



1 A bill to be entitled
 2 An act relating to the City of Delray Beach, Palm Beach
 3 County; providing for codification of existing special
 4 laws relating to the creation, powers, and duties of the
 5 Delray Beach Downtown Development Authority; codifying,
 6 amending, reenacting, and repealing chapters 71-604, 72-
 7 524, 80-495, 87-520, 89-477, 91-385, 92-263, 94-476, and
 8 98-503, Laws of Florida; providing an effective date.

9
 10 Be It Enacted by the Legislature of the State of Florida:

11
 12 Section 1. Pursuant to section 189.429, Florida Statutes,
 13 this act constitutes the codification of all special acts
 14 relating to the Delray Beach Downtown Development Authority. It
 15 is the intent of the Legislature in enacting this law to provide
 16 a single, comprehensive special act charter for the Authority,
 17 including all current legislative authority granted to the
 18 Authority by its several legislative enactments.

19 Section 2. Chapters 71-604, 72-524, 80-495, 87-520, 89-
 20 477, 91-385, 92-263, 94-476, and 98-503, Laws of Florida, are
 21 codified, reenacted, and repealed as herein provided.

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

24 Section 1. SHORT TITLE.--This Act shall be known and may
 25 be cited as the "Delray Beach Downtown Development Authority
 26 Act."



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

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

33 (b) "City" and "Delray Beach" mean the City of Delray
 34 Beach, Florida.

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

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

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

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

45 (g) "Majority" without qualification means a majority of a
 46 quorum.

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

48 Section 3. DOWNTOWN AREA DESCRIPTION.--The Downtown
 49 area includes all lands lying within boundaries described
 50 as:

51 Beginning at a point on the intersection of the High
 52 Water Mark of the Atlantic Ocean and the easterly
 53 projection of the north line of the south half of Lot
 54 13, Plat of the Fractional East Half Section 16,



55 Township 46 South, Range 43 East (according to the
 56 Plat thereof as recorded in Plat Book 1, page 25 of
 57 the Public Records of Palm Beach County, Florida);
 58 thence in a westerly direction along said easterly
 59 projection, and the north line of the south half of
 60 said Lot 13, and the westerly projection thereof, to
 61 the centerline of the right of way for Andrews Avenue;
 62 thence southerly along said centerline to the easterly
 63 projection of the south property line of the Beach
 64 Cabanas Condominium; thence westerly along said
 65 easterly projection, and said south property line to
 66 the west property line of the Beach Cabanas
 67 Condominium; thence northerly along the west property
 68 line of said Beach Cabanas Condominium to the south
 69 property line of the Grove Condominium; thence
 70 westerly along said south property line to the east
 71 plat limit of Seabreeze Park Subdivision (according to
 72 the plat thereof as recorded in Plat Book 4, Page 31
 73 of the Public Records of Palm Beach County, Florida);
 74 thence north along said east plat limit to the
 75 northeast corner of Lot 21, of said Plat of Seabreeze
 76 Park; thence westerly along the north line of said Lot
 77 21 and the westerly projection thereof to the west
 78 plat limit of Seabreeze Park; thence southerly along
 79 said west plat limit to the southeast corner of Lot
 80 29, Lowry Park Estates (according to the plat thereof
 81 as recorded in Plat Book 24, Page 156 of the Public
 82 Records of Palm Beach County, Florida); thence in a



83 northwesterly direction to the southwest corner of
84 said Lot 29; thence continuing along the extension of
85 said line to the intersection with the west right of
86 way line of East Road (as shown on the said plat of
87 Lowry Park Estates); thence southwesterly along said
88 west right of way line to the northeast corner of Barr
89 Terrace Condominium; thence southerly along the east
90 property line of the Barr Terrace Condominium and the
91 southerly extension thereof to a point of intersection
92 with the south right of way line of East Atlantic
93 Avenue (also known as State Road 806); thence westerly
94 along said south right of way line of East Atlantic
95 Avenue to the intersection of the centerline of the
96 Intracoastal Waterway right of way; thence northerly
97 along said centerline of the Intracoastal Waterway to
98 the intersection with the easterly projection of the
99 centerline of N.E. 1st Street right of way; thence
100 westerly along said easterly projection, and the
101 centerline of N.E. 1st Street right of way to a point
102 of intersection with the southerly projection of the
103 west line of Lot 20, Block 115, Town of Linton
104 (according to the plat thereof as recorded in Plat
105 Book 1, Page 3 of the Public Records of Palm Beach
106 County, Florida); thence northerly along said
107 southerly projection of the west line of said Lot 20
108 to the southwest corner of said Lot 20; thence
109 northerly along the west lot lines of Lots 20, 19, 18,
110 17, 16, 15, 14, 13, 12 and 11 of said Block 115 to the



