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A bill to be entitled

An act relating to the North Springs Improvement District, Broward County; codifying, amending, and reenacting chapters 71-580, 84-398, 85-387, 87-505, 89-440, 91-353, 92-245, 94-445, and 96-537, Laws of Florida; providing legislative intent; deleting gender-specific references; providing a district charter; repealing chapters 71-580, 84-398, 85-387, 87-505, 89-440, 91-353, 92-245, 94-445, and 96-537, Laws of Florida, relating to the North Springs Improvement District; providing an effective date.

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

Section 1. Intent.--In accordance with section 189.429, Florida Statutes, this act constitutes the codification of all special acts relating to the North Springs Improvement District. It is the intent of the Legislature in enacting this law to provide a single, comprehensive special act charter for the district, including all current legislative authority granted to the district by its several legislative enactments and any additional authority granted by this act.

Section 2. Codification.--Chapters 71-580, 84-398, 85-387, 87-505, 89-440, 91-353, 92-245, 94-445, and 96-537, Laws of Florida, relating to the North Springs Improvement District are codified, re-enacted, amended, and repealed as herein provided.

Section 3. The charter for the North Springs Improvement District is re-created and reenacted to read:

Section 1. Creation of the district ratified and approved; change of name of district to North Springs Improvement

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30 District.--The decree of the circuit court in and for the
 31 Seventeenth Judicial Circuit in and for Broward County, Florida,
 32 entered in Case Number 71-1724, creating and incorporating the
 33 North Springs Drainage District as a public corporation of this
 34 state, and all subsequent proceedings taken in the circuit court
 35 concerning that district, are hereby ratified, confirmed, and
 36 approved, except that the boundaries of said district shall be
 37 as hereinafter described. The North Springs Drainage District
 38 shall henceforth be known by the name of North Springs
 39 Improvement District, and shall continue to be a public
 40 corporation of this state and have perpetual existence. All
 41 lawful debts, bonds, obligations, contracts, franchises,
 42 promissory notes, audits, minutes, resolutions, and other
 43 undertakings of the North Springs Drainage District are hereby
 44 validated and shall continue to be valid and binding on the
 45 North Springs Improvement District in accordance with their
 46 respective terms, conditions, covenants, and tenor. Any
 47 proceeding heretofore begun by the North Springs Drainage
 48 District under chapter 298, Florida Statutes, or any other law,
 49 for the construction of any improvements, works, or facilities,
 50 for the assessment of benefits and damages or for the borrowing
 51 of money shall not be impaired or avoided by this act, but may
 52 be continued and completed in the name of the North Springs
 53 Improvement District.

54 Section 2. Boundaries.--The boundaries of the district
 55 shall be:

56
 57 A tract of land being Sections 5, 6, 7, 8, 9 and 10, a
 58 portion of Sections 3 and 4, all in Township 48 South,

59 Range 41 East, Broward County, Florida, and Sections
 60 31, 32 and 33, Township 47 South, Range 41 East,
 61 Broward County, Florida, described as follows:
 62 BEGINNING at the southwest corner of said Section 7;
 63
 64 thence North 00°03'12" West (Bearings are relative to
 65 State Plane Coordinates as shown on STONER/KEITH
 66 RESURVEY OF A PORTION OF TOWNSHIP 47 SOUTH, RANGE 41
 67 EAST, ALL OF TOWNSHIP 48 SOUTH, RANGE 41 EAST, & ALL
 68 OF TOWNSHIP 49 SOUTH, RANGE 41 EAST, according to the
 69 plat thereof, recorded in Miscellaneous Plat Book 3 at
 70 Page 44 of the Public Records of said Broward County),
 71 along the west line of the Southwest Quarter (SW 1/4)
 72 of said Section 7, a distance of 2647.42 feet to the
 73 northwest corner of said Southwest Quarter (SW 1/4);
 74
 75 thence continue North 00°03'12" West, along the west
 76 line of the Northwest Quarter (NW 1/4) of said Section
 77 7, a distance of 2647.42 feet to the northwest corner
 78 of said Section 7 and the southwest corner of said
 79 Section 6;
 80
 81 thence North 00°02'58" West, along the west line of
 82 the Southwest Quarter (SW 1/4) of said Section 6, a
 83 distance of 3252.81 feet to the northwest corner of
 84 said Southwest Quarter (SW 1/4);
 85
 86 thence North 00°02'27" West, along the west line of
 87 the Northwest Quarter (NW 1/4) of said Section 6, a

88 distance of 3253.12 feet to the northwest corner of
 89 said Section 6 and the southwest corner of said
 90 Section 31;

91
 92 thence North 00°03'47" West, along the west line of
 93 the Southwest Quarter (SW 1/4) of said Section 31, a
 94 distance of 2642.42 feet to the northwest corner of
 95 said Southwest Quarter (SW 1/4);

96
 97 thence continue North 00°03'47" West, along the west
 98 line of the Northwest Quarter (NW 1/4) of said Section
 99 31, a distance of 2642.42 feet to the northwest corner
 100 of said Section 31;

101
 102 thence South 89°52'50" East, along the north line of
 103 said Northwest Quarter (NW 1/4), a distance of 2246.01
 104 feet to the northeast corner of said Northwest Quarter
 105 (NW 1/4);

106
 107 thence South 89°52'10" East, along the north line of
 108 the Northeast Quarter (NE 1/4) of said Section 31, a
 109 distance of 2245.70 feet to the northeast corner of
 110 said Section 31 and the northwest corner of said
 111 Section 32;

112
 113 thence North 89°36'52" East, along the north line of
 114 the Northwest Quarter (NW 1/4) of said Section 32, a
 115 distance of 2640.43 feet to the northeast corner of
 116 said Northwest Quarter (NW 1/4);

117
118 thence North 89°37'21" East, along the north line of
119 the Northeast Quarter (NE 1/4) of said Section 32, a
120 distance of 2639.40 feet to the northeast corner of
121 said Section 32 and the northwest corner of said
122 Section 33;

123
124 thence North 89°36'55" East, along the north line of
125 the Northwest Quarter (NW 1/4) of said Section 33, a
126 distance of 2640.59 feet to the northeast corner of
127 said Northwest Quarter (NW 1/4);

128
129 thence North 89°36'56" East, along the north line of
130 the Northeast Quarter (NE 1/4) of said Section 33, a
131 distance of 2640.59 feet to the northeast corner of
132 said Section 33;

133
134 thence South 01°21'19" East, along the east line of
135 said Northeast Quarter (NE 1/4), a distance of 2638.16
136 feet to the southeast corner of said Northeast Quarter
137 (NE 1/4);

138
139 thence South 01°21'20" East, along the east line of
140 the Southeast Quarter (SE 1/4) of said Section 33, a
141 distance of 2638.16 feet to the southeast corner of
142 said Section 33 and the northeast corner of said
143 Section 4;

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145 thence South 89°44'30" West, along the north line of
 146 the Northeast Quarter (NE 1/4) of said Section 4, a
 147 distance of 60.00 feet to the most westerly corner of
 148 that parcel of land described in Official Record Book
 149 55 at Page 500 of said Public Records of Broward
 150 County;

151
 152 thence South 45°33'09" East, along the southwesterly
 153 line of said parcel, a distance of 85.29 feet to the
 154 most southerly corner of said parcel on the east line
 155 of said Northeast Quarter (NE 1/4);

156
 157 thence South 00°50'47" East, along said east line, a
 158 distance of 3303.78 feet to the southeast corner of
 159 said Northeast Quarter (NE 1/4) and the northwest
 160 corner of the Southwest Quarter (SW 1/4) of said
 161 Section 3;

162
 163 thence South 89°52'36" East, along the north line of
 164 said Southwest Quarter (SW 1/4), a distance of 2640.57
 165 feet to the northeast corner of said Southwest Quarter
 166 (SW 1/4);

167
 168 thence South 89°52'36" East, along the north line of
 169 the Southeast Quarter (SE 1/4) of said Section 3, a
 170 distance of 2639.23 feet to the northeast corner of
 171 said Southeast Quarter (SE 1/4);

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173 thence South 00°53'22" East, along the east line of
 174 said Southeast Quarter (SE 1/4), a distance of 3401.43
 175 feet to the southeast corner of said Section 3 and the
 176 northeast corner of said Section 10;

177
 178 thence South 00°59'18" East, along the east line of
 179 the Northeast Quarter (NE 1/4) of said Section 10, a
 180 distance of 2637.04 feet to the southeast corner of
 181 said Northeast Quarter (NE 1/4);

182
 183 thence South 00°59'17" East, along the east line of
 184 the Southeast Quarter (SE 1/4) of said Section 10, a
 185 distance of 2637.03 feet to the southeast corner of
 186 said Section 10;

187
 188 thence North 89°25'05" West, along the south line of
 189 said Southeast Quarter (SE 1/4), a distance of 2637.48
 190 feet to the southwest corner of said Southeast Quarter
 191 (SE 1/4);

192
 193 thence continue North 89°25'05" West, along the south
 194 line of the Southwest Quarter (SW 1/4) of said Section
 195 10, a distance of 2637.47 feet to the southwest corner
 196 of said Section 10 and the southeast corner of said
 197 Section 9;

198
 199 thence North 89°26'06" West, along the south line of
 200 the Southeast Quarter (SE 1/4) of said Section 9, a

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201 distance of 2641.24 feet to the southwest corner of
 202 said Southeast Quarter (SE 1/4);
 203
 204 thence continue North 89°26'06" West, along the south
 205 line of the Southwest Quarter (SW 1/4) of said Section
 206 9, a distance of 2641.24 feet to the southwest corner
 207 of said Section 9 and the southeast corner of said
 208 Section 8;
 209
 210 thence North 89°25'53" West, along the south line of
 211 the Southeast Quarter (SE 1/4) of said Section 8, a
 212 distance of 2639.96 feet to the southwest corner of
 213 said Southeast Quarter (SE 1/4);
 214
 215 thence North 89°25'52" West, along the south line of
 216 the Southwest Quarter (SW 1/4) of said Section 8, a
 217 distance of 2639.96 feet to the southwest corner of
 218 said Section 8 and the southeast corner of said
 219 Section 7;
 220
 221 thence North 89°46'06" West, along the south line of
 222 the Southeast Quarter (SE 1/4) of said Section 7, a
 223 distance of 2399.06 feet to the southwest corner of
 224 said Southeast Quarter (SE 1/4);
 225
 226 thence North 89°46'05" West, along the south line of
 227 the Southwest Quarter (SW 1/4) of said Section 7, a
 228 distance of 2399.06 feet to the POINT OF BEGINNING.
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230 Said land being in Broward County, Florida.

231

232 Containing 7040.325 acres, more or less.

233

234 Section 3. Applicability of certain provisions of chapter
 235 298, Florida Statutes, to the North Springs Improvement

236 District; inconsistent laws inapplicable.--The provisions of

237 chapter 298, Florida Statutes, and all amendments thereto, now

238 existing or hereafter enacted, are declared to be applicable to

239 the North Springs Improvement District insofar as not

240 inconsistent with the provisions of this act or any subsequent

241 special acts relating to the North Springs Improvement District.

242 Notwithstanding the foregoing, the provisions of sections

243 298.07, 298.11, 298.12, 298.14, 298.15, 298.17, 298.18, 298.19,

244 298.20, 298.23, 298.24, 298.25, 298.35, 298.37, 298.38, 298.39,

245 298.40, 298.401, 298.41, 298.42, 298.44, 298.45, 298.46, 298.48,

246 298.52, 298.54, 298.56, 298.57, 298.61, 298.69, 298.70, 298.71,

247 298.73, and 298.74, Florida Statutes, and amendments thereto,

248 shall not be applicable to the North Springs Improvement

249 District.

250 Section 4. Definitions.--Unless the context shall indicate

251 otherwise, the following words as used in this act shall have

252 the following meanings:

253 (1) "Assessable improvements" includes without limitation

254 any and all drainage and land reclamation works and facilities,

255 sewer systems, storm sewers and drains, water systems, streets,

256 roads, school buildings and related structures, parks, and

257 recreational, cultural, and educational facilities,

258 streetlights, or other projects of the district, or that portion

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259 or portions thereof, local in nature and of special benefit to
 260 the premises or lands served thereby, and any and all
 261 modifications, improvements, and enlargements thereof.

262 (2) "Bond" includes "certificate," and provisions
 263 applicable to bonds shall be equally applicable to certificates.
 264 "Bond" includes general obligation bonds, assessment bonds,
 265 refunding bonds, revenue bonds, and such other obligations in
 266 the nature of bonds as are provided for in this act, as the case
 267 may be.

268 (3) "Board" means the board of supervisors of the North
 269 Springs Improvement District, or if such board shall be
 270 abolished, the board, body, or commission succeeding to the
 271 principal functions thereof or to whom the powers given by this
 272 act to the board shall be given by law.

273 (4) "Cost," when used with reference to any project,
 274 includes, but is not limited to, the expenses of determining the
 275 feasibility or practicability of acquisition, construction, or
 276 reconstruction; the cost of surveys, estimates, plans, and
 277 specifications; the cost of acquisition, construction, or
 278 reconstruction; the cost of improvements; engineering, fiscal,
 279 and legal expenses and charges; the cost of all labor,
 280 materials, machinery, and equipment; the cost of all lands,
 281 properties, rights, easements, and franchises acquired; federal,
 282 state, and local taxes and assessments; financing charges; the
 283 creation of initial reserve and debt service funds; working
 284 capital; interest charges incurred or estimated to be incurred
 285 on money borrowed prior to and during construction and
 286 acquisition and for such period of time after completion of
 287 construction or acquisition as the board may determine; the cost

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288 of issuance of bonds pursuant to this act, including
 289 advertisements and printing, the cost of any election held
 290 pursuant to this act, and all other expenses of issuance of
 291 bonds; discount, if any, on the sale or exchange of bonds;
 292 administrative expenses; such other expenses as may be necessary
 293 or incidental to the acquisition, construction, or
 294 reconstruction of any project or to the financing thereof, or
 295 the development of any lands within the district; and
 296 reimbursement of any public or private body, person, firm, or
 297 corporation for any moneys advanced in connection with any of
 298 the foregoing items of cost. Any obligation or expense incurred
 299 prior to the issuance of bonds in connection with the
 300 acquisition, construction, or reconstruction of any project or
 301 improvements thereon, or in connection with any other
 302 development of land that the board of the district shall
 303 determine to be necessary or desirable in carrying out the
 304 purposes of this act, may be treated as a part of such cost.

305 (5) "District" means the North Springs Improvement
 306 District and "district manager" means the manager of the
 307 district.

308 (6) "Landowner" means the owner of the freehold estate, as
 309 appears by the deed record, including trustees, private
 310 corporations, and owners of cooperative and condominium units;
 311 it does not include reversioners, remaindermen, or mortgagees,
 312 who shall not be counted and need not be notified of proceedings
 313 under this act.

