

A bill to be entitled

An act relating to the Coral Springs Improvement District, Broward County; providing for codification of special laws regarding special districts pursuant to s. 189.429, Florida Statutes, relating to the Coral Springs Improvement District; codifying, amending, and reenacting chapters 70-617 and 89-419, Laws of Florida; providing legislative intent; deleting gender-specific references; providing a district charter; repealing chapters 70-617 and 89-419, Laws of Florida, relating to the Coral Springs Improvement District; providing severability; 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 Coral 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 70-617 and 89-419, Laws of Florida, relating to the Coral Springs Improvement District are codified, reenacted, amended, and repealed as herein provided.

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29 Section 3. The charter for the Coral Springs Improvement
 30 District is re-created and re-enacted to read:

31 Section 1. Creation of the district ratified and approved;
 32 change of name of district to Coral Springs Improvement
 33 District.--The decree of the circuit court in and for the
 34 seventeenth judicial circuit of the State of Florida, entered in
 35 chancery No. 66-1301, on the 8th day of September, 1966,
 36 creating and incorporating the Coral Springs Drainage District
 37 as a public corporation of this state, and all subsequent
 38 proceedings taken in the circuit court concerning that district,
 39 are hereby ratified, confirmed, and approved, except that the
 40 boundaries of said district shall be as hereinafter described.
 41 The Coral Springs Drainage District shall henceforth be known by
 42 the name of Coral Springs Improvement District, and shall
 43 continue to be a public corporation of this state and have
 44 perpetual existence. All lawful debts, bonds, obligations,
 45 contracts, franchises, promissory notes, audits, minutes,
 46 resolutions, and other undertakings of the Coral Springs
 47 Drainage District are hereby validated and shall continue to be
 48 valid and binding on the Coral Springs Improvement District in
 49 accordance with their respective terms, conditions, covenants,
 50 and tenor. Any proceeding heretofore begun by the Coral Springs
 51 Drainage District under chapter 298, Florida Statutes, or any
 52 other law, for the construction of any improvements, works, or
 53 facilities, for the assessment of benefits and damages, or for
 54 the borrowing of money shall not be impaired or avoided by this
 55 act, but may be continued and completed in the name of the Coral
 56 Springs Improvement District.

57 Section 2. Exclusion of lands and new boundaries.--The
 58 following described lands formerly within the boundaries of the
 59 district are excluded:

60
 61 The North one-half of Section 26, Township 48 South,
 62 Range 41 East, Broward County, Florida.

63
 64 The boundaries of the district are:

65
 66 Beginning at the Northwest corner of Section 30,
 67 Township 48 South, Range 41, East; thence Southerly
 68 along the West line of said Section 30 and along the
 69 West line of Section 31 of said Township 48 South,
 70 Range 41 East to an intersection with the North
 71 right-of-way line of the Pompano Canal (C-14); thence
 72 Easterly along the said North right-of-way line,
 73 through said Section 31 and Sections 32, 33 and 34 of
 74 said Township 48 South, Range 41 East to an
 75 intersection with the East line of said Section 34;
 76 thence Northerly along the said East line of Section
 77 34 and along the East line of Section 27, Township 48
 78 South, Range 41 East, to the Northeast corner of said
 79 Section 27; thence Westerly along the North line of
 80 said Section 27 and along the North lines of Sections
 81 28, 29 and 30 of said Township 48 South, Range 41 East
 82 to the said Northwest corner of Section 30 and the
 83 Point of Beginning; said lands situate, lying and
 84 being in Broward County, Florida, which said boundary

85 embraces and includes these certain tracts or parcels
 86 of land described as follows, to wit:

87
 88 All of Sections 27 and 29; and Tracts 1 through 19
 89 inclusive, Tracts 22 through 27 inclusive, Tracts 30
 90 through 32 inclusive, and those portions of Tracts 20,
 91 21, 28 and 29 lying North of the North right-of-way
 92 line of the Pompano Canal (C-14) of the subdivision of
 93 Section 31; and Tracts 1 through 18 inclusive, Tracts
 94 22 through 26 inclusive, Tracts 31 and 32, and those
 95 portions of Tracts 19, 20, 21, 27 and 30 lying North
 96 of the North right-of-way line of the Pompano Canal
 97 (C-14) of the subdivision of Section 33, all according
 98 to the Florida Fruit Lands Company's Subdivision Map
 99 No. 2, recorded in Plat Book 1, Page 102, of the
 100 public records of Palm Beach County, Florida, together
 101 with all the platted road rights-of-way contained
 102 therein; and all of Sections 28 and 30; and those
 103 portions of Sections 32 and 34 lying North of the
 104 North right-of-way line of the Pompano Canal (C-14).

105
 106 All of said property situate, lying and being in
 107 Township 48 South, Range 41 East, Broward County,
 108 Florida.

109
 110 Section 3. Applicability of certain provisions of chapter
 111 298, Florida Statutes, to the Coral Springs Improvement
 112 District; inconsistent laws inapplicable.--The provisions of
 113 chapter 298, Florida Statutes, and all amendments thereto, now

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114 existing or hereafter enacted, are declared to be applicable to
 115 the Coral Springs Improvement District insofar as not
 116 inconsistent with the provisions of this act or any subsequent
 117 special acts relating to the Coral Springs Improvement District.
 118 Notwithstanding the foregoing, the provisions of sections
 119 298.07, 298.11, 298.12, 298.14, 298.15, 298.17, 298.18, 298.19,
 120 298.20, 298.23, 298.24, 298.25, 298.35, 298.37, 298.38, 298.39,
 121 298.40, 298.401, 298.41, 298.42, 298.44, 298.45, 298.46, 298.48,
 122 298.52, 298.54, 298.56, 298.57, 298.61, 298.69, 298.70, 298.71,
 123 298.72, 298.73, and 298.74, Florida Statutes, and amendments
 124 thereto, shall not be applicable to the Coral Springs
 125 Improvement District.

126 Section 4. Definitions.--Unless the context shall indicate
 127 otherwise, the following words as used in this act shall have
 128 the following meanings:

129 (1) "Assessable improvements" includes, without
 130 limitation, any and all drainage and land reclamation works and
 131 facilities, sewer systems, storm sewers and drains, water
 132 systems, streets, roads, or other projects of the district, or
 133 that portion or portions thereof, local in nature and of special
 134 benefit to the premises or lands served thereby, and any and all
 135 modifications, improvements, and enlargements thereof.

136 (2) "Board" means the Board of Supervisors of the Coral
 137 Springs Improvement District, or if such board shall be
 138 abolished, the board, body, or commission succeeding to the
 139 principal functions thereof or to whom the powers given by this
 140 act to the board shall be given by law.

141 (3) "Bond" includes "certificate," and provisions
 142 applicable to bonds shall be equally applicable to certificates.

143 "Bond" includes general obligation bonds, assessment bonds,
 144 refunding bonds, revenue bonds, and such other obligations in
 145 the nature of bonds as are provided for in this act, as the case
 146 may be.

147 (4) "Cost," when used with reference to any project,
 148 includes, but is not limited to, the expenses of determining the
 149 feasibility or practicability of acquisition, construction, or
 150 reconstruction; the cost of surveys, estimates, plans, and
 151 specifications; the cost of acquisition, construction, or
 152 reconstruction; the cost of improvements; engineering, fiscal,
 153 and legal expenses and charges; the cost of all labor,
 154 materials, machinery, and equipment; the cost of all lands,
 155 properties, rights, easements, and franchises acquired; federal,
 156 state, and local taxes and assessments; financing charges; the
 157 creation of initial reserve and debt service funds; working
 158 capital; interest charges incurred or estimated to be incurred
 159 on money borrowed prior to and during construction and
 160 acquisition and for such period of time after completion of
 161 construction or acquisition as the board may determine; the cost
 162 of issuance of bonds pursuant to this act including
 163 advertisements and printing, the cost of any election held
 164 pursuant to this act, and all other expenses of the issuance of
 165 bonds; discount, if any, on the sale or exchange of bonds;
 166 administrative expenses; such other expenses as may be necessary
 167 or incidental to the acquisition, construction, or
 168 reconstruction of any project or to the financing thereof, or
 169 the development of any lands within the district; and
 170 reimbursement of any public or private body, person, firm, or
 171 corporation for any moneys advanced in connection with any of

172 the foregoing items of cost. Any obligation or expense incurred
 173 prior to the issuance of bonds in connection with the
 174 acquisition, construction, or reconstruction of any project or
 175 improvements thereon, or in connection with any other
 176 development of land that the board of the district shall
 177 determine to be necessary or desirable in carrying out the
 178 purposes of this act, may be treated as a part of such cost.

179 (5) "District" means the Coral Springs Improvement
 180 District and "district manager" means the manager of the
 181 district.

182 (6) "Landowner" means the owner of the freehold estate, as
 183 appears by the deed record, including trustees, private
 184 corporations, and owners of cooperative and condominium units.
 185 "Landowner" does not include reversioners, remaindermen, or
 186 mortgagees who shall not be counted and need not be notified of
 187 proceedings under this act.

188 (7) "Project" means any development, improvement,
 189 property, utility, facility, works, road, enterprise, service,
 190 or convenience now existing or hereafter undertaken or
 191 established under the provisions of this act or under chapter
 192 298, Florida Statutes.

193 (8) "Sewer system" means any plant, system, facility, or
 194 property and additions, extensions, and improvements thereto at
 195 any future time constructed or acquired as part thereof useful
 196 or necessary or having the present capacity for future use in
 197 connection with the collection, treatment, purification, or
 198 disposal of sewage, including, without limitation, industrial
 199 wastes resulting from any processes of industry, manufacture,
 200 trade, or business or from the development of any natural

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201 resources. Without limiting the generality of the foregoing,
 202 "sewer system" shall include treatment plants, pumping stations,
 203 lift stations, valves, force mains, intercepting sewers,
 204 laterals, pressure lines, mains, and all necessary appurtenances
 205 and equipment, all sewer mains, laterals, and other devices for
 206 the reception and collection of sewage from premises connected
 207 therewith, and all real and personal property and any interest
 208 therein, rights, easements, and franchises of any nature
 209 whatsoever relating to any such system and necessary or
 210 convenient for operation thereof.

211 (9) "Water and flood control facilities" means any canals,
 212 ditches, or other drainage facilities, reservoirs, dams, levees,
 213 sluiceways, dredging holding basins, floodways, pumping
 214 stations, or any other works, structures, or facilities for the
 215 conservation, control, development, utilization, and disposal of
 216 water, and any purposes appurtenant, necessary, or incidental
 217 thereto, and includes all real and personal property and any
 218 interest therein, rights, easements, and franchises of any
 219 nature relating to any such water and flood control facilities
 220 or necessary or convenient for the acquisition, construction,
 221 reconstruction, operation, or maintenance thereof.

222 (10) "Water system" means any plant, system, facility, or
 223 property and additions, extensions, and improvements thereto at
 224 any future time constructed or acquired as part thereof, useful
 225 or necessary or having the present capacity for future use in
 226 connection with the development of sources, treatment, or
 227 purification and distribution of water and, without limiting the
 228 generality of the foregoing, includes dams, reservoirs, storage
 229 tanks, mains, lines, valves, pumping stations, laterals, and

230 pipes for the purpose of carrying water to the premises
 231 connected with such system, and all real and personal property
 232 and any interests therein, rights, easements, and franchises of
 233 any nature whatsoever relating to any such system and necessary
 234 or convenient for the operation thereof.

235 Section 5. Board of supervisors; election; organization;
 236 terms of office; quorum; report and minutes.--

237 (1) The board of supervisors of the district shall be the
 238 governing body of the district and shall exercise the powers
 239 granted to the district under this act and under chapter 298,
 240 Florida Statutes. The board shall consist of three members, and
 241 except as otherwise provided herein, each member shall hold
 242 office for a term of 4 years and until his or her successor
 243 shall be chosen and shall qualify. A majority of the members of
 244 the board shall be residents of Broward County, and all members
 245 shall be residents of Florida. All members of the board shall be
 246 landowners within the district.

247 (2) The persons who are members of the board of
 248 supervisors of the Coral Springs Drainage District elected on
 249 October 4, 1966, shall constitute the members of the board until
 250 the month of June of 1971.

251 (3) In the month of June of each fourth year commencing
 252 June of 1971, there shall be held a meeting of the landowners of
 253 the district at the office of the district in Broward County for
 254 the purpose of electing three supervisors for said district.
 255 Notice of said landowners' meeting shall be published once a
 256 week for 2 consecutive weeks in a newspaper in Broward County
 257 that is in general circulation in the district, the last of said
 258 publication to be not less than 14 days nor more than 28 days

259 before the date of the election. The landowners, when assembled
 260 at such meeting, shall organize by electing a chair who shall
 261 conduct the meeting. At such meeting, each landowner shall be
 262 entitled to cast one vote per acre of land owned by him or her
 263 and located within the district for each person to be elected. A
 264 landowner may vote in person or by proxy in writing. Fractions
 265 of an acre shall be treated as one acre, entitling the landowner
 266 to one vote with respect thereto. The three persons receiving
 267 the highest number of votes for the office of supervisor shall
 268 be declared elected.

269 (4) Each supervisor, before entering upon his or her
 270 official duties, shall take and subscribe to an oath of office
 271 as prescribed in section 298.13, Florida Statutes.

272 (5) All supervisors shall hold office for the terms for
 273 which they are elected or appointed and until their successors
 274 shall be chosen and qualify. In case of a vacancy in the office
 275 of any supervisor, the remaining supervisor or supervisors (even
 276 though less than a quorum) may fill such vacancy by appointment
 277 of a new supervisor or supervisors for the unexpired term of the
 278 supervisor who vacated his or her office.

