect
638 thereon of such factors as metropolitan growth, traffic
639 congestion, lack of adequate parking and other access
640 facilities, and structural obsolescence and deterioration.

641 (b) Formulate long-range plans for improving the
642 attractiveness and accessibility to the public of Downtown



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643 facilities, promoting efficient use thereof, remedying the
644 deterioration of Downtown property values, and developing the
645 Downtown area.

646 (c) Recommend to the City Council and to Downtown
647 businesspersons and residents the actions deemed most suitable
648 for implementing the Downtown development plans, including
649 removal, razing, repair, renovation, reconstruction, remodeling,
650 and improvement of existing structures, addition of new
651 structures and facilities, relocation of any of those existing,
652 and changes in patterns of and facilities for getting thereto
653 and therefrom.

654 (d) Participate actively in the implementation and
655 execution of Downtown development plans, including
656 establishment, acquisition, construction, ownership, financing,
657 leasing, licensing, operation, and management of public
658 facilities deemed feasible and beneficial in effecting
659 implementation, but this paragraph shall not give the Authority
660 any power or control over any City property unless and until
661 assigned to it by the City Council under the provisions of
662 paragraph (f) of this section.

663 (e) Participate actively in plans and programs to
664 encourage economic development and promotion of the Downtown as
665 a prosperous Downtown Area.

666 (f) Carry on all projects and undertakings authorized by
667 law and within the limits of the powers granted to it by law,
668 and such additional public projects and undertakings related to
669 the Downtown area as the City Council may assign to it with its
670 consent.



671 Section 7. POWERS OF THE AUTHORITY.--In the performance of
 672 the functions vested in or assigned to the Authority, it is
 673 hereby granted the following powers:

674 (a) To enter into contracts and agreements, and to sue and
 675 be sued as a body corporate;

676 (b) To have and use a corporate seal;

677 (c) To acquire, own, convey, or otherwise dispose of,
 678 lease as lessor or lessee, construct, maintain, improve,
 679 enlarge, raze, relocate, operate, and manage property and
 680 facilities of whatever type, and grant or acquire licenses,
 681 easements, and options with respect thereto;

682 (d) To accept grants and donations of any type of
 683 property, labor, or other thing of value from any public or
 684 private source;

685 (e) To receive the proceeds of the tax hereby imposed;

686 (f) To receive the revenues from any property or facility
 687 owned, leased, licensed, or operated by it or under its control,
 688 subject to the limitations imposed upon it by trusts or other
 689 agreements validly entered into by it;

690 (g) To have exclusive control of all funds legally
 691 available to it, subject to limitations imposed upon it by law
 692 or by any agreement validly entered into by it;

693 (h) To cooperate and enter into agreements with any
 694 governmental agency or other public body;

695 (i) To make to or receive from the City or Palm Beach
 696 County conveyances, leasehold interests, grants, contributions,
 697 loans, and other rights and privileges;



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698 (j) To request by resolution that the City exercise its
699 municipal power of eminent domain in specific instances for the
700 use and benefit of the Authority and, if the City complies with
701 the request and the property involved is acquired, the Authority
702 shall take over and assume control of such property on terms
703 mutually agreed upon between the City and the Authority, but the
704 Authority shall not thereafter be authorized to sell, lease, or
705 otherwise dispose of such property so acquired without the
706 formal consent of the City Council;

707 (k) To issue and sell revenue certificates as hereinafter
708 provided, or in any other manner permitted by law and not
709 inconsistent with the provisions hereof, and to take all steps
710 deemed by it necessary or expedient for efficient preparation
711 and marketing of the certificates at public or private sale at
712 the best price obtainable, including the entry into binding
713 agreements with corporate trustees, underwriters, and the
714 holders of the certificates, and the employment and payment, as
715 a necessary expense of issuance, for the services of consultants
716 on valuations, costs, and feasibility of undertaking, revenues
717 to be anticipated and other financial matters, architecture,
718 engineering, legal matters, accounting matters, and any other
719 fields in which expert advice may be needed to effectuate
720 advantageous issuance and marketing;

721 (l) To fix, regulate, and collect rates and charges for
722 facilities and services furnished by it or under its control and
723 to pledge the revenue to the payment of revenue certificates
724 issued by it;



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725 (m) To borrow money on its unsecured notes, for a period
726 not exceeding nine months, in an aggregate amount for all
727 outstanding unsecured notes not exceeding fifty percent of the
728 proceeds received during the immediately prior fiscal year from
729 the tax hereby imposed, and at an annual rate of interest not
730 exceeding the rate being charged at the time of the loan by
731 banks in the City on unsecured short-term loans to local
732 businesses;