111 northwest corner of Lot 11, of said Block 115; thence
112 northerly along the northern projection of the west
113 line of said Lot 11 to the southwest corner of Lot 20,
114 Block 114, said plat of the Town of Linton; thence
115 northerly along the west line of Lots 20, 19, 18, 17,
116 16, 15, 14, 13, 12, and Lot 11 of said Block 114, to
117 the northwest corner of Lot 11, of said Block 114;
118 thence northerly along the northern projection of the
119 west line of said Lot 11 to the southwest corner of
120 Lot 14, Block 113, Highland Park (according to the
121 plat thereof as recorded in Plat Book 2, Page 79 of
122 the Public Records of Palm Beach, Florida); thence
123 northerly along the west line of Lots 14, 13, 12, 11,
124 10, 9, 8, 7, 6, 5, 4, 3, 2, and 1 of said Block 113
125 to the northwest corner of Lot 1, of said Block 113;
126 thence northerly along the northern projection of the
127 west line of said Lot 1 to the intersection with the
128 centerline of the right of way of N.E. 4th Street;
129 thence westerly along said centerline of N.E. 4th
130 Street to the centerline of the right of way of N.E.
131 1st Avenue; thence southerly along said centerline of
132 N.E.1st Avenue to the intersection with the centerline
133 of the right of way of N.E. 3rd Street; thence
134 easterly along said centerline of N.E. 3rd Street to
135 the intersection of the northern projection of the
136 east property line of Lot 1, Block 74, plat of the
137 Subdivision of Block 74 (according to the plat thereof
138 as recorded in Plat Book 11, Page 12 of the Public



139 Records of Palm Beach, Florida); thence southerly
140 along said projection, to the northeast corner of Lot
141 1 of said plat of the Subdivision of Block 74; thence
142 southerly along the east line of Lots 1, 2, 3, 4, 5,
143 6, 7, 8, 9, 10, 11, and 12, and the southerly
144 projection of the east line of Lot 12 of said plat of
145 the Subdivision of Block 74 to the northeast corner of
146 Lot 1, Block 75, said plat of the Town of Linton;
147 thence southerly along the east line of Lots 1, 2, 3,
148 4, 5, and 6, said Block 75, to the northeast corner of
149 Lot 7 of said Block 75; thence westerly along the
150 north line of Lot 7, Block 75 and the westerly
151 projection of said north line of Lot 7, Block 75, to
152 the centerline of the N.E.1st Avenue right of way;
153 thence southerly along said centerline of N.E.1st
154 Avenue right of way to its intersection with the
155 centerline of N.E.1st Street; thence westerly along
156 said centerline of N.E.1st Street to the intersection
157 with the centerline of the Swinton Avenue right of way
158 and N.W. 1st Street; thence in a westerly direction
159 along the centerline of N.W. 1st Street to a point of
160 intersection with the centerline of N.W. 3rd Avenue;
161 thence in a southerly direction along the centerline
162 of N.W. 3rd Avenue to a point of intersection with the
163 easterly extension of the north lot line of Lot 6,
164 Revised Plat of Block 36, Plat Book 5, Page 38, as
165 recorded in the public records of Palm Beach County,
166 Florida; thence in a westerly direction along said



167 extension, and the north line of said Lot 6, and the
168 westerly extension thereof, to a point of intersection
169 with the centerline of the north/south alley of said
170 Revised Plat of Block 36; thence in a northerly
171 direction along said centerline to a point of
172 intersection with the easterly extension of the south
173 line of Lot 21, of said Revised Plat of Block 36;
174 thence in a westerly direction along said extension
175 line, and the south line of said Lot 21, and the
176 westerly extension thereof, to a point of intersection
177 with the centerline of N.W. 4th Avenue; thence in a
178 northerly direction along said centerline to a point
179 of intersection with the centerline of N.W. 1st
180 Street; thence in a westerly direction along the
181 centerline of N.W.1st Street to a point of
182 intersection with the southerly extension of the
183 centerline of the north-south alley of Block 27, said
184 plat of the Town of Linton (north half of block has
185 since been replatted to the Plat of Resubdivision of
186 Block 27, Plat Book 21, page 43, as recorded in the
187 Public records of Palm Beach County, Florida); thence
188 in a northerly direction along said extension line and
189 said centerline of the north-south alley, and the
190 northerly extension of said centerline to point of
191 intersection with the centerline of N.W. 2nd Street;
192 thence in a westerly direction along the centerline of
193 N.W. 2nd Street to a point of intersection with the
194 northerly extension of the west line of Lot 1, Plat of



195 Melvin S. Burd Subdivision, Plat Book 11, Page 73, as
196 recorded in the public records of Palm Beach County,
197 Florida; thence in a southerly direction along said
198 extension, and west lot lines of Lots 1, 2, 3, 4, 5,
199 6, 7, and 8, said Plat of Melvin S. Burd Subdivision,
200 to a point at the south west corner of said lot 8;
201 thence in a westerly direction along the westerly
202 extension of the south line of said Lot 8, and the
203 south line of Lot 16, said Plat of Melvin S. Burd
204 Subdivision, to a point of intersection of a line 135
205 feet east of and parallel with, the west line of Block
206 19, said plat of the Town of Linton; thence in a
207 southerly direction along said parallel line to a
208 point of intersection with a line 135 feet north of
209 and parallel with, the south line of said Block 19;
210 thence in a westerly direction along said line to a
211 point of intersection with a line 165 feet west of and
212 parallel with, the east line of said Block 19; thence
213 in a southerly direction along said line, and
214 southerly extension thereof, to a point of
215 intersection with the centerline of N.W. 1st Street;
216 thence in an easterly direction along said centerline
217 to the point of intersection with the northerly
218 extension of a line 135 feet east of and parallel
219 with, the west line of Block 20, said plat of the Town
220 of Linton; thence in a southerly direction along said
221 extension and parallel line to a point of intersection
222 with a line 300 feet south of and parallel with, the