279 (6) As soon as practicable after each election, the board
 280 shall organize by choosing one of their number president of the
 281 board and by electing a secretary, who need not be a member of
 282 the board.

283 (7) A majority of the members of the board shall
 284 constitute a quorum.

285 (8) The board shall keep a permanent record book entitled
 286 "Record of Proceedings of Coral Springs Improvement District,"
 287 in which shall be recorded minutes of all meetings, resolutions,

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288 proceedings, certificates, bonds given by all employees, and any
 289 and all corporate acts, which book shall at reasonable times be
 290 opened to the inspection of any landowner, taxpayer, resident,
 291 or bondholder of the district, and such other persons as the
 292 board may determine to have a proper interest in the proceedings
 293 of the board. Such record book shall be kept at any office or
 294 other regular place of business maintained by the board in
 295 Broward County.

296 (9) Whenever any election shall be authorized or required
 297 by this act to be held by the landowners at any particular or
 298 stated time or day, and if for any reason such election is not
 299 held at such time or on such day, then, in such event, the power
 300 or duty to hold such election shall not cease or lapse, but such
 301 election shall be held thereafter when practicable in accordance
 302 with the procedures provided by this act.

303 Section 6. Appointment and duties of district
 304 manager.--For the purpose of preserving and maintaining any
 305 facility constructed or erected under the provisions of this act
 306 or chapter 298, Florida Statutes, and for maintaining and
 307 operating the equipment owned by the district and such other
 308 duties as may be prescribed by the board, the board may employ
 309 and fix the compensation of a district manager who shall have
 310 charge and supervision of the works of the district.

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

312 (1) The board shall designate a person who is a resident
 313 of the state or a bank or trust company organized under the laws
 314 of the state or under the laws of the Federal Government as
 315 treasurer of the district and such person shall have charge of
 316 the funds of the district. Such funds shall be disbursed only

317 upon the order of or pursuant to the resolution of the board by
 318 warrant or check signed by the treasurer, or by such other
 319 person as may be authorized by the board. The board may give the
 320 treasurer such other or additional powers and duties as the
 321 board may deem appropriate, and fix his or her compensation. The
 322 board may require the treasurer to give a bond in such amount,
 323 on such terms, and with such sureties as may be deemed
 324 satisfactory to the board to secure the performance by the
 325 treasurer of his or her powers and duties. The board shall audit
 326 or have audited the books of the treasurer at least once a year.

327 (2) The board is authorized to select as depositories in
 328 which the bonds of the board and of the district shall be
 329 deposited any banking corporation organized under the laws of
 330 the state or under the International Banking Act, doing business
 331 in the state, upon such terms and conditions as to the payment
 332 of interest by such depository upon the funds so deposited as
 333 the board may deem just and reasonable.

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

337 Section 8. Compensation of board.--Each supervisor is
 338 entitled to receive for his or her services an amount not to
 339 exceed \$200 per month. In addition, each supervisor shall
 340 receive reasonable traveling expenses for attending the place of
 341 meeting from his or her residence. Unless the board by
 342 resolution otherwise provides, such traveling expenses may not
 343 be in excess of the amounts provided by law for state and county
 344 officials.

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

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

353 (2) To adopt a water control plan; and to establish,
 354 construct, operate, and maintain a system of main and lateral
 355 canals, drains, ditches, levees, dikes, dams, sluices, locaks,
 356 revetments, reservoirs, holding basins, floodways, pumping
 357 stations, syphons, culverts, and storm sewers to drain and
 358 reclaim the lands within the district and to connect some or any
 359 of them with roads and bridges as in the judgment of the board
 360 is deemed advisable to provide access to such facilities.

361 (3) To acquire and maintain appropriate sites for storage
 362 and maintenance of the equipment of the district; and to
 363 acquire, maintain, and construct a suitable building to house
 364 the office and records of the district.

365 (4) To clean out, straighten, widen, open up, or change
 366 the course and flow, and alter or deepen any canal, ditch,
 367 drain, river, water course, or natural stream as within the
 368 judgment of the board is deemed advisable to drain and reclaim
 369 the lands within the district; to acquire, purchase, operate,
 370 and maintain pumps, plants, and pumping systems for drainage
 371 purposes; and to construct, operate, and maintain irrigation
 372 works and machinery in connection with the purposes herein set
 373 forth.

374 (5) To regulate and set forth by appropriate resolution
 375 the drainage requirements and conditions to be met for plats to
 376 be entitled to record on any land within the district, including
 377 authority to require as a condition precedent for any platting
 378 that good and sufficient bond be posted to ensure proper
 379 drainage for the area to be platted.

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

383 (7) To build and construct any other works and
 384 improvements deemed necessary to preserve and maintain the works
 385 in or out of the district; to acquire, construct, operate,
 386 maintain, use, sell, convey, transfer, or otherwise provide for
 387 machines and equipment for any purpose authorized by this act or
 388 chapter 298, Florida Statutes; and to contract for the purchase,
 389 construction, operation, maintenance, use, sale, conveyance, and
 390 transfer of the said machinery and equipment.

391 (8) To construct or enlarge, or cause to be constructed or
 392 enlarged, any and all bridges or culverts that may be needed in
 393 or out of the district, across any drain, ditch, canal,
 394 floodway, holding basin, excavation, public highway, tract,
 395 grade, fill, or cut; to construct roadways over levees and
 396 embankments; and to construct any and all of said works and
 397 improvements across, through, or over any public right-of-way,
 398 highway, grade, fill, or cut in or out of the district.

399 (9) To hold, control, and acquire by donation, purchase,
 400 or condemnation any easement, reservation, or dedication in the
 401 district for any of the purposes herein provided; and to condemn
 402 as provided by chapters 73 and 74, Florida Statutes, or acquire,

403 by purchase or grant, for use in the district, any land or
 404 property within the district necessary for the purposes of this
 405 act.

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

409 (11) To impose and foreclose special assessments liens as
 410 hereinafter provided.

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

416 (13) To administer and provide for the enforcement of all
 417 of the provisions herein, including the making, adopting,
 418 promulgating, amending, and repealing of all rules and
 419 regulations necessary or convenient for the carrying out of the
 420 duties, obligations, and powers conferred on the district
 421 created herein.

422 (14) To cooperate with or contract with other water
 423 control districts or other governmental agencies as may be
 424 necessary, convenient, incidental, or proper in connection with
 425 any of the powers, duties, or purposes of the district as stated
 426 in this act.

427 (15) To employ engineers, attorneys, agents, employees,
 428 and representatives as the board of supervisors may from time to
 429 time determine necessary and to fix their compensation and
 430 duties.

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

434 (17) To construct, improve, and maintain roadways and
 435 roads necessary and convenient to provide access to and
 436 efficient development of areas made suitable and available for
 437 cultivation, settlement, urban subdivision, homesites, and other
 438 beneficial developments as a result of the drainage operations
 439 of the district.

440 (18) To make use of any public easements, dedications to
 441 public use, platted reservations for public purposes, or any
 442 reservations for drainage purposes within the boundaries of the
 443 district.

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

449 (20) To regulate the supply and level of water within the
 450 district; to divert waters from one area, lake, pond, river,
 451 stream, basin, or drainage or water flood control facility to
 452 any other area, lake, pond, river, stream, basin, or drainage
 453 and water flood control facility; to regulate control and
 454 restrict the development and use of natural or artificial
 455 streams or bodies of water, lakes, or ponds; and to take all
 456 measures determined by the board to be necessary or desirable to
 457 prevent or alleviate land erosion. The powers granted to the
 458 district by this subsection shall be concurrent within the
 459 boundaries of the district with other public bodies, agencies,

460 or authorities as may be authorized by law. The district is
 461 eligible to receive moneys, disbursements, and assistance from
 462 the state available to flood control or water management
 463 districts and the navigation districts or agencies.

464 (21) To own, acquire, construct, reconstruct, equip,
 465 operate, maintain, extend, and improve water systems and sewer
 466 systems or combined water and sewer systems; to regulate the use
 467 of sewers and the supply of water within the district and to
 468 prohibit or regulate the use and maintenance of outhouses,
 469 privies, septic tanks, or other sanitary structures or
 470 appliances within the district; to prescribe methods of
 471 pretreatment of wastes not amenable to treatment with domestic
 472 sewage before accepting such wastes for treatment, to refuse to
 473 accept such wastes when not sufficiently pretreated as may be
 474 prescribed, and to prescribe penalties for the refusal of any
 475 person or corporation to so pretreat such wastes; to sell or
 476 otherwise dispose of the effluent, sludge, or other byproducts
 477 as a result of sewage treatment; and to construct and operate
 478 connecting, intercepting, or outlet sewers, sewer mains, pipes
 479 and water mains, conduits, or pipelines in, along, or under any
 480 street, alleys, highways, or other public places or ways within
 481 or without the district, when deemed necessary or desirable by
 482 the board. The plans for any water or sewer system shall be
 483 subject to the approval of the state board of health.

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

487 (23) To issue general obligation bonds, revenue bonds,
 488 assessment bonds, or any other bonds or obligations authorized

489 by the provisions of this act or any other law, or any
 490 combination of the foregoing, to pay all or part of the cost of
 491 the acquisition, construction, reconstruction, extension,
 492 repair, improvement, maintenance, or operation of any project or
 493 combination of projects; to provide for any facility, service,
 494 or other activity of the district; and to provide for the
 495 retirement or refunding of any bonds or obligations of the
 496 district, or for any combination of the foregoing purposes.

497 (24) To exercise any and all other powers conferred upon
 498 water control districts by chapter 298, Florida Statutes.

499 Section 10. Seal.--The official seal of the district shall
 500 bear the legend "Coral Springs Improvement District, Broward
 501 County, Florida, Seal, Established 1966."

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

504 Section 12. Annual budget.--Prior to May 15 of each year,
 505 the secretary of the district shall prepare a proposed budget to
 506 be submitted to the board for its approval. The proposed budget
 507 shall include an estimate of all necessary expenditures of the
 508 district for the next ensuing fiscal year and an estimate of
 509 income to the district from the taxes and assessments provided
 510 in this act. The board shall consider the proposed budget item
 511 by item and may either approve the budget as proposed by the
 512 district manager or modify the same in part or in whole. The
 513 board shall indicate its approval of the budget by resolution,
 514 which resolution shall provide for a hearing on the budget as
 515 approved. Notice of the hearing on the budget shall be published
 516 in a newspaper in general circulation within the district in
 517 Broward County once a week for two consecutive weeks, providing

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518 that the second publication shall not be less than 7 days after
 519 the first publication. The notice shall be directed to all
 520 landowners in the district and shall state the purpose of the
 521 meeting. The notice shall further contain a designation of the
 522 date, time, and place of the public hearing, which shall be not
 523 less than 7 days after the second publication. At the time and
 524 place designated in the notice, the board shall hear all
 525 objections to the budget as proposed and make such changes as
 526 the board deems necessary. At the conclusion of the budget
 527 hearing the board shall, by resolution, adopt the budget as
 528 finally approved by the board.

529 Section 13. Notice and call of meetings of landowners;
 530 quorum; adjournments; representation at meetings; taking action
 531 without meeting.--

532 (1) The board shall publish notice of all meetings of
 533 landowners once a week for two consecutive weeks prior to such
 534 meeting in a newspaper in Broward County in general circulation
 535 within the district. Meetings of landowners shall be held in a
 536 public place, or any other place made available for the purpose
 537 of such meeting in the Broward County Courthouse and the place,
 538 date, and hour of holding such meeting and the purpose thereof
 539 shall be stated in the notice. Landowners representing a
 540 majority of the number of acres in the district, present in
 541 person or by proxy, shall constitute a quorum at any meeting of
 542 the landowners; provided that irrespective of the number of
 543 acres represented, there shall be a minimum of five landowners
 544 owning separate parcels of land at each meeting.

545 (2) The board may call special meetings of the landowners
 546 at any time to receive reports of the board or for such other

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547 purpose as the board may determine. A special meeting of the
548 landowners may also be called at any time upon notice as
549 provided hereinabove at the written request of the owners of not
550 less than 25 percent in acreage of the land within the district
551 for the purpose of taking any lawful action by the landowners of
552 the district. Such special meeting shall be called by any court
553 of competent jurisdiction in the event that the board fails to
554 do so upon request as provided in the preceding sentence. Except
555 as otherwise provided in section 5 of this act with respect to
556 the election of supervisors, action taken at a meeting of the
557 landowners shall be by affirmative vote of the owners of at
558 least a majority in acreage of the land within the district
559 represented at such meeting.

560 (3) If no quorum is present or represented at a meeting of
561 the landowners at the time and place the same is called to be
562 held, the landowners present and represented, although less than
563 a quorum, may adjourn to another time or day, and at such or any
564 subsequent adjourned meeting may, if a quorum is then present or
565 represented, take any action that the landowners could have
566 taken at the meeting or meetings so adjourned for lack of a
567 quorum.

568 (4) At any meeting of the landowners, guardians may
569 represent their wards, executors and administrators may
570 represent the estate of deceased persons, trustees may represent
571 lands held by them in trust, and private corporations may be
572 represented by their duly authorized proxy. All landowners,
573 including guardians, executors, administrators, trustees, and
574 corporations, may be represented and vote by proxy.

