

1 A bill to be entitled

2 An act relating to the Downtown Development Authority of  
3 the City of Fort Lauderdale, Broward County; codifying,  
4 amending, reenacting, and repealing chapters 65-1541, 67-  
5 1385, 69-1056, 75-371, 80-501, 85-393, 87-507, 89-431, 92-  
6 247, 93-392, and 95-531, Laws of Florida; providing  
7 severability; providing an effective date.

8  
9 Be It Enacted by the Legislature of the State of Florida:

10  
11 Section 1. Pursuant to section 189.429, Florida Statutes,  
12 this act constitutes the codification of all special acts  
13 relating to the Downtown Development Authority of the City of  
14 Fort Lauderdale. It is the intent of the Legislature in enacting  
15 this law to provide a single, comprehensive special act charter  
16 for the authority, including all current legislative authority  
17 granted to the authority by its several legislative enactments  
18 and any additional authority granted by this act. It is further  
19 the intent of this act to preserve all authority of the  
20 authority.

21 Section 2. Chapters 65-1541, 67-1385, 69-1056, 75-371, 80-  
22 501, 85-393, 87-507, 89-431, 92-247, 93-392, and 95-531, Laws of  
23 Florida, are codified, reenacted, amended, and repealed as  
24 herein provided.

25 Section 3. The charter for the Downtown Development  
26 Authority of the City of Fort Lauderdale is reenacted and re-  
27 created to read:

28        Section 1. Definitions.--As used in this act, the  
 29 following terms shall have the meaning ascribed to them in this  
 30 section unless the context shall clearly requires otherwise:

31        (1) "Authority" means the Downtown Development Authority  
 32 of the City of Fort Lauderdale.

33        (2) "Board" means the governing body of the authority  
 34 selected as herein provided.

35        (3) "Director" means the chief executive officer of the  
 36 authority selected by the board as herein provided.

37        (4) "City" means the City of Fort Lauderdale.

38        (5) (a) "Downtown" means the lands described in section 2  
 39 not being used as a residence.

40        (b) "Not being used as a residence" means all residential  
 41 lands not being used as a residence or that portion of  
 42 nonresidential lands not being used as a residence. The  
 43 determination of when land is being used as a residence shall be  
 44 made and certified by the Executive Director of the Downtown  
 45 Development Authority at the time the books close for a Downtown  
 46 Development Authority election or, if the Downtown Development  
 47 Authority does not hold an election in a particular year, as of  
 48 January 1 of that year.

49        (c) "Residence" means a building in which one or more  
 50 natural persons live.

51        (d) "Residential" means lands zoned by the City of Fort  
 52 Lauderdale as R-1-A, R-1, R-1-P, R-2-A, R-2, R-3-A/RM-25, R-3-9,  
 53 RM-15, R-3/RM-30, R-3-C, R-4/RM-60, or R-4-C.

54        (6) "Planning board" means the city planning and zoning  
 55 board.

56 (7) "Bonds" means any bonds, including refunding bonds,  
57 notes, interim certificates, certificates of indebtedness,  
58 debentures, and other obligations.

59 (8) "Public facility" means any street, park, parking lot,  
60 playground, right-of-way, structure, waterway, bridge, lake,  
61 pond, canal, utility lines or pipes, and building, including  
62 access routes to any of the foregoing, designed and dedicated to  
63 use by the public generally, or used by any public agency with  
64 or without charge, whether or not the same is revenue producing.

65 (9) "Assessable improvements" includes, without  
66 limitation, any and all land redevelopment and revitalization  
67 works and facilities, sewer systems, storm sewers and drains,  
68 water systems, streets, roads, or other products of the  
69 authority, or that portion or portions thereof, local in nature  
70 and of special benefit to the premises or lands served thereby,  
71 and any and all modifications, improvements, and enlargements  
72 thereof.

73 (10) "Cost," when used with reference to any project,  
74 includes, but is not limited to, the expense of determining the  
75 feasibility or practicability of acquisition, construction, or  
76 reconstruction; the cost of surveys, estimates, plans, designs,  
77 and specifications; the cost of improvements and engineering,  
78 fiscal, and legal expenses and charges; the cost of all labor,  
79 materials, machinery, and equipment; the cost of all lands,  
80 properties, rights, easements, and franchises acquired; federal,  
81 state, and local taxes and assessments; financing charges; the  
82 creation of initial reserve and debt service funds; working  
83 capital; interest charges incurred or estimated to be incurred

84 on money borrowed prior to and during construction and  
85 acquisition and for such period of time after completion of  
86 construction or acquisition as the board may determine; the cost  
87 of issuance of bonds pursuant to this act, including  
88 advertisements and printing, the cost of any referendum held  
89 pursuant to this act, and all other expenses of issuance of  
90 bonds; discount, if any, on the sale or exchange of bonds;  
91 administrative expenses; such other expenses as may be necessary  
92 or incidental to the acquisition, construction, or  
93 reconstruction of any project or to the financing thereof, or  
94 the development of any lands within the authority; and  
95 reimbursement of any public or private body, person, firm, or  
96 corporation for any moneys advanced in connection with any of  
97 the foregoing items of cost. Any obligation or expense incurred  
98 prior to the issuance of bonds in connection with the  
99 acquisition, construction, or reconstruction of any project or  
100 improvements thereon, or in connection with any other  
101 development of land that the board shall determine to be  
102 necessary or desirable in carrying out the purposes of this act,  
103 may be treated as a part of such cost.

104 (11) "Project" means any development, improvement,  
105 property, utility, facility, works road, sidewalk, enterprise,  
106 service, or convenience, including, without limitation, public  
107 transportation facilities and services, now existing or  
108 hereafter undertaken or established, that under the provisions  
109 of this act the authority is authorized to construct, acquire,  
110 undertake, or furnish for its own use or for the use of any  
111 other person, firm, or corporation owning, leasing, or otherwise

112 using the same, for any profit or nonprofit purpose or activity,  
113 and shall include, without limitation, such repairs,  
114 replacements, additions, extensions, and betterments of and to  
115 any project as may be deemed necessary or desirable by the board  
116 to place or to maintain such project in proper condition for the  
117 safe, efficient, and economic operation thereof.

118 (12) "Public body" means the state or any municipality,  
119 board, commission, authority, district, department, or any other  
120 subdivision or public body of the state.

121 (13) "Federal Government" means the United States of  
122 America or any agency or instrumentality, corporation, or  
123 otherwise of the United States of America.

124 (14) "Slum area" means an area in which there is a  
125 predominance of buildings or improvements, whether residential  
126 or nonresidential, which by reason of dilapidation,  
127 deterioration, age, or obsolescence, inadequate provision for  
128 ventilation, light, air, sanitation, or open spaces, high  
129 density of population and overcrowding, or the existence of  
130 conditions which endanger life or property by fire and other  
131 causes or any combination of such factors is conducive to ill  
132 health, transmission of disease, infant mortality, juvenile  
133 delinquency, or crime, and is detrimental to the public health,  
134 safety, morals, or welfare.

135 (15) "Blighted area" means an area which by reason of the  
136 presence of a substantial number of slum, deteriorated, or  
137 deteriorating structures, predominance of defective or  
138 inadequate street layout, faulty lot layout in relation to size,  
139 adequacy, accessibility, or usefulness, unsanitary or unsafe

140 conditions, deterioration of site or other improvements,  
141 diversity of ownership, tax or special assessment delinquency  
142 exceeding the fair value of the land, defective or unusual  
143 conditions of title, or the existence of conditions which  
144 endanger life or property by fire and other causes, or any  
145 combination of such factors, substantially impairs or arrests  
146 the sound growth of a community, retards the provision of  
147 housing accommodations, or constitutes an economic or social  
148 liability and is a menace to the public health, safety, morals,  
149 or welfare in its present condition and use.

150 (16) "Renewal project" means undertakings and activities  
151 of the authority in a renewal area for the elimination and  
152 prevention of the development or spread of slums and blight, and  
153 may involve slum clearance and redevelopment in a renewal area,  
154 or rehabilitation or conservation in a renewal area, or any  
155 combination or part thereof in accordance with a renewal plan.  
156 Such undertakings and activities may include:

157 (a) Acquisition of a slum area or a blighted area or  
158 portion thereof.

159 (b) Demolition and removal of buildings and improvements.

160 (c) Installation, construction, or reconstruction of  
161 streets, utilities, parks, playgrounds, and other improvements  
162 necessary for carrying out in the renewal area the renewal  
163 objectives of this act in accordance with the renewal plan.

164 (d) Disposition of any property acquired in the renewal  
165 area, including sale, initial leasing, or retention by the  
166 authority itself, at its fair value for uses in accordance with  
167 the renewal plan.

168        (e) Carrying out plans for a program of voluntary or  
169 compulsory repair and rehabilitation of buildings or other  
170 improvements in accordance with the renewal plan.

171        (f) Acquisition of any other real property in the renewal  
172 area where necessary to eliminate unhealthful, unsanitary, or  
173 unsafe conditions, lessen density, eliminate obsolete or other  
174 uses detrimental to the public welfare, or otherwise to remove  
175 or prevent the spread of blight or deterioration, or to provide  
176 land for needed public facilities.

177        (17) "Renewal area" means a slum area or a blighted area  
178 or a combination thereof which the authority designates as  
179 appropriate for a renewal project.

180        (18) "Renewal plan" means a plan, as it exists from time  
181 to time, for a renewal project, which plan:

182            (a) Shall conform to the general plan for the municipality  
183 as a whole.

184            (b) Shall be sufficiently complete to indicate such land  
185 acquisition, demolition, and removal of structures,  
186 redevelopment, improvements, and rehabilitation as may be  
187 proposed to be carried out in the renewal area; zoning and  
188 planning changes, if any; land uses; maximum densities; building  
189 requirements; and the plan's relationship to definite local  
190 objectives respecting appropriate land uses, improved traffic,  
191 public transportation, public utilities, recreational and  
192 community facilities, and other public improvements.

193        (19) "Real property" shall include lands, including  
194 improvements and fixtures thereon, and property of any nature  
195 appurtenant thereto, or used in connection therewith, and every

196 estate, interest, right, and use, legal or equitable, therein  
 197 including terms for years and liens by way of judgment,  
 198 mortgage, or otherwise.

199 (20) "Obligee" shall include any bondholder, agents, or  
 200 trustees for any bondholders, or lessor demising to the  
 201 authority property used in connection with a renewal project, or  
 202 any assignee or assignees of such lessor's interest or any part  
 203 thereof, and the Federal Government when it is a party to any  
 204 contract with the municipality.

205 (21) "Person" means any individual, firm, partnership,  
 206 corporation, company, association, joint stock association, or  
 207 body politic, and shall include any trustee, receiver, assignee,  
 208 or other person acting in a similar representative capacity.

209 (22) "Area of operation" means the downtown.

210 (23) "Public officer" means any officer who is in charge  
 211 of any department or branch of government relating to health,  
 212 fire, or building regulations, or to other activities concerning  
 213 dwellings in the area.

214 Section 2. The boundaries of the authority shall include  
 215 the following lands in the City of Fort Lauderdale, Broward  
 216 County:

217 1. All lands not being used as a residence lying  
 218 north of New River, east of Southwest and Northwest  
 219 Fourth Avenue, south of Northwest and Northeast Second  
 220 Street and west of Northeast and Southeast Sixth  
 221 Avenue;

222 2. All lands not being used as a residence lying  
 223 north of Northwest Second Street, east of the Florida



224 East Coast Railroad, south of Northwest Fourth Street,  
 225 and west of North Andrews Avenue;

226 3. All lands not being used as a residence lying  
 227 within one hundred fifty feet of and being in common  
 228 ownership with any of said boundary streets and  
 229 avenues (excluding, however, all lands lying east of  
 230 Southeast Sixth Avenue);

231 4. All lands not being used as a residence lying  
 232 south of Northeast Fourth Street and within one  
 233 hundred fifty feet of and being in common ownership  
 234 with Northeast Third Avenue and Northeast Sixth  
 235 Avenue. For the purposes of definition, the words,  
 236 "common ownership" contained herein shall be  
 237 "contiguous to and owned by the same entity; and

238 5. All lands not being used as a residence lying  
 239 north of Northeast Second Street, east of Northeast  
 240 Second Avenue, south of Northeast Sixth Street, and  
 241 west of Federal Highway, together with all lands not  
 242 being used as a residence lying north of Southeast  
 243 Seventh Street, east of the F.E.C. Railroad Tracks,  
 244 south of Southeast Sixth Court, and west of Federal  
 245 Highway, as legally described as follows:

246 PARCEL I

247 All of Blocks 1, 2, 4, 29 and 30, and portions of  
 248 Blocks 33 and 34, NORTH LAUDERDALE AMENDED, according  
 249 to the plat thereof recorded in Plat Book 1, Page 182,  
 250 of the public records of Dade County, Florida;  
 251 TOGETHER WITH all of the Blocks 2, 31, and 32, NORTH

252 LAUDERDALE AMENDED RE-SUB, according to the plat  
 253 thereof recorded in Plat Book 5, Page 25, of the  
 254 public records of Broward County, Florida; ALSO  
 255 TOGETHER WITH portions of Blocks A and B, GEORGE M.  
 256 PHIPPENS SUB., according to the plat thereof recorded  
 257 in Plat Book B, Page 146, of the public records of  
 258 Dade County, Florida; ALSO TOGETHER WITH portions of  
 259 Blocks A and B, FORT LAUDERDALE LAND AND DEVELOPMENT  
 260 CO., SUB., according to the plat thereof recorded in  
 261 Plat Book 1, Page 56, of the public records of Dade  
 262 County, Florida; AND ALSO TOGETHER WITH portions of  
 263 Northeast 3<sup>rd</sup> Street, Northeast 4<sup>th</sup> Street, Northeast  
 264 5<sup>th</sup> Street, Northeast 5<sup>th</sup> Avenue, and Northeast 5<sup>th</sup>  
 265 Terrace, lying adjacent to said Blocks, and being all  
 266 more fully described as follows:  
 267 Beginning at the Northwest corner of Lot 26, of said  
 268 Block 4, thence due South, on the West lines of said  
 269 Blocks 4 and 29, and extensions thereof, a distance of  
 270 1300.00 feet; thence due East, on the North right-of-  
 271 way line of said Northeast 4<sup>th</sup> Street, a distance 83.99  
 272 feet; thence due South, a distance of 50.00 feet;  
 273 thence due East, on the South right-of way line of  
 274 said Northeast 4<sup>th</sup> Street, a distance of 392 feet;  
 275 thence South 00°01'00" West, on the West lines of Lots  
 276 20 and 19, Block A, and the West line of Lot 20, Block  
 277 B, of said GEORGE M. PHIPPENS SUB., and extensions  
 278 thereof, a distance of 495.00 feet; thence South