314 (7) "Project" means any development, improvement,
 315 property, utility, facility, works, road, enterprise, service,
 316 or convenience, now existing or hereafter undertaken or

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317 established under the provisions of this act or under chapter
 318 298, Florida Statutes.

319 (8) "Sewer system" means any plant, system, facility, or
 320 property and additions, extensions, and improvements thereto at
 321 any future time constructed or acquired as part thereof useful
 322 or necessary or having the present capacity for future use in
 323 connection with the collection, treatment, purification, or
 324 disposal of sewage, including, without limitation, industrial
 325 wastes resulting from any processes of industry, manufacture,
 326 trade, or business or from the development of any natural
 327 resources; and, without limiting the generality of the
 328 foregoing, shall include treatment plants, pumping stations,
 329 lift stations, valves, force mains, intercepting sewers,
 330 laterals, pressure lines, mains, and all necessary appurtenances
 331 and equipment, all sewer mains, laterals, and other devices for
 332 the reception and collection of sewage from premises connected
 333 therewith, and all real and personal property and any interest
 334 therein rights, easements, and franchises of any nature
 335 whatsoever relating to any such system and necessary or
 336 convenient for operation thereof.

337 (9) "Water and flood control facilities" means any canals,
 338 ditches, or other drainage facilities, reservoirs, dams, levees,
 339 sluiceways, dredging holding basins, floodways, pumping
 340 stations, or any other works, structures, or facilities for the
 341 conservation, control, development, utilization, and disposal of
 342 water, and any purposes appurtenant, necessary, or incidental
 343 thereto, and includes all real and personal property and any
 344 interest therein, rights, easements, and franchises of any
 345 nature relating to any such water and flood control facilities

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346 or necessary or convenient for the acquisition, construction,
 347 reconstruction, operation, or maintenance thereof.

348 (10) "Water system" means any plant, system, facility, or
 349 property and additions, extensions, and improvements thereto at
 350 any future time constructed or acquired as part thereof, useful
 351 or necessary or having the present capacity for future use in
 352 connection with the development of sources, treatment, or
 353 purification and distribution of water and, without limiting the
 354 generality of the foregoing, includes dams, reservoirs, storage
 355 tanks, mains, lines, valves, pumping stations, laterals, and
 356 pipes for the purpose of carrying water to the premises
 357 connected with such system, and all rights, easements, and
 358 franchises of any nature whatsoever relating to any such system
 359 and necessary or convenient for the operation thereof.

360 Section 5. Board; election; organization; terms of office;
 361 quorum; report and minutes.--

362 (1) The board of the district shall be the governing body
 363 of the district and shall exercise the powers granted to the
 364 district under this act and under chapter 298, Florida Statutes.
 365 The board shall consist of three members and, except as
 366 otherwise provided herein, each member shall hold office for a
 367 term of 4 years and until his or her successor shall be chosen
 368 and shall qualify. A majority of the members of the board shall
 369 be residents of Broward County, and all members shall be
 370 residents of Florida. All members of the board shall be
 371 landowners within the district.

372 (2) In the month of June of each fourth year commencing
 373 June of 1972, there shall be held a meeting of the landowners of
 374 the district at the office of the district in Broward County,

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375 for the purpose of electing three supervisors for said district.
376 One supervisor shall be elected solely by those landowners
377 owning property within the city limits of the City of Parkland,
378 and this supervisor must be a landowner who owns property within
379 the city limits of the City of Parkland. One supervisor shall be
380 elected solely by those landowners owning property within the
381 city limits of the City of Coral Springs, and this supervisor
382 must be a landowner who owns property within the city limits of
383 the City of Coral Springs. One supervisor shall be elected at
384 large by all landowners of the district, regardless of where his
385 or her property is located. Candidates for each supervisor
386 position will be nominated during the meeting of landowners, and
387 the nominee who receives the highest number of votes for a
388 supervisor position shall be declared elected. Notice of said
389 landowners' meeting shall be published once a week for 2
390 consecutive weeks in a newspaper in Broward County which is in
391 general circulation within the district, the last of said
392 publication to be not less than 14 days nor more than 28 days
393 before the date of the election. The landowners when assembled
394 at such meeting shall organize by electing a chair that shall
395 conduct the meeting. At such meeting each landowner shall be
396 entitled to cast one vote per acre of land owned by him or her
397 and located within the district. A landowner may vote in person
398 or by proxy in writing. Fractions of an acre shall be treated as
399 1 acre, entitling the landowner to one vote with respect
400 thereto.

401 (3) Each supervisor, before entering upon his or her
402 official duties, shall take and subscribe to an oath of office
403 as prescribed in section 298.13, Florida Statutes.

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404 (4) All supervisors shall hold office for the terms for
 405 which they are elected or appointed and until their successors
 406 shall be chosen and qualify. In case of a vacancy in the office
 407 of any supervisor, the remaining supervisor or supervisors (even
 408 though less than a quorum) may fill such vacancy by appointment
 409 of a new supervisor or supervisors for the unexpired term of the
 410 supervisor who vacated his or her office.

411 (5) As soon as practicable after each election, the board
 412 shall organize by choosing one of their number president of the
 413 board and by electing a secretary, who need not be a member of
 414 the board.

415 (6) A majority of the members of the board shall
 416 constitute a quorum.

417 (7) The board shall keep a permanent record book entitled
 418 "Record of Proceedings of North Springs Improvement District,"
 419 in which shall be recorded minutes of all meetings, resolutions,
 420 proceedings, certificates, bonds given by all employees, and any
 421 and all corporate acts, which book shall at reasonable times be
 422 opened to the inspection of any landowner, taxpayer, resident,
 423 or bondholder of the district, and such other persons as the
 424 board may determine to have a proper interest in the proceedings
 425 of the board. Such record book shall be kept at any office or
 426 other regular place of business maintained by the board in
 427 Broward County.

428 (8) Whenever any election shall be authorized or required
 429 by this act to be held by the landowners at any particular or
 430 stated time or day, and if for any reasons such election is not
 431 held at such time or on such day, then in such event the power
 432 or duty to hold such election shall not cease or lapse, but such

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433 election shall be held thereafter when practicable, and in
 434 accordance with the procedures provided by this act.

435 Section 6. Appointment and duties of district
 436 manager.--For the purpose of preserving and maintaining any
 437 facility constructed or erected under the provisions of this act
 438 or under the provisions of chapter 298, Florida Statutes, and
 439 for maintaining and operating the equipment owned by the
 440 district and such other duties as may be prescribed by the
 441 board, the board may employ and fix the compensation of a
 442 district manager who shall have charge and supervision of the
 443 works of the district.

444 Section 7. Treasurer; depositories; fiscal agent.--

445 (1) The board shall designate a person who is a resident
 446 of Florida, or a bank or trust company organized under the laws
 447 of Florida or under the National Banking Act, as treasurer of
 448 the district, who shall have charge of the funds of the
 449 district. Such funds shall be disbursed only upon the order of
 450 or pursuant to the resolution of the board by warrant or check
 451 signed by the treasurer, or by such other person as may be
 452 authorized by the board. The board may give the treasurer such
 453 other or additional powers and duties as the board may deem
 454 appropriate, and fix his or her compensation. The board may
 455 require the treasurer to give a bond in such amount, on such
 456 terms, and with such sureties as may be deemed satisfactory to
 457 the board to secure the performance by the treasurer of his or
 458 her powers and duties. The board shall audit or have audited the
 459 books of the treasurer at least once a year.

460 (2) The board is authorized to select as depositories in
 461 which the bonds of the board and of the district shall be

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462 deposited any banking corporation organized under the laws of
 463 Florida or under the national banking act, doing business in
 464 Florida, upon such terms and conditions as to the payment of
 465 interest by such depository upon the funds so deposited as the
 466 board may deem just and reasonable.

467 (3) The board may employ a fiscal agent to perform such
 468 duties and services at such rate of compensation as the board
 469 may determine.

470 Section 8. Compensation of board.--Each supervisor is
 471 entitled to receive for his or her services an amount not to
 472 exceed \$200 per month. In addition, each supervisor shall
 473 receive reasonable traveling expenses for attending the place of
 474 meeting from his or her residence. Unless the board by
 475 resolution otherwise provides, such traveling expenses may not
 476 be in excess of the amounts provided by law for state and county
 477 officials.

478 Section 9. Powers.--The district shall have, and the board
 479 may exercise, any or all of the following powers:

480 (1) To contract and be contracted with; to sue and be sued
 481 in the name of the district; to adopt and use a seal; to acquire
 482 by purchase, gift, devise, eminent domain (except as limited
 483 herein), or otherwise, property, real or personal, or any estate
 484 therein, within the district, to be used for any of the purposes
 485 of this act.

486 (2) To adopt a water control plan; and to establish,
 487 construct, operate, and maintain a system of main and lateral
 488 canals, drains, ditches, levees, dikes, dams, sluices, locks,
 489 revetments, reservoirs, holding basins, floodways, pumping
 490 stations, syphons, culverts, and storm sewers to drain and

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491 reclaim the lands within the district and to connect some or any
 492 of them with roads and bridges as in the judgment of the board
 493 is deemed advisable to provide access to such facilities.

494 (3) To acquire and maintain appropriate sites for storage
 495 and maintenance of the equipment of the district; and to acquire
 496 and maintain and construct a suitable building to house the
 497 office and records of the district.

498 (4) To clean out, straighten, widen, open up, or change
 499 the course and flow, alter, or deepen any canal, ditch, drain,
 500 river, water course, or natural stream as within the judgment of
 501 the board is deemed advisable to drain and reclaim the lands
 502 within the district; to acquire, purchase, operate, and maintain
 503 pumps, plants, and pumping systems for drainage purposes; and to
 504 construct, operate, and maintain irrigation works and machinery
 505 in connection with the purposes herein set forth.

506 (5) To regulate and set forth by appropriate resolution
 507 the drainage requirements and conditions to be met for plats to
 508 be entitled to record on any land within the district, including
 509 authority to require as a condition precedent for any platting
 510 that good and sufficient bond be posted to assure proper
 511 drainage for the area to be platted.

512 (6) To borrow money and issue bonds, certificates,
 513 warrants, notes, or other evidences of indebtedness of the
 514 district as hereinafter provided.

515 (7) To build and construct any other works any and all of
 516 said works and improvements across, through, or over any public
 517 right-of-way, highway, grade, fill, or cut in or out of the
 518 district.

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519 (9) To hold, control, and acquire by donation, purchase,
 520 or condemnation, any easement, reservation, or dedication in the
 521 district, for any of the purposes herein provided. To condemn as
 522 provided by chapters 73 and 74, Florida Statutes, or acquire, by
 523 purchase or grant for use in the district any land or property
 524 within the district necessary for the purposes of this act.
 525 These powers may be exercised without the district to the extent
 526 necessary for the district to obtain not more than two outfall
 527 canals not to exceed 200 feet in width, extending from the
 528 northern boundary of the district to the Hillsboro Canal. The
 529 exact routes shall be determined by resolutions of the board of
 530 supervisors.

531 (10) To assess and impose upon all of the lands in the
 532 district an ad valorem tax, an annual drainage tax, and a
 533 maintenance tax as hereinafter provided.

534 (11) To impose and foreclose special assessments liens as
 535 hereinafter provided.

536 (12) To prohibit, regulate, and restrict by appropriate
 537 resolution all structures, materials, and things, whether solid,
 538 liquid, or gas, whether permanent or temporary in nature, which
 539 come upon, come into, connect to, or be a part of any facility
 540 owned or operated by the district.

541 (13) To administer and provide for the enforcement of all
 542 of the provisions herein, including the making, adopting,
 543 promulgating, amending, and repealing of all rules and
 544 regulations necessary or convenient for the carrying out of the
 545 duties, obligations, and powers conferred on the district
 546 created hereby.

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547 (14) To cooperate with or contract with other water
 548 control districts or other governmental agencies as may be
 549 necessary, convenient, incidental, or proper in connection with
 550 any of the powers, duties, or purposes of the district as stated
 551 in this act.

552 (15) To employ engineers, attorneys, agents, employees,
 553 and representatives as the board of supervisors may from time to
 554 time determine necessary and to fix their compensation and
 555 duties.

556 (16) To exercise all of the powers necessary, convenient,
 557 incidental, or proper in connection with any of the powers,
 558 duties, or purposes of said district as stated in this act.

559 (17) To construct, improve, and maintain roadways and
 560 roads necessary and convenient to provide access to and
 561 efficient development of areas made suitable and available for
 562 cultivation, settlement, urban subdivision, homesites, and other
 563 beneficial developments as a result of the drainage operations
 564 of the district.

565 (18) To make use of any public easements, dedications to
 566 public use, platted reservations for public purposes, or any
 567 reservations for drainage purposes within the boundaries of the
 568 district.

569 (19) To lease as lessor or lessee to or from any person,
 570 firm, corporation, association, or body, public or private, any
 571 projects of the type that the district is authorized to
 572 undertake and facilities or property of any nature for the use
 573 of the district to carry out any of the purposes of this act.

574 (20) To regulate the supply and level of water within the
 575 district; to divert waters from one area, lake, pond, river,

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576 stream, basin, or drainage or water flood control facility to
 577 any other area, lake, pond, river, stream, basin, or drainage
 578 and water flood control facility; to regulate, control, and
 579 restrict the development and use of natural or artificial
 580 streams or bodies of water, lakes, or ponds; and to take all
 581 measures determined by the board to be necessary or desirable to
 582 prevent or alleviate land erosion. The powers granted to the
 583 district by this subsection shall be concurrent within the
 584 boundaries of the district with other public bodies, agencies,
 585 or authorities as may be authorized by law. The district is
 586 eligible to receive moneys, disbursements, and assistance from
 587 the state available to flood control or water management
 588 districts and the navigation districts or agencies.

589 (21) To own, acquire, construct, reconstruct, equip,
 590 operate, maintain, extend, and improve water systems and sewer
 591 systems or combined water and sewer systems; to regulate the use
 592 of sewers and the supply of water within the district and to
 593 prohibit or regulate the use and maintenance of outhouses,
 594 privies, septic tanks, or other sanitary structures or
 595 appliances within the district; to prescribe methods of
 596 pretreatment of wastes not amenable to treatment with domestic
 597 sewage before accepting such wastes for treatment and to refuse
 598 to accept such wastes when not sufficiently pretreated as may be
 599 prescribed, and to prescribe penalties for the refusal of any
 600 person or corporation to so pretreat such wastes; to sell or
 601 otherwise dispose of the effluent, sludge, or other byproducts
 602 as a result of sewage treatment; and to construct and operate
 603 connecting, intercepting, or outlet sewers and sewer mains and
 604 pipes and water mains, conduits, or pipelines in, along, or

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605 under any street, alleys, highways, or other public places or
 606 ways within or without the district, when deemed necessary or
 607 desirable by the board. The plans for any water or sewer system
 608 shall be subject to the approval of the state board of health.