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575 Section 14. Water control plan; proceedings thereof.--The
576 board may proceed to adopt a water control plan in accordance
577 with the provisions of chapter 298, Florida Statutes, or in
578 accordance with the provisions of this section, in which case
579 the following shall apply:

580 (1) The board shall cause to be made by the chief engineer
581 or such other engineer or engineers as the board may employ for
582 that purpose a complete and comprehensive plan for the drainage
583 and reclamation of the lands located within the district. The
584 engineer or engineers designated by the board to make said plan
585 shall make all necessary surveys of the lands within the
586 boundary lines of said district and of all lands adjacent
587 thereto that will be improved or reclaimed in part or in whole
588 by any system of drainage that may be outlined and adopted, and
589 shall make a report in writing to the board with maps and
590 profiles of said surveys, which report shall contain a full and
591 complete plan for drainage and reclaiming the lands located
592 within the district from overflow or damage by water, with the
593 length, width, and depth of such canals, ditches, dikes, or
594 levees or other works as may be necessary in conjunction with
595 any canals, drains, ditches, dikes, levees, or other works
596 heretofore constructed by any other drainage or reclamation
597 district, or any other person or persons, or which may hereafter
598 be built by any or either of such agencies that may be necessary
599 or which can be advantageously used in such plan and also an
600 estimate of the cost of carrying out and completing the water
601 control plan, including the cost of superintending the same and
602 all incidental expenses in connection therewith.

603 (2) Upon the completion of such plan, the board shall hold
 604 a hearing thereon to hear objections thereto and shall give
 605 notice of the time and place fixed for such hearing by
 606 publication once each week for two consecutive weeks in a
 607 newspaper published in Broward County of general circulation in
 608 the district, and shall permit the inspection of said plan at
 609 the office of the district by all persons interested. All
 610 objections to said plan shall be filed at or before the time
 611 fixed in said notice for the hearing and shall be in writing.

612 (3) After said hearing the board shall consider the
 613 proposed plan and any objections thereto, and may modify,
 614 reject, or adopt the plan, or may continue the hearing to a day
 615 certain for further consideration of the proposed plan or
 616 modifications thereof.

617 (4) When the board shall approve such a plan, a resolution
 618 shall be adopted and a certified copy thereof shall be filed in
 619 the office of the secretary and incorporated into the records of
 620 the district.

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

627 (6) Within 20 days after the final adoption of the water
 628 control plan by the board, the secretary of the district shall
 629 prepare and transmit a certified copy thereof to the clerk of
 630 the circuit court and at the same time the board shall file with
 631 said clerk a petition that the said court appoint three

632 commissioners to appraise the lands to be acquired for
 633 rights-of-way, holding basins, and other drainage works of the
 634 district and to assess benefits and damages accruing to all
 635 lands within the district by reason of the execution of the
 636 water control plan. Immediately after the filing of such
 637 petition, the judge of said court in whose division the petition
 638 shall have been assigned shall by an order appoint three
 639 commissioners, who shall be freeholders residing within Florida,
 640 and who shall not be landowners in said district, nor of kin
 641 within the fourth degree of consanguinity to any person owning
 642 land in said district. A majority of said commissioners shall
 643 constitute a quorum and shall control the action of the
 644 commissioners on all questions.

645 (7) Immediately upon the filing of said order of
 646 appointment, the secretary of the district shall notify each of
 647 said commissioners of his or her appointment, and in the said
 648 notice, he or she shall state the time and place for the first
 649 meeting of said commissioners. The secretary of the district, or
 650 his or her deputy, shall attend such meeting and shall furnish
 651 to said commissioners a complete list of lands embraced in the
 652 district, or adjacent thereto, that will be affected by the
 653 execution of the water control plan. The secretary shall also
 654 furnish to the commissioners a copy of the water control plan
 655 and such other papers, documents, and information as the
 656 commissioners require. The commissioners at the meeting shall
 657 each take and subscribe to an oath that he or she will
 658 faithfully and impartially discharge his or her duties as such
 659 commissioner and make a true report of the work performed by
 660 such commissioners, and shall elect one of their number chair.

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661 The secretary of the district, or his or her deputy, shall be ex
 662 officio secretary to the commissioners, and the attorney for the
 663 district, other agents, and employees thereof shall cooperate
 664 with the commissioners and furnish to them such advice,
 665 assistance, and cooperation as they shall require.

666 (8)(a) Immediately after qualifying as provided in
 667 subsection (7), the commissioners shall commence the performance
 668 of their duties and the chief engineer, or one of his or her
 669 assistants, shall accompany said commissioners when engaged in
 670 the discharge of their duties and shall render his or her
 671 opinion in writing when called for. Said commissioners shall
 672 proceed to view the premises and determine the value of the
 673 lands within or without the district to be acquired and used for
 674 rights-of-way, holding basins, and other works described in the
 675 water control plan, and they shall appraise all benefits and
 676 damages which will accrue to all lands by reason of the
 677 execution of the water control plan. The commissioners in
 678 appraising benefits to lands, public highways, railroads, and
 679 other rights-of-way shall not consider what benefits will be
 680 derived by such property after other ditches, improvements, or
 681 other plans of reclamation shall have been constructed, but they
 682 shall appraise only such benefits as will be derived from the
 683 construction of the works and improvements described in the
 684 water control plan or as the same may afford an outlet for
 685 drainage or protection from overflow of such property. The
 686 commissioners shall give due consideration and credit to any
 687 other drainage works which have already been constructed and
 688 which afford partial or complete protection to any tract or
 689 parcel of land within the district. The public highways,

690 railroads, and other rights-of-way shall be appraised according
 691 to the increased physical efficiency and decreased maintenance
 692 cost of roadways by reason of the improvements. The
 693 commissioners shall have no power to change the water control
 694 plan. The commissioners shall prepare a report of their
 695 findings, which shall be arranged in tabular form, the columns
 696 of which shall be headed as follows: Column 1 "Owner of Property
 697 Appraised"; Column 2 "Description of Property Appraised"; Column
 698 3 "Number of Acres Appraised"; Column 4 "Amount of Benefits
 699 Appraised"; Column 5 "Amount of Damages Appraised"; Column 6
 700 "Number of Acres to be Taken for Rights-of-way, Holding Basins,
 701 etc."; Column 7 "Value of Property to be Taken." They shall
 702 also, by and with the advice of the chief engineer, estimate the
 703 cost of the works described in the plan reclamation, which
 704 estimate shall include the cost of property required for
 705 rights-of-way, holding basins, and other works, the probable
 706 expense of organization and administration as estimated by the
 707 board of supervisors, and all of the expenses of the district
 708 during the period of executing the water control plan. Before
 709 appraisals of compensation and damages are made, the board may
 710 report to the commissioners the parcels of land it may wish to
 711 purchase and for which it may wish appraisals to be made, both
 712 for easement and for purchase in fee simple, and the board may
 713 specify the particular purpose for which, and the extent to
 714 which, an easement in any property is desired, describing
 715 definitely such purpose and extent. Wherever so instructed to do
 716 so by the board, the commissioners shall appraise lands that may
 717 be necessary or desirable for the district to own and, when so
 718 requested by the board, the commissioners shall also appraise

719 both the total value of the land and also the damages due to any
 720 easement required for the purposes of the district.

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

726 (9) Upon the filing of the report of the commissioners,
 727 the clerk shall give notice thereof by causing publication to be
 728 made once a week for two consecutive weeks in a newspaper
 729 published in Broward County and of general circulation in the
 730 district. It shall not be necessary for the clerk to name the
 731 parties interested, nor to describe separate lots or tracts of
 732 land in giving said notice, but it shall be sufficient to
 733 publish the said notice in the following form:

734
 735 "NOTICE OF FILING COMMISSIONERS' REPORT FOR CORAL SPRINGS
 736 IMPROVEMENT DISTRICT.

737
 738 Notice is hereby given that the commissioners heretofore
 739 appointed to appraise benefits and damages to property and lands
 740 located within the Coral Springs Improvement District in the
 741 State of Florida and to appraise the cash value of the land
 742 necessary to be taken for rights-of-way, holding basins, and
 743 other works of said district did file their report in the office
 744 of the undersigned Clerk of the Circuit Court, upon the
 745 day of, 20., and you, and each of you, are
 746 hereby notified that you may examine said report and file
 747 exceptions to the same on or before the day of

748, 20..... (which date shall be not less than 28
749 days nor more than 30 days after the first date of publication).

750

751

752

753 Clerk of the Circuit Court
754 of Broward County, Florida"

755

756 (10) The state board of drainage commissioners, the water
757 control district, or any owner of land or other property to be
758 affected by said report may file exception to any part, or all,
759 of the report of said commissioners within the time specified in
760 the notice prescribed in subsection (9). All exceptions shall be
761 heard and determined by the court. If no exceptions are filed,
762 or if it is shown, upon the hearing of all of said exceptions,
763 that the estimated cost of construction of improvements
764 contemplated in the water control plan is less than the benefits
765 assessed against the lands in said district, the court shall
766 approve and confirm said commissioners' report. However, if the
767 court, upon hearing the objections filed, finds that any or all
768 such objections should be sustained, it shall order the report
769 changed to conform with such findings, and when so changed, the
770 court shall approve and confirm such report and enter its decree
771 accordingly. The court shall adjudge and apportion the costs
772 incurred by the exceptions filed, and shall condemn any land or
773 other property, that is shown by the report of the commissioners
774 to be needed for rights-of-way, holding basins, or other works,
775 following the procedures provided in chapters 73 and 74, Florida
776 Statutes; provided, however, that any property owner may accept

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

777 the assessment of damages in his or her favor made by the
 778 commissioners, or acquiesce in their failure to assess damages
 779 in his or her favor, and shall be construed to have done so,
 780 unless he or she gives the supervisors of the district, on or
 781 before the time shall have expired for filing exceptions, as
 782 provided in this act, notice in writing that he or she demands
 783 an assessment of his or her damages by a jury. If the property
 784 owner demands an assessment of his or her damages by a jury, the
 785 supervisors of the district shall institute in the Circuit Court
 786 of Broward County an action to condemn the lands and other
 787 property that must be taken or damaged in the making of such
 788 improvements, with the right and privilege of paying into the
 789 court a sum to be fixed by the circuit court or judge, and
 790 proceeding with the work before the assessment by the jury. Any
 791 person or party interested may prosecute and appeal to the
 792 appropriate district court of appeal in the manner and within
 793 the time provided by the Florida appellate rules.

794 (11) The Clerk of the Circuit Court of Broward County
 795 shall transmit a certified copy of the court decree and copy of
 796 the commissioners' report, as confirmed or amended by the court,
 797 to the secretary of the board, and such clerk shall receive a
 798 fee of \$5 for receiving, filing, and preserving same as a
 799 permanent record.

800 Section 15. Adoption, revision, and revocation of water
 801 control plan.--In addition to and not in limitation of its power
 802 to provide for and adopt a water control plan provided in
 803 section 14 and under chapter 298, Florida Statutes, and
 804 amendments thereto, the board may at any time and from time to
 805 time adopt, revoke, or modify, in whole or in part, any water

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806 control plan or any plan providing for the drainage of lands
807 within the district, and may provide for such new and additional
808 drainage facilities, canals, ditches, levees, and other works as
809 the board may determine. In connection with the revision of any
810 water control plan or the providing of any new or additional
811 drainage facilities, canals, ditches, levees, or other works, or
812 in the event the total taxes and assessments theretofore levied
813 or the funds derived from the sale of bonds are insufficient to
814 pay the cost of any drainage works, benefits may be reassessed,
815 additional assessments made, and taxes levied in accordance with
816 the procedures provided in this act or in chapter 298, Florida
817 Statutes. The board may at any time approve and make effective
818 technical changes or modifications in any water control plan or
819 drainage not affecting assessed benefits, levy of taxes, or the
820 security of bondholders.

821 Section 16. Assessing land for reclamation; apportionment
822 of tax; lands belonging to state assessed; drainage tax
823 record.--After the lists of lands, with the assessed benefits
824 and the decree and judgment of court, have been filed in the
825 office of the clerk of the circuit court as provided in section
826 14, the board shall, without any unnecessary delay, levy a tax
827 of such portion of said benefits on all lands in the district to
828 which benefits have been assessed, as may be found necessary by
829 the board of supervisors to pay the costs of the completion of
830 the proposed works and improvements, as shown in said water
831 control plan and in carrying out the objects of said district,
832 and, in addition thereto, 10 percent of said total amount for
833 emergencies. The said tax shall be apportioned to, and levied
834 on, each tract of land in said district in proportion to the

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835 benefits assessed, and not in excess thereof; and in case bonds
 836 are issued, as provided in this chapter, a tax shall be levied
 837 in a sum not less than an amount 90 percent of which shall be
 838 equal to the principal of said bonds. The amount of bonds to be
 839 issued for paying the cost of the works as set forth in the
 840 water control plan shall be ascertained and determined by the
 841 board, provided, however, that the total amount of all bonds to
 842 be issued by the district shall in no case exceed 90 percent of
 843 the benefits assessed upon the lands of the district. The amount
 844 of the interest, as estimated by said board, that will accrue on
 845 such bonds shall be included and added to the said tax, but the
 846 interest to accrue on account of the issuing of said bonds shall
 847 not be construed as a part of the costs of construction in
 848 determining whether or not the expenses and costs of making said
 849 improvements are equal to, or in excess of, the benefits
 850 assessed. The secretary of the board of supervisors, as soon as
 851 said total tax is levied, shall, at the expense of the district,
 852 prepare a list of all taxes levied in the form of a well-bound
 853 book, which shall be endorsed and named the "DRAINAGE TAX RECORD
 854 OF CORAL SPRINGS IMPROVEMENT DISTRICT, BROWARD COUNTY, FLORIDA,"
 855 which endorsement shall be printed or written at the top of each
 856 page in said book, signed and certified by the president and
 857 secretary of the board, attested by the seal of the district,
 858 and the same shall thereafter become a permanent record in the
 859 office of said secretary.