733 (n) To acquire by rental or otherwise and to equip and
734 maintain a principal office for the conduct of its business;

735 (o) To employ, when deemed necessary, and prescribe the
736 duties, authority, compensation, and reimbursement of expenses
737 of the Director of the Authority, who shall act as its chief
738 executive officer, a general counsel, who shall be an attorney
739 with at least two years of experience in active Florida practice
740 and so engaged at the time of appointment, and such other
741 personnel as it may, after consultation with the Director, deem
742 necessary from time to time; provided, its personnel shall not
743 be under civil service regulations and shall be employed to
744 serve at its pleasure. Its personnel shall not while employed by
745 it serve as City officers or employees, and, with the exception
746 of its Secretary, shall not while employed by it serve as a
747 member of it; and

748 (p) To exercise all powers incidental to the effective and
749 expedient exercise of the foregoing powers to the extent not in
750 conflict herewith or inconsistent herewith.

751 Section 8. LEVY OF AD VALOREM TAX.--For the fiscal year of
752 the Authority beginning within the calendar year 1972, and for



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753 each fiscal year thereafter, an ad valorem tax in addition to
754 all other ad valorem taxes is hereby levied annually for the
755 purpose of financing the operation of the Authority on all
756 property in the Downtown area that is subject to ad valorem
757 taxation for City operation expenses. The tax base shall be the
758 assessed valuation made annually by the County tax assessor. The
759 rate shall be one mill on each dollar of tax base in 1972 and
760 each year thereafter; provided, for each year after the first
761 year of levy the Authority, by written notice to the County tax
762 collector at such time as he or she shall specify, may set a
763 rate of less than one mill for the ensuing fiscal year. The
764 County tax collector shall collect the tax when and in the same
765 manner in which he or she collects the City ad valorem taxes,
766 with the same discounts for early payment, and shall pay the
767 proceeds into the City treasury for the account of the
768 Authority.

769 Section 9. AUTHORITY RECORDS AND FISCAL MANAGEMENT.--The
770 fiscal year of the Authority shall coincide with that of the
771 City.

772 (a) All funds of the Authority shall be received, held,
773 and secured like other public funds by the appropriate fiscal
774 officers of the City. The funds of the Authority shall be
775 maintained under a separate account, shall be used for only the
776 purposes herein authorized, and shall be disbursed only by the
777 direction of or with the approval of the Authority pursuant to
778 requisitions signed by the Director or other designated chief
779 fiscal officer of the Authority and countersigned in such
780 instances and manner as the Authority bylaws may prescribe. The



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781 Authority may pay the City, as an operating expense, a
782 reasonable amount for the services rendered by the City to it at
783 its request.

784 (b) The Authority bylaws shall provide for maintenance of
785 minutes and other official records of its proceedings and
786 actions, for preparation and adoption of an annual budget for
787 each ensuing fiscal year, for internal supervision and control
788 of its accounts, which function the appropriate City fiscal
789 officers may perform for it at its request, and for an external
790 audit at least annually by an independent certified public
791 accountant who has no personal interest, direct or indirect, in
792 its fiscal affairs. The bylaws shall specify the means by which
793 each of these functions is to be performed and, as to those
794 functions assigned to Authority personnel, the manner and
795 schedule of performance.

796 (c) No member or employee of the Authority shall
797 participate by vote or otherwise on behalf of the Authority in
798 any matter in which he or she has a direct financial interest or
799 an indirect financial interest other than that of the benefits
800 to be derived generally from the development of the Downtown
801 area. Participation with knowledge of such interest shall
802 constitute malfeasance and shall result, as regards a member, in
803 automatic forfeiture of office or, as regards an employee, in
804 prompt dismissal.

805 Section 10. TAX EXEMPTION OF AUTHORITY PROPERTY.--All
806 income, donations, property, and facilities of the Authority are
807 hereby dedicated to the effectuation of essential municipal
808 purposes, their use is declared an essential municipal function,



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809 and they are granted the same exemptions from taxation as are
810 afforded to income, property, and facilities of the City.

811 Section 11. PROVISIONS GOVERNING ISSUANCE OF
812 CERTIFICATES.--Issuance of revenue certificates by the Authority
813 shall be governed by the following general provisions:

814 (a) Revenue certificates for purposes hereof are limited
815 to obligations that are secured solely by pledge of revenues
816 produced by the facility or facilities for the benefit of which
817 the certificates are issued and the sale proceeds used, that do
818 not constitute a general debt of the Authority, that are not
819 secured directly or indirectly, in whole or in part, by pledge
820 of taxing powers, and that do not constitute a lien or
821 encumbrance, legal or equitable, on any real property of the
822 Authority or on any of its personal property other than the
823 revenues pledged to secure payment of the certificates.