609 (22) To own, acquire, construct, operate, and maintain
 610 parks, playgrounds, picnic grounds, camping facilities, and
 611 water recreation facilities within or without the district.

612 (23) To issue general obligation bonds, revenue bonds,
 613 assessment bonds, or any other bonds or obligations authorized
 614 by the provisions of this act or any other law, or any
 615 combination of the foregoing, to pay all or part of the cost of
 616 the acquisition, construction, reconstruction, extension,
 617 repair, improvement, maintenance, or operation of any project or
 618 combination of projects, to provide for any facility, service,
 619 or other activity of the district and to provide for the
 620 retirement or refunding of any bonds or obligations of the
 621 district, or for any combination of the foregoing purposes.

622 (24) To exercise any and all other powers conferred upon
 623 water control districts by chapter 298, Florida Statutes; to
 624 build, install, maintain, and operate streetlights; and to plan,
 625 establish, acquire, construct or reconstruct, enlarge or extend,
 626 equip, operate, and maintain parks and facilities for indoor and
 627 outdoor community recreational and cultural uses, when
 628 authorized by resolution of the general purpose unit of local
 629 government, in its sole discretion, in which the parks and
 630 facilities are or will be located and also authorized by
 631 resolution of each municipality served by the district if the
 632 parks and facilities are or will be located in the
 633 unincorporated area.

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634 (25) When authorized by the local district school board,
635 to construct or renovate school buildings and related
636 structures, which may be leased, sold, or donated to the school
637 district, for use in the public educational system.

638 Section 10. Seal.--The official seal of the district shall
639 bear the legend "North Springs Improvement District, Broward
640 County, Florida, Seal, Established 1971."

641 Section 11. Fiscal year.--The board by resolution shall
642 establish the fiscal year for the district.

643 Section 12. Annual budget.--Prior to May 15 of each year
644 after this act is effective, the secretary of the district shall
645 prepare a proposed budget to be submitted to the board for its
646 approval. The proposed budget shall include an estimate of all
647 necessary expenditures of the district for the next ensuing
648 fiscal year and an estimate of income to the district from the
649 taxes and assessments provided in this act. The board shall
650 consider the proposed budget item by item and may either approve
651 the budget as proposed by the district manager or modify the
652 same in part or in whole. The board shall indicate its approval
653 of the budget by resolution, which resolution shall provide for
654 a hearing on the budget as approved. Notice of the hearing on
655 the budget shall be published in a newspaper in general
656 circulation within the district in Broward County once a week
657 for two consecutive weeks, providing that the second publication
658 shall not be less than 7 days after the first publication. The
659 notice shall be directed to all landowners in the district and
660 shall state the purpose of the meeting. The notice shall further
661 contain a designation of the date, time, and place of the public
662 hearing, which shall be not less than 7 days after the second

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663 publication. At the time and place designated in the notice, the
 664 board shall hear all objections to the budget as proposed and
 665 make such changes as the board deems necessary. At the
 666 conclusion of the budget hearing the board shall, by resolution,
 667 adopt the budget as finally approved by the board.

668 Section 13. Notice and call of meetings of landowners;
 669 quorum; adjournments; representation at meetings; taking action
 670 without meeting.--

671 (1) The board shall publish notice of all meetings of
 672 landowners once a week for 2 consecutive weeks prior to such
 673 meeting in a newspaper in Broward County in general circulation
 674 within the district. Meetings of landowners shall be held in a
 675 public place, or any other place made available for the purpose
 676 of such meeting in the Broward County Courthouse and the place,
 677 date, and hour of holding such meeting and the purpose thereof
 678 shall be stated in the notice. Landowners representing a
 679 majority of the number of acres in the district, present in
 680 person or by proxy, shall constitute a quorum at any meeting of
 681 the landowners; provided that irrespective of the number of
 682 acres represented, there shall be a minimum of five landowners
 683 owning separate parcels of land, at each meeting.

684 (2) The board may call special meetings of the landowners
 685 at any time to receive reports of the board or for such other
 686 purpose as the board may determine. A special meeting of the
 687 landowners may also be called at any time upon notice as
 688 provided hereinabove at the written request of the owners of not
 689 less than 25 percent in acreage of the land within the district
 690 for the purpose of taking any lawful action by the landowners of
 691 the district. Such special meeting shall be called by any court

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692 of competent jurisdiction in the event that the board fails to
 693 do so upon request as provided in the preceding sentence. Except
 694 as otherwise provided in section 5 of this act, with respect to
 695 the election of supervisors, action taken at a meeting of the
 696 landowners shall be by affirmative vote of the owners of at
 697 least a majority in acreage of the land within the district
 698 represented at such meeting.

699 (3) If no quorum is present or represented at a meeting of
 700 the landowners at the time and place the same is called to be
 701 held, the landowners present and represented, although less than
 702 a quorum, may adjourn to another time or day, and at such or any
 703 subsequent adjourned meeting may, if a quorum is then present or
 704 represented, take any action that the landowners could have
 705 taken at the meeting or meetings so adjourned for lack of a
 706 quorum.

707 (4) At any meeting of the landowners, guardians may
 708 represent their wards; executors and administrators may
 709 represent the estate of deceased persons; trustees may represent
 710 lands held by them in trust; and private corporations may be
 711 represented by their duly authorized proxy. All landowners,
 712 including guardians, executors, administrators, trustees, and
 713 corporations, may be represented and vote by proxy.

714 Section 14. Water control plan; proceedings thereof.--The
 715 board may proceed to adopt a water control plan in accordance
 716 with the provisions of chapter 298, Florida Statutes, or in
 717 accordance with the provisions of this section, in which case
 718 the following shall apply:

719 (1) The board shall cause to be made by the chief engineer
 720 or such other engineer or engineers as the board may employ for

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721 that purpose, a complete and comprehensive plan for the drainage
722 and reclamation of the lands located within the district. The
723 engineer or engineers designated by the board to make said plan
724 shall make all necessary surveys of the lands within the
725 boundary lines of said district and of all lands adjacent
726 thereto that will be improved or reclaimed in part or in whole
727 by any system of drainage that may be outlined and adopted, and
728 shall make a report in writing to the board with maps and
729 profiles of said surveys, which report shall contain a full and
730 complete plan for drainage and reclaiming the lands located
731 within the district from overflow or damage by water, with the
732 length, width, and depth of such canals, ditches, dikes, or
733 levees or other works as may be necessary in conjunction with
734 any canals, drains, ditches, dikes, levees, or other works
735 heretofore constructed by any other drainage or reclamation
736 district, or any other person or persons, or which may hereafter
737 be built by any or either of such agencies that may be necessary
738 or which can be advantageously used in such plan and also an
739 estimate of the cost of carrying out and completing the water
740 control plan, including the cost of superintending the same and
741 all incidental expenses in connection therewith.

742 (2) Upon the completion of such plan, the board shall hold
743 a hearing thereon to hear objections thereto and shall give
744 notice of the time and place fixed for such hearing by
745 publication once each week for 2 consecutive weeks in a
746 newspaper published in Broward County of general circulation in
747 the district, and shall permit the inspection of said plan at
748 the office of the district by all persons interested. All

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749 objections to said plan shall be filed at or before the time
 750 fixed in said notice for the hearing and shall be in writing.

751 (3) After said hearing the board shall consider the
 752 proposed plan and any objections thereto, and may modify,
 753 reject, or adopt the plan, or may continue the hearing to a day
 754 certain for further consideration of the proposed plan or
 755 modifications thereof.

756 (4) When the board shall approve a plan a resolution shall
 757 be adopted and a certified copy thereof shall be filed in the
 758 office of the secretary and incorporated into the records of the
 759 district.

760 (5) The water control plan may be altered in detail from
 761 time to time until the appraisal record herein provided is
 762 filed, but not in such manner as materially to effect the
 763 conditions of its adoption. After the appraisal record has been
 764 filed no alterations of the plan or reclamation shall be made,
 765 except as provided by this act.

766 (6) Within 20 days after the final adoption of the water
 767 control plan by the board, the secretary of the district shall
 768 prepare and transmit a certified copy thereof to the clerk of
 769 the circuit court and at the same time the board shall file with
 770 said clerk a petition that the said court appoint three
 771 commissioners to appraise the lands to be acquired for rights-
 772 of-way, holding basins, and other drainage works of the district
 773 and to assess benefits and damages accruing to all lands within
 774 the district by reason of the execution of the water control
 775 plan. Immediately after the filing of such petition the judge of
 776 said court in whose division the petition shall have been
 777 assigned shall by an order appoint three commissioners, who

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778 shall be freeholders residing within Florida, and who shall not
 779 be landowners in said district, nor of kin within the fourth
 780 degree of consanguinity to any person owning land in said
 781 district. A majority of said commissioners shall constitute a
 782 quorum and shall control the action of the commissioners on all
 783 questions.

784 (7) Immediately upon the filing of said order of
 785 appointment, the secretary of the district shall notify each of
 786 said commissioners of his or her appointment, and in said notice
 787 he or she shall state the time and place for the first meeting
 788 of said commissioners. The secretary of the district, or his or
 789 her deputy, shall attend such meeting and shall furnish to said
 790 commissioners a complete list of lands embraced in the district,
 791 or adjacent thereto, that will be affected by the execution of
 792 the water control plan. The secretary shall also furnish to the
 793 commissioners a copy of the water control plan and such other
 794 papers, documents, and information as the commissioners require.
 795 The commissioners at the meeting shall each take and subscribe
 796 to an oath that he or she will faithfully and impartially
 797 discharge his or her duties as such commissioner and make a true
 798 report of the work performed by such commissioners, and shall
 799 elect one of their number chair. The secretary of the district,
 800 or his or her deputy, shall be ex officio secretary to the
 801 commissioners, and the attorney for the district, other agents,
 802 and employees thereof shall cooperate with the commissioners and
 803 furnish to them such advice, assistance, and cooperation as they
 804 shall require.

805 (8)(a) Immediately after qualifying as provided in
 806 subsection (8), the commissioners shall commence the performance

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807 of their duties and the chief engineer, or one of his or her
 808 assistants, shall accompany said commissioners when engaged in
 809 the discharge of their duties and shall render his or her
 810 opinion in writing when called for. Said commissioners shall
 811 proceed to view the premises and determine the value of the
 812 lands within or without the district to be acquired and used for
 813 rights-of-way, holding basins, and other works described in the
 814 water control plan, and they shall appraise all benefits and
 815 damages which will accrue to all lands by reason of the
 816 execution of the water control plan. The commissioners in
 817 appraising benefits to lands, public highways, railroads, and
 818 other rights-of-way shall not consider what benefits will be
 819 derived by such property after other ditches, improvements, or
 820 other plans of reclamation shall have been constructed, but they
 821 shall appraise only such benefits as will be derived from the
 822 construction of the works and improvements described in the
 823 water control plan or as the same may afford an outlet for
 824 drainage or protection from overflow of such property. The
 825 commissioners shall give due consideration and credit to any
 826 other drainage works which have already been constructed and
 827 which afford partial or complete protection to any tract or
 828 parcel of land within the district. The public highways,
 829 railroads, and other rights-of-way shall be appraised according
 830 to the increased physical efficiency and decreased maintenance
 831 cost of roadways by reason of the improvements. The
 832 commissioners shall have no power to change the water control
 833 plan. The commissioners shall prepare a report of their
 834 findings, which shall be arranged in tabular form, the columns
 835 of which shall be headed as follows: Column 1 "Owner of Property

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836 Appraised"; Column 2 "Description of Property Appraised"; Column
 837 3 "Number of Acres Appraised"; Column 4 "Amount of Benefits
 838 Appraised"; Column 5 "Amount of Damages Appraised"; Column 6
 839 "Number of Acres to be Taken for Rights-of-way, Holding Basins,
 840 etc."; and Column 7 "Value of Property to be Taken." They shall
 841 also, by and with the advice of the chief engineer, estimate the
 842 cost of the works described in the water control plan, which
 843 estimate shall include the cost of property required for rights-
 844 of-way, holding basins, and other works, the probable expense of
 845 organization and administration as estimated by the board of
 846 supervisors, and all of the expenses of the district during the
 847 period of executing the water control plan. Before appraisals of
 848 compensation and damages are made, the board may report to the
 849 commissioners the parcels of land it may wish to purchase and
 850 for which it may wish appraisals to be made, both for easement
 851 and for purchase in fee simple, and the board may specify the
 852 particular purpose for which, and the extent to which, an
 853 easement in any property is desired, describing definitely such
 854 purpose and extent. Wherever so instructed to do by the board,
 855 the commissioners shall appraise lands that may be necessary or
 856 desirable for the district to own and, when so requested by the
 857 board, the commissioners shall also appraise both the total
 858 value of the land and also the damages due to any easement
 859 required for the purposes of the district.

860 (b) The report of the commissioners shall be signed by at
 861 least a majority of the commissioners and filed in the office of
 862 the clerk of the circuit court of Broward County. Each
 863 commissioner shall be paid \$100 per day for his or her services
 864 and necessary expenses in addition thereto.

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865 (9) Upon the filing of the report of the commissioners,
 866 the clerk shall give notice thereof by causing publication to be
 867 made once a week for 2 consecutive weeks in a newspaper
 868 published in Broward County and of general circulation in the
 869 district. It shall not be necessary for the clerk to name the
 870 parties interested, nor to describe separate lots or tracts of
 871 land in giving said notice, but it shall be sufficient to
 872 publish the said notice in the following form:

873
 874 "NOTICE OF FILING COMMISSIONERS' REPORT FOR NORTH SPRINGS
 875 IMPROVEMENT DISTRICT.

876
 877 Notice is hereby given that the Commissioners heretofore
 878 appointed to appraise benefits and damages to property and lands
 879 located within North Springs Improvement District in the State
 880 of Florida and to appraise the cash value of the land necessary
 881 to be taken for rights-of-way, holding basins, and other works
 882 of said district did file their report in the office of the
 883 undersigned Clerk of the Circuit Court, upon the day of
 884, 20....., and you, and each of you, are hereby
 885 notified that you may examine said report and file exceptions to
 886 same on or before the day of, 20.....
 887 (which date shall be not less than 28 days nor more than 30 days
 888 after the first date of publication).