860 Section 17. Prepayment of taxes or assessments.--The board
 861 may provide that any tax or assessment may be paid at any time
 862 before due, together with interest accrued thereon to the date
 863 of prepayment and any prepayment premiums or penalties, if such

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864 prior payment shall be permitted by the proceedings authorizing
 865 any bonds or other obligations for the payment of which special
 866 assessments have been pledged or taxes levied.

867 Section 18. Tax liens.--All taxes of the district provided
 868 for in this act or chapter 298, Florida Statutes, together with
 869 all penalties for default in the payment of the same and all
 870 costs in collecting the same, including reasonable attorney's
 871 fees fixed by the court and taxed as cost in the action brought
 872 to enforce payment, shall from January 1 for each year the
 873 property is liable to assessment and until paid constitute a
 874 lien of equal dignity with the liens for state and county taxes
 875 and other taxes of equal dignity with state and county taxes
 876 upon all the lands against which such taxes shall be levied. A
 877 sale of any of the real property within the district for state
 878 and county or other taxes shall not operate to relieve or
 879 release the property so sold from the lien for subsequent
 880 district taxes or installments of district taxes which lien may
 881 be enforced against such property as though no such sale thereof
 882 had been made. The provisions of chapter 192, Florida Statutes,
 883 and amendments thereto shall be applicable to district taxes
 884 with the same force and effect as if said provisions were
 885 expressly set forth in this act.

886 Section 19. Issuance of bond anticipation notes.--In
 887 addition to the other powers provided for in this act and not in
 888 limitation thereof, the district shall have the power, at any
 889 time and from time to time after the issuance of any bonds of
 890 the district shall have been authorized, to borrow money for the
 891 purposes for which such bonds are to be issued in anticipation
 892 of the receipt of the proceeds of the sale of such bonds and to

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893 issue bond anticipation notes in a principal sum not in excess
894 of the authorized maximum amount of such bond issue. Such notes
895 shall be in such denomination or denominations, bear interest at
896 such rate as the board may determine not to exceed 10 percent
897 per year, mature at such time or times not later than 5 years
898 from the date of issuance, and be in such form and executed in
899 such manner as the board shall prescribe. Such notes may be sold
900 at either public or private sale, or if such notes shall be
901 renewal notes, may be exchanged for notes then outstanding on
902 such terms as the board shall determine. Such notes shall be
903 paid from the proceeds of such bonds when issued. The board may
904 in its discretion, in lieu of retiring the notes by means of
905 bonds, retire them by means of current revenues or from any
906 taxes or assessments levied for the payment of such bonds, but
907 in such event a like amount of the bonds authorized shall not be
908 issued.

909 Section 20. Short-term borrowing.--The district at any
910 time may obtain loans, in such amount and on such terms and
911 conditions as the board may approve, for the purpose of paying
912 any of the expenses of the district or any costs incurred or
913 that may be incurred in connection with any of the projects of
914 the district, which loans shall have a term not exceeding 2
915 years from the date of issuance thereof, may be renewable for a
916 like term or terms, shall bear such interest as the board may
917 determine, not to exceed 10 percent per year, and may be payable
918 from and secured by a pledge of such funds, revenues, taxes, and
919 assessments as the board may determine. For the purpose of
920 defraying such costs and expenses, the district may issue
921 negotiable notes, warrants, or other evidences of debt signed on

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922 behalf of the district by any one of the board duly authorized
 923 by the board, such notes or other evidences of indebtedness to
 924 be payable at such times, to bear such interest as the board may
 925 determine not to exceed 10 percent per year, and to be sold or
 926 discounted at such price or prices and on such terms as the
 927 board may deem advisable. The board shall have the right to
 928 provide for the payment thereof by pledging the whole or any
 929 part of the funds, revenues, taxes, and assessments of the
 930 district. The approval of the qualified electors who are
 931 freeholders residing in the district shall not be necessary
 932 except where required by the State Constitution.

933 Section 21. Trust agreements.--In the discretion of the
 934 board, any issue of bonds may be secured by a trust agreement by
 935 and between the district and a corporate trustee or trustees,
 936 which may be any trust company or bank having the powers of a
 937 trust company within or without the state. The resolution
 938 authorizing the issuance of the bonds or such trust agreement
 939 may pledge the revenues to be received from any projects of the
 940 district and may contain such provisions for protecting and
 941 enforcing the rights and remedies of the bondholders as the
 942 board may approve, including, without limitation, covenants
 943 setting forth the duties of the district in relation to the
 944 acquisition, construction, reconstructions, improvements,
 945 maintenance, repair, operation, and insurance of any projects;
 946 the fixing and revising of the rates, fees, and charges; the
 947 custody, safeguarding, and application of all moneys; and for
 948 the employment of counseling engineers in connection with such
 949 acquisition, construction, reconstruction, improvement,
 950 maintenance, repair, or operation. It shall be lawful for any

951 bank or trust company incorporated under the laws of the state
 952 which may act as a depository of the proceeds of bonds or of
 953 revenues to furnish such indemnifying bonds or to pledge such
 954 securities as may be required by the district. Such resolution
 955 or trust agreement may set forth the rights and remedies of the
 956 bondholders and of the trustee, if any, and may restrict the
 957 individual right of action by bondholders. The board may provide
 958 for the payment of the proceeds of the sale of the bonds and the
 959 revenues of any project to such officer, board, or depository as
 960 it may designate for the custody thereof, and for the method of
 961 disbursement thereof with such safeguards and restrictions as it
 962 may determine. All expenses incurred in carrying out the
 963 provisions of such resolution or trust agreement may be treated
 964 as part of the cost of operation of the project to which such
 965 trust agreement pertains.

966 Section 22. Sale of bonds.--Bonds may be sold in blocks or
 967 installments at different times, or an entire issue or series
 968 may be sold at one time. Bonds may be sold at public or private
 969 sale after such advertisement, if any, as the board may deem
 970 advisable but not in any event at less than 90 percent of the
 971 par value thereof, together with accrued interest thereon. Bonds
 972 may be sold or exchanged for refunding bonds. Special assessment
 973 and revenue bonds may be delivered as payment by the district of
 974 the purchase price or lease of any project or part thereof, or a
 975 combination of projects or parts thereof, or as the purchase
 976 price or exchanged for any property, real, personal, or mixed,
 977 including franchises, or services rendered by any contractor,
 978 engineer, or other person, all at one time or in blocks from
 979 time to time, in such manner and upon such terms as the board in

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980 its discretion shall determine. The price or prices for any
 981 bonds sold, exchanged, or delivered may be the money paid for
 982 the bonds; the principal amount, plus accrued interest to the
 983 date of redemption or exchange, or outstanding obligations
 984 exchanged for refunding bonds; or, in the case of special
 985 assessment or revenue bonds, the amount of any indebtedness to
 986 contractors or other persons paid with such bonds, or the fair
 987 value of any properties exchanged for the bonds, as determined
 988 by the board.

989 Section 23. Authorization and form of bonds.--Bonds may be
 990 authorized by resolution or resolutions of the board which shall
 991 be adopted by a majority of all of the members thereof then in
 992 office. Such resolution or resolutions may be adopted at the
 993 same meeting at which they are introduced, and need not be
 994 published or posted. The board may by resolution authorize the
 995 issuance of bonds, fix the aggregate amount of bonds to be
 996 issued, the purpose or purposes for which the moneys derived
 997 therefrom shall be expended, the rate or rates of interest, not
 998 to exceed 10 percent per year, the denomination of the bonds,
 999 whether or not the bonds are to be issued in one or more series,
 1000 the date or dates of maturity, which shall not exceed 40 years
 1001 from their respective dates of issuance, the medium of payment,
 1002 the place or places within or without the state where payment
 1003 shall be made, registration privileges, redemption terms and
 1004 privileges (whether with or without premium), the manner of
 1005 execution, the form of the bonds, including any interest coupons
 1006 to be attached thereto, the manner of execution of bonds and
 1007 coupons, and any and all other terms, covenants, and conditions
 1008 thereof, and the establishment of revenue or other funds. Such

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1009 authorizing resolution may further provide that such bonds may
 1010 be executed manually or by engraved, lithographed, or facsimile
 1011 signature, provided that where signatures are engraved,
 1012 lithographed, or otherwise reproduced in facsimile, no bond
 1013 shall be valid unless countersigned by a registrar or other
 1014 officer designated by appropriate resolution of the board. The
 1015 seal of the district may be affixed, lithographed, engraved, or
 1016 otherwise reproduced in facsimile on such bonds. In case any
 1017 officer whose signature shall appear on any bonds or coupons
 1018 shall cease to be such officer before the delivery of such
 1019 bonds, such signature or facsimile shall nevertheless be valid
 1020 and sufficient for all purposes the same as if he or she had
 1021 remained in office until such delivery.

1022 Section 24. Interim certificates; replacement
 1023 certificates.--Pending the preparation of definitive bonds, the
 1024 board may issue interim certificates or receipts or temporary
 1025 bonds, in such form and with such provisions as the board may
 1026 determine, exchangeable for definitive bonds when such bonds
 1027 shall have been executed and are available for delivery. The
 1028 board may also provide for the replacement of any bonds that
 1029 become mutilated, lost, or destroyed.

1030 Section 25. Negotiability of bonds.--Any bond issued under
 1031 this act and any interim certificate, receipt, or temporary bond
 1032 shall, in the absence of an express recital on the face thereof
 1033 that it is nonnegotiable, be fully negotiable and shall be and
 1034 constitute negotiable instruments within the meaning and for all
 1035 purposes of the law merchant and the laws of Florida.

1036 Section 26. Defeasance.--The board may make such provision
 1037 with respect to the defeasance of the right, title, and interest

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1038 of the holders of any of the bonds and obligations of the
 1039 district in any revenues, funds, or other properties by which
 1040 such bonds are secured as the board deems appropriate and,
 1041 without limitation on the foregoing, may provide that when such
 1042 bonds or obligations become due and payable or shall have been
 1043 called for redemption, and the whole amount of the principal and
 1044 interest and premium, if any, due and payable upon the bonds or
 1045 obligations then outstanding shall be paid, or sufficient monies
 1046 or direct obligations of the United States Government the
 1047 principal of and the interest on which when due will provide,
 1048 sufficient monies shall be held or deposited in trust for such
 1049 purpose, and provision shall also be made for paying all other
 1050 sums payable in connection with such bonds or other obligations,
 1051 then and in such event the right, title, and interest of the
 1052 holders of the bonds in any revenues, funds, or other properties
 1053 by which such bonds are secured shall thereupon cease,
 1054 determine, and become void, and the board may apply any surplus
 1055 in any sinking fund established in connection with such bonds or
 1056 obligations and all balances remaining in all other funds or
 1057 accounts other than money held for the redemption or payment of
 1058 the bonds or other obligations to any lawful purpose of the
 1059 district as the board shall determine.

1060 Section 27. Issuance of additional bonds.--If the proceeds
 1061 of any bonds shall be less than the cost of completing the
 1062 project in connection with which such bonds are issued, the
 1063 board may authorize the issuance of additional bonds, upon such
 1064 terms and conditions as the board may provide in the resolution
 1065 authorizing the issuance thereof, but only in compliance with

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1066 the resolution or other proceedings authorizing the issuance of
 1067 the original bonds.

1068 Section 28. Refunding bonds.--The district shall have the
 1069 power to issue bonds to provide for the retirement or refunding
 1070 of any bonds or obligations of the district that at the time of
 1071 such issuance are or subsequently thereto become due and
 1072 payable, or that at the time of issuance have been called or are
 1073 or will be subject to call for redemption within 10 years
 1074 thereafter, or the surrender of which can be procured from the
 1075 holders thereof at prices satisfactory to the board. Refunding
 1076 bonds may be issued at any time when in the judgment of the
 1077 board such issuance will be advantageous to the district. No
 1078 approval of the qualified electors who are freeholders residing
 1079 in the district shall be required for the issuance of refunding
 1080 bonds except in cases where such approval is required by the
 1081 constitution. The board may by resolution confer upon the
 1082 holders of such refunding bonds all rights, powers, and remedies
 1083 to which the holders would be entitled if they continued to be
 1084 the owners and had possession of the bonds for the refinancing
 1085 of which said refunding bonds are issued, including, but not
 1086 limited to, the preservation of the lien of such bonds on the
 1087 revenues of any project or on pledged funds, without
 1088 extinguishment, impairment, or diminution thereof. The
 1089 provisions of this act pertaining to bonds of the district
 1090 shall, unless the context otherwise requires, govern the
 1091 issuance of refunding bonds, the form and other details thereof,
 1092 the rights of the holders thereof, and the duties of the board
 1093 with respect to the same.

1094 Section 29. Revenue bonds.--

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1095 (1) The district shall have the power to issue revenue
1096 bonds from time to time without limitation as to amount. Such
1097 revenue bonds may be secured by or payable from the gross or net
1098 pledge of the revenues to be derived from any project or
1099 combination of projects; from the rates, fees, or other charges
1100 to be collected from the users of any project or projects; from
1101 any revenue-producing undertaking or activity of the district;
1102 or from any other source or pledged security. Such bonds shall
1103 not constitute an indebtedness of the district, and the approval
1104 neither of the qualified electors nor of the qualified electors
1105 who are freeholders shall be required unless such bonds are
1106 additionally secured by the full faith and credit and taxing
1107 power of the district.