824 (b) The faith and credit of the City shall not be pledged
825 and the City shall not be obligated directly or indirectly to
826 make any payments on or appropriate any funds for certificates
827 issued by the Authority.

828 (c) The rate or rates of interest and the sale price of
829 the certificates by the Authority shall be such that the net
830 interest cost to it on the proceeds received from the sale shall
831 not exceed an average annual rate of eight percent, computed
832 with relation to the absolute maturity of the certificates in
833 accordance with standard tables of bond values and excluding
834 from the computation the amount of any premium to be paid on
835 redemption of the certificates prior to maturity.



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836 (d) Before issuing any revenue certificates, the Authority
837 shall, as to each issue: (1) prepare or procure from a reputable
838 source detailed estimates of the total cost of the undertaking
839 for which the certificates are contemplated and of the annual
840 revenues to be obtained therefrom and pledged as security for
841 payment of the certificates; (2) determine that the anticipated
842 net proceeds from their sale, together with any other funds
843 available and intended for the purposes of the issue, will be
844 sufficient to cover all costs of the undertaking and of
845 preparing and marketing the issue or connected therewith; (3)
846 determine that the annual revenues anticipated from the
847 undertaking will be sufficient to pay the estimated annual cost
848 of maintaining, repairing, operating, and replacing to any
849 necessary extent not only the undertaking but also the punctual
850 payment of the principal of and interest on the contemplated
851 certificates; and (4) shall specify these determinations in and
852 include the supporting estimates as parts of the resolution
853 providing for the issue.

854 (e) The Authority may, as to any issue or revenue
855 certificates, engage the services of a corporate trustee for the
856 issue and may treat any or all of the costs of carrying out the
857 trust agreement as part of the operating costs of the
858 undertaking for which the certificates are issued.

859 (f) The Authority shall from time to time establish such
860 rentals, rates, and charges, or shall by legally binding
861 agreement maintain such control thereof, as to meet punctually
862 all payments on the certificates and also the costs of operation
863 of the undertaking and its maintenance and repair, including



864 reserves therefor and for depreciation, replacement, and any
 865 necessary extensions.

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

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

870 Section 12. TRANSFER UPON CESSATION OF THE
 871 AUTHORITY.--Should the Authority cease to exist or to operate
 872 for whatever reason, all its property of whatever kind shall
 873 forthwith become the property of the City, subject to the
 874 outstanding obligations of the Authority, and the City shall use
 875 this property to the maximum extent then practicable for
 876 effectuating the purposes hereof and shall succeed to and
 877 exercise all powers of the Authority insofar as such exercise is
 878 not in conflict with or inconsistent with the provisions of the
 879 City charter or other law applicable to the City.

880 Section 13. ACT CUMULATIVE; NO NOTICE REQUIRED.--Neither
 881 this Act nor anything herein contained shall be construed as a
 882 restriction or limitation upon any powers which the Authority
 883 might otherwise have under any laws of this State, but shall be
 884 construed as cumulative of such powers. The foregoing sections
 885 of this Act shall be deemed to provide a complete, additional,
 886 and alternative method for the doing of the things authorized
 887 thereby and shall be regarded as supplemental and additional to
 888 powers conferred by other laws; provided, the issuance of
 889 revenue certificates and revenue refunding certificates under
 890 the provisions of this Act need not comply with the requirements
 891 of any other law applicable to the issuance of certificates and



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892 bonds including, particularly, chapters 671 through 680, Florida
893 Statutes, 1969 (also known as Uniform Commercial Code). No
894 proceedings, notice, or approval shall be required for the
895 organization of the Authority or the issuance of any
896 certificates or any instrument as security therefor, except as
897 provided herein or pursuant hereto, any law to the contrary
898 notwithstanding; provided, nothing herein shall be construed to
899 deprive the State and its governmental subdivisions of their
900 respective policy powers over any properties of the Authority.

901 Section 14. LIBERAL CONSTRUCTION AND SEVERABILITY.--The
902 provisions of this Act, being necessary for the welfare of the
903 City and its inhabitants, shall be liberally construed to
904 effectuate the purposes herein set forth and are severable.
905 Should any portion hereof be finally held invalid by a court of
906 competent jurisdiction, each other portion shall remain
907 effective to the maximum practicable extent.

908 Section 4. In the event any section or provision of this
909 act is determined to be invalid or unenforceable, such
910 determination shall not affect the validity of or enforceability
911 of each other section and provision of this act.

912 Section 5. Chapters 71-604, 72-524, 80-495, 87-520, 89-
913 477, 91-385, 92-263, 94-476, and 98-503, Laws of Florida, are
914 repealed.

915 Section 6. This act shall take effect upon becoming a law.