279 89°57'46" East, on the South lines of Lots 20, 18, 16,  
 280 14, 12, 10, 8, 6, 4, and 2, Block B, of said GEORGE M.  
 281 PHIPPENS SUB., and the Easterly extension thereof, a  
 282 distance of 720.17 feet; thence North 00°01'54" West,  
 283 on the Southerly extension of the East line of Lot 20,  
 284 Block A, of said FORT LAUDERDALE LAND AND DEVELOPMENT  
 285 CO., SUB. and the Northerly extension thereof, a  
 286 distance of 205.47 feet, thence due West, on the North  
 287 right-of-way line of said Northeast 3<sup>rd</sup> Street, a  
 288 distance of 25.00 feet; thence North 00°01'00" East, on  
 289 the East lines of Lots 7 and 20, Block B, of said FORT  
 290 LAUDERDALE LAND AND DEVELOPMENT CO. SUB., and  
 291 extensions thereof, a distance of 289.15 feet; thence  
 292 due East, on the South right-of-way line of Northeast  
 293 4<sup>th</sup> Street, a distance of 169.75 feet; thence North  
 294 00°17'27" East, on the West right-of way line of U.S.  
 295 Highway No. 1; a distance of 1323.87 feet to the Point  
 296 of Beginning less the following described land: Lots  
 297 20, 21, 22, 23, 24, 25 and 26, Block "B", FORT  
 298 LAUDERDALE LAND AND DEVELOPMENT CO. Subdivision of  
 299 Lots 1 and 2, Block 1, Fort Lauderdale, according to  
 300 the plat thereof, recorded in Plat Book 1, Page 56, of  
 301 the public records of Dade County, Florida, and Lots 2  
 302 and 4, Block "A", GEORGE M. PHIPPEN'S SUBDIVISION of  
 303 Lots 3, 4, 5 and 6, Block 1, and Lots 3, 4, 5, 6, 7,  
 304 8, 9 and 10, Block 14, TOWN OF FORT LAUDERDALE,  
 305 according to the plat thereof, recorded in Plat Book

306 B, Page 146, of the public records of Dade County,  
 307 Florida.

308 PARCEL II

309 Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17,  
 310 18, 19, 20 and 21, HARCOURT, according to the plat  
 311 thereof, as recorded in Plat Book 2, Page 9, of the  
 312 public records of Broward County, Florida; AND the  
 313 west one-half (W 2) of Federal Highway (US No. 1),  
 314 lying East of and adjacent to said Lots 4, 5, 6, 7, 9,  
 315 9, 10, 11 and 12; AND the East one-half (E 2) of S.E.  
 316 5<sup>th</sup> Terrace, lying West of and adjacent to said Lots  
 317 14, 15, 16, 17, 18, 19, 20 and 21.

318 TOGETHER WITH:

319 Lots 4, 5, 6, 7, 8, 9, 10, 11 and 12, HENRY  
 320 SHACKELFORD AMENDED PLAT SUBDIVISION OF LOTS 2 & 3,  
 321 BLOCK 57, TOWN OF FORT LAUDERDALE, according to the  
 322 plat thereof, as recorded in Plat Book 3, Page 3, of  
 323 the public records of Dade County, Florida; AND the  
 324 West one-half of S.E. 5<sup>th</sup> Terrace, lying East of  
 325 adjacent to and referenced Lots; AND the East one-half  
 326 of S.E. 5<sup>th</sup> Avenue, lying West of adjacent of above  
 327 referenced Lots.

328 TOGETHER WITH:

329 Lots 4, 5, 6, 7, 8, 9, 10, 11 and 12, RE-AMENDED PLAT  
 330 OF HENRY SHACKELFORD'S SUBDIVISION OF LOTS 2 & 3,  
 331 BLOCK 57, TOWN OF FORT LAUDERDALE, according to the  
 332 plat thereof, as recorded in Plat Book 3, Page 3 of  
 333 the public records of Dade County, Florida; AND the

334 West one-half of S.E. 5<sup>th</sup> Avenue, lying East of  
 335 adjacent to and referenced Lots; AND the East one-half  
 336 of S.E. 4<sup>th</sup> Avenue, lying West of adjacent to the above  
 337 referenced Lots.

338 AND ALSO TOGETHER WITH:

339 Lots 2, 3, 4, 5, 6, 7, 8 and 9, MRS. DAISY  
 340 SHACKELFORD'S AMENDED NEW SUBDIVISION OF LOT 4, BLOCK  
 341 57, TOWN OF FORT LAUDERDALE, according to the plat  
 342 thereof, as recorded in Plat Book 1, Page 165, of the  
 343 public records of Dade County, Florida, AND 10.00  
 344 foot Alley adjacent to said Lot 6 and Lots 7, 8 & 9;  
 345 AND the West one-half of (W 2) of S.E. 4<sup>th</sup> Avenue,  
 346 lying East of and adjacent to above referenced Lots.

347 AND ALSO TOGETHER WITH:

348 Lots 5, 6, 7, 8, 9, 10, 11 and 12, SOUTH FLORIDA  
 349 DREDGING COMPANY DIVISION OF LOT 5, BLOCK 57, TOWN OF  
 350 FORT LAUDERDALE, according to the plat thereof, as  
 351 recorded in Plat Book 3, Page 27, of the public  
 352 records of Broward County, Florida; AND 10.00 foot  
 353 Alley adjacent to Lot 9 and Lots 10, 11 and 12; AND  
 354 5.50 foot Alley lying East of and adjacent to above  
 355 referenced Lots; AND the East one-half (E2) of S.E. 3<sup>rd</sup>  
 356 Avenue, lying West of and adjacent to said Lots.

357 AND ALSO TOGETHER WITH:

358 The South 80.00 feet of Lots 2, 4 and 6, Block 3, all  
 359 of Blocks 4, 5 and 6, SUBDIVISION OF BLOCK 56, TOWN OF  
 360 FORT LAUDERDALE, according to the plat thereof, as  
 361 recorded in Plat Book 1, Page 63, of the public

362 records of Dade County, Florida; AND the West one-  
363 half (W2) of S.E. 3<sup>rd</sup> Avenue, lying East of and  
364 adjacent to above referenced South 80.00 feet of Lot 2  
365 and said Block 6; AND the East one-half (E 2) of S.E.  
366 1<sup>st</sup> Avenue, lying West of and adjacent to above  
367 referenced Block 4; AND the North one-half (N2) of  
368 S.E. 6<sup>th</sup> Court, lying South of and adjacent to said  
369 Lots 2, 4 and 6, Block 3; AND the South one-half of  
370 S.E. 6<sup>th</sup> Court, lying North of and adjacent to said  
371 Blocks 4, 5 and 6.

372 AND ALSO TOGETHER WITH:

373 Lots 17, 18, 19, 20 and 21, Block 55, TOWN OF FORT  
374 LAUDERDALE, according to the plat thereof, as recorded  
375 in Plat Book "B", Page 40, of the public records of  
376 Dade County, Florida, AND Parcel "A"; AND the East  
377 one-half of Andrews Avenue, lying West of and adjacent  
378 to said Parcel "A"; AND all that certain 14.00 foot  
379 Alley within said Block 55, lying North and East of  
380 said Parcel "A"; AND all that certain irregular Alley,  
381 lying North of said Parcel "A" and South of said Lot  
382 17.

383 AND ALSO TOGETHER WITH;

384 Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17,  
385 18, 19, 20 and 21, Block 54, TOWN OF FORT LAUDERDALE,  
386 according to the plat thereof, as recorded in Plat  
387 Book "B", Page 40, of the public records of Dade  
388 County, Florida; AND the West one-half (W2) of  
389 Andrews Avenue, lying East of and adjacent to said

390 Lots 13, 14, 15, 16, 17, 18, 19, 20 and 21; AND the  
 391 East one-half of S.W. 1<sup>st</sup> Avenue lying West of and  
 392 adjacent to said Lots 4, 5, 6, 7, 8, 9, 10, 11 and 12;  
 393 AND all that certain 14.00 foot Alley in said Block  
 394 54, lying adjacent to above referenced Lots.

395 AND ALSO TOGETHER WITH:

396 Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17,  
 397 18, 19 and Lot 20, less the North 25.00 feet thereof,  
 398 Block 53, TOWN OF FORT LAUDERDALE, according to the  
 399 plat thereof, as recorded in Plat Book "B", Page 40,  
 400 of the public records of Dade County, Florida; AND  
 401 the West one-half of (W2) of S.W. 1<sup>st</sup> Avenue, lying  
 402 East of and adjacent to said Lots 13, 14, 15, 16, 17,  
 403 18, 19 and Lot 20, less the North 25.00 feet thereof;  
 404 AND all of S.W. Flagler Avenue lying West of and  
 405 adjacent to said Lots 4, 5, 6, 7, 8, 9, 10, 11 and 12;  
 406 AND the East one-half (E2) of the Florida East Coast  
 407 Railroad Right-of-Way, lying West of said S.W. Flagler  
 408 Avenue and South of the Westerly extension of the  
 409 North line of said Lot 4 and North of the Westerly  
 410 extension of the Northerly right of way line of S.W.  
 411 7<sup>th</sup> Street.

412 Said lands situate, lying and being in the City of  
 413 Fort Lauderdale, Broward County, Florida, and  
 414 containing 24.8679 Acres more or less.

415 6.(a) All lands not being used a residence lying  
 416 south of New River, east of the Florida East Coast  
 417 Railroad, north of Southeast Sixth Street and

418 Southwest Sixth Street, and west of Southeast Sixth  
419 Avenue.

420 (b) All lands not being used a residence lying  
421 south of Southeast and Southwest Sixth Streets, east  
422 of the Florida East Coast Railroad, and west of  
423 Southeast Sixth Avenue, which are situated within one  
424 hundred fifty feet (150') of and are in contiguous  
425 propriatorship with Southeast or Southwest Sixth  
426 Street, upon approval of the majority of those voting  
427 in a referendum in which those participating are  
428 limited to the electors of the downtown (including  
429 also the lands added to the downtown by this act) who  
430 at the time of the referendum are owners of freeholds  
431 in the downtown (as hereby expanded), not wholly  
432 exempt from taxation, and who are then duly registered  
433 for a Downtown Development Authority referendum,  
434 according to law. For the purposes of such  
435 referendum, the electors who register only as owners  
436 of freeholds which are situated within the lands  
437 authorized to be added to the downtown by this act may  
438 be separately registered and their votes cast in  
439 separate ballot boxes or voting machines (as the case  
440 may be) and separately tabulated, in case on or more  
441 other questions are being voted upon at such  
442 referendum, and such separate registrants shall thus  
443 be permitted to vote upon such other question or  
444 questions. If this law is approved at such  
445 referendum, such separately registered electors shall



446 be incorporated into the permanent registration of  
447 electors of the Downtown Development Authority and  
448 their votes then counted on any other question or  
449 questions voted upon at such referendum.

450 7. All of lots 14, 15, 16, 17, 18, 19, 20, 21, 22,  
451 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35,  
452 38, 39, 40, 41, 42, 43, 44, 45, 46, 47 and 48, and  
453 portions of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11,  
454 12, 13, 36 and 37, Block 19, BRYAN SUBDIVISION of  
455 Blocks 5, 8 and 19, of the Town of Fort Lauderdale, as  
456 recorded in Plat Book 1, Page 18, of the public  
457 records of Dade County, Florida, together with  
458 portions of those certain 10 foot alleys, lying within  
459 said Block 19,

460 TOGETHER WITH all of Lots 2, 3, 4, 5, 6, 7, 8, 9, and  
461 10, AND A PORTION OF Lot 1, Block 18, TOWN OF FORT  
462 LAUDERDALE, as recorded in Plat Book 8, Page 40, of  
463 the public records of Dade County, Florida, together  
464 with that portion of a 14-foot alley lying within said  
465 Block 18,

466 ALSO TOGETHER WITH all of Lots 1 and 2, T.M. BRYAN  
467 SUBDIVISION of Lots 11 and 12, Block 18, Town of Fort  
468 Lauderdale, as recorded in Plat Book 3, Page 12, of  
469 the public records of Dade County, Florida,

470 ALSO TOGETHER WITH all of Lots 6, 7, 8 and 9, and  
471 portions of Lots 1, 2, 3, 4 and 5, Block 1, all of  
472 Lots 6, 7, 8, 9, 10 and 11 and portions of Lots 1, 2,  
473 3, 4 and 5, Block 2 KELLY'S RESUBDIVISION, as recorded

474 in Plat Book 16, Page 50, of the public records of  
 475 Broward County, Florida,  
 476 ALSO TOGETHER WITH all of Lots 1, 2, 3, 4, 5, 6, 7, 8,  
 477 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22,  
 478 23, 24, A, B and C, HULDA S. HOLMES SUBDIVISION of  
 479 Block 23, Fort Lauderdale, as recorded in Plat Book 7,  
 480 Page 26, of the public records of Broward County,  
 481 Florida,  
 482 ALSO TOGETHER WITH Lots 1, 2, 3, and 4, and a portion  
 483 of Lot 5, Block 24, TOWN OF FORT LAUDERDALE, as  
 484 recorded in Plat Book 8, Page 40, of the public  
 485 records of Dade County, Florida,  
 486 ALSO TOGETHER WITH all of Lots 1, 2, 3, and 4, F.H.  
 487 BENTON'S SUBDIVISION in Block 24, Town of Fort  
 488 Lauderdale, as recorded in Plat Book 3, Page 30, of  
 489 the public records of Broward County, Florida,  
 490 together with all that portion of a 10 foot driveway  
 491 and cul-de-sac of said F. H. BENTON'S SUBDIVISION,  
 492 ALSO TOGETHER WITH all of Lots 1 and 2, Canal 2 and  
 493 Canal 3 and portions of Lots 6, 7, 8, 9, 10, 11 and 13  
 494 and Canal No. 1, L.H. BRYAN'S SUBDIVISION of Block 32,  
 495 of Fort Lauderdale, Florida, as recorded in Plat Book  
 496 3, Page 78, of the public records of Dade County,  
 497 Florida,  
 498 AND ALSO TOGETHER WITH portions of S.W. Fifth Avenue,  
 499 S.W. Sixth Avenue, S.W. Second Street, S.W. Second  
 500 Court, Las Olas Boulevard, N.W. River Drive and North  
 501 River Street, lying within or adjacent to the above