1108 (2) Any two or more projects may be combined and
1109 consolidated into a single project, and may thereafter be
1110 operated and maintained as a single project. The revenue bonds
1111 authorized herein may be issued to finance any one or more of
1112 such projects, regardless whether or not such projects have been
1113 combined and consolidated into a single project. If the board
1114 deems it advisable, the proceedings authorizing such revenue
1115 bonds may provide that the district may thereafter combine the
1116 projects then being financed or theretofore financed with other
1117 projects to be subsequently financed by the district, and that
1118 revenue bonds to be thereafter issued by the district shall be
1119 on parity with the revenue bonds then being issued, all on such
1120 terms, conditions, and limitations as shall be provided, and may
1121 further provide that the revenues to be derived from the
1122 subsequent projects shall at the time of the issuance of such
1123 parity revenue bonds be also pledged to the holders of any

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1124 revenue bonds theretofore issued to finance the revenue
 1125 undertakings which are later combined with such subsequent
 1126 projects. The district may pledge for the security of the
 1127 revenue bonds a fixed amount, without regard to any fixed
 1128 proportion of the gross revenues of any project.

1129 Section 30. General obligation bonds.--

1130 (1) The district shall have the power from time to time to
 1131 issue general obligation bonds in an aggregate principal amount
 1132 of bonds outstanding at any one time not in excess of 35 percent
 1133 of the assessed value of the taxable property within the
 1134 district as shown on the pertinent tax records at the time of
 1135 the authorization of the general obligation bonds for which the
 1136 full faith and credit of the district is pledged. Except for
 1137 refunding bonds, no general obligation bonds shall be issued
 1138 unless the issuance thereof shall have been approved at an
 1139 election of freeholders held in accordance with the requirements
 1140 for such election as prescribed by the State Constitution. Such
 1141 elections shall be called to be held in the district by the
 1142 Board of County Commissioners of Broward County upon the request
 1143 of the board of the district. The expenses of calling and
 1144 holding such referendum elections shall be borne by the district
 1145 and the district shall reimburse the county for any expenses
 1146 incurred in calling or holding such elections. In the
 1147 alternative, at the option of the board, the board may make such
 1148 other provision for the registration of such qualified electors
 1149 who are freeholders and the calling and holding of such
 1150 elections as the board may from time to time deem appropriate.

1151 (2) The district may pledge its full faith and credit for
 1152 the payment of the principal and interest on such general

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1153 obligation bonds, and for any reserve or other funds provided
 1154 therefor, and may unconditionally and irrevocably pledge itself
 1155 to levy ad valorem taxes on all taxable property in the
 1156 district, to the extent necessary for the payment thereof,
 1157 without limitations as to rate or amount.

1158 (3) If the board shall determine to issue general
 1159 obligation bonds for more than one different purpose, the
 1160 approval of the issuance of the bonds for each and all such
 1161 purposes may be submitted to the freeholders on one and the same
 1162 ballot. The failure of the freeholders to approve the issuance
 1163 of bonds for any one or more purposes shall not defeat the
 1164 approval of bonds for any purpose that shall be approved by the
 1165 freeholders.

1166 Section 31. Bonds as legal investment or
 1167 security.--Notwithstanding any provisions of any other law to
 1168 the contrary, all bonds issued under the provisions of this act
 1169 shall constitute legal investments for savings banks, banks,
 1170 trust companies, insurance companies, executors, administrators,
 1171 trustees, guardians, and other fiduciaries, and for any board,
 1172 body, agency, instrumentality, county, municipality, or other
 1173 political subdivision of the state, and shall be and constitute
 1174 securities which may be deposited by banks or trust companies as
 1175 security for deposits of state, county, municipal, or other
 1176 public funds, or by insurance companies as required for
 1177 voluntary statutory deposits.

1178 Section 32. Covenants.--Any resolution authorizing the
 1179 issuance of bonds may contain such covenants as the board may
 1180 deem advisable and all such covenants shall constitute valid and
 1181 legally binding and enforceable contracts between the district

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1182 and the bondholders, regardless of the time of issuance thereof.
 1183 Such covenants may include, without limitation, covenants
 1184 concerning the disposition of the bond proceeds; the use and
 1185 disposition of project revenues; the pledging of revenues,
 1186 taxes, and assessments; the obligations of the district with
 1187 respect to the operation of the project and the maintenance of
 1188 adequate project revenues; the issuance of additional bonds; the
 1189 appointment, powers, and duties of trustees and receivers; the
 1190 acquisition of outstanding bonds and obligations; restrictions
 1191 on the establishing of competing projects or facilities;
 1192 restrictions on the sale or disposal of the assets and property
 1193 of the district; the priority of assessment liens; the priority
 1194 of claims by bondholders on the taxing power of the district;
 1195 the maintenance of deposits to ensure the payment of revenues by
 1196 users of district facilities and services; the discontinuance of
 1197 district services by reason of delinquent payments; acceleration
 1198 upon default; the execution of necessary instruments; the
 1199 procedure for amending or abrogating covenants with the
 1200 bondholders; and such other covenants as may be deemed necessary
 1201 or desirable for the security of the bondholders.

1202 Section 33. Validity of bonds; validation proceedings.--

1203 (1) Any bonds issued by the district shall be
 1204 incontestable in the hands of bona fide purchasers or holders
 1205 for value and shall not be invalid because of any irregularity
 1206 or defects in the proceedings for the issue and sale thereof.
 1207 Prior to the issuance of any bonds, the district may, but is not
 1208 required to, publish a notice at least once in a newspaper or
 1209 newspapers published or of general circulation in Broward County
 1210 and within the district stating the date of adoption of the

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1211 resolution authorizing such obligations, the amount, the maximum
 1212 rate of interest and maturity of such obligations, and the
 1213 purpose in general terms for which such obligations are to be
 1214 issued, and further stating that any action or proceeding
 1215 questioning the validity of such obligations or of the
 1216 proceedings authorizing the issuance thereof, or of any of the
 1217 covenants made therein, must be instituted within 20 days after
 1218 the first publication of such notice, or the validity of such
 1219 obligations, proceedings, and covenants shall not be thereafter
 1220 questioned in any court whatsoever. If no such action or
 1221 proceeding is so instituted within such 20-day period, the
 1222 validity of such obligations, proceedings, and covenants shall
 1223 be conclusive, and all persons or parties whatsoever shall be
 1224 forever barred from questioning the validity of such
 1225 obligations, proceedings, or covenants in any court whatsoever.

1226 (2) The power of the district to issue bonds under the
 1227 provisions of this act may be determined and any of the bonds of
 1228 the district may be validated and confirmed by circuit court
 1229 decree, under the provisions of chapter 75, Florida Statutes,
 1230 and laws amendatory thereof or supplementary thereto.

1231 Section 34. Within act furnishes full authority for
 1232 issuance of bonds.--This act constitutes full and complete
 1233 authority for the issuance of bonds and the exercise of the
 1234 powers of the district provided herein. No procedures or
 1235 proceedings, publications, notices, consents, approvals, orders,
 1236 acts, or things by the board, or any board, officers,
 1237 commission, department, agency, or instrumentality of the
 1238 district, other than those required by this act, shall be
 1239 required to issue any bonds or to do any act or perform anything

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1240 under this act, and the issuance or sale of bonds pursuant to
 1241 the provisions of this act need not comply with the requirements
 1242 of any other law applicable to the issuance or sale of bonds,
 1243 except as otherwise provided in this act, and shall not require
 1244 the consent or approval of the board of drainage commissioners
 1245 of the state or of any other board, officers, commission,
 1246 department, agency, or instrumentality of the state or any
 1247 political subdivision thereof. Except as otherwise provided
 1248 herein, no proceedings or procedures of any character whatever
 1249 shall be necessary or required for the issuance of bonds other
 1250 than the adoption of an appropriate resolution by the board as
 1251 provided in this act with respect to the issuance of the same.
 1252 The powers conferred by this act on the district with respect to
 1253 the issuance and sale of bonds shall be in addition and
 1254 supplemental to the powers conferred by any other law.

1255 Section 35. Pledge by the state to the bondholders of the
 1256 district and to the Federal Government.--The state pledges to
 1257 the holders of any bonds issued under this act that it will not
 1258 limit or alter the rights of the district to own, acquire,
 1259 construct, reconstruct, improve, maintain, operate, or furnish
 1260 the projects or to levy and collect the taxes, assessments,
 1261 rentals, rates, fees, and other charges provided for herein and
 1262 to fulfill the terms of any agreement made with the holders of
 1263 such bonds or other obligations, and that it will not in any way
 1264 impair the rights or remedies of the holders.

1265 Section 36. Ad valorem taxes.--The board shall have the
 1266 power to levy and assess an ad valorem tax on all the taxable
 1267 real and tangible personal property in the district to pay the
 1268 principal of and interest on any general obligation bonds of the

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1269 district, and to provide for any sinking or other funds
 1270 established in connection with any such bonds. The ad valorem
 1271 tax provided for herein shall be in addition to county and all
 1272 other ad valorem taxes provided for by law. Such tax shall be
 1273 assessed, levied, and collected in the same manner and same time
 1274 as county taxes.

1275 Section 37. Annual installment taxes.--

1276 (1) The board shall annually determine, order, and levy
 1277 the annual installment of the total taxes that are levied under
 1278 chapter 298.36, Florida Statutes, which shall be due and be
 1279 collected during each year that county taxes are due and
 1280 collected and said annual installment and levy shall be
 1281 evidenced to and certified by the board not later than August 31
 1282 of each year to the Broward County Property Appraiser. Said tax
 1283 shall be entered by the county property appraiser on the county
 1284 tax rolls and shall be collected by the Broward County Tax
 1285 Collector in the same manner and the same time as county taxes
 1286 and the proceeds thereof paid to the district. The tax shall be
 1287 a lien until paid on the property against which assessed and
 1288 enforceable in like manner as county taxes.

1289 (2) In the alternative, the board may by resolution
 1290 determine the amount of taxes as provided by chapter 298.37,
 1291 Florida Statutes, and thereafter the annual installments shall
 1292 be levied, collected, and enforced as provided in chapter 298,
 1293 Florida Statutes.

1294 Section 38. Maintenance tax.--To maintain and preserve the
 1295 drainage improvements of the district, a maintenance tax shall
 1296 be evidenced to and certified by the board of supervisors not
 1297 later than August 31 of each year to the property appraiser and

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1298 shall be entered by the property appraiser on the county tax
 1299 rolls and shall be collected by the tax collector in the same
 1300 manner and time as county taxes and the proceeds therefrom paid
 1301 to the district. The tax shall be a lien until paid on the
 1302 property against which assessed and enforceable in like manner
 1303 as county taxes. If the maintenance is for original construction
 1304 based upon an apportionment of benefits, the maintenance tax
 1305 shall be apportioned on the same basis of the net assessments of
 1306 benefits assessed or accruing for original construction and
 1307 shall not exceed 10 percent thereof in any one year. If the
 1308 maintenance is for other drainage improvements owned, operated,
 1309 or acquired by the district, the amount of said maintenance tax
 1310 shall be determined by the board based upon a report of the
 1311 chief engineer and assessed by the board, upon such lands, which
 1312 may be all of the lands within the district benefited by the
 1313 maintenance thereof, apportioned between the benefited lands in
 1314 proportion to the benefits received by each tract of land.

1315 Section 39. Enforcement of taxes.--The collection and
 1316 enforcement of all taxes levied by the district shall be at the
 1317 same time and in like manner as county taxes and the provisions
 1318 of the Florida Statutes relating to the sale of lands for unpaid
 1319 and delinquent county taxes, the issuance, sale, and delivery of
 1320 tax certificates for such unpaid and delinquent county taxes,
 1321 the redemption thereof, the issuance to individuals of tax deeds
 1322 based thereon, and all other procedures in connection therewith
 1323 shall be applicable to the district to the same extent as if
 1324 said statutory provisions were expressly set forth herein. All
 1325 taxes shall be subject to the same discounts as county taxes.

1326 Section 40. When unpaid tax is delinquent; penalty.--All
 1327 taxes provided for in this act shall become delinquent and bear
 1328 penalties on the amount of said taxes in the same manner as
 1329 county taxes.

1330 Section 41. Tax exemption.--As the exercise of the powers
 1331 conferred by this act constitute the performance of essential
 1332 public functions, and as the projects of the district will
 1333 constitute public property used for public purposes, all assets
 1334 and properties of the district, and all bonds issued hereunder
 1335 and interest paid thereon, and all fees, charges, and other
 1336 revenues derived by the district from the projects provided by
 1337 this act shall be exempt from all taxes by the state or by any
 1338 political subdivision, agency, or instrumentality thereof;
 1339 provided, however, that nothing in this act shall be deemed to
 1340 exempt from taxation any property, project, facility, or
 1341 business activity or enterprise that cannot validly be
 1342 undertaken as a public function by special taxing districts or
 1343 other public bodies under the laws and constitution of Florida;
 1344 and further, that nothing in this act shall be deemed to exempt
 1345 any property, project, facility, or business activity or
 1346 enterprise of the district, or revenues derived therefrom, which
 1347 would be subject to taxation under the general laws of Florida
 1348 if such property, project, or facility were owned or undertaken
 1349 by a municipal corporation.

1350 Section 42. Special assessments.--

1351 (1) The board may provide for the construction or
 1352 reconstruction of assessable improvements as defined in section
 1353 4, and for the levying of special assessments upon benefited

1354 property for the payment thereof, under the provisions of this
 1355 section.

1356 (2) Such special assessments may be levied and assessed in
 1357 either of the alternate methods provided in subsection (6) or
 1358 subsection (7), and except for such procedure, all the other
 1359 provisions of this section and this act shall apply to the levy
 1360 and assessment of such special assessments under either
 1361 subsection (6) or subsection (7).