223 north line of said Block 20; thence in westerly
224 direction along said parallel line to a point of
225 intersection with the west line of said Block 20;
226 thence in a westerly direction to a point at the
227 southeast corner of Lot 17, Block 12, of the Plat of
228 the Monroe Subdivision, Plat Book 14, Page 67, as
229 recorded in the public records of Palm Beach County,
230 Florida; thence in westerly direction along the south
231 line of said Lot 17, and westerly extension thereof,
232 to a point of intersection with the centerline of the
233 north-south alley of said Block 12, Monroe
234 Subdivision; thence in a northerly direction along
235 said centerline to a point of intersection with the
236 easterly extension of the north line of Lot 26, of
237 said Block 12, Monroe Subdivision; thence in a
238 westerly direction along said extension, and north
239 line of said Lot 26, and westerly extension thereof,
240 to a point of intersection with the centerline of N.W.
241 7th Avenue; thence in a southerly direction along said
242 centerline to a point of intersection with the
243 easterly extension to the south line of Lot 17, Block
244 4, said Plat of Monroe Subdivision; thence in a
245 westerly direction along said extension, and the south
246 line of said Lot 17, and the westerly extension
247 thereof, and the south line of Lot 26 and 25, Block 4,
248 said Plat of Monroe Subdivision, and the westerly
249 extension of said Lot 25 to a point of intersection
250 with the centerline of N.W. 8th Avenue; thence in a



251 northerly direction along said centerline to a point
252 of intersection with the easterly extension of the
253 south line of the Plat of West Side Heights, Plat Book
254 13, Page 61, as recorded in the public records of Palm
255 Beach County, Florida; thence in an westerly direction
256 along said extension, and the south line of said Plat
257 of West Side Heights, and the westerly extension
258 thereof, to a point of intersection with the
259 centerline of N.W. 10th Avenue; thence in a southerly
260 direction along said centerline to a point of
261 intersection with the easterly extension of the north
262 line of Lot 11, Block 2, Plat of Atlantic Pines, Plat
263 Book 13, Page 77, as recorded in the public records of
264 Palm Beach County, Florida; thence in a westerly
265 direction along said extension, and the north line of
266 said Lot 11, and the westerly extension of the north
267 line of said Lot 11, and the north line of Lot 30, of
268 said Block 2, and the westerly extension of the north
269 line of Lot 30 to a point of intersection with the
270 centerline of N.W. 11th Avenue; thence in an westerly
271 direction to a point at the northeast corner of Lot
272 14, Block 1, said Plat of Atlantic Pines; thence in a
273 westerly direction along the north line of said Lot
274 14, and the westerly extension thereof to a point of
275 intersection with the centerline of the north-south
276 alley in Block 1, said Plat of Atlantic Pines; thence
277 in a southerly direction along said centerline to a
278 point of intersection with the easterly extension of



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



307 north line of Lot 12, said Block 4, and the easterly
308 extension thereof, to a point of intersection with the
309 centerline of S.W. 13th Avenue; thence in an easterly
310 direction to a point at the northwest corner of Lot
311 12, Block 2, said Plat of Atlantic Park Gardens;
312 thence in an easterly direction along the north line
313 of said Lot 12, and the easterly extension thereof,
314 and the north line of Lot 21, of said Block 2, and the
315 easterly extension thereof, to a point of
316 intersection with the centerline of S.W. 12th Avenue;
317 thence in a southerly direction along said center line
318 to a point of intersection with the westerly extension
319 of the south line of Lot 13, Block 5, Plat of Atlantic
320 Gardens, Plat Book 14, Page 63, as recorded in the
321 public records of Palm Beach County, Florida; thence
322 in an easterly direction along said extension, and the
323 south line of said Lot 13, and easterly extension
324 thereof, and the south line of Lot 22, and the
325 easterly extension thereof, to a point of intersection
326 with centerline of S.W. 11th Avenue; thence in a
327 southerly direction along said centerline to a point
328 of intersection with the westerly extension of the
329 south line of Lot 15, Block 8, said Plat of Atlantic
330 Gardens; thence in an easterly direction along said
331 extension, and the south line of said Lot 15, and the
332 easterly extension thereof, and the south line of Lot
333 24, of said Block 8, and the easterly extension
334 thereof, to a point of intersection with the