889
 890
 891 Clerk of the Circuit Court
 892 of Broward County, Florida"
 893

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894 (10) The state board of drainage commissioners, the
895 drainage district, or any owner of land or other property to be
896 affected by said report, may file exception to any part, or all,
897 of the report of said commissioners within the time specified in
898 the notice prescribed in subsection (9). All exceptions shall be
899 heard and determined by the court. If no exceptions are filed,
900 or if it is shown, upon the hearing of all of said exceptions,
901 that the estimated cost of construction of improvements
902 contemplated in the water control plan is less than the benefits
903 assessed against the lands in said district, the court shall
904 approve and confirm said commissioners' report. However, if the
905 court upon hearing the objections filed, finds that any or all
906 such objections should be sustained, it shall order the report
907 changed to conform with such findings, and when so changed the
908 court shall approve and confirm such report and enter its decree
909 accordingly. The court shall adjudge and apportion the costs
910 incurred by the exceptions filed, and shall condemn any land or
911 other property that is shown by the report of the commissioners
912 to be needed for rights-of-way, holding basins or other works,
913 following the procedure provided in chapters 73 and 74, Florida
914 Statutes; provided, however, that any property owner may accept
915 the assessment of damages in his or her favor made by the
916 commissioners, or acquiesce in their failure to assess damages
917 in his or her favor, and shall be construed to have done so,
918 unless he or she gives the supervisors of the district, on or
919 before the time shall have expired for filing exceptions, as
920 provided in this act, notice in writing that he or she demands
921 an assessment of his or her damages by a jury. If the property
922 owner demands an assessment or her damages by a jury, the

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923 supervisors of the district shall institute in the Circuit Court
 924 of Broward County an action to condemn the lands and other
 925 property that must be taken or damaged in the making of such
 926 improvements, with the right and privilege of paying into the
 927 court a sum to be fixed by the circuit court or judge, and
 928 proceeding with the work, before the assessment by the jury. Any
 929 person or party interested may prosecute and appeal to the
 930 appropriate district court of appeal in the manner and within
 931 the time provided by the Florida appellate rules.

932 (11) The Clerk of the Circuit Court of Broward County
 933 shall transmit a certified copy of the court decree and copy of
 934 the commissioners' report, as confirmed or amended by the court,
 935 to the secretary of the board, and such clerk shall receive a
 936 fee of \$5 for receiving, filing, and preserving same as a
 937 permanent record.

938 Section 15. Adoption, revision, and revocation of water
 939 control plan.--In addition to and not in limitation of its power
 940 to provide for and adopt a water control plan provided in
 941 section 14 and under chapter 298, Florida Statutes, and
 942 amendments thereto, the board may at any time and from time to
 943 time adopt, revoke, or modify in whole or in part, any water
 944 control plan or any plan providing for the drainage of lands
 945 within the district, and may provide for such new and additional
 946 drainage facilities, canals, ditches, levees, and other works as
 947 the board may determine. In connection with the revision of any
 948 water control plan or the providing of any new or additional
 949 drainage facilities, canals, ditches, levees, or other works, or
 950 in the event the total taxes and assessments theretofore levied
 951 or the funds derived from the sale of bonds are insufficient to

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952 pay the cost of any drainage works, benefits may be reassessed,
 953 additional assessments made, and taxes levied in accordance with
 954 the procedures provided in this act or in chapter 298, Florida
 955 Statutes. The board may at any time approve and make effective
 956 technical changes or modifications in any water control plan or
 957 drainage not affecting assessed benefits, levy of taxes, or the
 958 security of bondholders.

959 Section 16. Assessing land for reclamation; apportionment
 960 of tax; lands belonging to state assessed; drainage tax
 961 record.--After the lists of lands, with the assessed benefits
 962 and the decree and judgment of court, have been filed in the
 963 office of the clerk of the circuit court as provided in section
 964 14, the board shall, without any unnecessary delay, levy a tax
 965 of such portion of said benefits on all lands in the district to
 966 which benefits have been assessed, as may be found necessary by
 967 the board of supervisors to pay the costs of the completion of
 968 the proposed works and improvements, as shown in said water
 969 control plan and in carrying out the objects of said district;
 970 and, in addition thereto, 10 percent of said total amount for
 971 emergencies. The said tax shall be apportioned to, and levied
 972 on, each tract of land in said district in proportion to the
 973 benefits assessed, and not in excess thereof; and in case bonds
 974 are issued, as provided in this chapter, a tax shall be levied
 975 in a sum not less than an amount 90 percent of which shall be
 976 equal to the principal of said bonds. The amount of bonds to be
 977 issued for paying the cost of the works as set forth in the
 978 water control plan shall be ascertained and determined by the
 979 board; provided, however, that the total amount of all bonds to
 980 be issued by the district shall in no case exceed 90 per cent of

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981 the benefits assessed upon the lands of the district. The amount
 982 of the interest (as estimated by said board), which will accrue
 983 on such bonds, shall be included and added to the said tax, but
 984 the interest to accrue on account of the issuing of said bonds
 985 shall not be construed as a part of the costs of construction in
 986 determining whether or not the expenses and costs of making said
 987 improvements are equal to, or in excess of, the benefits
 988 assessed. The secretary of the board of supervisors, as soon as
 989 said total tax is levied, shall, at the expense of the district,
 990 prepare a list of all taxes levied, in the form of a well bound
 991 book, book shall be endorsed and named "DRAINAGE TAX RECORD OF
 992 NORTH SPRINGS IMPROVEMENT DISTRICT, BROWARD COUNTY, FLORIDA"
 993 which endorsement shall be printed or written at the top of each
 994 page in said book, signed and certified by the president and
 995 secretary of the board, attested by the seal of the district,
 996 and the same shall thereafter become a permanent record in the
 997 office of said secretary.

998 Section 17. Prepayment of taxes or assessments.--The board
 999 may provide that any tax or assessment may be paid at any time
 1000 before due, together with interest accrued thereon to the date
 1001 of prepayment, and any prepayment premiums or penalties, if such
 1002 prior payment shall be permitted by the proceedings authorizing
 1003 any bonds or other obligations for the payment of which special
 1004 assessments have been pledged or taxes levied.

1005 Section 18. Tax liens.--All taxes of the district provided
 1006 for in this act or chapter 298, Florida Statutes, together with
 1007 all penalties for default in the payment of the same and all
 1008 costs in collecting the same including a reasonable attorney's
 1009 fees fixed by the court and taxed as cost in the action brought

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1010 to enforce payment, shall from January 1 for each year the
 1011 property is liable to assessment and until paid constitute a
 1012 lien of equal dignity with the liens for state and county taxes
 1013 and other taxes of equal dignity with state and county taxes
 1014 upon all the lands against which such taxes shall be levied. A
 1015 sale of any of the real property within the district for state
 1016 and county or other taxes shall not operate to relieve or
 1017 release the property so sold from the lien for subsequent
 1018 district taxes or installments of district taxes which lien may
 1019 be enforced against such property as though no such sale thereof
 1020 had been made. The provisions of chapter 192, Florida Statutes,
 1021 and amendments thereto shall be applicable to district taxes
 1022 with the same force and effect as if said provisions were
 1023 expressly set forth in this act.

1024 Section 19. Issuance of bond anticipation notes.--In
 1025 addition to the other powers provided for in this act and not in
 1026 limitation thereof, the district shall have the power, at any
 1027 time and from time to time after the issuance of any bonds of
 1028 the district shall have been authorized to borrow money for the
 1029 purposes for which such bonds are to be issued in anticipation
 1030 of the proceeds of the sale of such bonds and to issue bond
 1031 anticipation notes in a principal sum not in excess of the
 1032 authorized maximum amount of such bond issue. Such notes shall
 1033 be in such denomination or denominations, bear interest at such
 1034 rate as the board may determine not to exceed 10 percent per
 1035 year, mature at such time or times not later than 5 years from
 1036 the date of issuance, and be in such form and executed in such
 1037 manner as the board shall prescribe. Such notes may be sold at
 1038 either public or private sale, or if such notes shall be renewal

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1039 notes, may be exchanged for notes then outstanding on such terms
 1040 as the board shall determine. Such notes shall be paid from the
 1041 proceeds of such bonds when issued. The board may, in its
 1042 discretion, in lieu of retiring the notes by means of bonds,
 1043 retire them by means of current revenues or from any taxes or
 1044 assessments levied for the payment of such bonds, but in such
 1045 event a like amount of the bonds authorized shall not be issued.

1046 Section 20. Short-term borrowing.--The district at any
 1047 time may obtain loans, in such amount and on such terms and
 1048 conditions as the board may approve, for the purpose of paying
 1049 any of the expenses of the district or any costs incurred or
 1050 that may be incurred in connection with any of the projects of
 1051 the district, which loans shall have a term not exceeding 2
 1052 years from the date of issuance thereof, and may be renewable
 1053 for a like term or terms shall bear such interest as the board
 1054 may determine, not to exceed 10 percent per year, and may be
 1055 payable from and secured by a pledge of such funds, revenues,
 1056 taxes, and assessments as the board may determine. For the
 1057 purpose of defraying such costs and expenses, the district may
 1058 issue negotiable notes, warrants, or other evidences of debt
 1059 signed on behalf of the district by any one of the board duly
 1060 authorized by the board, such notes or other evidences of
 1061 indebtedness to be payable at such times, to bear such interest
 1062 as the board may determine not to exceed 10 percent per year,
 1063 and to be sold or discounted at such price or prices and on such
 1064 terms as the board may deem advisable. The board shall have the
 1065 right to provide for the payment thereof by pledging the whole
 1066 or any part of the funds, revenues, taxes, and assessments of
 1067 the district. The approval of the qualified electors who are

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1068 freeholders residing in the district shall not be necessary
 1069 except where required by the State Constitution.

1070 Section 21. Trust agreements.--In the discretion of the
 1071 board, any issue of bonds may be secured by a trust agreement by
 1072 and between the district and a corporate trustee or trustees,
 1073 which may be any trust company or bank having the powers of a
 1074 trust company within or without the state. The resolution
 1075 authorizing the issuance of the bonds or such trust agreement
 1076 may pledge the revenues to be received from any projects of the
 1077 district and may contain such provisions for protecting and
 1078 enforcing the rights and remedies of the bondholders as the
 1079 board may approve, including, without limitation, covenants
 1080 setting forth the duties of the district in relation to the
 1081 acquisition, construction, reconstructions, improvements,
 1082 maintenance, repair, operation, and insurance of any projects;
 1083 the fixing and revising of the rates, fees, and charges; the
 1084 custody, safeguarding, and application of all moneys; and for
 1085 the employment of counseling engineers in connection with such
 1086 acquisition, construction, reconstruction, improvement,
 1087 maintenance, repair, or operation. It shall be lawful for any
 1088 bank or trust company incorporated under the laws of the state
 1089 which may act as a depository of the proceeds of bonds or of
 1090 revenues to furnish such indemnifying bonds or to pledge such
 1091 securities as may be required by the district. Such resolution
 1092 or trust agreement may set forth the rights and remedies of the
 1093 bondholders and of the trustee, if any, and may restrict the
 1094 individual right of action by bondholders. The board may provide
 1095 for the payment of the proceeds of the sale of the bonds and the
 1096 revenues of any project to such officer, board, or depository as

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1097 it may designate for the custody thereof, and for the method of
 1098 disbursement thereof with such safeguards and restrictions as it
 1099 may determine. All expenses incurred in carrying out the
 1100 provisions of such resolution or trust agreement may be treated
 1101 as part of the cost of operation of the project to which such
 1102 trust agreement pertains.

1103 Section 22. Sale of bonds.--Bonds may be sold in blocks or
 1104 installments at different times, or an entire issue or series
 1105 may be sold at one time. Bonds may be sold at public or private
 1106 sale after such advertisement, if any, as the board may deem
 1107 advisable but not in any event at less than 90 percent of the
 1108 par value thereof, together with accrued interest thereon. Bonds
 1109 may be sold or exchanged for refunding bonds. Special assessment
 1110 and revenue bonds may be delivered as payment by the district of
 1111 the purchase price or lease of any project or part thereof, or a
 1112 combination of projects or parts thereof, or as the purchase
 1113 price or exchanged for any property, real, personal or mixed,
 1114 including franchises, or services rendered by any contractor,
 1115 engineer, or other person, all at one time or in blocks from
 1116 time to time, in such manner and upon such terms as the board in
 1117 its discretion shall determine. The price or prices for any
 1118 bonds sold, exchanged, or delivered may be the money paid for
 1119 the bonds; the principal amount, plus accrued interest to the
 1120 date of redemption or exchange, or outstanding obligations
 1121 exchanged for refunding bonds; or in the case of special
 1122 assessment or revenue bonds, the amount of any indebtedness to
 1123 contractors or other persons paid with such bonds, or the fair
 1124 value of any properties exchanged for the bonds, as determined
 1125 by the board.

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1126 Section 23. Authorization and form of bonds.--Bonds may be
 1127 authorized by resolution or resolutions of the board which shall
 1128 be adopted by a majority of all of the members thereof then in
 1129 office. Such resolution or resolutions may be adopted at the
 1130 same meeting at which they are introduced, and need not be
 1131 published or posted. The board may by resolution authorize the
 1132 issuance of bonds, fix the aggregate amount of bonds to be
 1133 issued, the purpose or purposes for which the moneys derived
 1134 therefrom shall be expended, the rate or rates of interest, not
 1135 to exceed 10 percent per year, the denomination of the bonds,
 1136 whether or not the bonds are to be issued in one or more series,
 1137 the date or dates of maturity, which shall not exceed 40 years
 1138 from their respective dates of issuance, the medium of payment,
 1139 the place or places within or without the state where payment
 1140 shall be made, registration privileges, redemption terms and
 1141 privileges (whether with or without premium), the manner of
 1142 execution, the form of the bonds including any interest coupons
 1143 to be attached thereto, the manner of execution of bonds and
 1144 coupons, any and all other terms, covenants, and conditions
 1145 thereof, and the establishment of revenue or other funds. Such
 1146 authorizing resolution may further provide that such bonds may
 1147 be executed manually or by engraved, lithographed or facsimile
 1148 signature, provided that where signatures are engraved,
 1149 lithographed, or otherwise reproduced in facsimile no bond shall
 1150 be valid unless countersigned by a registrar or other officer
 1151 designated by appropriate resolution of the board. The seal of
 1152 the district may be affixed, lithographed, engraved, or
 1153 otherwise reproduced in facsimile on such bonds. In case any
 1154 officer whose signature shall appear on any bonds or coupons

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1155 shall cease to be such officer before the delivery of such
 1156 bonds, such signature or facsimile shall nevertheless be valid
 1157 and sufficient for all purposes the same as if he or she had
 1158 remained in office until such delivery.

1159 Section 24. Interim certificates; replacement
 1160 certificates.--Pending the preparation of definitive bonds, the
 1161 board may issue interim certificates or receipts or temporary
 1162 bonds, in such form and with such provisions as the board may
 1163 determine, exchangeable for definitive bonds when such bonds
 1164 shall have been executed and are available for delivery. The
 1165 board may also provide for the replacement of any bonds that
 1166 become mutilated, lost, or destroyed.