502 said Blocks and being all more fully described as  
 503 follows:  
 504 Commencing at the Northwest corner of Lot 24 of said  
 505 Block 18, TOWN OF FORT LAUDERDALE, thence South 0° 07'  
 506 30" East, along the East line of said alley within  
 507 Block 18, a distance of 15.00 feet to the Point of  
 508 Beginning; thence continuing South 0° 07' 24" East,  
 509 along the East line of said alley a distance of  
 510 585.04 feet; thence South 89° 59' 02" East, a distance  
 511 of 40.97 feet, thence South 0° 07' 24" East, along the  
 512 Northerly extension of the East line of the said F.H.  
 513 BENTON'S SUBDIVISION, and along the said East line, a  
 514 distance of 316.49 feet to a point on the existing  
 515 bulkhead forming the Northerly limits of New River;  
 516 thence Westerly and Southerly along the said existing  
 517 bulkhead and extensions thereof, the following 11  
 518 courses and distances: thence North 87° 04' 09" West, a  
 519 distance of 37.36 feet; thence South 86° 43' 52" West,  
 520 a distance of 13.74 feet, thence South 77° 14' 35"  
 521 West, a distance of 50.12 feet, thence South 73° 43'  
 522 38" West, a distance of 43.15 feet; thence South 54°  
 523 27' 01" West a distance of 67.25 feet; thence South 45°  
 524 58" 48' East, a distance of 7.62 feet; thence South 35°  
 525 35' 21" West, a distance of 175.30 feet; thence South  
 526 7° 34' 31" West, a distance of 51.26 feet; thence South  
 527 2° 01' 02" West, a distance of 25.35 feet, thence South

528 7° 22' 59" West, a distance of 205.31 feet, thence  
529 South 29° 18' 46" West, a distance of 92.94 feet to the  
530 Point of Termination of the said 11 courses and  
531 distances; thence North 89° 59' 37" West, along the  
532 Easterly extension of the South line of Canal No. 3 of  
533 L.H. BRYAN'S SUBDIVISION and along the said South line  
534 and extensions thereof, a distance of 211.49 feet to a  
535 point on the Easterly right-of-way line of S.W.  
536 Seventh Avenue and a point on a curve; thence  
537 Northwesterly along the said Easterly right-of-way  
538 line and along a curve to the right, whose tangent  
539 bears North 54° 00' 36" West, with a radius of 630.35  
540 feet and a central angle of 18° 52' 41", an arc  
541 distance of 207.69 feet to a point of compound curve;  
542 thence Northwesterly along the said Easterly right-of-  
543 way line and along a curve to the right, with a  
544 radius of 513.96 feet and a central angle of 35° 00'  
545 00", an arc distance of 313.96 feet to a point of  
546 tangency; thence North 0° 07' 55" West, along the said  
547 Easterly right-of-way line and along the line 20.00  
548 feet East of and parallel with the West line of said  
549 Block 1 and 2 of said KELLY'S SUBDIVISION and along  
550 the line of 20.00 feet East of and parallel with the  
551 West line of said Block 19, BRYAN SUBDIVISION of  
552 Blocks 5, 8 and 19, a distance of 1008.08 feet to a  
553 point of curve; thence Northeasterly along a curve to  
554 the right, with a radius of 25.00 feet and a central

555 angle of 90° 07' 55", an arc distance of 39.33 feet to  
556 a point of tangency; thence due East, along the South  
557 right-of-way line of Broward Boulevard and along the  
558 line 15.00 feet South of and parallel with the North  
559 line of said Block 19, BRYAN SUBDIVISION of Blocks 5,  
560 8 and 19 and said Block 18, TOWN OF FORT LAUDERDALE, a  
561 distance of 898 .88 feet to the Point of Beginning.  
562 All of the above said land situate, lying and being in  
563 the City of Fort Lauderdale, Broward County, Florida,  
564 and containing 22.8328 acres more or less.

565  
566 Section 3. (1) It is the policy of the state to make it  
567 possible for the city to revitalize and preserve property values  
568 and prevent deterioration in the downtown area by a system of  
569 self-help to correct the blight of such deterioration which has  
570 developed there. The authority hereby created is intended to  
571 provide a vehicle whereby property owners who will benefit  
572 directly from the results of such a program will bear the  
573 substantial cost thereof and thereby local problems may be  
574 solved on the local level through the use of machinery provided  
575 by local government.

576 (2) The Legislature hereby finds and declares that the  
577 downtown area is a blighted area and that portions therein are  
578 slums. The area constitutes a serious and growing menace,  
579 injurious to the public health and the safety, morals, and  
580 welfare of the residents, occupants, workers, and property  
581 owners of the area; the existence of such slum and blighted  
582 conditions contributes substantially and increasingly to the

583 spread of disease and crime, constitutes an economic and social  
584 liability imposing onerous municipal burdens which decrease the  
585 tax base and reduce tax revenues, substantially impair or arrest  
586 the sound growth of said area, retards the provision of housing  
587 accommodations, aggravates traffic problems, and substantially  
588 impairs or arrests the elimination of traffic hazards and the  
589 improvement of traffic facilities; and the prevention and  
590 elimination of such slums and blight is a matter of public  
591 policy and concern in order that the said area shall not  
592 continue to be endangered by being a focal center of disease and  
593 juvenile delinquency and consume an excessive proportion of the  
594 tax revenue of the city because of the extra services required  
595 for police, fire, accident, hospitalization, and other forms of  
596 public protection, services, and facilities.

597 (3) It is further found and declared that certain portions  
598 of the slums and blighted areas require acquisition, clearance,  
599 and disposition subject to use restrictions, as provided in this  
600 act, since the prevailing condition of deterioration and  
601 obsolescence makes impracticable the reclamation thereof by  
602 conservation or rehabilitation; that other portions of the  
603 downtown may, through the means provided in this act, be  
604 susceptible of conservation or rehabilitation in such a manner  
605 and the conditions and evils hereinbefore enumerated may be  
606 eliminated, remedied, or prevented; and that salvable slum and  
607 blighted areas can be conserved and rehabilitated through  
608 appropriate public action as herein authorized, and the  
609 cooperation and voluntary action of the owners and tenants of  
610 the property in such area.

611       (4) Among the many causes of such slums and blight are the  
612 following: automobile traffic flow strangled by outmoded street  
613 patterns, proliferation of uncoordinated uses and parking areas,  
614 unsuitable topography, faulty lot layouts, fragmentation of land  
615 uses and parking areas necessitating frequent automobile  
616 movement, lack of separation of pedestrian areas from auto  
617 traffic, low level access bridge, frequent bridge openings, air  
618 pollution, and excessive noise levels from strangled auto  
619 traffic. Voluntary cooperation for coordinated development is  
620 impracticable because of fragmentary ownership, distant absentee  
621 ownership, and unusual conditions of title and other conditions.

622       (5) The public safety is endangered by the tendency of the  
623 area to attract and be infested with vagrants, drunkards,  
624 perverts, and roving gangs of vandals. The area has in recent  
625 months narrowly averted involvement in ghetto riots and  
626 disorders. In the nighttime the area is dangerous. The area is  
627 a business ghetto plagued with vacant and deteriorating  
628 buildings which are neglected and produce a depressing  
629 atmosphere. Many businesses of all types have left the area for  
630 new locations in suburban shopping centers and few businesses  
631 have entered to take their places. The oldest commercial  
632 structures in the city are in this area and are obsolete, of  
633 inferior construction, and incompatible with modern functional  
634 design as is featured in competitive shopping centers.

635       (6) The area now has few residences and most of the  
636 residences which do exist are undersized and of inferior  
637 construction which would not be permitted for new construction  
638 under the city's building code. Many former residents have left

639 the area and few suitable residence facilities exist. The area  
640 is predominately commercial and is occupied primarily by day  
641 workers who sleep in suburban homes outside the downtown area.  
642 Market studies show that many of these day workers and other  
643 people would prefer to reside in the downtown area if blighting  
644 influences were removed and suitable residence facilities  
645 provided. However, the total environment of man is the  
646 determinant of the quality of life and each segment of  
647 environment affects the public health, safety, and morals. The  
648 problems of residential and commercial slums and blight are one  
649 and the same problem and the public health, morals, and welfare  
650 are no less concerned with the commercial areas where the day  
651 workers spend most of their daylight hours than with residential  
652 areas where the same individuals spend their nighttime hours.  
653 It is therefore a necessary and proper function of government to  
654 remove slums, blight, and blighting influences from commercial  
655 areas. The police power is inadequate to accomplish this  
656 purpose. The only effective device for removal of the slums and  
657 blight of the downtown area is the planning and implementation  
658 of planning for appropriate land use, beautification, continuity  
659 of planning and aesthetic and technical design concepts, the  
660 removal of deteriorated and obsolescent structures, and the  
661 reduction of fragmentary control of properties in the area. To  
662 implement such plans requires the exercise of the power of  
663 eminent domain so as to assemble land in pursuance of a  
664 coordinated program for redevelopment, as authorized by this  
665 act, all of which is declared to be a public purpose and for a  
666 public use.



667       (7) The Legislature further finds and declares that the  
668 provisions of this act and the powers afforded to the governing  
669 board of the authority are essential to guide and accomplish the  
670 coordinated, balanced, and harmonious development of the  
671 downtown in accordance with existing and future needs; to  
672 promote the health, safety, morals, and general welfare of the  
673 area and its inhabitants, visitors, property owners, and  
674 workers; to establish, maintain, and preserve aesthetic values  
675 and preserve and foster the development and display of  
676 attractiveness; to prevent overcrowding and congestion; to  
677 regulate auto traffic and provide pedestrian safety; to secure  
678 safety from fire, storm, panic, riot, vandals, and other  
679 dangers; to conserve and provide adequate light and air; and to  
680 provide a way of life which combines the conveniences and  
681 amenities of modern living with the traditions and pleasures of  
682 the past.

683       Section 4. There is hereby created and established the  
684 Downtown Development Authority of the City of Fort Lauderdale,  
685 which authority shall have all the powers herein provided, and  
686 which shall be a body corporate as well as politic, with power  
687 to sue and be sued in all the courts of this state, and with  
688 power to adopt and use a corporate seal.

689       Section 5. The affairs of the authority shall be under the  
690 direct supervision and control of a board of seven members. Two  
691 members shall serve for terms expiring at the end of each year  
692 during the period commencing 1976 and ending 1978. One member  
693 shall serve for a term expiring at the end of 1975. Thereafter,  
694 members shall be appointed to serve for regular terms of 4 years

695 from the expiration of the terms of their predecessors. The  
696 terms of incumbent members at the time this law takes effect  
697 shall not be affected by this law. A member's term shall  
698 automatically expire and his or her office shall be deemed  
699 vacant for purposes of appointment of a new member if, while in  
700 office, he or she shall cease to be qualified for membership  
701 under section 6. Every board member shall continue to hold  
702 office until his or her successor has been appointed and has  
703 qualified. All appointments of the board shall be made by the  
704 city commission. Appointments made to fill a vacancy during a  
705 term of office shall be for the unexpired term only.

706 Section 6. (1) Each member of the board shall reside in  
707 or have his or her principal place of business in the city. He  
708 or she shall be a landowner in the downtown, a leasehold tenant  
709 required by the terms of his or her lease to pay taxes currently  
710 on downtown lands, or an officer, director, or managing agent of  
711 a corporation which owns downtown lands or an interest in  
712 downtown lands or which corporation is a leasehold tenant  
713 required by the terms of its lease to pay taxes currently on  
714 downtown lands. No officer or employee of the city shall be  
715 eligible to serve as a member of the board while holding other  
716 offices in the city or while employed by the city. Before  
717 assuming the duties of the office, each member shall qualify by  
718 taking and subscribing to the oath of office required of  
719 officials of the city and by posting a bond in the penal sum of  
720 \$10,000 payable to the city for use and benefit of the  
721 authority, to be approved by the city commission and filed with  
722 the city clerk. The premium on such bond shall be deemed an

723 operating expense of the authority, payable from funds available  
724 to it for expenses of operation.

725 (2) The board shall adopt and promulgate rules governing  
726 its procedures and shall hold regular meetings no less often  
727 than one a month. Special meetings may be held when called in  
728 the manner provided in the rules of the board. All meetings of  
729 the board shall be open to the public. Each member of the board  
730 shall be paid a salary of \$1 per year for services on the board,  
731 unless the city commission shall otherwise designate such salary  
732 and provide from the general funds of the city for such salary.

733 (3) Pursuant to notice and an opportunity to be heard, an  
734 appointed member of the board may be removed for cause by the  
735 city commission. Any such removal shall be subject to review by  
736 the circuit court of the circuit having jurisdiction.

737 Section 7. The board, subject to the provisions hereof and  
738 subject to other applicable provisions of law, shall have all  
739 powers customarily vested in the board of directors of a  
740 corporation for profit. It shall exercise supervisory control  
741 over the activities of the director and the staff of the  
742 authority in carrying out the functions authorized hereby.

743 Section 8. The board shall have the power to:

744 (1) Employ engineers, contractors, consultants, attorneys,  
745 auditors, agents, employees, and representatives as the board  
746 may from time to time determine on such terms and conditions as  
747 the board may approve and fix their compensations and duties.

748 (2) Adopt bylaws, rules, resolutions, and orders  
749 prescribing the powers, duties, and functions of the officers of  
750 the authority, the conduct of the business of the authority, the

751 maintenance of the records, and the form of all other documents  
752 and records of the authority. The board may adopt  
753 administrative rules and regulations with respect to any  
754 projects of the authority on such notice and public hearing, if  
755 any, as the board may determine.

756 (3) Maintain an office at such place or places as it may  
757 designate.

758 (4) Execute all contracts and other documents, adopt all  
759 proceedings, and perform all acts determined by the board to be  
760 necessary or desirable to carry out the purposes of this act.  
761 The board may authorize one or more members of the board to  
762 execute contracts and other documents on behalf of the board.

763 (5) Establish and create such departments, boards, or  
764 other agencies as from time to time the board may deem necessary  
765 or advisable.

766 (6) Examine and authorize any officer or agent of the  
767 authority to examine the county tax rolls with respect to the  
768 assessed valuation of the real and personal property within the  
769 downtown area.

770 (7) Appoint a director and other staff members who shall  
771 be employed upon recommendation of the director, prescribe their  
772 duties, and fix their compensation which shall be paid from  
773 funds available to the authority in the same manner as city  
774 employees are paid.

775 (8) Prepare analyses of economic changes taking place upon  
776 the downtown area.

777 (9) Study and analyze the impact of metropolitan growth  
778 upon the downtown area.

779       (10) Plan and propose within the downtown area  
780 improvements of all kinds, including, among other things, the  
781 renovation, repair, remodeling, reconstruction, or other changes  
782 in existing buildings which may be necessary or appropriate to  
783 the execution of any such plan which in the opinion of the board  
784 will aid in the economic growth of the downtown area.

785       (11) Implement any plan of development in the downtown  
786 area as shall in its judgment be necessary to carry out its  
787 functions, provided it is not inconsistent with the city's  
788 general plan.