335 centerline of S.W. 10th Avenue; thence in an easterly
336 direction to a point at the southwest corner of Lot
337 10, Block 1, Plat of Belair Heights, Plat Book 20,
338 Page 45, as recorded in the public records of Palm
339 Beach County, Florida; thence in an easterly direction
340 along the south line of said Lot 10, and the easterly
341 extension thereof, and the south line of Lot 19, of
342 said Block 1, and the easterly extension thereof, to a
343 point of intersection with the centerline of S.W. 9th
344 Avenue; thence in a southerly direction along said
345 centerline to a point of intersection with the
346 westerly extension of the south line of Lot 6, Block
347 2, said Plat of Belair Heights; thence in an easterly
348 direction along said extension, and the south line of
349 said Lot 6, to a point at the southeast corner of said
350 Lot 6; thence in a northerly direction along the east
351 line of said Lot 6, and Lot 5, to a point of
352 intersection with a line 250 feet north of, and
353 parallel with, the south line of Lot 9, Plat of the
354 Subdivision of 17-46-43, Plat Book 1, Page 4, as
355 recorded in the public records of Palm Beach County,
356 Florida; thence in an easterly direction along said
357 line to a point of intersection with the centerline of
358 S.W. 8th Avenue; thence in a southerly direction along
359 said centerline to a point of intersection with the
360 westerly extension of the south line of Lot 16, Block
361 5, Plat of the Subdivision of Block 5, Plat Book 21,
362 Page 43, as recorded in the public records of Palm



363 Beach County, Florida; thence in an easterly direction
364 along said extension, and the south line of Lot 16 and
365 Lot 25, of said Block 5, and the easterly extension of
366 the south line of said Lot 25, to a point of
367 intersection with the centerline of S.W. 7th Avenue;
368 thence in an easterly direction to the point of
369 intersection of a line 385 feet south of, and parallel
370 with, the north line Block 13, said Plat of the Town
371 of Linton, and the west line of said Block 13; thence
372 in an easterly direction along said parallel line to a
373 point of intersection with a line 135 west of, and
374 parallel with, the east line of said Block 13; thence
375 in a northerly direction along the directly
376 aforementioned parallel line to a point of
377 intersection with a line 250 feet north of, and
378 parallel with, the south line of said Block 13; thence
379 in an easterly direction along the directly aforemen-
380 tioned parallel line to a point of intersection with
381 the centerline of S.W. 6th Avenue; thence in a
382 northerly direction along said centerline to a point
383 of intersection with a line 290 north of, and parallel
384 with, the south line of Block 21, said Plat of the
385 Town of Linton; thence in an easterly direction along
386 said parallel line to a point of intersection with a
387 line 135 feet east of, and parallel with, the west
388 line of said Block 21; thence in a southerly direction
389 along directly aforementioned parallel line to a point
390 of intersection with the centerline of S.W. 1st



391 Street; thence in an easterly direction along said
392 centerline to a point of intersection with the
393 southerly extension of the west line of Lot 27, Block
394 29, Plat of the Resubdivision of Blocks 29 & 37, Plat
395 Book 9, Page 66, as recorded in the public records of
396 Palm Beach County, Florida; thence in a northerly
397 direction along said extension, and the west line of
398 Lots 27, 26, 25, 24, 23, 22, 21, 20, 19, 18, 17, 16,
399 15, 14 (all in said Block 29), to a point at the
400 northwest corner of said Lot 14; thence in an easterly
401 direction along the north line of said Lot 14, and
402 easterly extension thereof, to a point of intersection
403 with the centerline of S.W. 4th Avenue; thence in a
404 southerly direction along said centerline to a point
405 of intersection with the centerline of S.W. 1st
406 Street; thence in an easterly direction along the
407 centerline of S.W. 1st Street to a point of
408 intersection with the centerline of S.W. 3rd Avenue;
409 thence in a southerly direction along the centerline
410 of S.W. 3rd Avenue to a point of intersection with the
411 westerly extension of the south line of the Plat of
412 Palm Beach County South County Judicial Center, Plat
413 Book 60, Page 124, as recorded in the public records
414 of Palm Beach County, Florida; thence in an easterly
415 direction along said extension, and the south line of
416 said Plat of Palm Beach County South County Judicial
417 Center, and easterly extension thereof, to a point of
418 intersection with the centerline of S.W. 2nd Avenue;



419 thence in a northerly direction along said centerline
420 to a point of intersection with the centerline of S.W.
421 1st Street; thence in an easterly direction along the
422 centerline of S.W. 1st Street to a point of
423 intersection with the centerline of S.W. 1st Avenue;
424 thence in a northerly direction along the centerline
425 of S.W. 1st Avenue to a point of intersection westerly
426 extension of the south line of Lot 1, Block 61, said
427 Plat of the Town of Linton; thence in an easterly
428 direction along said extension, and the south line of
429 Lots 1, 2, 3, 4, said Block 61, and the easterly
430 extension of said Lot 4, to a point of intersection
431 with the centerline of Swinton Avenue; thence
432 southerly along said centerline of Swinton Avenue to
433 its intersection with the westerly projection of the
434 north line of Lot 7, plat of the Subdivision of Block
435 69, Plat Book 2, Page 43, as recorded in the public
436 records of Palm Beach County, Florida; thence easterly
437 along said westerly projection to the northwest corner
438 of said Lot 7; thence east along the north line of
439 said Lot 7, to the northeast corner of said Lot 7;
440 thence easterly along the westerly projection of the
441 north line of Lot 24, said plat of the Subdivision of
442 Block 69, to the northwest corner of said Lot 24;
443 thence easterly along the north line of said Lot 24
444 to the northeast corner of said Lot 24; thence
445 easterly along the eastern projection of the north
446 line of said Lot 24 to the intersection with the