1167 Section 25. Negotiability of bonds.--Any bond issued under
 1168 this act and any interim certificate, receipt, or temporary bond
 1169 shall, in the absence of an express recital on the face thereof
 1170 that it is nonnegotiable, be fully negotiable and shall be and
 1171 constitute negotiable instruments within the meaning and for all
 1172 purposes of the law merchant and the laws of Florida.

1173 Section 26. Defeasance.--The board may make such provision
 1174 with respect to the defeasance of the right, title, and interest
 1175 of the holders of any of the bonds and obligations of the
 1176 district in any revenues, funds, or other properties by which
 1177 such bonds are secured as the board deems appropriate and,
 1178 without limitation on the foregoing, may provide that when such
 1179 bonds or obligations become due and payable or shall have been
 1180 called for redemption, and the whole amount of the principal and
 1181 interest and premium, if any, due and payable upon the bonds or
 1182 obligations then outstanding shall be paid, or sufficient moneys
 1183 or direct obligations of the United States Government the

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1184 principal of and the interest on which when due will provide,
 1185 sufficient moneys, shall be held or deposited in trust for such
 1186 purpose, and provision shall also be made for paying all other
 1187 sums payable in connection with such bonds or other obligations,
 1188 then and in such event the right, title, and interest of the
 1189 holders of the bonds in any revenues, funds, or other properties
 1190 by which such bonds are secured shall thereupon cease,
 1191 determine, and become void, and the board may apply any surplus
 1192 in any sinking fund established in connection with such bonds or
 1193 obligations and all balances remaining in all other funds or
 1194 accounts other than money held for the redemption or payment of
 1195 the bonds or other obligations to any lawful purpose of the
 1196 district as the board shall determine.

1197 Section 27. Issuance of additional bonds.--If the proceeds
 1198 of any bonds shall be less than the cost of completing the
 1199 project in connection with which such bonds are issued, the
 1200 board may authorize the issuance of additional bonds, upon such
 1201 terms and conditions as the board may provide in the resolution
 1202 authorizing the issuance thereof, but only in compliance with
 1203 the resolution or other proceedings authorizing the issuance of
 1204 the original bonds.

1205 Section 28. Refunding bonds.--The district shall have the
 1206 power to issue bonds to provide for the retirement or refunding
 1207 of any bonds or obligations of the district that at the time of
 1208 such issuance are or subsequently thereto become due and
 1209 payable, or that at the time of issuance have been called or are
 1210 or will be subject to call for redemption within 10 years
 1211 thereafter, or the surrender of which can be procured from the
 1212 holders thereof at prices satisfactory to the board. Refunding

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1213 bonds may be issued at any time when in the judgment of the
 1214 board such issuance will be advantageous to the district. No
 1215 approval of the qualified electors who are freeholders residing
 1216 in the district shall be required for the issuance of refunding
 1217 bonds except in cases where such approval is required by the
 1218 State Constitution. The board may by resolution confer upon the
 1219 holders of such refunding bonds all rights, powers, and remedies
 1220 to which the holders would be entitled if they continued to be
 1221 the owners and had possession of the bonds for the refinancing
 1222 of which said refunding bonds are issued, including, but not
 1223 limited to, the preservation of the lien of such bonds on the
 1224 revenues of any project or on pledged funds, without
 1225 extinguishment, impairment, or diminution thereof. The
 1226 provisions of this act pertaining to bonds of the district
 1227 shall, unless the context otherwise requires, govern the
 1228 issuance of refunding bonds, the form and other details thereof,
 1229 the rights of the holders thereof, and the duties of the board
 1230 with respect to the same.

1231 Section 29. Revenue bonds.--

1232 (1) The district shall have the power to issue revenue
 1233 bonds from time to time without limitation as to amount. Such
 1234 revenue bonds may be secured by or payable from the gross or net
 1235 pledge of the revenues to be derived from any project or
 1236 combination of projects; from the rates, fees, or other charges
 1237 to be collected from the users of any project or projects; from
 1238 any revenue-producing undertaking or activity of the district;
 1239 or from any other source or pledged security. Such bonds shall
 1240 not constitute an indebtedness of the district, and the approval
 1241 neither of the qualified electors nor of the qualified electors

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1242 who are freeholders shall be required unless such bonds are
 1243 additionally secured by the full faith and credit and taxing
 1244 power of the district.

1245 (2) Any two or more projects may be combined and
 1246 consolidated into a single project, and may thereafter be
 1247 operated and maintained as a single project. The revenue bonds
 1248 authorized herein may be issued to finance any one or more such
 1249 projects, regardless of whether or not such projects have been
 1250 combined and consolidated into a single project. If the board
 1251 deems it advisable, the proceedings authorizing such revenue
 1252 bonds may provide that the district may thereafter combine the
 1253 projects then being financed or theretofore financed with other
 1254 projects to be subsequently financed by the district, and that
 1255 revenue bonds to be thereafter issued by the district shall be
 1256 on parity with the revenue bonds then being issued, all on such
 1257 terms, conditions, and limitations as shall be provided, and may
 1258 further provide that the revenues to be derived from the
 1259 subsequent projects shall at the time of the issuance of such
 1260 parity revenue bonds be also pledged to the holders of any
 1261 revenue bonds theretofore issued to finance the revenue
 1262 undertakings which are later combined with such subsequent
 1263 projects. The district may pledge for the security of the
 1264 revenue bonds a fixed amount, without regard to any fixed
 1265 proportion of the gross revenues of any project.

1266 Section 30. General obligation bonds.--

1267 (1) The district shall have the power from time to time to
 1268 issue general obligation bonds in an aggregate principal amount
 1269 of bonds outstanding at any one time not in excess of 35 percent
 1270 of the assessed value of the taxable property within the

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1271 district as shown on the pertinent tax records at the time of
 1272 the authorization of the general obligation bonds for which the
 1273 full faith and credit of the district is pledged. Except for
 1274 refunding bonds, no general obligation bonds shall be issued
 1275 unless the issuance thereof shall have been approved at an
 1276 election of freeholders held in accordance with the requirements
 1277 for such election as prescribed by the State Constitution. Such
 1278 elections shall be called to be held in the district by the
 1279 Board of County Commissioners of Broward County upon the request
 1280 of the board of the district. The expenses of calling and
 1281 holding such referendum elections shall be borne by the district
 1282 and the district shall reimburse the county for any expenses
 1283 incurred in calling or holding such elections. In the
 1284 alternative, at the option of the board, the board may make such
 1285 other provision for the registration of such qualified electors
 1286 who are freeholders and the calling and holding of such
 1287 elections as the board may from time to time deem appropriate.

1288 (2) The district may pledge its full faith and credit for
 1289 the payment of the principal and interest on such general
 1290 obligation bonds, and for any reserve or other funds provided
 1291 therefor, and may unconditionally and irrevocably pledge itself
 1292 to levy ad valorem taxes on all taxable property in the
 1293 district, to the extent necessary for the payment thereof,
 1294 without limitations as to rate or amount.

1295 (3) If the board shall determine to issue general
 1296 obligation bonds for more than one different purpose, the
 1297 approval of the issuance of the bonds for each and all such
 1298 purposes may be submitted to the freeholders on one and the same
 1299 ballot. The failure of the freeholders to approve the issuance

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1300 of bonds for any one or more purposes shall not defeat the
 1301 approval of bonds for any purpose that shall be approved by the
 1302 freeholders.

1303 Section 31. Bonds as legal investment or
 1304 security.--Notwithstanding any provisions of any other law to
 1305 the contrary, all bonds issued under the provisions of this act
 1306 shall constitute legal investments for savings banks, banks,
 1307 trust companies, insurance companies, executors, administrators,
 1308 trustees, guardians, and other fiduciaries, and for any board,
 1309 body, agency, instrumentality, county, municipality, or other
 1310 political subdivision of the state, and shall be and constitute
 1311 securities which may be deposited by banks or trust companies as
 1312 security for deposits of state, county, municipal, or other
 1313 public funds, or by insurance companies as required for
 1314 voluntary statutory deposits.

1315 Section 32. Covenants.--Any resolution authorizing the
 1316 issuance of bonds may contain such covenants as the board may
 1317 deem advisable and all such covenants shall constitute valid and
 1318 legally binding and enforceable contracts between the district
 1319 and the bondholders, regardless of the time of issuance thereof.
 1320 Such covenants may include, without limitation, covenants
 1321 concerning the disposition of the bond proceeds; the use and
 1322 disposition of project revenues; the pledging of revenues,
 1323 taxes, and assessments; the obligations of the district with
 1324 respect to the operation of the project and the maintenance of
 1325 adequate project revenues; the issuance of additional bonds; the
 1326 appointment, powers, and duties of trustees and receivers; the
 1327 acquisition of outstanding bonds and obligations; restrictions
 1328 on the establishing of competing projects or facilities;

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1329 restrictions on the sale or disposal of the assets and property
 1330 of the district; the priority of assessment liens; the priority
 1331 of claims by bondholders on the taxing power of the district;
 1332 the maintenance of deposits to ensure the payment of revenues by
 1333 users of district facilities and services; the discontinuance of
 1334 district services by reason of delinquent payments; acceleration
 1335 upon default; the execution of necessary instruments; the
 1336 procedure for amending or abrogating covenants with the
 1337 bondholders; and such other covenants as may be deemed necessary
 1338 or desirable for the security of the bondholders.

1339 Section 33. Validity of bonds; validation proceedings.--

1340 (1) Any bonds issued by the district shall be
 1341 incontestable in the hands of bona fide purchasers or holders
 1342 for value and shall not be invalid because of any irregularity
 1343 or defects in the proceedings for the issue and sale thereof.
 1344 Prior to the issuance of any bonds, the district may, but is not
 1345 required to, publish a notice at least once in a newspaper or
 1346 newspapers published or of general circulation in Broward County
 1347 and within the district stating the date of adoption of the
 1348 resolution authorizing such obligations, the amount, the maximum
 1349 rate of interest and maturity of such obligations, and the
 1350 purpose in general terms for which such obligations are to be
 1351 issued, and further stating that any action or proceeding
 1352 questioning the validity of such obligations or of the
 1353 proceedings authorizing the issuance thereof, or of any of the
 1354 covenants made therein, must be instituted within 20 days after
 1355 the first publication of such notice, or the validity of such
 1356 obligations, proceedings, and covenants shall not be thereafter
 1357 questioned in any court whatsoever. If no such action or

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1358 proceeding is so instituted within such 20-day period then the
 1359 validity of such obligations, proceedings, and covenants shall
 1360 be conclusive, and all persons or parties whatsoever shall be
 1361 forever barred from questioning the validity of such
 1362 obligations, proceedings, or covenants in any court whatsoever.

1363 (2) The power of the district to issue bonds under the
 1364 provisions of this act may be determined and any of the bonds of
 1365 the district may be validated and confirmed by circuit court
 1366 decree, under the provisions of chapter 75, Florida Statutes,
 1367 and laws amendatory thereof or supplementary thereto.

1368 Section 34. Within act furnishes full authority for
 1369 issuance of bonds.--This act constitutes full and complete
 1370 authority for the issuance of bonds and the exercise of the
 1371 powers of the district provided herein. No procedures or
 1372 proceedings, publications, notices, consents, approvals, orders,
 1373 acts, or things by the board, or any board, officers,
 1374 commission, department, agency, or instrumentality of the
 1375 district, other than those required by this act, shall be
 1376 required to issue any bonds or to do any act or perform anything
 1377 under this act, and the issuance or sale of bonds pursuant to
 1378 the provisions of this act need not comply with the requirements
 1379 of any other law applicable to the issuance or sale of bonds,
 1380 except as otherwise provided in this act, and shall not require
 1381 the consent or approval of the board of drainage commissioners
 1382 of the state or of any other board, officers, commission,
 1383 department, agency, or instrumentality of the state or any
 1384 political subdivision thereof. Except as otherwise provided
 1385 herein, no proceedings or procedures of any character whatever
 1386 shall be necessary or required for the issuance of bonds other

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1387 than the adoption of an appropriate resolution by the board as
 1388 provided in this act with respect to the issuance of the same.
 1389 The powers conferred by this act on the district with respect to
 1390 the issuance and sale of bonds shall be in addition and
 1391 supplemental to the powers conferred by any other law.

1392 Section 35. Pledge by the state to the bondholders of the
 1393 district and to the Federal Government.--The state pledges to
 1394 the holders of any bonds issued under this act that it will not
 1395 limit or alter the rights of the district to own, acquire,
 1396 construct, reconstruct, improve, maintain, operate, or furnish
 1397 the projects or to levy and collect the taxes, assessments,
 1398 rentals, rates, fees, and other charges provided for herein and
 1399 to fulfill the terms of any agreement made with the holders of
 1400 such bonds or other obligations, and that it will not in any way
 1401 impair the rights or remedies of the holders.

1402 Section 36. Ad valorem taxes.--The board shall have the
 1403 power to levy and assess an ad valorem tax on all the taxable
 1404 real and tangible personal property in the district to pay the
 1405 principal of and interest on any general obligation bonds of the
 1406 district, to provide for any sinking or other funds established
 1407 in connection with any such bonds. The ad valorem tax provided
 1408 for herein shall be in addition to county and all other ad
 1409 valorem taxes provided for by law. Such tax shall be assessed,
 1410 levied, and collected in the same manner and same time as county
 1411 taxes.

1412 Section 37. Annual installment taxes.--

1413 (1) The board shall annually determine, order, and levy
 1414 the annual installment of the total taxes which are levied under
 1415 section 298.36, Florida Statutes, which shall be due and be

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1416 collected during each year that county taxes are due and
 1417 collected and said annual installment and levy shall be
 1418 evidenced to and certified by the board not later than August
 1419 31st of each year to the Broward County Property Appraiser. Said
 1420 tax shall be entered by the county property appraiser on the
 1421 county tax rolls and shall be collected by the Broward County
 1422 Tax Collector in the same manner and the same time as county
 1423 taxes and the proceeds thereof paid to the district. The tax
 1424 shall be a lien until paid on the property against which
 1425 assessed and enforceable in like manner as county taxes.

1426 (2) In the alternative, the board may by resolution
 1427 determine the amount of taxes as provided by section 298.37,
 1428 Florida Statutes, and thereafter the annual installments shall
 1429 be levied, collected and enforced as provided in chapter 298,
 1430 Florida Statutes.