789       (12) Make and enter into all contracts necessary or  
790 incidental to the exercise of its powers and the performance of  
791 its duties.

792       (13) Establish, operate, lease, license, grant, or convey  
793 in the downtown area such public facilities as shall in its  
794 opinion be feasible and desirable in the implementation of any  
795 plan conceived and executed by the board. Public facilities  
796 shall also include pedestrian malls, historical buildings or  
797 monuments, and cultural, educational, and recreational  
798 facilities.

799       (14) Develop long-range plans designed to halt  
800 deterioration of downtown property values.

801       (15) Borrow money at interest on a short-term basis to pay  
802 expenses of operation and to issue evidences of indebtedness for  
803 such loans.

804       (16) Retain and fix the compensation of general counsel to  
805 advise the board in the proper performance of its duties. The  
806 general counsel shall be a practicing attorney with not less

807 than 10 years' experience in the practice of law in the state.  
 808 He or she shall represent the authority in all suits of actions  
 809 brought by or against the authority involving the jurisdiction,  
 810 power, duties, functions, or activities of the authority under  
 811 the terms of this act. At the request of the city, he or she  
 812 may also represent the city in any such matters in case the city  
 813 becomes or desires to become a party to such action.

814 (17) Incur all or part of the expense of any public  
 815 improvement made by the city, county, state, or Federal  
 816 Government, or any agency of them, in exercising powers granted  
 817 to the authority.

818 (18) Lend, grant, or contribute funds to the city, county,  
 819 or Federal Government, or any agency of them.

820 (19) Enter into agreements with the city, county, state,  
 821 or other public body respecting action to be taken in the  
 822 exercise of any of the powers granted to the authority or in  
 823 furtherance of the objectives of the authority.

824 Section 9. In addition to and not in limitation of the  
 825 other powers of the authority under law, the authority shall  
 826 have the following powers:

827 (1) OWNERSHIP AND DISPOSITION OF PROPERTY.--To acquire  
 828 property, real, personal, or mixed, within or without the  
 829 downtown, in fee simple or any lesser interest or estate, by  
 830 purchase, gift, devise, or lease, upon such terms and conditions  
 831 as the board may deem necessary or desirable, and by  
 832 condemnation, provided the board determines that the use or  
 833 ownership of such property is necessary in the furtherance of a  
 834 designated lawful purpose authorized under this law, to acquire

835 title to submerged lands and riparian rights and easements or  
 836 rights-of-way, with or without restrictions and within or  
 837 without the limits of the downtown; to make purchase money  
 838 mortgages and trust deeds and other forms of encumbrance on any  
 839 property acquired by the authority and to purchase property  
 840 subject to purchase money mortgages or other encumbrances and to  
 841 assume such other encumbrances; to mortgage, hold, manage,  
 842 control, lease, sell, dedicate, grant, or otherwise dispose of  
 843 the same and of any of the assets and properties of the  
 844 authority, or any interest therein, including easements and  
 845 licenses, with or without consideration.

846 (2) LEASE OF FACILITIES.--Whenever deemed necessary or  
 847 desirable by the board, to lease as lessor or lessee to or from  
 848 any person, firm, corporation, association, or body, public or  
 849 private, any projects of the type that the authority is  
 850 authorized to undertake and facilities or property of any nature  
 851 for the use of the authority and to carry out any of the  
 852 purposes of the authority, subject to limitation of this act.

853 (3) REVITALIZATION.--To adopt a plan for the development,  
 854 redevelopment, and revitalization of the downtown, and to modify  
 855 same, and to undertake and carry out such plan, provided it is  
 856 not inconsistent with the city's general plan.

857 (4) AIRPORT FACILITIES.--To own, acquire, construct,  
 858 reconstruct, equip, operate, maintain, extend, and improve  
 859 airport facilities of all kinds, including, but not limited to,  
 860 land fields, hangars, shops, terminals, buildings, and all other  
 861 facilities necessary or desirable for the landing, taking off,  
 862 operating, servicing, repairing, and parking of aircraft and

863 helicopters, and the unloading and handling of passengers, mail,  
 864 express, and freight, together with all necessary appurtenances  
 865 and equipment and all properties, rights, easements, and  
 866 franchises relating thereto and deemed necessary or convenient  
 867 by the board in connection therewith.

868 (5) RECREATIONAL FACILITIES.--To own, acquire, construct,  
 869 reconstruct, equip, operate, maintain, extend, and improve  
 870 parks, playgrounds, picnic grounds, camping facilities, golf  
 871 courses, athletic fields, marinas, piers, wharves, docks,  
 872 harbors, boating and fishing facilities, swimming pools, bathing  
 873 beaches and other water recreational facilities, stadiums,  
 874 auditoriums, civic centers, aquariums, libraries, museums,  
 875 recreational centers, convention halls and facilities, radio and  
 876 television transmission and receiving stations, community  
 877 antenna television systems, and cultural, recreational, and  
 878 educational buildings, facilities, and projects of all kinds and  
 879 descriptions.

880 (6) PARKING FACILITIES.--To own, acquire, construct,  
 881 reconstruct, equip, operate, maintain, extend, and improve  
 882 parking facilities, including lots and parking garages, and to  
 883 install parking meters.

884 (7) ADVERTISING.--To undertake a program of advertising to  
 885 the public in promoting the business, facilities, and  
 886 attractions within the downtown and the projects of the  
 887 authority and to expend monies and undertake such activities to  
 888 carry out such advertising and promotional programs as the board  
 889 from time to time may determine.



890       (8) TRANSPORTATION.--To own, acquire, construct,  
 891 reconstruct, equip, operate, maintain, extend, and improve  
 892 common, private, or contract carriers, buses, vehicles,  
 893 railroads, monorails, airplanes, helicopters, boats, and other  
 894 transportation facilities whether now or hereafter invented or  
 895 developed, including, without limitation, novel and experimental  
 896 facilities such as moving platforms and sidewalks as may be  
 897 determined from time to time by the board to be useful or  
 898 appropriate to meet the transportation requirements of the  
 899 authority and activities conducted within the downtown and to  
 900 extend such transportation facilities to areas outside the  
 901 downtown in order to provide transportation to and from the  
 902 downtown.

903       (9) ISSUANCE OF BONDS.--To issue general obligation bonds,  
 904 revenue bonds, assessment bonds, or any other bonds or  
 905 obligations authorized by the provisions of this act or any  
 906 other law or any combination of the foregoing to pay all or part  
 907 of the cost of the acquisition, construction, reconstruction,  
 908 extension, repair, improvement, maintenance, or operation of any  
 909 project or combination of projects; to provide for any facility,  
 910 service, or other activity of the authority; and to provide for  
 911 the retirement or refunding of any bonds or obligations of the  
 912 authority or for any combination of the foregoing purposes.

913       (10) OTHER POWERS.--In addition to the other powers  
 914 specifically provided in this act, the authority shall have the  
 915 power to own, acquire, construct, reconstruct, equip, operate,  
 916 maintain, extend, and improve such other projects as the board  
 917 may in its discretion find necessary or desirable to accomplish

918 the purposes of this act and to exercise all powers necessary,  
 919 convenient, or proper to carry out the purposes of this act. In  
 920 connection with any of the projects the authority is authorized  
 921 to undertake pursuant to the powers and the authorities vested  
 922 in it by this act, and in order to promote the development and  
 923 utilization of new concepts, designs, and ideas, the authority  
 924 shall have the power to examine into, develop, and utilize new  
 925 concepts, designs, and ideas and to own, acquire, construct,  
 926 reconstruct, equip, operate, maintain, extend, and improve such  
 927 experimental public facilities and services.

928 (11) ROADS, BRIDGES, LIGHTING, AND RELATED OR SIMILAR  
 929 FACILITIES.--The authority shall have the right and power to  
 930 acquire, open, extend, construct, reconstruct, pave, operate,  
 931 improve, and maintain highways, streets, toll roads and bridges,  
 932 alleys, sidewalks, promenades, boardwalks, malls, esplanades,  
 933 bridges, tunnels, interchanges, underpasses, overpasses,  
 934 causeways, and public thoroughfares of all kinds and  
 935 descriptions (hereinafter collectively and severally referred to  
 936 as "public roads") and connections to and extension of any and  
 937 all existing public roads within the downtown area, deemed  
 938 necessary or convenient by the board to provide access to and  
 939 efficient development of the territory within the downtown, and  
 940 to construct and maintain sidewalks and street lights along  
 941 public roads in the downtown and toll plaza signs and street  
 942 signs, provided that nothing in this law shall be construed to  
 943 give the authority control over city property.

944 (12) CITY COORDINATION.--No authority plan or project  
 945 shall be inconsistent with the city general plan or any other

946 city project, franchise, or facility. In any case of conflict  
947 of jurisdiction, power, or function, the city charter shall  
948 prevail over this law. Only the city shall have the right under  
949 this law to object to any plan or project of the authority upon  
950 the ground of said inconsistency.

951 Section 10. The board may employ and fix the compensation  
952 of the following who, in addition to the general counsel, shall  
953 serve at the pleasure of the board:

954 (1) A director, who shall be a person of good moral  
955 character and possessed of a reputation for integrity,  
956 responsibility, and business ability. No member of the board  
957 shall be eligible to hold the position of director. Before  
958 entering upon his or her duties of his or her office, the  
959 director shall take and subscribe to the oath and furnish bond  
960 as required of members of the board. He or she shall be the  
961 chief executive officer of the authority and may be employed on  
962 either a full-time or part-time basis, at the board's  
963 discretion. He or she shall not engage in any other business or  
964 profession while serving as director unless the board's approval  
965 is obtained, but he or she may serve as a director or officer of  
966 any civil organization or corporation which has goals or  
967 purposes the same as, or similar to, those of the authority.  
968 Subject to the approval of the board, and direction by it when  
969 necessary, he or she shall have general supervision over and be  
970 responsible for the preparation of plans and the performance of  
971 the functions of the authority in the manner authorized herein.  
972 He or she shall attend all meetings of the board. In the  
973 absence of the director, the board may designate a qualified

974 person to perform the duties of the office as acting director.  
975 The director shall furnish the board with such information or  
976 reports governing the operation of the authority as the board  
977 from time to time may require.

978 (2) Upon recommendation of the director, such clerical,  
979 technical, and professional assistance, including, but not  
980 limited to, engineering, planning, economic research, and other  
981 fields as shall in the opinion of the board be necessary to  
982 provide for the efficient performance of the functions of the  
983 board.

984 (3) A treasurer, who shall keep the financial records of  
985 the authority and who, together with the director, shall approve  
986 all vouchers for the expenditure of funds of the authority. He  
987 or she shall perform such other duties as may be delegated to  
988 him or her by the board.

989 (4) A secretary, who shall maintain custody of the  
990 official seal and of all records, books, documents, or other  
991 papers not required to be maintained by the treasurer. He or  
992 she shall attend all meetings of the board and keep a record of  
993 all its proceedings. He or she shall perform such other duties  
994 as may be delegated to him or her by the board.

995 Section 11. The director shall prepare and submit for the  
996 approval of the board a budget for the operation of the  
997 authority for the next fiscal year. The budget shall conform to  
998 the fiscal year of the city and shall contain the information  
999 required of all city departments. After approval by the board,  
1000 a copy of the budget shall be delivered to the city by the  
1001 director with a statement of the millage required therefor as

1002 determined by the board, which millage shall be levied by the  
 1003 city commission not to exceed the limits fixed by law. The  
 1004 operations of the authority shall be financed from any lawful  
 1005 source, including the following sources:

1006 (1) Moneys borrowed and to be repaid from other funds  
 1007 received under the authority of this act.

1008 (2) Donations and contributions to the authority for the  
 1009 performance of its functions from any source, public or private.

1010 (3) Revenues from the rental, operation, or sale of  
 1011 assets, facilities, and projects of the authority.

1012 (4) Proceeds of special assessments and an ad valorem tax  
 1013 of property in the downtown area.

1014 Section 12. The city commission is authorized to levy an  
 1015 ad valorem tax on all downtown real and personal property not  
 1016 exceeding 1 mill on the dollar valuation (as such valuations are  
 1017 assessed for the general ad valorem roll of the city) of such  
 1018 property for the purpose of financing the operation of the  
 1019 authority provided that no tax under this law shall be levied  
 1020 upon property which is exempt from taxation by general or  
 1021 constitutional law. The city tax collector shall transmit funds  
 1022 so collected to the appropriate officer of the city responsible  
 1023 for the handling of the public money who shall deposit same in  
 1024 the city treasury to the credit of the authority. Such money  
 1025 shall be used for no purpose other than those purposes  
 1026 authorized herein and only upon approval of the board, pursuant  
 1027 to vouchers signed by the director and the treasurer of the  
 1028 authority. The funds of the authority shall be secured as other  
 1029 public funds are secured. Other moneys received by the

1030 authority shall forthwith be deposited in the city treasury to  
 1031 the credit of the authority, subject to disbursement as herein  
 1032 authorized.

1033 Section 13. The city commission shall have the power to  
 1034 assess against the funds of the authority, for the use and  
 1035 benefit of the general fund of the city, a reasonable pro rata  
 1036 share of such funds for the cost of handling and auditing, which  
 1037 assessment when made shall be paid annually by the board  
 1038 pursuant to an appropriate item in the budget.

1039 Section 14. No board member nor any employee of the board  
 1040 shall vote or otherwise participate in any matter in which he or  
 1041 she has a financial interest, either direct or indirect. Such  
 1042 indirect financial interest shall not, however, be deemed to  
 1043 include that indirect financial interest which would accrue to  
 1044 all members of the board solely by virtue of being lessees or  
 1045 owners of property in the downtown area, it being the intent  
 1046 hereof that the prohibition herein shall apply in the event a  
 1047 specific indirect financial interest accrues to one rather than  
 1048 to all members. When such interest shall appear, it shall be  
 1049 the duty of the board member or employee to make such interest  
 1050 known and he or she shall thenceforth refrain from voting on or  
 1051 otherwise participating in the particular transaction involving  
 1052 such interest. Willful violation of the provisions hereof shall  
 1053 constitute malfeasance on the part of the board and shall be  
 1054 grounds for instant dismissal of any employee. The board may,  
 1055 in its rules of procedure, provide for automatic forfeiture of  
 1056 office by a board member for violation hereof. Any transaction  
 1057 involving a conflict of interest, wherein a violation of this

1058 section is involved, may be rendered void at the option of the  
1059 board.

1060 Section 15. On December 31, 2030, this law shall expire  
1061 and all assets of the authority shall on or before that date be  
1062 transferred by the authority to the city. Any assets remaining  
1063 in the hands of the authority on December 31, 2030, shall  
1064 automatically devolve upon and become the property of the city.  
1065 In the event there shall be any indebtedness outstanding against  
1066 the authority, the city may continue to levy whatever portion  
1067 shall be necessary of the tax authorized by this law to retire  
1068 such indebtedness.