447 centerline of the right of way of S.E. 1st Avenue;
448 thence southerly along said centerline of S.E. 1st
449 Avenue to the intersection with the centerline of the
450 right of way of S.E. 2nd Street; thence easterly along
451 said centerline of S.E. 2nd Street to the intersection
452 of the northerly projection of the west line of Lot 2,
453 Roebucks Resubdivision of Block 103 (according to the
454 plat thereof as recorded in Plat Book 28, Page 19 of
455 the Public Records of Palm Beach County, Florida);
456 thence southerly along said northerly projection of
457 the west line of said Lot 2 to the northwest corner of
458 said Lot 2; thence southerly along the west line of
459 Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, and 12 of said
460 Roebucks Resubdivision of Block 103 to the southwest
461 corner of said Lot 12; thence southerly along the
462 south projection of the west line of said Lot 12 to
463 the intersection with the centerline of the right of
464 way of S.E. 3rd Street; thence easterly along said
465 centerline of S.E. 3rd Street to the southerly
466 projection of the west line of Lot 13, Gracey-Byrd
467 Subdivision of Block 119 (according to the plat
468 thereof as recorded in Plat Book 10, Page 52 of the
469 Public Records of Palm Beach County, Florida); thence
470 northerly along said southerly projection of said Lot
471 13 to the southwest corner of said Lot 13; thence
472 northerly along the west lot line of Lots 13, 14, 15,
473 16, 17, 18, 19, 20, 21, 22, 23, and 24, of said plat
474 of Gracey-Byrd Subdivision to the northwest corner of



475 Lot 24, of said Gracey-Byrd Subdivision; thence
476 northerly along the northern projection of the west
477 line of said Lot 24 to the southwest corner of Lot 12,
478 subdivision of Block 118 (according to the plat
479 thereof as recorded in Plat Book 2, Page 8 of the
480 Public Records of Palm Beach County, Florida); thence
481 northerly along the west lines of Lots 12, 11, 10, 9,
482 8, 7, 6, 5, 4, 3, 2, and 1, of said subdivision of
483 Block 118 to the northwest corner of Lot 1 of said
484 subdivision of Block 118; thence northerly along the
485 northern projection of the west line of said Lot 1 to
486 the southwest corner of Lot 24, Block 117, said plat
487 of the Town of Linton; thence northerly along the west
488 line of Lots 24, 23, 22, 21, 20, and 19 of said Block
489 117, to the southwest corner of Lot 18 of said Block
490 117; thence easterly along the south line of said Lot
491 18, and easterly projection thereof, to the east right
492 of way line of S.E. 7th Avenue; thence northerly along
493 the east right of way line of S.E. 7th Avenue to the
494 northwest corner of Lot 12, Palm Square, an unrecorded
495 plat located in Block 125 and Block 133, said plat of
496 the Town of Linton; thence easterly along the north
497 lot lines of Lots 12, 43, 59, and 90 of said
498 unrecorded plat of Palm Square, and easterly
499 projection of the north line of said lot 90, to the
500 point of intersection with the east right of way line
501 of the Intracoastal Waterway; thence southerly along
502 the east right of way line of the Intracoastal



503 Waterway to the southwest corner of the Waterway East
504 Commercial Condominium property; thence easterly along
505 the south line of said property and easterly extension
506 thereof to the southwest corner of Lot A, John B.
507 Reid's Village Subdivision (according to the plat
508 thereof as recorded in Plat Book 21, Page 95 of the
509 Public Records of Palm Beach County, Florida); thence
510 easterly along the south line of said Lot A, to a
511 point on the southeast corner of said Lot A; thence in
512 a northerly direction along the west line of Lot 7,
513 Block C of said plat of John B. Reid's Village
514 Subdivision to the northwest corner of said Lot 7;
515 thence easterly along the north line of said Lot 7, to
516 the northeast corner of said Lot 7; thence southerly
517 along the east line of said Lot 7 to the southeast
518 corner of said Lot 7; thence in an easterly direction
519 to the southwest corner of Lot 8, Block 4, Ocean Park
520 Subdivision (according to the plat thereof as recorded
521 in Plat Book 5, Page 15 of the Public Records of Palm
522 Beach County, Florida); thence easterly along the
523 south line of said Lot 8 to the southeast corner of
524 said Lot 8; thence in a northerly direction along the
525 east line of Lots 8, 7, and 6, to the northeast corner
526 of said Lot 6 (being in Block 4, Ocean Park
527 Subdivision, as recorded in Plat Book 5, Page 15 of
528 the Public Records of Palm Beach County, Florida);
529 thence easterly to the southwest corner of Lot 8,
530 Block 3 of said Ocean Park Subdivision; thence