1362 (3) The initial proceeding under subsection (6) or
 1363 subsection (7) shall be the passage by the board of a resolution
 1364 ordering the construction or reconstruction of such assessable
 1365 improvements, indicating the location by terminal points and
 1366 routes and either giving a description of the improvements by
 1367 its material, nature, character, and size or giving two or more
 1368 descriptions with the directions that the material, nature,
 1369 character, and size shall be subsequently determined in
 1370 conformity with one of such descriptions. Drainage improvements
 1371 need not be continuous and may be in more than one locality. The
 1372 resolution ordering any such improvement may give any short and
 1373 convenient designation to each improvement ordered thereby, and
 1374 the property against which assessments are to be made for the
 1375 cost of such improvement may give any short and convenient
 1376 designation to each improvement ordered thereby, and the
 1377 property against which assessments are to be made for the cost
 1378 of such improvement may be designated as an assessment district,
 1379 followed by a letter, number, or name to distinguish it from
 1380 other assessment districts, after which it shall be sufficient
 1381 to refer to such improvement and property by such designation in

1382 all proceedings and assessments, except in the notices required
 1383 by this section.

1384 (4) As soon as possible after the passage of such
 1385 resolution, the engineer for the district shall prepare, in
 1386 duplicate, plans and specifications for each improvement ordered
 1387 thereby and an estimate of the cost thereof. Such cost shall
 1388 include, in addition to the items of cost as defined in this
 1389 act, the following items of incidental expenses:

1390 (a) Printing and publishing notices and proceedings.

1391 (b) Costs of abstracts of title.

1392 (c) Any other expense necessary or proper in conducting
 1393 the proceedings and work provided for in this section, including
 1394 the estimated amount of discount, if any, financial expenses
 1395 upon the sale of assessment bonds, or any other obligations
 1396 issued hereunder for which such special assessments are to be
 1397 pledged, and interest prior to and until not more than 2 years
 1398 after the completion of said assessable improvements. If the
 1399 resolution shall provide alternative descriptions of material,
 1400 nature, character, and size, such estimate shall include an
 1401 estimate of the cost of the improvement of each such
 1402 description.

1403 (5) The district engineer shall next prepare in duplicate
 1404 a tentative apportionment of the estimated total cost of the
 1405 improvement as between the district and each lot or parcel of
 1406 land subject to special assessment under the resolution, such
 1407 apportionment to be made in accordance with the provisions of
 1408 the resolution and in relation to apportionment of cost provided
 1409 herein for the preliminary assessment roll. Such tentative
 1410 apportionment of total estimated cost shall not be held to limit

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1411 or restrict the duties of the engineer in the preparation of
1412 such preliminary assessment roll under subsection (6). One of
1413 the duplicates of such plans, specifications, and estimates and
1414 such tentative apportionment shall be filed with the secretary
1415 of the board and the other duplicate shall be retained by the
1416 engineer in his or her files, all thereof to remain open to
1417 public inspection.

1418 (6)(a) If the special assessments are to be levied under
1419 this subsection, the secretary of the board, upon filing with
1420 him or her of such plans, specifications, estimates, and
1421 tentative apportionment of cost, shall publish once in a
1422 newspaper published in Broward County and of general circulation
1423 in the district a notice stating that at a meeting of the board
1424 on a certain day and hour, not earlier than 15 days after such
1425 publication, the board will hear objections of all interested
1426 persons to the confirmation of such resolution, which notice
1427 shall state in brief and general terms a description of the
1428 proposed assessable improvements with the location thereof, and
1429 shall also state that plans, specifications, estimates, and
1430 tentative apportionment of cost thereof are on file with the
1431 secretary of the board. A copy of the notice shall be mailed to
1432 the landowners of the land to be benefited by construction of
1433 the assessable improvement. The landowners shall be determined
1434 by reference to the last available tax roll of Broward County.
1435 The secretary of the board shall keep a record in which shall be
1436 inscribed, at the request of any person, firm, or corporation
1437 having or claiming to have any interest in any lot or parcel of
1438 land, the name and post office address of such person, firm, or
1439 corporation, together with a brief description or designation of

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1440 such lot or parcel, and it shall be the duty of the secretary of
1441 the board to mail a copy of such notice to such person, firm, or
1442 corporation at such address at least 10 days before the time for
1443 the hearing as stated in such notice, but the failure of the
1444 secretary of the board to keep such record or so to inscribe any
1445 name or address or to mail any such notice shall not constitute
1446 a valid objection to holding the hearing as provided in this
1447 section or to any other action taken under the authority of this
1448 section.

1449 (b) At the time named in such notice, or to which an
1450 adjournment may be taken by the board, the board shall receive
1451 any objections of interested persons and may then or thereafter
1452 repeal or confirm such resolution with such amendments, if any,
1453 as may be desired by the board and which do not cause any
1454 additional property to be specially assessed.

1455 (c) All objections to any such resolution on the ground
1456 that it contains items which cannot be properly assessed against
1457 property, or that it is, for any default or defect in the
1458 passage or character of the resolution or the plans or
1459 specifications or estimate, void or voidable in whole or in
1460 part, or that it exceeds the power of the board, shall be made
1461 in writing in person or by attorney, and filed with the
1462 secretary of the board at or before the time or adjourned time
1463 of such hearing. Any objections against the making of any
1464 assessable improvements not so made shall be considered as
1465 waived, and if any objection shall be made and overruled or
1466 shall not be sustained, the confirmation of the resolution shall
1467 be the final adjudication of the issue presented unless proper

1468 steps shall be taken in a court of competent jurisdiction to
 1469 secure relief within 20 days.

1470 (d) Whenever any resolution providing for the construction
 1471 or reconstruction of assessable improvements and for the levying
 1472 of special assessments upon benefited property for the payment
 1473 thereof shall have been confirmed, and said special assessments
 1474 are levied under this subsection, or at any time thereafter, the
 1475 board may issue assessment bonds payable out of such assessments
 1476 when collected. Such bonds shall mature not later than 2 years
 1477 after the maturity of the last annual installment in which said
 1478 special assessments may be paid, as provided in subsection (7),
 1479 and shall bear such interest as the board may determine not to
 1480 exceed 10 percent per year. Such assessment bonds shall be
 1481 executed, shall have such provisions for redemption prior to
 1482 maturity, and shall be sold in the manner and be subject to all
 1483 of the applicable provisions contained in this act applicable to
 1484 other bonds, except as the same are inconsistent with the
 1485 provisions of this section. The amount of such assessment bonds
 1486 for any assessable improvement, prior to the confirmation of the
 1487 preliminary assessment roll provided for in this subsection,
 1488 shall not exceed the estimated amount of the cost of such
 1489 assessable improvements that are to be specially assessed
 1490 against the lands and real estate of the engineer referred to in
 1491 this section.

1492 (e) After the passage of the resolution authorizing the
 1493 construction or reconstruction of assessable improvements has
 1494 been confirmed as provided for in this subsection where special
 1495 assessments are levied under this subsection, or after the final
 1496 confirmation of the assessment roll where such assessments are

1497 levied under subsection (7), the board may publish at least once
 1498 in a newspaper published in Broward County and of general
 1499 circulation in the district a notice calling for sealed bids to
 1500 be received by the board on a date not earlier than 15 days
 1501 after the first publication for the construction of the work,
 1502 unless in the initial resolution the board shall have declared
 1503 its intention to have the work done by district forces without
 1504 contract. The notice shall refer in general terms to the extent
 1505 and nature of the improvements and may identify the same by the
 1506 short designation indicated in the initial resolution and by
 1507 reference to the plans and specifications on file. If the
 1508 initial resolution shall have given two or more alternative
 1509 descriptions of the assessable improvements as to its material,
 1510 nature, character, and size, and if the board shall not have
 1511 theretofore determined upon a definite description, the notice
 1512 shall call for bids upon each of such descriptions. Bids may be
 1513 requested for the work as whole or for any part thereof
 1514 separately and bids may be asked for any one or more of such
 1515 assessable improvements authorized by the same or different
 1516 resolutions, but any bid covering work upon more than one
 1517 improvement shall be in such form as to permit a separation of
 1518 cost as to each improvement. The notice shall require bidders to
 1519 file with their bids either a certified check drawn upon an
 1520 incorporated bank or trust company in such amount or percentage
 1521 of their respective bids, as the board shall deem advisable, or
 1522 a bid bond in like amount with corporate surety satisfactory to
 1523 the board to insure the execution of a contract to carry out the
 1524 work in accordance with such plans and specifications and insure
 1525 the filing at the making of such contract, of a bond in the

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1526 amount of the contract price with corporate surety satisfactory
 1527 to the board conditioned for the performance of the work in
 1528 accordance with such contract. The board shall have the right to
 1529 reject any or all bids, and, if all bids are rejected, the board
 1530 may readvertise or may determine to do the work by the district
 1531 forces without contract.

1532 (f) Promptly after the completion of the work, in the case
 1533 of special assessments levied under this subsection, the
 1534 engineer for the district, who is hereby designated as the
 1535 official of the district to make the preliminary assessment of
 1536 benefits from assessable improvements, shall prepare a
 1537 preliminary assessment roll and file the same with the secretary
 1538 of the board which roll shall contain the following:

1539 1. A description of abutting lots and parcels of land or
 1540 lands which will benefit from such assessable improvements and
 1541 the amount of such benefits to each such lot or parcel of land.
 1542 Such lots and parcels shall include the property of Broward
 1543 County and any school district or other political subdivision.
 1544 There shall also be given the name of the owner of record of
 1545 each lot or parcel where practicable, and in all cases there
 1546 shall be given a statement of the method of assessment used by
 1547 the engineer for determining the benefits.

1548 2. The total cost of the improvements and the amount of
 1549 incidental expense.

1550 (g) The preliminary roll shall be advisory only and shall
 1551 be subject to the action of the board as hereinafter provided.
 1552 Upon the filing with the secretary of the board of the
 1553 preliminary assessment roll, the secretary of the board shall
 1554 publish at least once in a newspaper published in Broward County

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1555 and of general circulation in the district a notice stating that
1556 at a meeting of the board to be held on a certain day and hour,
1557 not less than 15 days after the date of such publication, which
1558 meeting may be a regular, adjourned, or special meeting, all
1559 interested persons may appear and file written objections to the
1560 confirmation of such roll. Such notice shall state the class of
1561 the assessable improvements and the location thereof by terminal
1562 points and route.

1563 (h) At the time and place stated in such notice, the board
1564 shall meet and receive the objections in writing of all
1565 interested persons as stated in such notice. The board may
1566 adjourn the hearing from time to time. After the completion
1567 thereof, the board shall annul, sustain, or modify in whole or
1568 in part the prima facie assessment as indicated on such roll,
1569 either by confirming the prima facie assessment against any or
1570 all lots or parcels described therein or by canceling,
1571 increasing, or reducing the same, according to the special
1572 benefits which the board decides each such lot or parcel has
1573 received or will receive on account of such improvement. If any
1574 property that may be chargeable under this section shall have
1575 been omitted from the preliminary roll or if the prima facie
1576 assessment shall not have been made against it, the board may
1577 place on such roll an apportionment to such property. The board
1578 shall not confirm any assessment in excess of the special
1579 benefits to the property assessed and the assessments so
1580 confirmed shall be in proportion to the special benefits.
1581 Forthwith, after such confirmation, such assessment roll shall
1582 be delivered to the secretary of the board. The assessment so
1583 made shall be final and conclusive as to each lot or parcel

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1584 assessed unless proper steps are taken within 30 days in a court
 1585 of competent jurisdiction to secure relief. If the assessment
 1586 against any property shall be sustained or reduced or abated by
 1587 the court, the secretary of the board shall note that fact on
 1588 the assessment roll opposite the description of the property
 1589 affected thereby. The amount of the special assessment against
 1590 any lot or parcel which may be abated by the court, unless the
 1591 assessment upon all benefited property be abated, or the amount
 1592 by which such assessment is so reduced, may by resolution of the
 1593 board be made chargeable against the district at large; or, at
 1594 the discretion of the board, a new assessment roll may be
 1595 prepared and confirmed in the manner hereinabove provided for
 1596 the preparation and confirmation of the original assessment
 1597 roll.

1598 (i) Pending the final confirmation of such special
 1599 assessments in the manner provided in this subsection, the
 1600 district shall have a lien on all such lands and real estate
 1601 after the confirmation of the initial resolution, in the manner
 1602 provided in this subsection.

1603 (7)(a) The district engineer, under the procedure provided
 1604 for in this subsection, shall next, after the passage of the
 1605 initial resolution and filing of the plans and estimates of cost
 1606 by the district engineer, prepare an assessment roll for the
 1607 district in duplicate, which assessment roll shall contain an
 1608 apportionment of the estimated total cost of the improvement as
 1609 between the district and each lot or parcel of land subject to
 1610 the special assessment under the initial resolution, such
 1611 apportionment to be made in accordance with the provisions of
 1612 the initial resolution. One of the duplicates of said assessment

1613 roll shall be filed with the secretary of the board and the
 1614 other duplicate shall be retained by the district engineer in
 1615 his or her files, all thereof to remain open to public
 1616 inspection.