1431 Section 38. Maintenance tax.--To maintain and preserve the
 1432 drainage improvements of the district a maintenance tax shall be
 1433 evidenced to and certified by the board of supervisors not later
 1434 than August 31 of each year to the property appraiser and shall
 1435 be entered by the property appraiser on the county tax rolls and
 1436 shall be collected by the tax collector in the same manner and
 1437 time as county taxes and the proceeds therefrom paid to the
 1438 district. The tax shall be a lien until paid on the property
 1439 against which assessed and enforceable in like manner as county
 1440 taxes. If the maintenance is for original construction based
 1441 upon an apportionment of benefits, the maintenance tax shall be
 1442 apportioned on the same basis of the net assessments of benefits
 1443 assessed or accruing for original construction and shall not
 1444 exceed 10 percent thereof in any one year. If the maintenance is

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1445 for other drainage improvements owned, operated, or acquired by
 1446 the district, the amount of said maintenance tax shall be
 1447 determined by the board based upon a report of the chief
 1448 engineer and assessed by the board, upon such lands, which may
 1449 be all of the lands within the district benefited by the
 1450 maintenance thereof, apportioned between the benefited lands in
 1451 proportion to the benefits received by each tract of land.

1452 Section 39. Enforcement of taxes.--

1453 (1) The collection and enforcement of all taxes levied by
 1454 the district shall be at the same time and in like manner as
 1455 county taxes and the provision of the Florida Statutes relating
 1456 to the sale of lands for unpaid and delinquent county taxes, the
 1457 issuance, sale, and delivery of tax certificates for such unpaid
 1458 and delinquent county taxes, the redemption thereof, the
 1459 issuance to individuals of tax deeds based thereon, and all
 1460 other procedures in connection therewith shall be applicable to
 1461 the district to the same extent as if said statutory provisions
 1462 were expressly set forth herein. All taxes shall be subject to
 1463 the same discounts as county taxes.

1464 Section 40. When unpaid tax is delinquent; penalty.--All
 1465 taxes provided for in this act shall become delinquent and bear
 1466 penalties on the amount of said taxes in the same manner as
 1467 county taxes.

1468 Section 41. Tax exemption.--As the exercise of the powers
 1469 conferred by this act constitute the performance of essential
 1470 public functions, and as the projects of the district will
 1471 constitute public property used for public purposes, all assets
 1472 and properties of the district, and all bonds issued hereunder
 1473 and interest paid thereon, and all fees, charges, and other

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1474 revenues derived by the district from the projects provided by
 1475 this act shall be exempt from all taxes by the state or by any
 1476 political subdivision, agency, or instrumentality thereof;
 1477 provided, however, that nothing in this act shall be deemed to
 1478 exempt from taxation any property, project, facility, or
 1479 business activity or enterprise that cannot validly be
 1480 undertaken as a public function by special taxing districts or
 1481 other public bodies under the laws and constitution of Florida;
 1482 and further, that nothing in this act shall be deemed to exempt
 1483 any property, project, facility, or business activity or
 1484 enterprise of the district, or revenues derived therefrom, which
 1485 would be subject to taxation under the general laws of Florida
 1486 if such property, project, or facility were owned or undertaken
 1487 by a municipal corporation.

1488 Section 42. Special assessments.--

1489 (1) The board may provide for the construction or
 1490 reconstruction of assessable improvements as defined in section
 1491 4, and for the levying of special assessments upon benefited
 1492 property for the payment thereof, under the provisions of this
 1493 section.

1494 (2) Such special assessments may be levied and assessed in
 1495 either of the alternate methods provided in subsection (6) or
 1496 subsection (7), and except for such procedure, all the other
 1497 provisions of this section and this act shall apply to levy of
 1498 such special assessments under either subsection (6) or
 1499 subsection (7).

1500 (3) The initial proceeding under subsection (6) or
 1501 subsection (7) of this section shall be the passage by the board
 1502 of a resolution ordering the construction or reconstruction of

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1503 such assessable improvements, indicating the location by
 1504 terminal points and routes and either giving a description of
 1505 the improvements by its material, nature, character, and size or
 1506 giving two or more descriptions with the directions that the
 1507 material, nature, character, and size shall be subsequently
 1508 determined in conformity with one of such descriptions. Drainage
 1509 improvements need not be continuous and may be in more than one
 1510 locality. The resolution ordering any such improvement may give
 1511 any short and convenient designation to each improvement ordered
 1512 thereby, and the property against which assessments are to be
 1513 made for the cost of such improvement may give any short and
 1514 convenient designation to each improvement ordered thereby, and
 1515 the property against which assessments are to be made for the
 1516 cost of such improvement may be designated as an assessment
 1517 district, followed by a letter, number, or name to distinguish
 1518 it from other assessment districts, after which it shall be
 1519 sufficient to refer to such improvement and property by such
 1520 designation in all proceedings and assessments, except in the
 1521 notices required by this section.

1522 (4) As soon as possible after the passage of such
 1523 resolution the engineer for the district shall prepare, in
 1524 duplicate, plans and specifications for each improvement ordered
 1525 thereby and an estimate of the cost thereof. Such cost shall
 1526 include, in addition to the items of cost as defined in this
 1527 act, the following items of incidental expenses:

- 1528 (a) Printing and publishing notices and proceedings;
- 1529 (b) Costs of abstracts of title; and
- 1530 (c) Any other expense necessary or proper in conducting
 1531 the proceedings and work provided for in this section, including

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1532 the estimated amount of discount, if any, financial expenses
 1533 upon the sale of assessment bonds or any other obligations
 1534 issued hereunder for which such special assessment bonds or any
 1535 other obligations issued hereunder for which such special
 1536 assessments are to be pledged, and interest prior to and until
 1537 not more than 2 years after the completion of said assessable
 1538 improvements. If the resolution shall provide alternative
 1539 descriptions of material, nature, character and size, such
 1540 estimate shall include an estimate of the cost of the
 1541 improvement of each such description.

1542 (5) The district engineer shall next prepare in duplicate
 1543 a tentative apportionment of the estimated total cost of the
 1544 improvement as between the district and each lot or parcel of
 1545 land subject to special assessment under the resolution, such
 1546 apportionment to be made in accordance with the provisions of
 1547 the resolution and in relation to apportionment of cost provided
 1548 herein for the preliminary assessment roll. Such tentative
 1549 apportionment of total estimated cost shall not be held to limit
 1550 or restrict the duties of the engineer in the preparation of
 1551 such preliminary assessment roll under subsection (6). One of
 1552 the duplicates of such plans, specifications, and estimates and
 1553 such tentative apportionment shall be filed with the secretary
 1554 of the board and the other duplicate shall be retained by the
 1555 engineer in his or her files, all thereof to remain open to
 1556 public inspection.

1557 (6)(a) If the special assessments are to be levied under
 1558 this subsection, the secretary of the board upon filing with him
 1559 or her of such plans, specifications, estimates, and tentative
 1560 apportionment of cost shall publish once in a newspaper

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1561 published in Broward County and of general circulation in the
 1562 district, a notice stating that at a meeting of the board on a
 1563 certain day and hour, not earlier than 15 days after such
 1564 publication, the board will hear objections of all interested
 1565 persons to the confirmation of such resolution, which notice
 1566 shall state in brief and general terms a description of the
 1567 proposed assessable improvements with the location thereof, and
 1568 shall also state that plans, specifications, estimates, and
 1569 tentative apportionment of cost thereof are on file with the
 1570 secretary of the board. A copy of the notice shall be mailed to
 1571 the landowners of the land to be benefited by construction of
 1572 the assessable improvement. The landowners shall be determined
 1573 by reference to the last available tax roll of Broward County.
 1574 The secretary of the board shall keep a record in which shall be
 1575 inscribed, at the request of any person, firm, or corporation
 1576 having or claiming to have any interest in any lot or parcel of
 1577 land, the name and post office address of such person, firm, or
 1578 corporation, together with a brief description or designation of
 1579 such lot or parcel, and it shall be the duty of the secretary of
 1580 the board to mail a copy of such notice to such person, firm, or
 1581 corporation at such address at least 10 days before the time for
 1582 the hearing as stated in such notice, but the failure of the
 1583 secretary of the board to keep such record or so to inscribe any
 1584 name or address or to mail any such notice shall not constitute
 1585 a valid objection to holding the hearing as provided in this
 1586 section or to any other action taken under the authority of this
 1587 section.

1588 (b) At the time named in such notice, or to which an
 1589 adjournment may be taken by the board, the board shall receive

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1590 any objections of interested persons and may then or thereafter
 1591 repeal or confirm such resolution with such amendments, if any,
 1592 as may be desired by the board and which do not cause any
 1593 additional property to be specially assessed.

1594 (c) All objections to any such resolution on the ground
 1595 that it contains items which cannot be properly assessed against
 1596 property, or that it is, for any default or defect in the
 1597 passage or character of the resolution or the plans or
 1598 specifications or estimate, void or voidable in whole or in
 1599 part, or that it exceeds the power of the board, shall be made
 1600 in writing in person or by attorney, and filed with the
 1601 secretary of the board at or before the time or adjourned time
 1602 of such hearing. Any objections against the making of any
 1603 assessable improvements not so made shall be considered as
 1604 waived, and if any objection shall be made and overruled or
 1605 shall not be sustained, the confirmation of the resolution shall
 1606 be the final adjudication of the issue presented unless proper
 1607 steps shall be taken in a court of competent jurisdiction to
 1608 secure relief within 20 days.

1609 (d) Whenever any resolution providing for the construction
 1610 or reconstruction of assessable improvements and for the levying
 1611 of special assessments upon benefited property for the payment
 1612 thereof shall have been confirmed, and said special assessments
 1613 are levied under this subsection as herein above provided, or at
 1614 any time thereafter, the board may issue assessment bonds
 1615 payable out of such assessments when collected. Such bonds shall
 1616 mature not later than 2 years after the maturity of the last
 1617 annual installment in which said special assessments may be
 1618 paid, as provided in subsection (7), and shall bear such

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1619 interest as the board may determine not to exceed 10 percent per
 1620 year. Such assessment bonds shall be executed, shall have such
 1621 provisions for redemption prior to maturity, and shall be sold
 1622 in the manner and be subject to all of the applicable provisions
 1623 contained in this act applicable to other bonds, except as the
 1624 same are inconsistent with the provisions of this section. The
 1625 amount of such assessment bonds for any assessable improvement,
 1626 prior to the confirmation of the preliminary assessment roll
 1627 provided for in this subsection shall not exceed the estimated
 1628 amount of the cost of such assessable improvements which are to
 1629 be specially assessed against the lands and real estate of the
 1630 engineer referred to in this section.

1631 (e) After the passage of the resolution authorizing the
 1632 construction or reconstruction of assessable improvements has
 1633 been confirmed as provided for above where special assessments
 1634 are levied under this subsection or after the final confirmation
 1635 of the assessment roll where such assessments are levied under
 1636 subsection (7), the board may publish at least once in a
 1637 newspaper published in Broward County and of general circulation
 1638 in the district, a notice calling for sealed bids to be received
 1639 by the board on a date not earlier than 15 days after the first
 1640 publication for the construction of the work, unless in the
 1641 initial resolution the board shall have declared its intention
 1642 to have the work done by district forces without contract. The
 1643 notice shall refer in general terms to the extent and nature of
 1644 the improvements and may identify the same by the short
 1645 designation indicated in the initial resolution and by reference
 1646 to the plans and specifications on file. If the initial
 1647 resolution shall have given two or more alternative descriptions

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1648 of the assessable improvements as to its material, nature,
 1649 character, and size, and if the board shall not have theretofore
 1650 determined upon a definite description, the notice shall call
 1651 for bids upon each of such descriptions. Bids may be requested
 1652 for the work as whole or for any part thereof separately and
 1653 bids may be asked for any one or more of such assessable
 1654 improvements authorized by the same or different resolutions,
 1655 but any bid covering work upon more than one improvement shall
 1656 be in such form as to permit a separation of cost as to each
 1657 improvement. The notice shall require bidders to file with their
 1658 bids either a certified check drawn upon an incorporated bank or
 1659 trust company in such amount or percentage of their respective
 1660 bids, as the board shall deem advisable, or a bid bond in like
 1661 amount with corporate surety satisfactory to the board to insure
 1662 the execution of a contract to carry out the work in accordance
 1663 with such plans and specifications and insure the filing at the
 1664 making of such contract, of a bond in the amount of the contract
 1665 price with corporate surety satisfactory to the board
 1666 conditioned for the performance of the work in accordance with
 1667 such contract. The board shall have the right to reject any or
 1668 all bids, and if all bids are rejected the board may readvertise
 1669 or may determine to do the work by the district forces without
 1670 contract.

1671 (f) Promptly after the completion of the work, in the case
 1672 of special assessments levied under subsection (6), the engineer
 1673 for the district, who is hereby designated as the official of
 1674 the district to make the preliminary assessment of benefits from
 1675 assessable improvements, shall prepare a preliminary assessment

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1676 roll and file the same with the secretary of the board which
 1677 roll shall contain the following:

1678 1. A description of abutting lots and parcels of land or
 1679 lands which will benefit from such assessable improvements and
 1680 the amount of such benefits to each such lot or parcel of land.
 1681 Such lots and parcels shall include the property of Broward
 1682 County and any school district or other political subdivision.
 1683 There shall also be given the name of the owner of record of
 1684 each lot or parcel where practicable, and in all cases there
 1685 shall be given a statement of the method of assessment used by
 1686 the engineer for determining the benefits.

1687 2. The total cost of the improvements and the amount of
 1688 incidental expense.

1689 (g) The preliminary roll shall be advisory only and shall
 1690 be subject to the action of the board as hereafter provided.
 1691 Upon the filing with the secretary of the board of the
 1692 preliminary assessment roll, the secretary of the board shall
 1693 publish at least once in a newspaper published in Broward County
 1694 and of general circulation in the district a notice stating that
 1695 at a meeting of the board to be held on a certain day and hour,
 1696 not less than 15 days from the date of such publication, which
 1697 meeting may be a regular, adjourned, or special meeting, all
 1698 interested persons may appear and file written objections to the
 1699 confirmation of such roll. Such notice shall state the class of
 1700 the assessable improvements and the location thereof by terminal
 1701 points and route.

1702 (h) At the time and place stated in such notice, the board
 1703 shall meet and receive the objections in writing of all
 1704 interested persons as stated in such notice. The board may

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1705 adjourn the hearing from time to time. After the completion
 1706 thereof the board shall annul, sustain, or modify in whole or in
 1707 part the prima facie assessment as indicated on such roll,
 1708 either by confirming the prima facie assessment against any or
 1709 all lots or parcels described therein or by canceling,
 1710 increasing, or reducing the same, according to the special
 1711 benefits which the board decides each such lot or parcel has
 1712 received or will receive on account of such improvement. If any
 1713 property that may be chargeable under this section shall have
 1714 been omitted from the preliminary roll or if the prima facie
 1715 assessment shall not have been made against it, the board may
 1716 place on such roll an apportionment to such property. The board
 1717 shall not confirm any assessment in excess of the special
 1718 benefits to the property assessed and the assessments so
 1719 confirmed shall be in proportion to the special benefits.
 1720 Forthwith after such confirmation such assessment roll shall be
 1721 delivered to the secretary of the board. The assessment so made
 1722 shall be final and conclusive as to each lot or parcel assessed
 1723 unless proper steps are taken within 30 days in a court of
 1724 competent jurisdiction to secure relief. If the assessment
 1725 against any property shall be sustained or reduced or abated by
 1726 the court, the secretary of the board shall note that fact on
 1727 the assessment roll opposite the description of the property
 1728 affected thereby. The amount of the special assessment against
 1729 any lot or parcel which may be abated by the court, unless the
 1730 assessment upon all benefited property be abated, or the amount
 1731 by which such assessment is so reduced, may by resolution of the
 1732 board be made chargeable against the district at large; or, at
 1733 the discretion of the board, a new assessment roll may be

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1734 prepared and confirmed in the manner herein above provided for
 1735 the preparation and confirmation of the original assessment
 1736 roll.