531 easterly along the south line of said Lot 8 to the
 532 southeast corner of said Lot 8; thence northerly along
 533 the east line of said Lot 8 and Lot 7 to the northwest
 534 corner of Lot 24, Block 3 of said Ocean Park
 535 Subdivision; thence easterly along the north line of
 536 said Lot 24, to the northeast corner of said Lot 24;
 537 thence easterly to the northwest corner of Lot 7,
 538 Block 2, of said Ocean Park Subdivision; thence in an
 539 easterly direction along the north line of lots 7 and
 540 24, Block 2, of said Ocean Park Subdivision, to the
 541 northeast corner of said Lot 24; thence easterly to
 542 the northwest corner of Lot 16, Block 1, of said Ocean
 543 Park Subdivision; thence easterly along the north line
 544 of Lots 16 and 2, Block 1, of said Ocean Park
 545 Subdivision to a point at the northeast corner of said
 546 Lot 2, Block 1, of said Ocean Park Subdivision; thence
 547 easterly along an extension of the north line of Lot
 548 2, Block 1, of said Ocean Park Subdivision to the mean
 549 high water line of the Atlantic Ocean; thence
 550 northerly along said high water line to the point of
 551 beginning.

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



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

571 (b) Each member shall be appointed for a term of three
572 years beginning July 1. Two members shall be appointed
573 commencing on July 1 following the referendum approving the
574 expansion of the Delray Beach Downtown Development Authority
575 boundaries.

576 (c) To qualify for appointment to the Authority, and to
577 remain qualified for service on it, a prospective member or a
578 member already appointed shall reside in or have his or her
579 principal place of business in the City and shall not be serving
580 as a City officer or employee. At least four of the members
581 shall be owners of realty within the Downtown area, a lessee
582 thereof required by the lease to pay taxes thereon, or a
583 director, officer, or managing agent of an owner or of a lessee
584 thereof so required to pay taxes thereon. To the extent that it
585 is possible, appointments to the Authority shall be made so that
586 the members shall be geographically proportioned as evenly as is



587 possible within the Downtown area as described in Section 3, as
 588 amended.

589 (d) Vacancy in office, which shall be filled within thirty
 590 days of its occurrence for the remainder of the unexpired term,
 591 shall occur whenever a member is removed from office, becomes
 592 disqualified or otherwise unable to serve, resigns, or
 593 disappears without explanation for a period of six months. The
 594 City Council shall fill any vacancy in office for the unexpired
 595 term.

596 (e) Each member of the Authority shall serve without
 597 compensation for services rendered as a member but may be
 598 reimbursed by the Authority for necessary and reasonable
 599 expenses actually incurred in the performance of duty. The
 600 Authority need not but may require that all of its members or
 601 any or all of its officers or employees be required to post bond
 602 for faithful performance of duty, and the Authority shall pay
 603 bonding costs. No member of the Authority shall be personally
 604 liable for any action taken in attempting in good faith to
 605 perform his or her duty, or for a decision not to act, except in
 606 instances of fraud or willful neglect of duty.

607 Section 5. AUTHORITY BYLAWS AND INTERNAL GOVERNMENT.--The
 608 Authority shall formulate and may amend its own rules of
 609 procedure and written bylaws not inconsistent herewith. A
 610 majority of its entire membership shall constitute a quorum for
 611 the transaction of business. All action shall be taken by at
 612 least four affirmative votes of the Authority, and each member
 613 present shall vote on each matter unless barred from voting as
 614 herein provided. The Authority shall select one of its members



615 as Chair and another as Vice Chair and shall prescribe their
616 duties, powers, and terms of serving. It shall hold regular
617 meetings at least once a month and shall provide in its bylaws
618 for holding special meetings. All meetings shall be open to the
619 public. The bylaws may provide for the Mayor of the City, or
620 his or her representative, to attend meetings of the Board as an
621 ex officio member, but he or she shall not have any vote or
622 power over the Board except that he or she shall be entitled to
623 speak on any issue or question before the Board.

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

626 (a) Prepare an analysis of the economic conditions and
627 changes occurring in the Downtown area, including the effect
628 thereon of such factors as metropolitan growth, traffic
629 congestion, lack of adequate parking and other access
630 facilities, and structural obsolescence and deterioration.

631 (b) Formulate long-range plans for improving the
632 attractiveness and accessibility to the public of Downtown
633 facilities, promoting efficient use thereof, remedying the
634 deterioration of Downtown property values, and developing the
635 Downtown area.

636 (c) Recommend to the City Council and to Downtown
637 businesspersons and residents the actions deemed most suitable
638 for implementing the Downtown development plans, including
639 removal, razing, repair, renovation, reconstruction, remodeling,
640 and improvement of existing structures, addition of new
641 structures and facilities, relocation of any of those existing,



642 and changes in patterns of and facilities for getting thereto
643 and therefrom.

644 (d) Participate actively in the implementation and
645 execution of Downtown development plans, including
646 establishment, acquisition, construction, ownership, financing,
647 leasing, licensing, operation, and management of public
648 facilities deemed feasible and beneficial in effecting
649 implementation, but this paragraph shall not give the Authority
650 any power or control over any City property unless and until
651 assigned to it by the City Council under the provisions of
652 paragraph (f) of this section.

653 (e) Participate actively in plans and programs to
654 encourage economic development and promotion of the Downtown as
655 a prosperous Downtown Area.