1617 (b) Upon the completion and filing of said assessment
 1618 roll, the secretary to the board shall cause a copy thereof to
 1619 be published once in a newspaper published in Broward County and
 1620 of general circulation in the district, together with a notice
 1621 directed to all property owners interested in said special
 1622 assessments, stating that at a meeting of the board on a certain
 1623 day and hour, not earlier than 15 days after such publication,
 1624 the board sitting as an equalizing board will hear objections of
 1625 all interested persons to the final confirmation of such
 1626 assessment roll and will finally confirm such assessment roll or
 1627 take such action relative thereto as it deems necessary and
 1628 advisable. A copy of the notice shall be mailed to the
 1629 landowners of the land to be benefited by construction of the
 1630 assessable improvement. The landowners shall be determined by
 1631 reference to the last available tax roll of Broward County. The
 1632 secretary of the board shall keep a record in which shall be
 1633 inscribed, at the request of any person, firm, or corporation
 1634 having or claiming to have any interest in any lot or parcel of
 1635 land, the name and post office address of such person, firm, or
 1636 corporation, together with a brief description or designation of
 1637 such lot or parcel, and it shall be the duty of the secretary of
 1638 the board to mail a copy of such notice to such person, firm, or
 1639 corporation at such address at least 10 days before the time for
 1640 the hearing as stated in such notice, but the failure of the
 1641 secretary of the board to keep such record or so to inscribe any

1642 name or address or to mail any such notice shall not constitute
 1643 a valid objection to holding the hearing as provided in this
 1644 section or to any other action taken under the authority of this
 1645 section.

1646 (c) At the time and place named in the notice provided for
 1647 in paragraph (b), the board shall meet as an equalizing board to
 1648 hear and consider any and all complaints as to said special
 1649 assessments, and shall adjust and equalize the said special
 1650 assessments on a basis of justice and right, and when so
 1651 equalized and approved such special assessments shall stand
 1652 confirmed and remain legal, valid, and binding liens upon the
 1653 properties upon which such special assessments are made, until
 1654 paid in accordance with the provisions of this act; provided,
 1655 however, that upon the completion of such improvements, if the
 1656 actual cost of such assessable improvements is less than the
 1657 amount of such special assessments levied, the district shall
 1658 rebate to the owners of any properties which shall have been
 1659 specially assessed for such assessable improvements the
 1660 difference in the special assessments as originally made,
 1661 levied, and confirmed, and the proportionate part of the actual
 1662 cost of said assessable improvements as finally determined upon
 1663 the completion of said assessable improvements; and in the event
 1664 that the actual cost of said assessable improvements shall be
 1665 more than the amount of such special assessments confirmed and
 1666 levied, finally determined upon the completion of said
 1667 assessable improvements, the proportionate part of such excess
 1668 cost of such assessable improvements may be levied against all
 1669 of the lands and properties against which such special
 1670 assessments were originally levied, or, in the alternative, the

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1671 board may, in its discretion, pay such excess cost from any
1672 legally available funds.

1673 (d) All objections to any such assessment roll on the
1674 ground that it contains items which cannot be properly assessed
1675 against property, or that it is, for any default or defect in
1676 the passage or character of the assessment roll or the plans or
1677 specifications or estimate, void or voidable in whole or in
1678 part, or that it exceeds the power of the board, shall be made
1679 in writing in person or by attorney, and filed with the
1680 secretary of the board at or before the time or adjourned time
1681 of such hearing on the assessment roll. Any objections against
1682 the making of any assessable improvements not so made shall be
1683 considered as waived, and if any objections shall be made and
1684 overruled or shall not be sustained, the confirmation of the
1685 assessment roll shall be the final adjudication of the issue
1686 presented unless proper steps shall be taken in a court of
1687 competent jurisdiction to secure relief within 20 days.

1688 (e) All the provisions of subsection (6) not inconsistent
1689 with this subsection shall apply to the levy of special
1690 assessments under this subsection.

1691 (8)(a) Any assessment may be paid at the office of the
1692 secretary of the board within 60 days after the confirmation
1693 thereof, without interest. Thereafter, all assessments shall be
1694 payable in equal installments, with interest as determined by
1695 the board, not to exceed 10 percent per year, from the
1696 expiration of said 60 days in each of the succeeding number of
1697 years that the board shall determine by resolution, not
1698 exceeding 20; provided, however, that the board may provide that
1699 any assessment may be paid at any time before due, together with

1700 interest accrued thereon to the date of payment, if such prior
 1701 payment shall be permitted by the proceedings authorizing any
 1702 assessment bonds or other obligations for the payment of which
 1703 such special assessments have been pledged.

1704 (b) All such special assessments levied pursuant to this
 1705 act may, in the discretion of the board, be collected by the tax
 1706 collector of the county at the same time as the general county
 1707 taxes are collected by the tax collector of the county, and the
 1708 board shall in such event certify to the county tax collector in
 1709 each year a list of all such special assessments and a
 1710 description of and names of the owners of the properties against
 1711 which such special assessments have been levied and the amounts
 1712 due thereof in such year, and interest thereon for any
 1713 deficiencies for prior years. The amount to be collected in such
 1714 year may include, in the discretion of the board, the principal
 1715 installment of such special assessments which will become due at
 1716 any time in the next succeeding fiscal year, and all or any part
 1717 of the interest which will become due on such special
 1718 assessments during such next fiscal year, together with any
 1719 deficiencies for prior years.

1720 (c) The board may in lieu of providing for the collection
 1721 of said special assessments by the tax collector of the county,
 1722 provide for the collection of said special assessments by the
 1723 district under such terms and conditions as the board shall
 1724 determine. In such event, the bills or statements for the
 1725 amounts due in any fiscal year shall be mailed to the owners of
 1726 all properties affected by such special assessments at such time
 1727 or times as the board shall determine and such bills or
 1728 statements may include all or any part of the principal and

1729 interest which will mature and become due on the annual
 1730 installments of such special assessments during the fiscal year
 1731 in which installments of such special assessments are payable.

1732 (d) All charges of the county tax collector or of the
 1733 district, and the fees, costs, and expenses of any paying
 1734 agents, trustees, or other fiduciaries for assessment bonds
 1735 issued under this act, shall be deemed to be costs of the
 1736 operation and maintenance of any drainage improvements in
 1737 connection with which such special assessments were levied and
 1738 the board shall be authorized and directed to provide for the
 1739 payment each year of such costs of collection, fees, and other
 1740 expenses from the maintenance tax as provided in this act as
 1741 shall be mutually agreed upon between the board and the county
 1742 tax collector as additional compensation for his or her services
 1743 for each such assessment district in which the special
 1744 assessments are collected by him or her.

1745 (e) All assessments shall constitute a lien upon the
 1746 property so assessed from the date of final confirmation
 1747 thereof, of the same nature and to the same extent as the lien
 1748 for general county taxes falling due in the same year or years
 1749 in which such assessments or installments thereof fall due, and
 1750 any assessment or installment not paid when due shall be
 1751 collectable with such interest and with a reasonable attorney's
 1752 fee and costs, but without penalties, by the district by
 1753 proceedings in a court of equity to foreclose the line of
 1754 assessments as a lien for mortgages is or may be foreclosed
 1755 under the laws of the state; provided that any such proceedings
 1756 to foreclose shall embrace all installments of principal
 1757 remaining unpaid with accrued interest thereon, which

1758 installments shall, by virtue of the institution of such
 1759 proceedings, immediately become due and payable. Nevertheless,
 1760 if, prior to any sale of the property under decree of
 1761 foreclosure in such proceedings, payment is made of the
 1762 installment or installments which are shown to be due under the
 1763 provisions of subsection (6) or subsection (7) and all costs,
 1764 including interest and reasonable attorney's fees, such payment
 1765 shall have the effect of restoring the remaining installments to
 1766 their original maturities as provided by the resolution passed
 1767 pursuant to this subsection and the proceedings shall be
 1768 dismissed. It shall be the duty of the board to enforce the
 1769 prompt collection of assessment by the means herein provided,
 1770 and such duty may be enforced at the suit of any holder of bonds
 1771 issued under this act in a court of competent jurisdiction by
 1772 mandamus or other appropriate proceedings or action. Not later
 1773 than 30 days after the annual installments are due and payable,
 1774 it shall be the duty of the board to direct the attorney for the
 1775 district to institute actions within 2 months after such
 1776 direction to enforce the collection of all special assessments
 1777 for assessable improvements made under this section and
 1778 remaining due and unpaid at the time of such direction. Such
 1779 action shall be prosecuted in the manner and under the
 1780 conditions in and under which mortgages are foreclosed under the
 1781 laws of the state. It shall be lawful to join in one action the
 1782 collection of assessments against any or all property assessed
 1783 by virtue of the same assessment roll unless the court shall
 1784 deem such joinder prejudicial to the interest of any defendant.
 1785 The court shall allow a reasonable attorney's fee for the
 1786 attorney for the district and the same shall be collectable as a

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1787 part of or in addition to the costs of the action. At the sale
 1788 pursuant to decree in any such action, the district may be a
 1789 purchaser to the same extent as an individual person or
 1790 corporation, except that the part of the purchase price
 1791 represented by the assessments sued upon and the interest
 1792 thereon need not be paid in cash. Property so acquired by the
 1793 district may be sold or otherwise disposed of.

1794 (f) All assessments and charges made under the provisions
 1795 of this section for the payment of all or any part of the cost
 1796 of any assessable improvements for which assessment bonds shall
 1797 have been issued under the provisions of this act, or which have
 1798 been pledged as additional security for any other bonds or
 1799 obligations issued under this act, shall be maintained in a
 1800 special fund or funds and be used only for the payment of
 1801 principal or interest on such assessment bonds or other bonds or
 1802 obligations.

1803 (g) Broward County and each school district and other
 1804 political subdivision wholly or partly within the district shall
 1805 possess the same power and be subject to the same duties and
 1806 liabilities in respect of assessments under this section
 1807 affecting the real estate of such county, school district, or
 1808 other political subdivision that private owners of real estate
 1809 possess or are subject to hereunder, and such real estate of any
 1810 such county, school district, and political subdivision shall be
 1811 subject to liens for said assessments in all cases where the
 1812 same property would be subject to such liens had it at the time
 1813 the lien attached been owned by a private owner.

1814 Section 43. Issuance of certificates of indebtedness based
 1815 on assessments for assessable improvements; assessment bonds.--

1816 (1) The board may, after any assessments for assessable
 1817 improvements are made, determined, and confirmed as provided in
 1818 section 42, issue certificates of indebtedness for the amount so
 1819 assessed against the abutting property or property otherwise
 1820 benefited, as the case may be, and separate certificates shall
 1821 be issued against each part or parcel of land or property
 1822 assessed, which certificates shall state the general nature of
 1823 the improvement for which the said assessment is made. Said
 1824 certificates shall be payable in annual installments in
 1825 accordance with the installments of the special assessment for
 1826 which they are issued. The board may determine the interest to
 1827 be borne by such certificates, not to exceed 10 percent per
 1828 year, and may sell such certificates at either private or public
 1829 sale and determine the form, manner of execution, and other
 1830 details of such certificates. Such certificates shall recite
 1831 that they are payable only from the special assessments levied
 1832 and collected from the part or parcel of land or property
 1833 against which they are issued. The proceeds of such certificates
 1834 may be pledged for the payment of principal of and interest on
 1835 any revenue bonds or general obligation bonds issued to finance
 1836 in whole or in part such assessable improvement, or, if not so
 1837 pledged, may be used to pay the cost or part of the cost of such
 1838 assessable improvements.

1839 (2) The district may also issue assessment bonds or other
 1840 obligations payable from a special fund into which such
 1841 certificates of indebtedness referred to in subsection (1) may
 1842 be deposited; or, if such certificates of indebtedness have not
 1843 been issued, the district may assign to such special fund for
 1844 the benefit of the holders of such assessment bonds or other

1845 obligations, or to a trustee for such bondholders, the
 1846 assessment liens provided for in this act unless such
 1847 certificates of indebtedness or assessment liens have been
 1848 theretofore pledged for any bonds or other obligations
 1849 authorized hereunder. In the event of the creation of such
 1850 special fund and the issuance of such assessment bonds or other
 1851 obligations, the proceeds of such certificates of indebtedness
 1852 of assessment liens deposited therein shall be used only for the
 1853 payment of the assessment bonds or other obligations issued as
 1854 provided in this section. The district is hereby authorized to
 1855 covenant with the holders of such assessment bonds or other
 1856 obligations that it will diligently and faithfully enforce and
 1857 collect all the special assessments and interest and penalties
 1858 thereon for which such certificates of indebtedness or
 1859 assessment liens have been deposited in or assigned to such fund
 1860 and to foreclose such assessment liens so assigned to such
 1861 special fund or represented by the certificates of indebtedness
 1862 deposited in said special fund, after such assessment liens have
 1863 become delinquent, and deposit the proceeds derived from such
 1864 foreclosure, including interest and penalties, in such special
 1865 fund, and to make any other covenants deemed necessary or
 1866 advisable in order to properly secure the holders of such
 1867 assessment bonds or other obligations.

1868 (3) The assessment bonds or other obligations issued
 1869 pursuant to this section shall have such dates of issue and
 1870 maturity as shall be deemed advisable by the board, provided,
 1871 however, that the maturities of such assessment bonds or other
 1872 obligations shall not be more than 2 years after the due date of
 1873 the last installment which will be payable on any of the special

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1874 assessments for which such assessment liens, or the certificates
 1875 of indebtedness representing such assessment liens, are assigned
 1876 to or deposited in such special fund.

1877 (4) Such assessment bonds or other obligations issued
 1878 pursuant to this section shall bear such interest as the board
 1879 may determine not to exceed 10 percent per year, shall be
 1880 executed, shall have such provisions for redemption prior to
 1881 maturity, and shall be sold in the manner and be subject to all
 1882 of the applicable provisions contained in this act for revenue
 1883 bonds, except as the same may be inconsistent with the
 1884 provisions of this section.

1885 (5) All assessment bonds or other obligations issued under
 1886 the provisions of this act, except certificates of indebtedness
 1887 issued against separate lots or parcels of land or property as
 1888 provided in this section, shall be and constitute and have all
 1889 the qualities and incidents of negotiable instruments under the
 1890 law merchant and the laws of the state.