1069 Section 16. Bonds.--The board is authorized and empowered  
1070 in order to provide for and carry out the work of this act to  
1071 raise funds by the issuance of bonds of the same types and in  
1072 the same manner with the same power and authority and subject to  
1073 the same limitations as is now provided by statute for the  
1074 issuance of bonds by the city, provided that the board and its  
1075 staff and agents shall perform all of the governmental functions  
1076 to be done with regard to the bonds. The aggregate amount of  
1077 the bonded indebtedness shall at no time exceed 15 percent of  
1078 the assessed valuation of the taxable property in the downtown  
1079 area at the time of issuance. The term of the bonds may exceed  
1080 beyond the life of the authority if the city shall have agreed  
1081 to service and pay the bonds after the expiration of the  
1082 authority. In that event, after the authority expires, the city  
1083 shall continue to levy and collect the same special tax which is  
1084 authorized by this law to be levied and collected for the  
1085 authority and use the revenue therefrom for the retirement of

1086 the bonds and expense necessary in connection with servicing the  
 1087 bonds until the bonds are retired. Any excess revenue remaining  
 1088 after retirement of the bonds shall be transferred to the  
 1089 general revenue fund of the city and such special tax shall not  
 1090 be levied in any subsequent year.

1091 Section 17. Eminent domain.--The board shall have the  
 1092 right to acquire by condemnation any interest in real property,  
 1093 including a fee simple title thereto, which it may deem  
 1094 necessary for the action of the authority or for the performance  
 1095 of its lawful functions under this act. Said authority may  
 1096 exercise the power of eminent domain in the manner provided in  
 1097 chapters 73 and 74, Florida Statutes, and acts amendatory  
 1098 thereof or supplementary thereto, or it may exercise the power  
 1099 of eminent domain in the manner now or which may be hereafter  
 1100 provided by any other statutory provision for the exercise of  
 1101 the power of eminent domain. Property already devoted to a  
 1102 public use may be acquired in like manner. However, no real  
 1103 property belonging to the state, or any political subdivision  
 1104 thereof, may be acquired without consent.

1105 Section 18. (1) CALLING REFERENDA.--Whenever by law or  
 1106 for the convenience of administration of the authority a  
 1107 referendum of electors is needed for the authority, the board  
 1108 shall pass a resolution calling and providing for a referendum  
 1109 to be held in the downtown within 3 months after the date of the  
 1110 resolution. The resolution shall provide for one or more  
 1111 polling or voting places. The board shall cause notice of said  
 1112 referendum to be given by publishing said notice for 2  
 1113 consecutive weeks in a newspaper published in the city which is



1114 of general circulation in the downtown area. The first  
 1115 publication shall occur not more than 42 and not less than 21  
 1116 days prior to the date of the referendum. Said notice shall  
 1117 designate the polling place or places for said referendum. The  
 1118 board shall make all necessary arrangements for holding the  
 1119 referendum and shall declare the result thereof. The board  
 1120 shall appoint such inspectors and clerks for each polling place  
 1121 as it deems necessary. Form of the ballot at such referendum  
 1122 shall be determined by the board.

1123 (2) CANVAS OF RETURNS; CERTIFICATES OF REFERENDUM.--The  
 1124 result of the voting of each polling place when ascertained  
 1125 shall be certified by return in duplicate, signed by the clerk  
 1126 and by the majority of inspectors of referendum and transmitted  
 1127 to the board at a meeting to be held on a day following the  
 1128 referendum. At said meeting, the board shall canvas the returns  
 1129 and the result as shown by such returns shall be by the board  
 1130 declared to be the result of the referendum. One copy of the  
 1131 board's declaration, including a copy of the returns of each  
 1132 polling place, shall be promptly filed with the city clerk,  
 1133 together with a copy of proof of publication of the notice of  
 1134 the referendum.

1135 (3) LEGISLATIVE FINDINGS.--The Legislature finds that the  
 1136 activities and functions of the authority are essentially public  
 1137 works and are not concerned with political or governmental  
 1138 purposes. For these reasons the authority is denied police  
 1139 powers. The right to participate in referenda of the authority  
 1140 is more of a private or property right than a public or  
 1141 political right. It is the purpose of the Legislature to grant

1142 to those who will have to pay the costs of the improvements a  
 1143 voice commensurate with that cost.

1144 (4) ELECTORS OF DOWNTOWN, VOTING.--The referendum shall be  
 1145 conducted with written ballots unless the board by resolution  
 1146 prescribes the use of voting machines. At the referendum, the  
 1147 duly registered owner of each freehold within the downtown shall  
 1148 represent one share and the owner of each share shall be  
 1149 entitled to one vote for each \$10,000 or fraction thereof of the  
 1150 nonexempt assessed valuation of the freehold within the  
 1151 downtown, according to the last certified tax assessment roll of  
 1152 Broward County at the time of the referendum. In case record  
 1153 title to land is in a trustee, the trustee shall be deemed the  
 1154 owner for the purposes of this law. Ownership shall not include  
 1155 reversions, remaindermen, trustees other than persons owning a  
 1156 freehold estate as of deed of record, or mortgagees, but they  
 1157 shall be represented by the owner of the freehold estate. In  
 1158 case of undivided multiple ownership of any sort, a majority (in  
 1159 value) of the registered owner may, by written proxy, designate  
 1160 one person to serve as elector for that share and unless an  
 1161 elector be so designated by the majority, the vote of that share  
 1162 shall not be accepted. In case of ownership by a corporation,  
 1163 the corporation may, by proxy, designate an elector to vote the  
 1164 ownership of the corporation. Electors may vote by proxy in  
 1165 writing. An executed copy of each proxy shall be filed with the  
 1166 clerk by the elector at time of voting under that proxy.

1167 (5) REGISTRATION OF ELECTORS.--The director shall be the  
 1168 registration officer for the authority and shall register all  
 1169 persons (including corporations) applying to him or her who are

1170 qualified as full or part owners of a freehold in the downtown  
1171 area which is not wholly exempt from taxation. At the time of  
1172 registration the applicant shall exhibit to the director  
1173 evidence of ownership satisfactory to the director, including,  
1174 in addition, an accurate reference to the official record book  
1175 and page or other precise place in the public records of Broward  
1176 County, which the evidence of ownership shall have been duly  
1177 recorded. No application for registration shall be accepted  
1178 whose evidence of ownership is not recorded in the public  
1179 records (including court records) of Broward County. The board  
1180 may designate one or more deputies to be the registration  
1181 officer in the absence or illness of the director. In case of  
1182 application for registration for a share or partial undivided  
1183 interest in a share already registered in the name of another,  
1184 the registration officer, upon being satisfied by the evidence  
1185 exhibited that the ownership has been duly transferred to the  
1186 new applicant, shall mail a notice of cancellation of  
1187 registration to the existing registrant at the address shown on  
1188 the official registration record as the address of the  
1189 registrant's place of residence (or corporation's principal  
1190 place of business) notifying the registrant that the  
1191 registration will be canceled unless, within 10 days after the  
1192 mailing of such notice, the registrant shall appear in person or  
1193 by representative in person before the registration officer and  
1194 show by evidence satisfactory to the registration officer that  
1195 the registrant still owns all or a part of the share in  
1196 question. If no objection in person is received by the  
1197 registration officer within such 10-day period, he or she shall

1198 promptly so notify the new applicant by mail whose registration  
1199 will be accepted upon renewal of the application within 10 days  
1200 after the mailing of such notice. In case timely objection is  
1201 duly made by the existing registrant, the registration officer  
1202 shall determine the true ownership on the basis of the evidence  
1203 reasonably available to him or her and reject or accept the  
1204 applicant as the circumstances warrant, promptly notifying the  
1205 existing registrant of the decision. No application for change  
1206 of registration for any share shall be accepted within 15 days  
1207 of the referendum unless accompanied by written consent of the  
1208 existing registrant, duly acknowledged in the manner required by  
1209 law for instruments recorded in the public records of the  
1210 county, and unless applied for before the day of the referendum.  
1211 If it shall be made known to the director that an existing  
1212 registrant has died or he or she has parted with his or her  
1213 title to the downtown, the director shall issue a notice of  
1214 cancellation in the same manner as is provided in the case of a  
1215 new applicant for an existing registrant and the registration  
1216 shall be canceled in the same manner in the absence of  
1217 objection, except that the time for objection in such case shall  
1218 be 30 days.

1219 (6) EMPLOYMENT OF OUTSIDE AGENCIES.--The board may pay  
1220 reasonable compensation to the Broward County Supervisor of  
1221 Elections and the Broward County Property Appraiser for services  
1222 rendered to the authority in connection with registration for  
1223 and conduct of a referendum. The board may also employ the  
1224 services of an abstract or title company for assistance in  
1225 ascertaining the identity of ownership.

1226        Section 19. The authority may provide for the construction  
1227 or reconstruction of assessable improvements and for the levying  
1228 of special assessments upon benefited property for the payment  
1229 thereof under the provisions of this section.

1230        (1) The initial proceeding under this section shall be the  
1231 passage by the board of a resolution ordering the construction  
1232 or reconstruction of such assessable improvements indicating the  
1233 location by terminal points, routes, or otherwise, and either  
1234 giving a description of the improvements by their material,  
1235 nature, character, and size or giving two or more descriptions  
1236 with the directions that the material, nature, character, and  
1237 size shall be subsequently determined in conformity with one of  
1238 such descriptions. Assessable improvements need not be  
1239 continuous and may be in more than one locality or street. The  
1240 resolution ordering any such improvement may give any short and  
1241 convenient designation to each improvement ordered thereby, and  
1242 the property against which assessments are to be made for the  
1243 cost of such improvement may be designated as an assessment  
1244 district, followed by a letter or number or name to distinguish  
1245 it from the other assessment districts, after which it shall be  
1246 sufficient to refer to such improvement and property by such  
1247 designation in all proceedings and assessments, except in the  
1248 notices required by this section.

1249        (2) As soon as possible after the passage of such  
1250 resolution, the director shall prepare or cause to be prepared  
1251 in duplicate plans and specifications for each improvement  
1252 ordered thereby and an estimate of the cost thereof. Such cost  
1253 shall include, in addition to the items of cost as defined in

1254 this act, the cost of relaying streets, sidewalks, and other  
 1255 public facilities or conveniences necessarily torn up or damaged  
 1256 and the following items of incidental expenses:

1257 (a) Printing and publishing notices and proceedings.

1258 (b) Costs of abstracts of title.

1259 (c) Any other expense necessary or proper in conducting  
 1260 the proceedings and work provided for in this section, including  
 1261 the estimated amount of discount, if any, upon the sale of  
 1262 assessment bonds or any other obligations issued hereunder for  
 1263 which such special assessments are to be pledged. If the  
 1264 resolution shall provide alternative descriptions of material,  
 1265 nature, character, and size, such estimate shall include an  
 1266 estimate of the cost of the improvement of each such  
 1267 description.

1268  
 1269 The director shall also prepare or cause to be prepared in  
 1270 duplicate a tentative apportionment of the estimated total cost  
 1271 of the improvement as between the district and each lot or  
 1272 parcel of land subject to special assessment under the  
 1273 resolution, such apportionment to be made in accordance with the  
 1274 provisions of the resolution and in relation to apportionment of  
 1275 cost provided herein for the preliminary assessment roll. Such  
 1276 tentative apportionment of total estimated cost shall not be  
 1277 held to limit or restrict the duties of the director in the  
 1278 preparation of such preliminary assessment roll. One of the  
 1279 duplicates of such plans, specifications, and estimates and such  
 1280 tentative apportionment shall be filed with the board and the  
 1281 other duplicate shall be retained by the director in his or her

1282 files, all thereof to remain open to public inspection. In  
1283 performing the duties of assessment and apportionment of costs,  
1284 the director may employ and utilize such technical consultants  
1285 as may be necessary, including, but not limited, to engineers,  
1286 architects, planners, economists, and appraisers.

1287 (3) The board upon the filing with it of such plans,  
1288 specifications, estimates, and tentative apportionment of cost  
1289 shall publish once in a newspaper or newspapers published or of  
1290 general circulation in the downtown a notice stating that at a  
1291 meeting of the board on a certain day and hour, not earlier than  
1292 15 days from such publication, the board will hear objections of  
1293 all interested persons to the confirmation of such resolution,  
1294 which notice shall state in brief and general terms a  
1295 description of the proposed assessable improvements with the  
1296 location thereof, and shall also state that plans,  
1297 specifications, estimates, and tentative apportionment of cost  
1298 thereof are on file with the board. The board shall keep a  
1299 record in which shall be inscribed, at the request of any  
1300 person, firm, or corporation having or claiming to have any  
1301 interest in any lot or parcel of land or property, the name and  
1302 post office address of such person, firm, or corporation,  
1303 together with a brief description or designation of such lot or  
1304 parcel, and it shall be the duty of the board to mail a copy of  
1305 such notice to such person, firm, or corporation at such address  
1306 at least 10 days before the time for the hearing as stated in  
1307 such notice, but the failure of the board to keep such record or  
1308 so to inscribe any name or address or to mail any such notice  
1309 shall not constitute a valid objection to holding the hearing as

1310 provided in this section or to any other action taken under the  
1311 authority of this section.

1312 (4) At the time named in such notice, or to which an  
1313 adjournment may be taken by the board, the board shall receive  
1314 any objections of interested persons and may then or thereafter  
1315 repeal or confirm such resolution with such amendments, if any,  
1316 as may be desired by the board and which do not cause any  
1317 additional property to be specially assessed.

1318 (5) All objections to any such resolution on the ground  
1319 that it contains items which cannot be properly assessed against  
1320 property, or that it is, for any default or defect in the  
1321 passage or character of the resolution or the plans or  
1322 specifications or estimates, void or voidable in whole or in  
1323 part, or that it exceeds the power of the board, shall be made  
1324 in writing in person or by attorney, and filed with the board at  
1325 or before the time or adjourned time of such hearing. Any  
1326 objections against the making of any assessable improvements not  
1327 so made shall be considered waived, and if any objection shall  
1328 be made and overruled or shall not be sustained, the  
1329 confirmation of the resolution shall be the final adjudication  
1330 of the issues presented unless proper steps shall be taken in  
1331 the Circuit Court for the Seventeenth Circuit to secure relief  
1332 within 20 days.