656 (f) Carry on all projects and undertakings authorized by
657 law and within the limits of the powers granted to it by law,
658 and such additional public projects and undertakings related to
659 the Downtown area as the City Council may assign to it with its
660 consent.

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

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

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

667 (c) To acquire, own, convey, or otherwise dispose of,
668 lease as lessor or lessee, construct, maintain, improve,
669 enlarge, raze, relocate, operate, and manage property and



670 facilities of whatever type, and grant or acquire licenses,
 671 easements, and options with respect thereto;

672 (d) To accept grants and donations of any type of
 673 property, labor, or other thing of value from any public or
 674 private source;

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

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

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

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

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

688 (j) To request by resolution that the City exercise its
 689 municipal power of eminent domain in specific instances for the
 690 use and benefit of the Authority and, if the City complies with
 691 the request and the property involved is acquired, the Authority
 692 shall take over and assume control of such property on terms
 693 mutually agreed upon between the City and the Authority, but the
 694 Authority shall not thereafter be authorized to sell, lease, or
 695 otherwise dispose of such property so acquired without the
 696 formal consent of the City Council;



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

711 (l) To fix, regulate, and collect rates and charges for
712 facilities and services furnished by it or under its control and
713 to pledge the revenue to the payment of revenue certificates
714 issued by it;

715 (m) To borrow money on its unsecured notes, for a period
716 not exceeding nine months, in an aggregate amount for all
717 outstanding unsecured notes not exceeding fifty percent of the
718 proceeds received during the immediately prior fiscal year from
719 the tax hereby imposed, and at an annual rate of interest not
720 exceeding the rate being charged at the time of the loan by
721 banks in the City on unsecured short-term loans to local
722 businesses;

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



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

738 (p) To exercise all powers incidental to the effective and
739 expedient exercise of the foregoing powers to the extent not in
740 conflict herewith or inconsistent herewith.

741 Section 8. LEVY OF AD VALOREM TAX.--For the fiscal year of
742 the Authority beginning within the calendar year 1972, and for
743 each fiscal year thereafter, an ad valorem tax in addition to
744 all other ad valorem taxes is hereby levied annually for the
745 purpose of financing the operation of the Authority on all
746 property in the Downtown area that is subject to ad valorem
747 taxation for City operation expenses. The tax base shall be the
748 assessed valuation made annually by the County tax assessor. The
749 rate shall be one mill on each dollar of tax base in 1972 and
750 each year thereafter; provided, for each year after the first
751 year of levy the Authority, by written notice to the County tax
752 collector at such time as he or she shall specify, may set a



753 rate of less than one mill for the ensuing fiscal year. The
754 County tax collector shall collect the tax when and in the same
755 manner in which he or she collects the City ad valorem taxes,
756 with the same discounts for early payment, and shall pay the
757 proceeds into the City treasury for the account of the
758 Authority.

759 Section 9. AUTHORITY RECORDS AND FISCAL MANAGEMENT.--The
760 fiscal year of the Authority shall coincide with that of the
761 City.

762 (a) All funds of the Authority shall be received, held,
763 and secured like other public funds by the appropriate fiscal
764 officers of the City. The funds of the Authority shall be
765 maintained under a separate account, shall be used for only the
766 purposes herein authorized, and shall be disbursed only by the
767 direction of or with the approval of the Authority pursuant to
768 requisitions signed by the Director or other designated chief
769 fiscal officer of the Authority and countersigned in such
770 instances and manner as the Authority bylaws may prescribe. The
771 Authority may pay the City, as an operating expense, a
772 reasonable amount for the services rendered by the City to it at
773 its request.

774 (b) The Authority bylaws shall provide for maintenance of
775 minutes and other official records of its proceedings and
776 actions, for preparation and adoption of an annual budget for
777 each ensuing fiscal year, for internal supervision and control
778 of its accounts, which function the appropriate City fiscal
779 officers may perform for it at its request, and for an external
780 audit at least annually by an independent certified public



781 accountant who has no personal interest, direct or indirect, in
 782 its fiscal affairs. The bylaws shall specify the means by which
 783 each of these functions is to be performed and, as to those
 784 functions assigned to Authority personnel, the manner and
 785 schedule of performance.

786 (c) No member or employee of the Authority shall
 787 participate by vote or otherwise on behalf of the Authority in
 788 any matter in which he or she has a direct financial interest or
 789 an indirect financial interest other than that of the benefits
 790 to be derived generally from the development of the Downtown
 791 area. Participation with knowledge of such interest shall
 792 constitute malfeasance and shall result, as regards a member, in
 793 automatic forfeiture of office or, as regards an employee, in
 794 prompt dismissal.

795 Section 10. TAX EXEMPTION OF AUTHORITY PROPERTY.--All
 796 income, donations, property, and facilities of the Authority are
 797 hereby dedicated to the effectuation of essential municipal
 798 purposes, their use is declared an essential municipal function,
 799 and they are granted the same exemptions from taxation as are
 800 afforded to income, property, and facilities of the City.