1737 (i) Pending the final confirmation of such special
 1738 assessments in the manner provided in this subsection, the
 1739 district shall have a lien on all such lands and real estate
 1740 after the confirmation of the initial resolution, in the manner
 1741 provided in this subsection.

1742 (7)(a) The district engineer, under the procedure provided
 1743 for in this subsection shall next, after the passage of the
 1744 initial resolution and filing of the plans and estimates of cost
 1745 by the district engineer, prepare an assessment roll for the
 1746 district in duplicate, which assessment roll shall contain an
 1747 apportionment of the estimated total cost of the improvement as
 1748 between the district and each lot or parcel of land subject to
 1749 the special assessment under the initial resolution, such
 1750 apportionment to be made in accordance with the provisions of
 1751 the initial resolution. One of the duplicates of said assessment
 1752 roll shall be filed with the secretary of the board and the
 1753 other duplicate shall be retained by the district engineer in
 1754 his or her files, all thereof to remain open to public
 1755 inspection.

1756 (b) Upon the completion and filing of said assessment roll
 1757 the secretary to the board shall cause a copy thereof to be
 1758 published once in a newspaper published in Broward County and of
 1759 general circulation in the district, together with a notice
 1760 directed to all property owners interested in said special
 1761 assessments, stating that at a meeting of the board on a certain
 1762 day and hour, not earlier than 15 days after such publication,

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1763 the board sitting as an equalizing board, will hear objections
 1764 of all interested persons to the final confirmation of such
 1765 assessment roll, and will finally confirm such assessment roll
 1766 or take such action relative thereto as it deems necessary and
 1767 advisable. A copy of the notice shall be mailed to the
 1768 landowners of the land to be benefited by construction of the
 1769 assessable improvement. The landowners shall be determined by
 1770 reference to the last available tax roll of Broward County. The
 1771 secretary of the board shall keep a record in which shall be
 1772 inscribed, at the request of any person, firm, or corporation
 1773 having or claiming to have any interest in any lot or parcel of
 1774 land, the name and post office address of such person, firm, or
 1775 corporation, together with a brief description or designation of
 1776 such lot or parcel, and it shall be the duty of the secretary of
 1777 the board to mail a copy of such notice to such person, firm, or
 1778 corporation at such address at least 10 days before the time for
 1779 the hearing as stated in such notice, but the failure of the
 1780 secretary of the board to keep such record or so to inscribe any
 1781 name or address or to mail any such notice shall not constitute
 1782 a valid objection to holding the hearing as provided in this
 1783 section or to any other action taken under the authority of this
 1784 section.

1785 (c) At the time and place named in the notice provided for
 1786 in the paragraph (b), the board shall meet as an equalizing
 1787 board to hear and consider any and all complaints as to said
 1788 special assessments, and shall adjust and equalize the said
 1789 special assessments on a basis of justice and right, and when so
 1790 equalized and approved such special assessments shall stand
 1791 confirmed and remain legal, valid, and binding liens upon the

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1792 properties upon which such special assessments are made, until
 1793 paid in accordance with the provisions of this act; provided,
 1794 however, that upon the completion of such improvements, if the
 1795 actual cost of such assessable improvements is less than the
 1796 amount of such special assessments levied, the district shall
 1797 rebate to the owners of any properties which shall have been
 1798 specially assessed for such assessable improvements the
 1799 difference in the special assessments as originally made,
 1800 levied, and confirmed, and the proportionate part of the actual
 1801 cost of said assessable improvements as finally determined upon
 1802 the completion of said assessable improvements; and in the event
 1803 that the actual cost of said assessable improvements shall be
 1804 more than the amount of such special assessments confirmed and
 1805 levied, finally determined upon the completion of said
 1806 assessable improvements, the proportionate part of such excess
 1807 cost of such assessable improvements may be levied against all
 1808 of the lands and properties against which such special
 1809 assessments were originally levied, or, in the alternative, the
 1810 board may, in its discretion, pay such excess cost from any
 1811 legally available funds.

1812 (d) All objections to any such assessment roll on the
 1813 ground that it contains items which cannot be properly assessed
 1814 against property, or that it is, for any default or defect in
 1815 the passage or character of the assessment roll or the plans or
 1816 specifications or estimate, void or voidable in whole or in
 1817 part, or that it exceeds the power of the board, shall be made
 1818 in writing in person or by attorney, and filed with the
 1819 secretary of the board at or before the time or adjourned time
 1820 of such hearing on the assessment roll. Any objections against

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1821 the making of any assessable improvements not so made shall be
 1822 considered as waived, and if any objections shall be made and
 1823 overruled or shall not be sustained, the confirmation of the
 1824 assessment roll shall be the final adjudication of the issue
 1825 presented unless proper steps shall be taken in a court of
 1826 competent jurisdiction to secure relief within 20 days.

1827 (e) All the provisions of subsection (6) not inconsistent
 1828 with this subsection shall apply to the levy of special
 1829 assessments under this subsection.

1830 (8)(a) Any assessment may be paid at the office of the
 1831 secretary of the board within 60 days after the confirmation
 1832 thereof, without interest. Thereafter all assessments shall be
 1833 payable in equal installments, with interest as determined by
 1834 the board, not to exceed 10 percent per year, from the
 1835 expiration of said 60 days in each of the succeeding number of
 1836 years which the board shall determine by resolution, not
 1837 exceeding 20; provided, however, that the board may provide that
 1838 any assessment may be paid at any time before due, together with
 1839 interest accrued thereon to the date of payment, if such prior
 1840 payment shall be permitted by the proceedings authorizing any
 1841 assessment bonds or other obligations for the payment of which
 1842 such special assessments have been pledged.

1843 (b) All such special assessments levied pursuant to this
 1844 act may, in the discretion of the board, be collected by the tax
 1845 collector of the county at the same time as the general county
 1846 taxes are collected by the tax collector of the county, and the
 1847 board shall in such event certify to the county tax collector in
 1848 each year a list of all such special assessments and a
 1849 description of and names of the owners of the properties against

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1850 which such special assessments have been levied and the amounts
 1851 due thereof in such year, and interest thereon for any
 1852 deficiencies for prior years. The amount to be collected in such
 1853 year may include, in the discretion of the board, the principal
 1854 installment of such special assessments which will become due at
 1855 any time in the next succeeding fiscal year, and all or any part
 1856 of the interest which will become due on such special
 1857 assessments during such next fiscal year, together with any
 1858 deficiencies for prior years.

1859 (c) The board may, in lieu of providing for the collection
 1860 of said special assessments by the tax collector of the county,
 1861 provide for the collection of said special assessments by the
 1862 district under such terms and conditions as the board shall
 1863 determine. In such event, the bills or statements for the
 1864 amounts due in any fiscal year shall be mailed to the owners of
 1865 all properties affected by such special assessments at such time
 1866 or times as the board shall determine and such bills or
 1867 statements may include all or any part of the principal and
 1868 interest which will mature and become due on the annual
 1869 installments of such special assessments during the fiscal year
 1870 in which installments of such special assessments are payable.

1871 (d) All charges of the county tax collector or of the
 1872 district, and the fees, costs, and expenses of any paying
 1873 agents, trustees, or other fiduciaries for assessment bonds
 1874 issued under this act, shall be deemed to be costs of the
 1875 operation and maintenance of any drainage improvements in
 1876 connection with which such special assessments were levied and
 1877 the board shall be authorized and directed to provide for the
 1878 payment each year of such costs of collection, fees, and other

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1879 expenses from the maintenance tax as provided in this act as
 1880 shall be mutually agreed upon between the board and the county
 1881 tax collector as additional compensation for his or her services
 1882 for each such assessment district in which the special
 1883 assessments are collected by him or her.

1884 (e) All assessments shall constitute a lien upon the
 1885 property so assessed from the date of final confirmation
 1886 thereof, of the same nature and to the same extent as the lien
 1887 for general county taxes falling due in the same year or years
 1888 in which such assessments or installments thereof fall due, and
 1889 any assessment or installment not paid when due shall be
 1890 collectable with such interest and with a reasonable attorney's
 1891 fee and costs, but without penalties, by the district by
 1892 proceedings in a court of equity to foreclose the line of
 1893 assessments as a lien for mortgages is or may be foreclosed
 1894 under the laws of the state; provided that any such proceedings
 1895 to foreclose shall embrace all installments of principal
 1896 remaining unpaid with accrued interest thereon, which
 1897 installments shall, by virtue of the institution of such
 1898 proceedings, immediately become due and payable. Nevertheless,
 1899 if, prior to any sale of the property under decree of
 1900 foreclosure in such proceedings, payment is made of the
 1901 installment or installments which are shown to be due under the
 1902 provisions of subsection (6) or subsection (7), and by this
 1903 subsection and all costs, including interest and reasonable
 1904 attorney's fees, such payment shall have the effect of restoring
 1905 the remaining installments to their original maturities as
 1906 provided by the resolution passed pursuant to subsection (8) and
 1907 the proceedings shall be dismissed. It shall be the duty of the

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1908 board to enforce the prompt collection of assessment by the
 1909 means herein provided, and such duty may be enforced at the suit
 1910 of any holder of bonds issued under this act in a court of
 1911 competent jurisdiction by mandamus or other appropriate
 1912 proceedings or action. Not later than 30 days after the annual
 1913 installments are due and payable, it shall be the duty of the
 1914 board to direct the attorney for the district to institute
 1915 actions within 2 months after such direction to enforce the
 1916 collection of all special assessments for assessable
 1917 improvements made under this section and remaining due and
 1918 unpaid at the time of such direction. Such action shall be
 1919 prosecuted in the manner and under the conditions in and under
 1920 which mortgages are foreclosed under the laws of the state. It
 1921 shall be lawful to join in one action the collection of
 1922 assessments against any or all property assessed by virtue of
 1923 the same assessment roll unless the court shall deem such
 1924 joinder prejudicial to the interest of any defendant. The court
 1925 shall allow a reasonable attorney's fee for the attorney for the
 1926 district and the same shall be collectable as a part of or in
 1927 addition to the costs of the action. At the sale pursuant to
 1928 decree in any such action, the district may be a purchaser to
 1929 the same extent as an individual person or corporation, except
 1930 that the part of the purchase price represented by the
 1931 assessments sued upon and the interest thereon need not be paid
 1932 in cash. Property so acquired by the district may be sold or
 1933 otherwise disposed of.

1934 (f) All assessments and charges made under the provisions
 1935 of this section for the payment of all or any part of the cost
 1936 of any assessable improvements for which assessment bonds shall

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1937 have been issued under the provisions of this act, or which have
 1938 been pledged as additional security for any other bonds or
 1939 obligations issued under this act, shall be maintained in a
 1940 special fund or funds and be used only for the payment of
 1941 principal or interest on such assessment bonds or other bonds or
 1942 obligations.

1943 (g) Broward County and each school district and other
 1944 political subdivision wholly or partly within the district shall
 1945 possess the same power and be subject to the same duties and
 1946 liabilities in respect of assessments under this section
 1947 affecting the real estate of such county, school district, or
 1948 other political subdivision which private owners of real estate
 1949 possess or are subject to hereunder, and such real estate of any
 1950 such county, school district, and political subdivision shall be
 1951 subject to liens for said assessments in all cases where the
 1952 same property would be subject to such liens had it at the time
 1953 the lien attached been owned by a private owner.

1954 Section 43. Issuance of certificates of indebtedness based
 1955 on assessments for assessable improvements; assessment bonds.--

1956 (1) The board may, after any assessments for assessable
 1957 improvements are made, determined, and confirmed as provided in
 1958 section 42, issue certificates of indebtedness for the amount so
 1959 assessed against the abutting property or property otherwise
 1960 benefited, as the case may be, and separate certificates shall
 1961 be issued against each part or parcel of land or property
 1962 assessed, which certificates shall state the general nature of
 1963 the improvement for which the said assessment is made. Said
 1964 certificates shall be payable in annual installments in
 1965 accordance with the installments of the special assessment for

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1966 which they are issued. The board may determine the interest to
 1967 be borne by such certificates, not to exceed 10 percent per
 1968 year, and may sell such certificates at either private or public
 1969 sale and determine the form, manner of execution, and other
 1970 details of such certificates. Such certificates shall recite
 1971 that they are payable only from the special assessments levied
 1972 and collected from the part or parcel of land or property
 1973 against which they are issued. The proceeds of such certificates
 1974 may be pledged for the payment of principal of and interest on
 1975 any revenue bonds or general obligation bonds issued to finance
 1976 in whole or in part such assessable improvement, or, if not so
 1977 pledged, may be used to pay the cost or part of the cost of such
 1978 assessable improvements.

1979 (2) The district may also issue assessment bonds or other
 1980 obligations payable from a special fund into which such
 1981 certificates of indebtedness referred to in the subsection (1)
 1982 may be deposited; or, if such certificates of indebtedness have
 1983 not been issued, the district may assign to such special fund
 1984 for the benefit of the holders of such assessment bonds or other
 1985 obligations, or to a trustee for such bondholders, the
 1986 assessment liens provided for in this act unless such
 1987 certificates of indebtedness or assessment liens have been
 1988 theretofore pledged for any bonds or other obligations
 1989 authorized hereunder. In the event of the creation of such
 1990 special fund and the issuance of such assessment bonds or other
 1991 obligations, the proceeds of such certificates of indebtedness
 1992 of assessment liens deposited therein shall be used only for the
 1993 payment of the assessment bonds or other obligations issued as
 1994 provided in this section. The district is hereby authorized to

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1995 covenant with the holders of such assessment bonds or other
 1996 obligations that it will diligently and faithfully enforce and
 1997 collect all the special assessments and interest and penalties
 1998 thereon for which such certificates of indebtedness or
 1999 assessment liens have been deposited in or assigned to such fund
 2000 and to foreclose such assessment liens so assigned to such
 2001 special fund or represented by the certificates of indebtedness
 2002 deposited in said special fund, after such assessment liens have
 2003 become delinquent, and deposit the proceeds derived from such
 2004 foreclosure, including interest and penalties, in such special
 2005 fund, and to make any other covenants deemed necessary or
 2006 advisable in order to properly secure the holders of such
 2007 assessment bonds or other obligations.