1333 (6) Whenever any resolution providing for the construction  
1334 or reconstruction of assessable improvements and for the levying  
1335 of special assessments upon benefited property for the payment  
1336 thereof shall have been confirmed, as hereinabove provided, or  
1337 at any time thereafter, the board may issue assessment bonds



1338 payable out of such assessments when collected. Said bonds  
1339 shall mature not later than 2 years after the last installment  
1340 in which said special assessments may be paid, as provided in  
1341 subsection (10), and may bear interest. Such assessment bonds  
1342 shall be executed, shall have such provisions for redemption  
1343 prior to maturity, shall be sold in the manner and be subject to  
1344 all of the applicable provisions contained in this act for  
1345 revenue bonds, except as the same are inconsistent with the  
1346 provisions of this section. The amount of such assessment bonds  
1347 for any assessable improvement, after the confirmation of the  
1348 initial resolution, shall not exceed 80 percent of the estimated  
1349 amount of the cost of such assessable improvements which are to  
1350 be specially assessed against the land or property to be  
1351 specially benefited thereby, as shown in the estimates of the  
1352 director of the authority referred to in subsection (2). The  
1353 amount of such assessment bonds for any assessable improvement  
1354 to be issued, after the confirmation of the preliminary  
1355 assessment roll provided for in subsection (9), including any  
1356 assessment bonds theretofore issued, shall not exceed the amount  
1357 of special assessments actually confirmed and levied by the  
1358 board as provided in subsection (9). Such assessment bonds shall  
1359 be payable from the proceeds of the special assessments levied  
1360 for the assessable improvement for which such assessment bonds  
1361 are issued, provided, however, that the director may pledge the  
1362 full faith and credit of the authority for the payment of the  
1363 principal of and interest on such assessment bonds if the  
1364 issuance of such assessment bonds shall be approved in the  
1365 manner provided by law.

1366        (7) After the passage of the resolution authorizing the  
1367 construction or reconstruction of assessable improvements has  
1368 been confirmed as provided in subsection (4), the authority may  
1369 proceed with the construction or reconstruction work in  
1370 accordance with the provisions of this act. Promptly after the  
1371 completion of the work, the director for the authority, who is  
1372 hereby designated as the official of the authority to make  
1373 preliminary assessment of benefits from assessable improvements  
1374 shall prepare a preliminary assessment roll and file the same  
1375 with the board, which roll shall contain the following:

1376        (a) A description of the lots and parcels of land or  
1377 property within the authority which will benefit from such  
1378 assessable improvements and the amount of such benefits to each  
1379 such lot or parcel of land or property, and the preliminary  
1380 assessment. Such lots and parcels shall include the property of  
1381 the county or counties and any school district or other  
1382 political subdivision within the authority. There shall also be  
1383 given the name of the owner of record of each lot or parcel  
1384 where practicable, and a statement of the method of assessment  
1385 used by the director.

1386        (b) The total cost of the improvement and the amount of  
1387 incidental expense.

1388  
1389 In making such preliminary assessments, the director may use any  
1390 method of determining the amount of special benefits accruing to  
1391 each lot or parcel of land or property from such assessable  
1392 improvements as shall be approved by the board. Such special  
1393 benefits may be based on an area assessment where benefits from

1394 such assessable improvements are equal or nearly equal for lands  
1395 of property in a particular area, front footage, square footage  
1396 of structures, cubic measurement of structures, potential uses,  
1397 or any other factors which the board deems fair and equitable as  
1398 between the different lots or parcels of land or property  
1399 benefited. It shall be the duty of the director in making such  
1400 preliminary assessment roll to view all lots or parcels of land  
1401 or property to be assessed, and to determine, for the  
1402 preliminary assessment roll, the amount of benefit which each  
1403 lot or parcel of land or property will receive from such  
1404 assessable improvements, under the method or methods prescribed  
1405 by the board, or any combination thereof.

1406 (8) The preliminary roll shall be advisory only and shall  
1407 be subject to the action of the board as hereinafter provided.  
1408 Upon the filing with the board of the preliminary assessment  
1409 roll, the board shall publish at least once in a newspaper or  
1410 newspapers published or of general circulation within the  
1411 downtown, a notice stating that at a meeting of the board to be  
1412 held on a certain day and hour, not less than 15 days from the  
1413 date of such publication, which meeting may be a regular,  
1414 adjourned, or special meeting, all interested persons may appear  
1415 and file written objections to the confirmation of such roll.  
1416 Such notice shall state the class of the assessable improvements  
1417 and the location thereof by terminal points, route, or  
1418 otherwise. The board shall also mail a copy of such notice to  
1419 the persons, firms, or corporations referred to in subsection  
1420 (3) at least 10 days before the time for the meeting as stated  
1421 in such notice, but the failure of the board to mail any such

1422 notice shall not constitute a valid objection to holding such  
1423 meeting or to any other action taken under the authority of this  
1424 section.

1425 (9) At the time and place stated in such notice, the board  
1426 shall meet and receive the objections in writing of all  
1427 interested persons as stated in such notice. The board may  
1428 adjourn the hearing from time to time. After the completion  
1429 thereof the board shall either annul or sustain or modify in  
1430 whole or in part the preliminary assessment as indicated on such  
1431 roll, either by confirming the preliminary assessment against  
1432 any or all lots or parcels described therein or by canceling,  
1433 increasing, or reducing the same, according to the special  
1434 benefits which the board decides each such lot or parcel has  
1435 received or will receive on account of such improvement. If any  
1436 property which may be chargeable under this section shall have  
1437 been omitted from the preliminary roll, or if the preliminary  
1438 assessment shall not have been made against it, the board may  
1439 place on such roll an apportionment to such property. The board  
1440 shall not confirm any assessment in excess of the special  
1441 benefits to the property assessed, and the assessments so  
1442 confirmed shall be in proportion to the special benefits. The  
1443 assessment so made shall be final and conclusive as to each lot  
1444 or parcel assessed unless proper steps be taken within 30 days  
1445 in the Circuit Court for the Seventeenth Circuit to secure  
1446 relief. If the assessment against any property shall be  
1447 sustained or reduced or abated by the court, the board shall  
1448 note that fact on the assessment roll opposite the description  
1449 of the property affected thereby. The amount of the special

1450 assessment against any lot or parcel which may be reduced or  
1451 abated by the court, unless the assessment upon the entire  
1452 authority be reduced or abated, or the amount by which such  
1453 assessment is so reduced or abated, may by resolution of the  
1454 board be made chargeable against the authority at large; or, at  
1455 the discretion of the board, a new assessment roll may be  
1456 prepared and confirmed in the manner hereinbefore provided for  
1457 the preparation and confirmation of the original assessment  
1458 roll.

1459 (10) Any assessment may be paid at the office of the board  
1460 within 60 days after the confirmation thereof, without interest.  
1461 Thereafter all assessments shall be payable at such times, over  
1462 such period of years not exceeding 20 years, and in such annual  
1463 or other installments with interest at such rate not exceeding 8  
1464 percent per annum on the principal amount of such assessments  
1465 from the expiration of said 60 days, as the board shall  
1466 determine by resolution. The board may provide that any  
1467 assessment may be paid at any time before due together with  
1468 interest accrued thereon to the date of prepayment, if such  
1469 prior payment shall be permitted by the proceedings authorizing  
1470 any assessment bonds or other obligations for the payment of  
1471 which such special assessments have been pledged.

1472 (11) All such special assessments shall be collected by  
1473 the city tax collector, or by such other officer or agent as the  
1474 board may designate, at such time or times as the board shall  
1475 specify in the proceedings authorizing or confirming the special  
1476 assessments, and if no other time is specified then at the same  
1477 time as general city taxes are collected in the city.

1478       (12) All assessments shall constitute a lien upon the  
1479 property so assessed from the date of confirmation of the  
1480 resolution ordering the improvement, of the same nature and to  
1481 the same extent as the lien for general city taxes falling due  
1482 in the same year or years in which such assessment or  
1483 installments thereof fall due, and any assessment or installment  
1484 not paid when due shall be collectible with such interest and  
1485 with a reasonable attorney's fee and costs, but without  
1486 penalties, by the authority by proceedings in the Circuit Court  
1487 for the Seventeenth Circuit to foreclose the lien of  
1488 assessments, as a lien for mortgages is or may be foreclosed  
1489 under the laws of the state, provided that any such proceedings  
1490 to foreclose shall embrace all installments of principal  
1491 remaining unpaid with accrued interest thereon, which  
1492 installments shall, by virtue of the institution of such  
1493 proceedings, immediately become due and payable. Nevertheless,  
1494 if prior to any sale of the property under decree of foreclosure  
1495 in such proceedings, payment be made of the installment or  
1496 installments which are shown to be due under the provisions of  
1497 the resolution passed pursuant to subsections (9) and (10), and  
1498 all costs including interest and attorney's fees, such payment  
1499 shall have the effect of restoring the remaining installments to  
1500 their original maturities, and the proceedings shall be  
1501 dismissed. It shall be the duty of the authority to enforce the  
1502 prompt collection of assessments by the means herein provided,  
1503 and such duty may be enforced at the suit of any holder of bonds  
1504 issued under this act in the Circuit Court for the Seventeenth  
1505 Circuit by mandamus or other appropriate proceedings or action.

1506 Not later than 30 days after any installments are due and  
1507 payable, it shall be the duty of the board to direct the  
1508 attorney or attorneys whom the board shall then designate to  
1509 institute action within 2 months after such direction to enforce  
1510 the collection of all special assessments for assessable  
1511 improvements made under this section and remaining due and  
1512 unpaid at the time of such direction. Such action shall be  
1513 prosecuted in a manner and under the conditions in and under  
1514 which mortgages are foreclosed under the laws of the state. It  
1515 shall be lawful to join in one action the collection of  
1516 assessments against any or all property assessed by virtue of  
1517 the same assessment roll unless the court shall deem such  
1518 joinder prejudicial to the interests of any defendant. The  
1519 court shall allow a reasonable attorney's fee for the attorney  
1520 or attorneys of the authority, and the same shall be collectible  
1521 as a part of or in addition to the costs of the action. At the  
1522 sale pursuant to decree in any such action, the authority may be  
1523 a purchaser to the same extent as an individual person or  
1524 corporation, except that the part of the purchase price  
1525 represented by the assessments sued upon and the interest  
1526 thereon need not be paid in cash. Property so acquired by the  
1527 authority may be sold or otherwise disposed of, the proceeds of  
1528 such disposition to be placed in the fund provided by subsection  
1529 (13) of this section, provided, however, that no sale or other  
1530 disposition thereof shall be made unless the notice calling for  
1531 bids therefor to be received at a stated time and place shall  
1532 have been published at least once in a newspaper or newspapers  
1533 published or of general circulation in the downtown.

1534       (13) All assessments and charges made under the provisions  
1535 of this section for the payment of all or any part of the cost  
1536 of any assessable improvements for which assessment bonds shall  
1537 have been issued under the provisions of this law, or which have  
1538 been pledged as additional security for any other bonds or  
1539 obligations issued under this act, shall be maintained in a  
1540 special fund or funds and be used only for the payment of  
1541 principal or interest on such assessment bonds or other bonds or  
1542 obligations.

1543       (14) Subject to the terms of any bonds or other obligation  
1544 payable from or secured by the assessments provided for herein,  
1545 the board may at any time and from time to time modify, in whole  
1546 or in part, or revoke any plan or specification for any  
1547 assessable improvement. In connection with the revision of any  
1548 such plan or specification, benefits may be reassessed or  
1549 additional assessments made in accordance with the provisions  
1550 and procedures of this section. The board may at any time  
1551 approve and make effective technical changes and modifications  
1552 of any plan for any improvement not affecting the determination  
1553 of assessed benefits or the security of bond owners.

1554       Section 20. Encouragement of private enterprise.--The  
1555 authority, to the greatest extent it determines to be feasible  
1556 in carrying out the provisions of this act, shall afford maximum  
1557 opportunity, consistent with the sound needs of said authority  
1558 as a whole, to the rehabilitation or redevelopment of the  
1559 renewal area by private enterprise. The authority shall give  
1560 consideration to this objective in exercising its powers under  
1561 this act, including the approval of renewal plans (consistent



1562 with the general plan of the city), the enforcement of  
 1563 restrictions, regulations, and agreements relating to the use of  
 1564 land and the use and occupancy of buildings and improvements,  
 1565 the disposition of any property acquired, and the provision of  
 1566 necessary public improvements.

1567 Section 21. Workable program.--The authority for the  
 1568 purposes of this act may cooperate with the city, or with  
 1569 Broward County, in the formulation of a workable program for  
 1570 community improvements, utilizing appropriate private and public  
 1571 resources to eliminate and prevent the development or spread of  
 1572 slums and urban blight, to encourage needed urban  
 1573 rehabilitation, to provide for the redevelopment of slum and  
 1574 blighted areas, or to undertake such of the aforesaid activities  
 1575 or other feasible municipal activities as may be suitably  
 1576 employed to achieve the objectives of such workable program.  
 1577 Such workable program may include, without limitation,  
 1578 provisions for: the prevention of the spread of blight into  
 1579 areas of the authority which are free from blight through  
 1580 diligent enforcement of housing, zoning, and occupancy controls  
 1581 and standards; the rehabilitation or conservation of slum and  
 1582 blighted areas or portions thereof by replanning, removing  
 1583 congestion, providing parks, playgrounds, and other public  
 1584 improvements, by encouraging voluntary rehabilitation, and by  
 1585 compelling the repair and rehabilitation of deteriorated or  
 1586 deteriorating structures; and the clearance and redevelopment of  
 1587 slum and blighted areas or portions thereof.

1588 Section 22. Renewal projects and plans.--

1589       (1) The authority shall not approve a renewal project for  
1590 a renewal area unless the board has, by resolution, determined  
1591 such area to be a slum area or a blighted area or a combination  
1592 thereof and designated such area as appropriate for a renewal  
1593 project. Said board shall not approve a renewal plan until a  
1594 general plan for the downtown has been prepared. For this  
1595 purpose and other authority purposes, authority is hereby vested  
1596 in said authority to prepare, to adopt, and to revise from time  
1597 to time a general plan for the physical development of the  
1598 downtown as a whole (giving due regard to the environs and  
1599 metropolitan surroundings), provided, however, that the  
1600 Legislature finds that all of the requirements of a general plan  
1601 for the physical development of the downtown have been fulfilled  
1602 by the Plans and Proposals of either Concepts A or B of the 1967  
1603 Fort Lauderdale Central Area Study prepared for the authority by  
1604 Victor Gruen, Architect, F.A.I.A. The authority may revise said  
1605 general plan from time to time and may adopt another general  
1606 plan.