801 Section 11. PROVISIONS GOVERNING ISSUANCE OF
 802 CERTIFICATES.--Issuance of revenue certificates by the Authority
 803 shall be governed by the following general provisions:

804 (a) Revenue certificates for purposes hereof are limited
 805 to obligations that are secured solely by pledge of revenues
 806 produced by the facility or facilities for the benefit of which
 807 the certificates are issued and the sale proceeds used, that do
 808 not constitute a general debt of the Authority, that are not



809 secured directly or indirectly, in whole or in part, by pledge
810 of taxing powers, and that do not constitute a lien or
811 encumbrance, legal or equitable, on any real property of the
812 Authority or on any of its personal property other than the
813 revenues pledged to secure payment of the certificates.

814 (b) The faith and credit of the City shall not be pledged
815 and the City shall not be obligated directly or indirectly to
816 make any payments on or appropriate any funds for certificates
817 issued by the Authority.

818 (c) The rate or rates of interest and the sale price of
819 the certificates by the Authority shall be such that the net
820 interest cost to it on the proceeds received from the sale shall
821 not exceed an average annual rate of eight percent, computed
822 with relation to the absolute maturity of the certificates in
823 accordance with standard tables of bond values and excluding
824 from the computation the amount of any premium to be paid on
825 redemption of the certificates prior to maturity.

826 (d) Before issuing any revenue certificates, the Authority
827 shall, as to each issue: (1) prepare or procure from a reputable
828 source detailed estimates of the total cost of the undertaking
829 for which the certificates are contemplated and of the annual
830 revenues to be obtained therefrom and pledged as security for
831 payment of the certificates; (2) determine that the anticipated
832 net proceeds from their sale, together with any other funds
833 available and intended for the purposes of the issue, will be
834 sufficient to cover all costs of the undertaking and of
835 preparing and marketing the issue or connected therewith; (3)
836 determine that the annual revenues anticipated from the



837 undertaking will be sufficient to pay the estimated annual cost
 838 of maintaining, repairing, operating, and replacing to any
 839 necessary extent not only the undertaking but also the punctual
 840 payment of the principal of and interest on the contemplated
 841 certificates; and (4) shall specify these determinations in and
 842 include the supporting estimates as parts of the resolution
 843 providing for the issue.

844 (e) The Authority may, as to any issue or revenue
 845 certificates, engage the services of a corporate trustee for the
 846 issue and may treat any or all of the costs of carrying out the
 847 trust agreement as part of the operating costs of the
 848 undertaking for which the certificates are issued.

849 (f) The Authority shall from time to time establish such
 850 rentals, rates, and charges, or shall by legally binding
 851 agreement maintain such control thereof, as to meet punctually
 852 all payments on the certificates and also the costs of operation
 853 of the undertaking and its maintenance and repair, including
 854 reserves therefor and for depreciation, replacement, and any
 855 necessary extensions.

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

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

860 Section 12. TRANSFER UPON CESSATION OF THE
 861 AUTHORITY.--Should the Authority cease to exist or to operate
 862 for whatever reason, all its property of whatever kind shall
 863 forthwith become the property of the City, subject to the
 864 outstanding obligations of the Authority, and the City shall use



865 this property to the maximum extent then practicable for
866 effectuating the purposes hereof and shall succeed to and
867 exercise all powers of the Authority insofar as such exercise is
868 not in conflict with or inconsistent with the provisions of the
869 City charter or other law applicable to the City.

870 Section 13. ACT CUMULATIVE; NO NOTICE REQUIRED.--Neither
871 this Act nor anything herein contained shall be construed as a
872 restriction or limitation upon any powers which the Authority
873 might otherwise have under any laws of this State, but shall be
874 construed as cumulative of such powers. The foregoing sections
875 of this Act shall be deemed to provide a complete, additional,
876 and alternative method for the doing of the things authorized
877 thereby and shall be regarded as supplemental and additional to
878 powers conferred by other laws; provided, the issuance of
879 revenue certificates and revenue refunding certificates under
880 the provisions of this Act need not comply with the requirements
881 of any other law applicable to the issuance of certificates and
882 bonds including, particularly, chapters 671 through 680, Florida
883 Statutes, 1969 (also known as Uniform Commercial Code). No
884 proceedings, notice, or approval shall be required for the
885 organization of the Authority or the issuance of any
886 certificates or any instrument as security therefor, except as
887 provided herein or pursuant hereto, any law to the contrary
888 notwithstanding; provided, nothing herein shall be construed to
889 deprive the State and its governmental subdivisions of their
890 respective policy powers over any properties of the Authority.

891 Section 14. LIBERAL CONSTRUCTION AND SEVERABILITY.--The
892 provisions of this Act, being necessary for the welfare of the



893 City and its inhabitants, shall be liberally construed to
894 effectuate the purposes herein set forth and are severable.
895 Should any portion hereof be finally held invalid by a court of
896 competent jurisdiction, each other portion shall remain
897 effective to the maximum practicable extent.

898 Section 4. In the event any section or provision of this
899 act is determined to be invalid or unenforceable, such
900 determination shall not affect the validity of or enforceability
901 of each other section and provision of this act.

902 Section 5. Chapters 71-604, 72-524, 80-495, 87-520, 89-
903 477, 91-385, 92-263, 94-476, and 98-503, Laws of Florida, are
904 repealed.

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