1891 Section 44. Foreclosure of liens.--Any lien in favor of
 1892 the district arising under chapter 298, Florida Statutes, or
 1893 under this act may be foreclosed by the district by foreclosure
 1894 proceedings in the name of the district in the circuit court in
 1895 like manner as is provided in chapter 173, Florida Statutes, and
 1896 amendments thereto, and the provisions of said chapter shall be
 1897 applicable to such proceedings with the same force and effect as
 1898 if said provisions were expressly set forth in this act. Any act
 1899 required or authorized to be done by or on behalf of a city or
 1900 town in foreclosure proceedings under chapter 173, Florida
 1901 Statutes, may be performed by such officer or agent of the
 1902 district as the board of supervisors may designate. Such

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1903 foreclosure proceedings may be brought at any time after the
 1904 expiration of 1 year after the date any tax, or installment
 1905 thereof, becomes delinquent.

1906 Section 45. Payment of taxes and redemption of tax liens
 1907 by the district; sharing in proceeds of tax sale under section
 1908 194.21, Florida Statutes, as amended.--

1909 (1) The district has the right to:

1910 (a) Pay any delinquent state, county, district, municipal,
 1911 or other tax or assessment upon lands located wholly or
 1912 partially within the boundaries of the district.

1913 (b) Redeem or purchase any tax sales certificate issued or
 1914 sold on account of any state, county, district, municipality, or
 1915 other taxes or assessments upon lands located wholly or
 1916 partially within the boundaries of the district.

1917 (2) Delinquent taxes paid, or tax sales certificates
 1918 redeemed or purchased, by the district, together with all
 1919 penalties for the default in payment of the same and all costs
 1920 in collecting the same and a reasonable attorney's fee, shall
 1921 constitute a lien in favor of the district of equal dignity with
 1922 the liens of state and county taxes and other taxes of equal
 1923 dignity with state and county taxes, upon all the real property
 1924 against which said taxes were levied. The lien of the district
 1925 may be foreclosed in the manner provided in this act.

1926 (3) In any sale of land pursuant to section 194.21,
 1927 Florida Statutes, and amendments thereto, the district may
 1928 certify to the clerk of the circuit court of the county holding
 1929 such sale the amount of taxes due to the district upon the lands
 1930 sought to be sold, and the district shall share in the

1931 disbursement of the sales proceeds in accordance with the
 1932 provisions of this act and under law.

1933 Section 46. Mandatory use of certain district facilities
 1934 and services.--The district may require all lands, buildings,
 1935 and premises, and all persons, firms, and corporations within
 1936 the district to use the drainage, reclamation, and water and
 1937 sewer facilities of the district. Subject to such exceptions as
 1938 may be provided by the resolutions, rules, or bylaws of the
 1939 board, and subject to the terms and provisions of any resolution
 1940 authorizing any bonds and agreements with bondholders, no
 1941 drainage and reclamation or water and sewer facilities shall be
 1942 constructed or operated within the district unless the board
 1943 gives its consent thereto and approves the plans and
 1944 specifications therefor.

1945 Section 47. Bids required.--No contract shall be let by
 1946 the board for the construction or maintenance of any project
 1947 authorized by this act, nor shall any goods, supplies, or
 1948 materials be purchased when the amount thereof to be paid by
 1949 said district shall exceed \$4,000, unless notice of bids shall
 1950 be advertised once a week for 2 consecutive weeks in a newspaper
 1951 published in Broward County and of general circulation in the
 1952 district, and in each case the bid of the lowest responsible
 1953 bidder shall be accepted, unless all bids are rejected because
 1954 the bids are too high. The board may require the bidders to
 1955 furnish bond with responsible surety to be approved by the
 1956 board. Nothing in this section shall prevent the board from
 1957 undertaking and performing the construction, operation, and
 1958 maintenance of any project or facility authorized by this act,
 1959 by the employment of labor, material, and machinery.

1960 Section 48. Maintenance of projects across
 1961 rights-of-ways.--The district shall have the power to construct
 1962 and operate its projects in, along, or under any dedications to
 1963 the public, platted rights-of-ways, platted reservations,
 1964 streets, alleys, highways, or other public places or ways, and
 1965 across any drain, ditch, canal, floodway, holding basin,
 1966 excavation, grade, fill, or cut, within or without the district.

1967 Section 49. Agreements with state commissions and
 1968 others.--The board shall have the power to retain and enter into
 1969 agreements with fiscal agents, financial advisors, state
 1970 commissions, engineers, and other consultants or advisors with
 1971 respect to the issuance and sale of any bonds, and the cost and
 1972 expense thereof may be treated as part of the cost and expense
 1973 of such project. Upon request of the board, any state commission
 1974 may provide such technical assistance or other services relating
 1975 to bond issues as may be necessary or desirable under the
 1976 circumstances.

1977 Section 50. Agreements with other political bodies for the
 1978 joint discharge of common functions.--The board and any other
 1979 political bodies, whether now in existence or hereafter created,
 1980 are authorized to enter into and carry into effect contracts and
 1981 agreements relating to the common powers, duties, and functions
 1982 of the board and any other political bodies, to the end that
 1983 there may be effective cooperation and coordination in
 1984 discharging their common functions, powers, and duties.

1985 Section 51. Fees, rentals, and charges; procedure for
 1986 adoption and modifications; minimum revenue requirements.--

1987 (1) The district is authorized to prescribe, fix,
 1988 establish, and collect rates, fees, rentals, or other charges,

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1989 hereinafter sometimes referred to by the term "revenues," and to
 1990 revise the same from time to time, for the facilities and
 1991 services furnished by the district, within or without the limits
 1992 of the district, including, but not limited to, drainage
 1993 facilities, recreation facilities, and water and sewer systems,
 1994 to recover the costs of making connection with any district
 1995 facility or system; and to provide for reasonable penalties
 1996 against any user or property for any such rates, fees, rentals,
 1997 or other charges that are delinquent.

1998 (2) No such rates, fees, rentals, or other charges for any
 1999 of the facilities or services of the district shall be fixed
 2000 until after a public hearing at which all the users of the
 2001 proposed facility or services or owners, tenants, or occupants
 2002 served or to be served thereby and all other interested persons
 2003 shall have an opportunity to be heard concerning the proposed
 2004 rates, fees, rentals, or other charges. Notice of such public
 2005 hearing setting forth the proposed schedule or schedules of
 2006 rates, fees, rentals, and other charges shall have been
 2007 published in a newspaper in Broward County and of general
 2008 circulation in the district at least once at least 10 days prior
 2009 to such public hearing, which may be adjourned from time to
 2010 time. After such hearing, such schedule or schedules, either as
 2011 initially proposed, or as modified or amended, may be finally
 2012 adopted. A copy of the schedule or schedules of such rates,
 2013 fees, rentals, or charges as finally adopted shall be kept on
 2014 file in an office designated by the board and shall be open at
 2015 all reasonable times to public inspection. The rates, fees,
 2016 rentals, or charges so fixed for any class of users or property
 2017 served shall be extended to cover any additional users or

2018 properties thereafter served that shall fall in the same class,
 2019 without the necessity of any notice or hearing. Any change or
 2020 revision of rates, fees, rentals, or charges may be made in the
 2021 same manner as the same were originally established, as
 2022 hereinabove provided, except that if such changes or revisions
 2023 are made substantially pro rata as to all classes of the type of
 2024 service involved, no notice or hearing shall be required.

2025 (3) Such rates, fees, rentals, and charges shall be just
 2026 and equitable and uniform for users of the same class, and where
 2027 appropriate may be based or computed either upon the amount of
 2028 service furnished or upon the number or average number of
 2029 persons residing or working or otherwise occupying the premises
 2030 served, or upon any other factor affecting the use of the
 2031 facilities furnished, or upon any combination of the foregoing
 2032 factors, as may be determined by the board on an equitable
 2033 basis.

2034 (4) The rates, fees, rentals, or other charges prescribed
 2035 shall be such as will produce revenues, together with any other
 2036 assessments, taxes, revenues, or funds available or pledged for
 2037 such purpose, at least sufficient to provide for the items
 2038 hereinafter listed, but not necessarily in the order stated:

2039 (a) To provide for all expenses of operation and
 2040 maintenance of such facility or service.

2041 (b) To pay when due all bonds and interest thereon for the
 2042 payment of which such revenues are, or shall have been, pledged
 2043 or encumbered, including reserves for such purpose.

2044 (c) To provide for any other funds that may be required
 2045 under the resolution or resolutions authorizing the issuance of
 2046 bonds pursuant to this act.

2047 (5) The board shall have the power to enter into contracts
 2048 for the use of the projects of the district and with respect to
 2049 the services and facilities furnished or to be furnished by the
 2050 district, including, but not limited to, service agreements with
 2051 landowners and others within or without the district providing
 2052 for the drainage of land by the district or the furnishing of
 2053 any of the other services and facilities of the district, for
 2054 such consideration and on such other terms and conditions as the
 2055 board may approve. No hearing or notice thereof shall be
 2056 required prior to the authorization or execution by the board of
 2057 any such contract or agreement, and the same shall not be
 2058 subject to revision except in accordance with their terms. Such
 2059 contracts or agreements, and revenues or service charges
 2060 received or to be received by the district thereunder, may be
 2061 pledged as security for any of the lands of the district.

2062 Section 52. Recovery of delinquent charges.--In the event
 2063 that any of the rates, fees, rentals, charges, or delinquent
 2064 penalties shall not be paid as and when due and shall be in
 2065 default for 30 days or more, the unpaid balance thereof and all
 2066 interest accrued thereon, together with reasonable attorney's
 2067 fees and costs, may be recovered by the district in a civil
 2068 action.

2069 Section 53. Discontinuance of service.--In the event that
 2070 the fees, rentals, or other charges for the services and
 2071 facilities of any project are not paid when due, the board shall
 2072 have the power to discontinue and shut off the same until such
 2073 fees, rentals, or other charges, including interest, penalties,
 2074 and charges for the shutting off and discontinuance and the
 2075 restoration of such services and facilities, are fully paid, and

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2076 for such purposes may enter on any lands, waters, and premises
 2077 of any person, firm, corporation, or body, public or private,
 2078 within or without the district limits. Such delinquent fees,
 2079 rentals, or other charges, together with interest, penalties,
 2080 and charges for the shutting off and discontinuance and the
 2081 restoration of such services and facilities, and the reasonable
 2082 attorney's fees and other expenses, may be recovered by the
 2083 district, which may also enforce payment of such delinquent
 2084 fees, rentals, or other charges by any other lawful method of
 2085 enforcement.

2086 Section 54. Action taken on consent of landowners.--Any
 2087 action required under this act or under chapter 298, Florida
 2088 Statutes, to be taken on public hearing for the purpose of
 2089 receiving and passing on objections by landowners may be taken
 2090 without such notice or hearing upon the written consent of all
 2091 of the landowners affected by such action.

2092 Section 55. Enforcement and penalties.--The board or any
 2093 aggrieved person may have recourse to such remedies in law and
 2094 equity as may be necessary to ensure compliance with the
 2095 provisions of this act, including injunctive relief to enjoin or
 2096 restrain any person violating the provisions of this act, and
 2097 any bylaws, resolutions, regulations, rules, codes, and orders
 2098 adopted under this act. In case any building or structure is
 2099 erected, constructed, reconstructed, altered, repaired,
 2100 converted, or maintained, or any building, structure, land, or
 2101 water is used, in violation of this act, or of any code, order,
 2102 resolution, or other regulation made under authority conferred
 2103 by this act or under law, the board and any citizen residing in
 2104 the district may institute any appropriate action or proceeding

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2105 to prevent such unlawful erection, construction, reconstruction,
 2106 alteration, repair, conversion, maintenance, or use; to
 2107 restrain, correct, or avoid such violation; to prevent the
 2108 occupancy of such building, structure, land, or water; and to
 2109 prevent any illegal act, conduct, business, or use in or about
 2110 such premises, land, or water.

2111 Section 56. Suits against the district.--No suit or action
 2112 shall be brought or maintained against the district for damages
 2113 arising out of tort or breach of contract, including, without
 2114 limitation, any claim arising upon account of an act causing a
 2115 wrongful death, unless written notice of such claim is received
 2116 within 180 days after receiving the alleged injury given to the
 2117 secretary of the board, with detailed specifications as to the
 2118 time, place, and manner of injury. No such suit or action shall
 2119 be brought or maintained unless brought within 24 months after
 2120 the time of the injury or damages.

2121 Section 57. Exemption of district property from
 2122 execution.--All district property shall be exempt from levy and
 2123 sale by virtue of an execution and no execution or other
 2124 judicial process shall issue against such property, nor shall
 2125 any judgment against the district be a charge or lien on its
 2126 property or revenues, provided that nothing herein contained
 2127 shall apply to or limit the rights of bondholders to pursue any
 2128 remedy for the enforcement of any lien or pledge given by the
 2129 district in connection with any of the bonds or obligations of
 2130 the district.

2131 Section 4. Chapters 70-617 and 89-419, Laws of Florida,
 2132 are repealed.

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2133 Section 5. If any one or more of the sections or
2134 provisions of this act or the application of such sections or
2135 provisions to any situation, circumstance, or person shall for
2136 any reason be held to be unconstitutional, such
2137 unconstitutionality shall not affect any other sections or
2138 provisions as to any other situation, circumstance, or person,
2139 and it is intended that this law shall be construed and applied
2140 as if such section or provision had not been included herein for
2141 any unconstitutional application.

2142 Section 6. This act shall take effect upon becoming a law.