1607       (2) The authority may prepare or cause to be prepared a  
1608 renewal plan, or any person or agency, public or private, may  
1609 submit such a plan to said authority. Prior to its approval of  
1610 a renewal project, the board shall submit such plan to the  
1611 planning board of the city for review and recommendations as to  
1612 its conformity with the general plan for the development of the  
1613 city as a whole. The planning board shall submit its written  
1614 recommendations with respect to the proposed renewal plan to the  
1615 authority within 30 days after receipt of the plan for review.  
1616 Upon receipt of the recommendations of the planning board, or,

1617 if no recommendations are received within said 30 days, then  
1618 without such recommendations, said authority may proceed with  
1619 the hearing on the proposed renewal project prescribed herein.  
1620 No person other than the city shall be entitled to raise the  
1621 question of inconsistency of any plan with the general plan of  
1622 the city.

1623 (3) The authority shall hold a public hearing on a renewal  
1624 project, after public notice thereof by publication in a  
1625 newspaper having a general circulation in the area of operation  
1626 of the authority. The notice shall describe the time, date,  
1627 place, and purpose of the hearing, shall generally identify the  
1628 renewal area covered by the plan, and shall outline the general  
1629 scope of the renewal project under consideration.

1630 (4) Following such hearing, the authority may approve a  
1631 renewal project if it finds that:

1632 (a) A feasible method exists for the location of families  
1633 who will be displaced from the renewal area in decent, safe, and  
1634 sanitary dwelling accommodations within their means and without  
1635 undue hardship to such families.

1636 (b) The renewal plan conforms to the general plan of the  
1637 municipality as a whole.

1638 (c) The renewal plan will afford maximum opportunity,  
1639 consistent with the sound needs of the municipality as a whole,  
1640 for the rehabilitation or redevelopment of the renewal area by  
1641 private enterprise.

1642 (5) A renewal plan may be modified at any time, provided  
1643 that if modified after the lease or sale by the authority of  
1644 real property in the renewal project area, such modification may

1645 be conditioned upon such approval of the owner, lessee, or  
 1646 successor in interest as the authority may deem advisable and in  
 1647 any event shall be subject to such rights at law or in equity as  
 1648 a lessee or purchaser, or his or her successor or successors in  
 1649 interest, may be entitled to assert.

1650 (6) Upon the approval by the authority of a renewal plan  
 1651 or of any modification thereof, such plan or modification shall  
 1652 be deemed to be in full force and effect for the respective  
 1653 renewal area and the authority may then cause such plan or  
 1654 modification to be carried out in accordance with its terms.

1655 (7) Notwithstanding any other provisions of this act,  
 1656 where the authority certifies that an area is in need of  
 1657 redevelopment or rehabilitation as a result of a flood, fire,  
 1658 hurricane, earthquake, storm, or other catastrophe respecting  
 1659 which the Governor has certified the need for disaster  
 1660 assistance under Public Law 875, Eighty-first Congress, or other  
 1661 federal law, the board may approve a renewal plan and a renewal  
 1662 project with respect to such area without regard to the  
 1663 provisions of subsection (4) of this section and the provisions  
 1664 of this section requiring a general plan for the city and the  
 1665 public hearing on the renewal project.

1666 Section 23. Powers.--The authority shall have all the  
 1667 powers necessary or convenient to carry out and effectuate the  
 1668 purposes and provisions of this act, including the following  
 1669 powers in addition to others herein granted:

1670 (1) To undertake and carry out renewal projects within its  
 1671 area of operation; to make and execute contracts and other  
 1672 instruments necessary or convenient to the exercise of its

1673 powers under this act; and to disseminate slum clearance and  
1674 renewal information.

1675 (2) To provide or to arrange or contract for the  
1676 furnishing or repair by any person or agency, public or private,  
1677 of services, privileges, works, streets, roads, public  
1678 utilities, or other facilities for or in connection with a  
1679 renewal project; to install, construct, and reconstruct streets,  
1680 utilities, parks, playgrounds, and other public improvements;  
1681 and to agree to any conditions that it may deem reasonable and  
1682 appropriate attached to federal financial assistance and imposed  
1683 pursuant to federal law relating to the determination of  
1684 prevailing salaries or wages or compliance with labor standards,  
1685 in the undertaking or carrying out of a renewal project, and to  
1686 include in any contract let in connection with such a project  
1687 provisions to fulfill such of said conditions as it may deem  
1688 reasonable and appropriate.

1689 (3) Within its area of operation, to enter into any  
1690 building or property in any renewal area in order to make  
1691 inspections, surveys, appraisals, soundings, or test borings,  
1692 and to obtain an order for this purpose from a court of  
1693 competent jurisdiction in the event entry is denied or resisted;  
1694 to acquire by purchase, lease, option, gift, grant, bequest,  
1695 devise, eminent domain, or otherwise any real property (or  
1696 personal property for its administrative purposes) together with  
1697 any improvements thereon; to hold, improve, clear, or prepare  
1698 for redevelopment any such property; to dispose of any real  
1699 property; to insure or provide for the insurance of any real or  
1700 personal property or operation of the authority against any

1701 risks or hazards, including the power to pay premiums on any  
 1702 such insurance; and to enter into any contracts necessary to  
 1703 effectuate the purposes of this act provided, however, that no  
 1704 statutory provision with respect to the acquisition, clearance,  
 1705 or disposition of property by public bodies shall restrict the  
 1706 authority in the exercise of such functions with respect to a  
 1707 renewal project, unless the Legislature shall specifically so  
 1708 state.

1709 (4) To invest any renewal project funds held in reserves  
 1710 or sinking funds or any such funds not required for immediate  
 1711 disbursement, in property or securities in which banks may  
 1712 legally invest funds subject to their control, and to redeem  
 1713 such bonds as have been issued pursuant to this act at the  
 1714 redemption price established therein or to purchase such bonds  
 1715 at less than redemption price, all such bonds so redeemed or  
 1716 purchased to be canceled.

1717 (5) To borrow money and to apply for and accept advances,  
 1718 loans, grants, contributions, and any other form of financial  
 1719 assistance from the Federal Government, the state, county, city,  
 1720 or other public body, or from any sources, public or private,  
 1721 for the purposes of this act, and to give such security as may  
 1722 lawfully be required and to enter into and carry out contracts  
 1723 in connection therewith. The authority may include in any  
 1724 contract for financial assistance with the Federal Government  
 1725 for a renewal project such conditions imposed pursuant to  
 1726 federal laws as the authority may deem reasonable and  
 1727 appropriate and which are not inconsistent with the purposes of  
 1728 this act.

1729 (6) Within its area of operation, to make or have made all  
 1730 surveys and plans necessary to the carrying out of the purposes  
 1731 of this act and to contract with any person, public or private,  
 1732 in making and carrying out such plans and to adopt or approve,  
 1733 modify and amend such plans. Such plans may include, without  
 1734 limitation:

1735 (a) A general plan for the locality as a whole.

1736 (b) Renewal plans.

1737 (c) Preliminary plans outlining renewal activities for  
 1738 neighborhoods to embrace two or more renewal areas.

1739 (d) Plans for carrying out a program of voluntary or  
 1740 compulsory repair and rehabilitation of buildings and  
 1741 improvements.

1742 (e) Plans for the enforcement of state and local laws,  
 1743 codes, and regulations relating to the use of land and the use  
 1744 and occupancy of buildings and improvements and to the  
 1745 compulsory repair, rehabilitation, demolition, or removal of  
 1746 buildings and improvements.

1747 (f) Appraisals, title searches, surveys, studies, and  
 1748 other plans and work necessary to prepare for the undertaking of  
 1749 renewal projects. The authority is authorized to develop, test,  
 1750 and report methods and techniques, and carry out demonstrations  
 1751 and other activities, for the prevention and the elimination of  
 1752 slums and blight and to apply for, accept, and utilize grants of  
 1753 funds from the Federal Government for such purposes.

1754 (7) To prepare plans for the relocation of persons,  
 1755 including families, business concerns, and others, displaced by  
 1756 a renewal project, and to make relocation payments to or with

1757 respect to such persons for moving expenses and losses of  
 1758 property for which reimbursement or compensation is not  
 1759 otherwise made, including the making of such payments financed  
 1760 by the Federal Government.

1761 (8) To appropriate such funds and make such expenditures  
 1762 as may be necessary to carry out the purposes of this act, and  
 1763 to levy taxes and assessments for such purposes, subject to  
 1764 millage limitations of this act and the State Constitution.

1765 (9) To plan or replan streets, roads, sidewalks, ways, or  
 1766 other places and to plan or replan any part of the downtown.

1767 (10) Within its area of operation, to organize,  
 1768 coordinate, and direct the administration of the provisions of  
 1769 this act as they apply to such authority in order that the  
 1770 objective of remedying slum and blighted areas and preventing  
 1771 the causes thereof within such authority may be most effectively  
 1772 promoted and achieved, and to establish such new office or  
 1773 offices of the authority or to reorganize existing offices in  
 1774 order to carry out such purpose most effectively.

1775 (11) To exercise all or any part or combination of powers  
 1776 herein granted.

1777 Section 24. Disposal of property in renewal area.—

1778 (1) The authority may sell, lease, or otherwise transfer  
 1779 real property or any interest therein acquired by it, and may  
 1780 enter into contracts with respect thereto, in a renewal area for  
 1781 residential, recreational, commercial, industrial, or other uses  
 1782 or for public use, or may retain such property or interest for  
 1783 public use, in accordance with the renewal plan, subject to such  
 1784 covenants, conditions, and restrictions, including covenants



1785 running with the land, as may be deemed to be necessary or  
1786 desirable to assist in preventing the development or spread of  
1787 future slums or blighted areas or to otherwise carry out the  
1788 purposes of this act, provided that such sale, lease, other  
1789 transfer, or retention, and any agreement relating thereto, may  
1790 be made only after the approval of the renewal plan by the  
1791 board. The purchasers or lessees and their successors and  
1792 assigns shall be obligated to devote such real property only to  
1793 the uses specified in the renewal plan, and may be obligated to  
1794 comply with such other requirements as the authority may  
1795 determine to be in the renewal plan, and may be obligated to  
1796 comply with such other requirements as the authority may  
1797 determine to be in the public interest, including the obligation  
1798 to begin within a reasonable time any improvements on such real  
1799 property required by the renewal plan. Such real property or  
1800 interest shall be sold, leased, otherwise transferred, or  
1801 retained at not less than its fair value for uses in accordance  
1802 with the renewal plan. In determining the fair value of real  
1803 property for uses in accordance with the renewal plan, the  
1804 authority shall take into account and give consideration to the  
1805 uses provided in such plan; the restrictions upon, and the  
1806 covenants, conditions, and obligations assumed by, the purchaser  
1807 or lessee or by the authority retaining the property; and the  
1808 objectives of such plan for the prevention of the recurrence of  
1809 a slum or blighted areas. The authority in any instrument of  
1810 conveyance to a private purchaser or lessee may provide that  
1811 such purchaser or lessee, shall be without power to sell, lease,  
1812 or otherwise transfer the real property without the prior

1813 written consent of the authority until he or she has obligated  
 1814 himself or herself to construct thereon. Real property acquired  
 1815 by the authority which, in accordance with the provisions of the  
 1816 renewal plan, is to be transferred shall be transferred as  
 1817 rapidly as feasible in the public interest consistent with the  
 1818 carrying out of the provisions of the renewal plan. Any  
 1819 contract for such transfer and the renewal plan (or such part or  
 1820 parts of such contract or plan as the authority may determine)  
 1821 may be recorded in the office of the Clerk of the Circuit Court  
 1822 of Broward County.

1823 (2) The authority may dispose of real property in a  
 1824 renewal area to private persons only under such reasonable  
 1825 competitive bidding procedures as it shall prescribe or as  
 1826 hereinafter provided in this subsection. The authority may, by  
 1827 public notice by publication in a newspaper having a general  
 1828 circulation in the community (30 days prior to the execution of  
 1829 any contract to sell, lease, or otherwise transfer real property  
 1830 and prior to the delivery of any instrument of conveyance with  
 1831 respect thereto under the provisions of this section) invite  
 1832 proposals from and make available all pertinent information to  
 1833 private redevelopers or any persons interested in undertaking to  
 1834 redevelop or rehabilitate a renewal area, or any part thereof.  
 1835 Such notice shall identify the area, or portion thereof, and  
 1836 shall state that proposals shall be made by those interested  
 1837 within 30 days after the date of publication of said notice, and  
 1838 that such further information as is available may be obtained at  
 1839 such office as shall be designated in said notice. The  
 1840 authority shall consider all such redevelopment or

1841 rehabilitation proposals and the financial and legal ability of  
1842 the persons making such proposals to carry them out, and may  
1843 negotiate with any persons for proposals for the purchase,  
1844 lease, or other transfer of any real property acquired by the  
1845 authority in the renewal area. The authority may accept such  
1846 proposal as it deems to be in the public interest and in  
1847 furtherance of the purposes of this act, provided that a  
1848 notification of intention to accept such proposal shall be filed  
1849 with the board not less than 30 days prior to such acceptance.  
1850 Thereafter, the authority may execute such contract in  
1851 accordance with the provisions of subsection (1) and deliver  
1852 deeds, leases, and other instruments and take all steps  
1853 necessary to effectuate such contract.

1854 (3) The authority may temporarily operate and maintain  
1855 real property acquired in a renewal area pending the disposition  
1856 of the property as authorized in this act, without regard to the  
1857 provisions of subsection (1), for such uses and purposes as may  
1858 be deemed desirable even though not in conformity with the  
1859 renewal plan.

1860 Section 25. Issuance of bonds.—

1861 (1) The authority shall have the power to issue bonds from  
1862 time to time in its discretion to finance the undertaking of any  
1863 renewal project under this act, including without limiting the  
1864 generality thereof, the payment of principal and interest upon  
1865 any advances for surveys and plans, and shall also have power to  
1866 issue refunding bonds for the payment or retirement of such  
1867 bonds previously issued by it. Such bonds may be made payable  
1868 as to bond principal and interest, from the income, proceeds,

1869 revenues, and funds of the authority derived from or held in  
1870 connection with its undertaking and carrying out of renewal  
1871 projects under this act, provided, however, that payment of such  
1872 bonds, both as to principal and interest, may be further secured  
1873 by a pledge of any loan, grant, or contribution from the Federal  
1874 Government or other source, in aid of any renewal projects of  
1875 the authority under this act.

1876 (2) Bonds issued under this section shall not constitute  
1877 an indebtedness within the meaning of any constitutional or  
1878 statutory debt limitation or restriction, and shall not be  
1879 subject to the provisions of any other law or charter relating  
1880 to the authorization, issuance, or sale of bonds. Bonds issued  
1881 under the provisions of this act are declared to be issued for  
1882 an essential public and governmental purpose and, together with  
1883 interest thereon and income therefrom, shall be exempted from  
1884 all taxes.