2008 (3) The assessment bonds or other obligations issued
 2009 pursuant to this section shall have such dates of issue and
 2010 maturity as shall be deemed advisable by the board, provided,
 2011 however, that the maturities of such assessment bonds or other
 2012 obligations shall not be more than 2 years after the due date of
 2013 the last installment which will be payable on any of the special
 2014 assessments for which such assessment liens, or the certificates
 2015 of indebtedness representing such assessment liens, are assigned
 2016 to or deposited in such special fund.

2017 (4) Such assessment bonds or other obligations issued
 2018 under this section shall bear such interest as the board may
 2019 determine not to exceed 10 percent per year, shall be executed,
 2020 shall have such provisions for redemption prior to maturity, and
 2021 shall be sold in the manner and be subject to all of the
 2022 applicable provisions contained in this act for revenue bonds,

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2023 except as the same may be inconsistent with the provisions of
 2024 this section.

2025 (5) All assessment bonds or other obligations issued under
 2026 the provisions of this act, except certificates of indebtedness
 2027 issued against separate lots or parcels of land or property as
 2028 provided in this section, shall be and constitute and have all
 2029 the qualities and incidents of negotiable instruments under the
 2030 law merchant and the laws of the state.

2031 Section 44. Foreclosure of liens.--Any lien in favor of
 2032 the district arising under chapter 298, Florida Statutes, or
 2033 under this act may be foreclosed by the district by foreclosure
 2034 proceedings in the name of the district in the circuit court in
 2035 like manner as is provided in chapter 173, Florida Statutes, and
 2036 amendments thereto, and the provisions of said chapter shall be
 2037 applicable to such proceedings with the same force and effect as
 2038 if said provisions were expressly set forth in this act. Any act
 2039 required or authorized to be done by or on behalf of a city or
 2040 town in foreclosure proceedings under chapter 173, Florida
 2041 Statutes, may be performed by such officer or agent of the
 2042 district as the board of supervisors may designate. Such
 2043 foreclosure proceedings may be brought at any time after the
 2044 expiration of 1 year after the date any tax, or installment
 2045 thereof, becomes delinquent.

2046 Section 45. Payment of taxes and redemption of tax liens
 2047 by the district; sharing in proceeds of tax sale under section
 2048 194.21, Florida Statutes, as amended.--

2049 (1) The district has the right to:

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2050 (a) Pay any delinquent state, county, district, municipal,
 2051 or other tax or assessment upon lands located wholly or
 2052 partially within the boundaries of the district.

2053 (b) Redeem or purchase any tax sales certificate issued or
 2054 sold on account of any state, county, district, municipal, or
 2055 other taxes or assessments upon lands located wholly or
 2056 partially within the boundaries of the district.

2057 (2) Delinquent taxes paid, or tax sales certificates
 2058 redeemed or purchased, by the district, together with all
 2059 penalties for the default in payment of the same and all costs
 2060 in collecting the same and a reasonable attorney's fee, shall
 2061 constitute a lien in favor of the district of equal dignity with
 2062 the liens of state and county taxes and other taxes of equal
 2063 dignity with state and county taxes, upon all the real property
 2064 against which said taxes were levied. The lien of the district
 2065 may be foreclosed in the manner provided in this act.

2066 (3) In any sale of land pursuant to section 194.21,
 2067 Florida Statutes, and amendments thereto, the district may
 2068 certify to the clerk of the circuit court of the county holding
 2069 such sale, the amount of taxes due to the district upon the
 2070 lands sought to be sold, and the district shall share in the
 2071 disbursement of the sales proceeds in accordance with the
 2072 provisions of this act and under law.

2073 Section 46. Mandatory use of certain district facilities
 2074 and services.--The district may require all lands, buildings,
 2075 and premises, and all persons, firms, and corporations within
 2076 the district to use the drainage, reclamation, and water and
 2077 sewer facilities of the district. Subject to such exceptions as
 2078 may be provided by the resolutions, rules, or bylaws of the

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2079 board, and subject to the terms and provisions of any resolution
 2080 authorizing any bonds and agreements with bondholders, no
 2081 drainage and reclamation or water and sewer facilities shall be
 2082 constructed or operated within the district unless the board
 2083 gives its consent thereto and approves the plans and
 2084 specifications therefor.

2085 Section 47. Bids required.--No contract shall be let by
 2086 the board for the construction or maintenance of any project
 2087 authorized by this act, nor shall any goods, supplies, or
 2088 materials be purchased when the amount thereof to be paid by
 2089 said district shall exceed \$4,000, unless notice of bids shall
 2090 be advertised once a week for 2 consecutive weeks in a newspaper
 2091 published in Broward County and in general circulation in the
 2092 district, and in each case the bid of the lowest responsible
 2093 bidder shall be accepted, unless all bids are rejected because
 2094 the bids are too high. The board may require the bidders to
 2095 furnish bond with responsible surety to be approved by the
 2096 board. Nothing in this section shall prevent the board from
 2097 undertaking and performing the construction, operation, and
 2098 maintenance of any project or facility authorized by this act,
 2099 by the employment of labor, material, and machinery.

2100 Section 48. Maintenance of projects across rights-of-
 2101 way.--The district shall have the power to construct and operate
 2102 its projects in, along, or under any dedications to the public,
 2103 platted rights-of-way, platted reservations, streets, alleys,
 2104 highways, or other public places or ways, and across any drain,
 2105 ditch, canal, floodway, holding basin, excavation, grade, fill,
 2106 or cut, within or without the district.

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2107 Section 49. Agreements with state commissions and
 2108 others.--The board shall have the power to retain and enter into
 2109 agreements with fiscal agents, financial advisors, state
 2110 commissions, engineers, and other consultants or advisors with
 2111 respect to the issuance and sale of any bonds, and the cost and
 2112 expense thereof may be treated as part of the cost and expense
 2113 of such project. Upon request of the board any state commission
 2114 may provide such technical assistance or other services relating
 2115 to bond issues as may be necessary or desirable under the
 2116 circumstances.

2117 Section 50. Agreements with other political bodies for the
 2118 joint discharge of common functions.--The board and any other
 2119 political bodies, whether now in existence or hereafter created,
 2120 are authorized to enter into and carry into effect contracts and
 2121 agreements relating to the common powers, duties, and functions
 2122 of the board and any other political bodies, to the end that
 2123 there may be effective cooperation and coordination in
 2124 discharging their common functions, powers, and duties.

2125 Section 51. Fees, rentals, and charges; procedure for
 2126 adoption and modifications; minimum revenue requirements.--

2127 (1) The district is authorized to prescribe, fix,
 2128 establish, and collect rates, fees, rentals, or other charges
 2129 (hereinafter sometimes referred to as "revenues"), and to revise
 2130 the same from time to time, for the facilities and services
 2131 furnished by the district, within or without the limits of the
 2132 district; including, but not limited to, drainage facilities,
 2133 recreation facilities, and water and sewer systems, to recover
 2134 the costs of making connection with any district facility or
 2135 system; and to provide for reasonable penalties against any user

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2136 or property for any such rates, fees, rentals, or other charges
2137 that are delinquent.

2138 (2) No such rates, fees, rentals, or other charges for any
2139 of the facilities or services of the district shall be fixed
2140 until after a public hearing at which all the users of the
2141 proposed facility or services or owners, tenants, or occupants
2142 served or to be served thereby and all other interested persons
2143 shall have an opportunity to be heard concerning the proposed
2144 rates, fees, rentals, or other charges. Notice of such public
2145 hearing setting forth the proposed schedule or schedules of
2146 rates, fees, rentals, and other charges shall have been
2147 published in a newspaper in Broward County and of general
2148 circulation in the district at least once at least 10 days prior
2149 to such public hearing, which may be adjourned from time to
2150 time. After such hearing such schedule or schedules, either as
2151 initially proposed, or as modified or amended, may be finally
2152 adopted. A copy of the schedule or schedules of such rates,
2153 fees, rentals, or charges as finally adopted shall be kept on
2154 file in an office designated by the board and shall be open at
2155 all reasonable times to public inspection. The rates, fees,
2156 rentals, or charges so fixed for any class of users or property
2157 served shall be extended to cover any additional users or
2158 properties thereafter served which shall fall in the same class,
2159 without the necessity of any notice or hearing. Any change or
2160 revision of rates, fees, rentals, or charges may be made in the
2161 same manner as the same were originally established, as
2162 hereinabove provided, except that if such changes or revisions
2163 are made substantially pro rata as to all classes of the type of
2164 service involved no notice or hearing shall be required.

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2165 (3) Such rates, fees, rentals, and charges shall be just
 2166 and equitable and uniform for users of the same class, and where
 2167 appropriate may be based or computed either upon the amount of
 2168 service furnished or upon the number or average number of
 2169 persons residing or working or otherwise occupying the premises
 2170 served, or upon any other factor affecting the use of the
 2171 facilities furnished, or upon any combination of the foregoing
 2172 factors, as may be determined by the board on an equitable
 2173 basis.

2174 (4) The rates, fees, rentals, or other charges prescribed
 2175 shall be such as will produce revenues, together with any other
 2176 assessments, taxes, revenues, or fund available or pledged for
 2177 such purpose, at least sufficient to provide for the items
 2178 hereinafter listed, but not necessarily in the order stated:

2179 (a) To provide for all expenses of operation and
 2180 maintenance of such facility or service.

2181 (b) To pay when due all bonds and interest thereon for the
 2182 payment of which such revenues are, or shall have been, pledged
 2183 or encumbered, including reserves for such purpose.

2184 (c) To provide for any other funds which may be required
 2185 under the resolution or resolutions authorizing the issuance of
 2186 bonds pursuant to this act.

2187 (5) The board shall have the power to enter into contracts
 2188 for the use of the projects of the district and with respect to
 2189 the services and facilities furnished or to be furnished by the
 2190 district, including, but not limited to, service agreements with
 2191 landowners and others within or without the district providing
 2192 for the drainage of land by the district or the furnishing of
 2193 any of the other services and facilities of the district, for

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2194 such consideration and on such other terms and conditions as the
 2195 board may approve. No hearing or notice thereof shall be
 2196 required prior to the authorization or execution by the board of
 2197 any such contract or agreement, and the same shall not be
 2198 subject to revision except in accordance with their terms. Such
 2199 contracts or agreements, and revenues or service charges
 2200 received or to be received by the district thereunder, may be
 2201 pledged as security for any of the lands of the district.

2202 Section 52. Recovery of delinquent charges.--In the event
 2203 that any of the rates, fees, rentals, charges, or delinquent
 2204 penalties shall not be paid as and when due and shall be in
 2205 default for 30 days or more, the unpaid balance thereof and all
 2206 interest accrued thereon, together with reasonable attorney's
 2207 fees and costs, may be recovered by the district in a civil
 2208 action.

2209 Section 53. Discontinuance of service.--In the event that
 2210 the fees, rentals, or other charges for the services and
 2211 facilities of any project are not paid when due, the board shall
 2212 have the power to discontinue and shut off the same until such
 2213 fees, rentals or other charges, including interest, penalties,
 2214 and charges for the shutting off and discontinuance and the
 2215 restoration of such services and facilities, are fully paid, and
 2216 for such purposes may enter on any lands, waters, and premises
 2217 of any person, firm, corporation, or body, public or private,
 2218 within or without the district limits. Such delinquent fees,
 2219 rentals, or other charges, together with interest, penalties,
 2220 and charges for the shutting off and discontinuance and the
 2221 restoration of such services and facilities, and the reasonable
 2222 attorney's fees and other expenses, may be recovered by the

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2223 district, which may also enforce payment of such delinquent
 2224 fees, rentals, or other charges by any other lawful method of
 2225 enforcement.

2226 Section 54. Action taken on consent of landowners.--Any
 2227 action required under this act or under chapter 298, Florida
 2228 Statutes, to be taken on public hearing for the purpose of
 2229 receiving and passing on objections by landowners may be taken
 2230 without such notice or hearing upon the written consent of all
 2231 of the landowners affected by such action.

2232 Section 55. Enforcement and penalties.--The board or any
 2233 aggrieved person may have recourse to such remedies in law and
 2234 equity as may be necessary to ensure compliance with the
 2235 provisions of this act, including injunctive relief to enjoin or
 2236 restrain any person violating the provisions of this act; and
 2237 any bylaws, resolutions, regulations, rules, codes, and orders
 2238 adopted under this act. In case any building or structure is
 2239 erected, constructed, reconstructed, altered, repaired,
 2240 converted, or maintained, or any building, structure, land, or
 2241 water is used, in violation of this act, or of any code, order,
 2242 resolution or other regulation made under authority conferred by
 2243 this act or under law, the board and any citizen residing in the
 2244 district may institute any appropriate action or proceeding to
 2245 prevent such unlawful erection, construction, reconstruction,
 2246 alteration, repair, conversion, maintenance, or use; to
 2247 restrain, correct, or avoid such violation; to prevent the
 2248 occupancy of such building, structure, land, or water; and to
 2249 prevent any illegal act, conduct, business, or use in or about
 2250 such premises, land, or water.

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2251 Section 56. Suits against the district.--No suit or action
 2252 shall be brought or maintained against the district for damages
 2253 arising out of tort or breach of contract, including, without
 2254 limitation, any claim arising upon account of an act causing a
 2255 wrongful death, unless written notice of such claim is received
 2256 within 180 days after receiving the alleged injury given to the
 2257 secretary of the board, with detailed specifications as to the
 2258 time, place, and manner of injury. No such suit or action shall
 2259 be brought or maintained unless brought within 24 months after
 2260 the time of the injury or damages.

2261 Section 57. Exemption of district property from
 2262 execution.--All district property shall be exempt from levy and
 2263 sale by virtue of an execution and no execution or other
 2264 judicial process shall issue against such property, nor shall
 2265 any judgment against the district be a charge or lien on its
 2266 property or revenues, provided that nothing herein contained
 2267 shall apply to or limit the rights of bondholders to pursue any
 2268 remedy for the enforcement of any lien or pledge given by the
 2269 district in connection with any of the bonds or obligations of
 2270 the district.

2271 Section 4. Chapters 71-580, 84-398, 85-387, 87-505, 89-
 2272 440, 91-353, 92-245, 94-445, and 96-537, Laws of Florida,
 2273 relating to the North Springs Improvement District are repealed.

2274 Section 5. Severability.--If any one or more of the
 2275 sections or provisions of this act or the application of such
 2276 sections or provisions to any situation, circumstances, or
 2277 person, shall for any reason be held to be unconstitutional,
 2278 such unconstitutionality shall not affect any other sections or
 2279 provisions as to any other situation, circumstances or person,

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2280 and it is intended that this law shall be construed and applied
2281 as if such section or provision had not been included herein for
2282 any unconstitutional application.

2283 Section 6. This act shall take effect upon becoming a law.