1885 (3) Bonds issued under this section shall be authorized by  
1886 resolution or ordinance of the board and may be issued in one or  
1887 more series and shall bear such date or dates, be payable upon  
1888 demand or mature at such time or times, bear such interest, be  
1889 in such denomination or denominations, be in such form either  
1890 coupon or registered, carry such conversion or registration  
1891 privileges, have such rank or priority, be executed in such  
1892 manner, be payable in such medium of payment, at such place or  
1893 places, and be subject to such terms of redemption (with or  
1894 without premium), be secured in such manner, and have such other  
1895 characteristics as may be provided by such resolution or trust  
1896 indenture or mortgage issued pursuant thereto.

1897        (4) Such bonds may be sold at not less than par at public  
 1898 sales held after notice published prior to such sale in a  
 1899 newspaper having a general circulation in the area of operation  
 1900 and in such other medium of publications as the authority may  
 1901 determine or may be exchanged for other bonds on the basis of  
 1902 par, provided that such bonds may be sold to the Federal  
 1903 Government at private sale at not less than par and, in the  
 1904 event less than all of the authorized principal amount of such  
 1905 bonds is sold to the Federal Government, the balance may be sold  
 1906 at private sale at not less than par at an interest cost to the  
 1907 authority not to exceed the interest cost to the authority of  
 1908 the portion of the bonds sold to the Federal Government.

1909        (5) In case any of the public officials of the authority  
 1910 whose signatures appear on any bonds or coupons issued under  
 1911 this act shall cease to be such officials before the delivery of  
 1912 such bonds, such signatures shall, nevertheless, be valid and  
 1913 sufficient for all purposes, the same as if such officials had  
 1914 remained in office until such delivery. Any provisions of any  
 1915 law to the contrary notwithstanding, any bonds issued pursuant  
 1916 to this act shall be fully negotiable.

1917        (6) In any suit, action, or proceeding involving the  
 1918 validity or enforceability of any bond issued under this act or  
 1919 the security therefor, any such bond reciting in substance that  
 1920 it has been issued by the authority in connection with a renewal  
 1921 project, as herein defined, shall be conclusively deemed to have  
 1922 been issued for such purpose and such project shall be  
 1923 conclusively deemed to have been planned, located, and carried  
 1924 out in accordance with the provisions of this act.

1925        Section 26. Bonds as legal investments.--All banks, trust  
 1926 companies, bankers, savings banks and institutions, building and  
 1927 loan associations, savings and loan associations, investment  
 1928 companies, and all other persons carrying on a banking or  
 1929 investment business; all insurance companies, insurance  
 1930 associations, and other persons carrying on an insurance  
 1931 business; and all executors, administrators, curators, trustees,  
 1932 and other fiduciaries may legally invest any sinking funds,  
 1933 moneys, or other funds belonging to them or within their control  
 1934 in any bonds or other obligations issued by the authority  
 1935 pursuant to this act, provided that such bonds and other  
 1936 obligations shall be secured by an agreement between the issuer  
 1937 and the Federal Government in which the issuer agrees to borrow  
 1938 from the Federal Government and the Federal Government agrees to  
 1939 lend to the issuer, prior to the maturity of such bonds or other  
 1940 obligations, moneys in an amount which (together with any other  
 1941 moneys irrevocably committed to the payment of interest on such  
 1942 bonds or other obligations) will suffice to pay the principal of  
 1943 such bonds or other obligations with interest to maturity  
 1944 thereon, which moneys under the terms of said agreement are  
 1945 required to be used for the purpose of paying the principal of  
 1946 and the interest on such bonds or other obligations at their  
 1947 maturity. Such bonds and other obligations shall be authorized  
 1948 security for all public deposits. It is the purpose of this  
 1949 section to authorize any persons, political subdivisions, and  
 1950 officers, public or private, to use any funds owned or  
 1951 controlled by them for the purpose of any such bonds or other  
 1952 obligations. Nothing contained in this section with regard to

1953 legal investments shall be construed as relieving any person of  
 1954 any duty of exercising reasonable care in selecting securities.

1955 Section 27. Exemption from execution.--All property of the  
 1956 authority, including funds, owned or held by it for the purposes  
 1957 of this act shall be exempt from levy and sale by virtue of an  
 1958 execution, and no execution or other judicial process shall  
 1959 issue against the same, nor shall judgment against the authority  
 1960 be a charge or lien upon such property, provided, however, that  
 1961 the provisions of this section shall not apply to or limit the  
 1962 right of obligees to pursue any remedies for the enforcement of  
 1963 any pledge or lien given pursuant to this act by the authority  
 1964 on its rents, fees, grants, or revenues from renewal projects.

1965 Section 28. Cooperation by public bodies.--

1966 (1) For the purpose of aiding in the planning,  
 1967 undertaking, or carrying out of a renewal project located within  
 1968 the area in which it is authorized to act, any public body may,  
 1969 upon such terms, with or without consideration, as it may  
 1970 determine:

1971 (a) Dedicate, sell, convey, or lease any of its interest  
 1972 in any property or grant easements, licenses, or other rights or  
 1973 privileges therein to the authority.

1974 (b) Incur the entire expense of any public improvements  
 1975 made by such public body in exercising the powers granted in  
 1976 this section.

1977 (c) Do any and all things necessary to aid or cooperate in  
 1978 the planning or carrying out of a renewal plan.

1979 (d) Lend, grant, or contribute funds to said authority.

1980        (e) Enter into agreements (which may extend over any  
 1981 period, notwithstanding any provision or rule of law to the  
 1982 contrary) with said authority or other public body respecting  
 1983 action to be taken pursuant to any of the powers granted by this  
 1984 act, including the furnishing of funds or other assistance in  
 1985 connection with a renewal project.

1986        (f) Cause public buildings and public facilities,  
 1987 including parks and playgrounds, recreational, community,  
 1988 educational, water, sewer, or drainage facilities, or any other  
 1989 works which it is otherwise empowered to undertake or to be  
 1990 furnished, furnish, dedicate, close, vacate, pave, install,  
 1991 grade, regrade, plan, or replan streets, roads, sidewalks, ways,  
 1992 or other places; plan or replan or zone or rezone any part of  
 1993 the public body or make exceptions from building regulations;  
 1994 and cause administrative and other services to be furnished to  
 1995 the authority.

1996  
 1997 If at any time title to or possession of any renewal project is  
 1998 held by any public body or governmental agency, other than the  
 1999 authority, which is authorized by law to engage in the  
 2000 undertaking, carrying out, or administration of renewal projects  
 2001 (including any agency or instrumentality of the United States of  
 2002 America), the provisions of the agreements referred to in this  
 2003 section shall inure to the benefit of, any may be enforced by,  
 2004 such public body or governmental agency.

2005        (2) Any sale, conveyance, lease, or agreement provided for  
 2006 in this section may be made by a public body without appraisal,  
 2007 public notice, advertisement, or public bidding.



2008        (3) For the purpose of aiding in the planning,  
 2009 undertaking, or carrying out of a renewal project of the  
 2010 authority hereunder, the city may (in addition to its other  
 2011 powers and upon such terms, with or without consideration, as it  
 2012 may determine) do and perform any or all of the actions or  
 2013 things which, by the provisions of subsection (1), a public body  
 2014 is authorized to do or perform, including the furnishing of  
 2015 financial and other assistance.

2016        (4) For the purposes of this section, or for the purpose  
 2017 of aiding in the planning, undertaking, or carrying out of a  
 2018 renewal project of the authority, said authority may in addition  
 2019 to any other authority to issue bonds pursuant to this act issue  
 2020 and sell its general obligation bonds. Any bonds issued by the  
 2021 authority pursuant to this section shall be issued in the manner  
 2022 and within the limitations prescribed by the laws of this state  
 2023 for the issuance and authorization of bonds by such authority  
 2024 for public purposes generally, except as to constitutional  
 2025 requirements.

2026        Section 29. Title of purchaser.--Any instrument executed  
 2027 by the authority and purporting to convey any right, title, or  
 2028 interest in any property under this act shall be conclusively  
 2029 presumed to have been executed in compliance with the provisions  
 2030 of this act insofar as title or other interest of any bona fide  
 2031 purchaser, lessee, or transferee of such property is concerned.

2032        Section 30. Maximum millage.--The maximum millage of the  
 2033 ad valorem tax authorized to be levied to finance the operation  
 2034 of the authority may be increased by the board so as to be any  
 2035 rate not exceeding 10 mills which shall have been approved by

2036 vote of the majority of those voting in a referendum in which  
 2037 those participating are limited to the electors of the downtown  
 2038 who at the time of the referendum are owners of freeholds in the  
 2039 downtown not wholly exempt from taxation and who are then duly  
 2040 registered for an authority referendum as authorized by this  
 2041 act.

2042 Section 31. Severability.--If any section, clause,  
 2043 sentence, or provision of this act or the application of such  
 2044 section, clause, sentence, or provision to any person or bodies  
 2045 or under any circumstances shall be held to be inoperative,  
 2046 invalid, or unconstitutional, the invalidity of such section,  
 2047 clause, sentence, or provision shall not be deemed, held, or  
 2048 taken to affect the validity or constitutionality of any of the  
 2049 remaining parts of this act, or the application of any of the  
 2050 provisions of this act to persons, bodies, or in circumstances  
 2051 other than those as to which it or any part thereof shall have  
 2052 been inoperative, invalid, or unconstitutional, and it is  
 2053 intended that this act shall be construed and applied as if any  
 2054 section, clause, sentence, or provision held inoperative,  
 2055 invalid, or unconstitutional had not been included in this act.

2056 Section 32. Liberal construction.--The provisions of this  
 2057 act shall be liberally construed to effect its purposes and  
 2058 shall be deemed cumulative, supplemental and alternative  
 2059 authority for the exercise of the powers provided herein.

2060 Section 33. This act shall be known and may be cited as  
 2061 the "Fort Lauderdale Downtown Development Authority Law."

2062 Section 34. (1) TRUST FUND; CREATION, DURATION, USE, AND  
 2063 TERMINATION.--

2064        (a) There is established a fund to be known as the  
 2065 Redevelopment Trust Fund of the Downtown Development Authority  
 2066 of the City of Fort Lauderdale. In addition to any other funds  
 2067 available to the authority, funds allocated to and deposited  
 2068 into said redevelopment trust fund may be used by the authority,  
 2069 subject to prior approval by the board of trustees and pursuant  
 2070 to the provisions of this act, to finance or refinance all or  
 2071 part of the cost of construction or acquisition of any project  
 2072 now or hereafter undertaken by the authority individually or  
 2073 with or by any other governmental entity.

2074        (b) Anything to the contrary notwithstanding, the  
 2075 redevelopment trust fund shall not come into existence until  
 2076 this act has been approved by an ordinance adopted by the Board  
 2077 of County Commissioners of Broward County and by an ordinance  
 2078 adopted by the City Commission of the City of Fort Lauderdale.  
 2079 Upon the final adoption and passage of such ordinance by the  
 2080 Board of County Commissioners of Broward County and the City  
 2081 Commission of the City of Fort Lauderdale, the redevelopment  
 2082 trust fund shall thereafter continue in full force and effect in  
 2083 accordance with all of the terms and provisions this act.

2084        (c) If the Downtown Development Authority of the City of  
 2085 Fort Lauderdale ceases to exist, the redevelopment trust fund  
 2086 shall be dissolved, and all funds previously deposited therein  
 2087 by a taxing authority together with a pro rata share of any  
 2088 interest having accrued thereon shall be returned to such taxing  
 2089 authority, after the indebtedness outstanding against the  
 2090 authority is retired and any expenses incurred in servicing the  
 2091 indebtedness is paid, provided, however, that in no event shall

2092 | the redevelopment trust fund continue to exist after the payment  
 2093 | in full of such indebtedness and expenses incurred in servicing  
 2094 | the indebtedness.

2095 |       (d) The term of bonds issued in accordance with section 16  
 2096 | of this act, for which the development trust fund has been  
 2097 | pledged, may extend beyond the life of the redevelopment trust  
 2098 | fund if the City of Fort Lauderdale and Broward County have  
 2099 | agreed to service and pay such bonds after the expiration of the  
 2100 | fund. In such an event, after the redevelopment trust fund  
 2101 | expires, the county shall continue to levy and collect the tax  
 2102 | authorized by this law and use the revenue therefrom to retire  
 2103 | the bonds and to pay any expenses necessary for servicing the  
 2104 | bonds until the bonds are retired. Any excess revenue remaining  
 2105 | after the bonds are retired, together with a pro rata share of  
 2106 | any interest having accrued thereon, shall be returned to the  
 2107 | taxing authorities.

2108 |       (2) FUNDING.--The funding of the redevelopment trust fund  
 2109 | shall take place annually commencing with the ad valorem taxes  
 2110 | levied and assessed for the year 1980, or the year in which the  
 2111 | ordinances provided for in paragraph (b) of subsection (2) are  
 2112 | adopted by the County Commission of Broward County and the City  
 2113 | Commission of the City of Fort Lauderdale, whichever shall occur  
 2114 | last. The funding of the redevelopment trust fund shall not  
 2115 | exceed that amount equal to the difference between:

2116 |       (a) The amount of ad valorem taxes levied each year by or  
 2117 | for all taxing authorities, except school districts and the  
 2118 | authority, on its buildings, fixtures, and other improvements

2119 upon taxable real property contained within the geographic  
 2120 boundaries of the renewal area; and

2121 (b) The amount of ad valorem taxes which would have been  
 2122 produced at the rate upon which the ad valorem taxes are levied  
 2123 each year or for all taxing authorities, except school districts  
 2124 and the authority, upon the total of the assessed value of all  
 2125 building fixtures, and other improvements upon taxable real  
 2126 property in the renewal area, which building, fixtures, and  
 2127 improvements appeared and were listed upon the most recent tax  
 2128 assessment roll used by each taxing authority, except school  
 2129 districts and the authority, prior to the effective date of this  
 2130 act. Taxes levied and assessed on the real property upon which  
 2131 such buildings, fixtures, and improvements are located shall not  
 2132 be included in the annual funding calculation of the  
 2133 redevelopment trust fund.

2134 (3) ANNUAL APPROPRIATION.--

2135 (a) For the first 5 years during which the redevelopment  
 2136 trust fund is in existence, each taxing authority, except school  
 2137 districts and the authority, shall annually appropriate from any  
 2138 available funds a sum which is not less in amount than the  
 2139 increment of ad valorem tax revenues, as defined and determined  
 2140 in subsection (3) accruing to said taxing authority.

2141 (b) During each year subsequent to the fifth year of the  
 2142 existence of the redevelopment trust fund, each taxing  
 2143 authority, except school districts and the authority, shall, on  
 2144 a pro rata basis, appropriate to said fund a sum which is no  
 2145 less than the amount determined by the board to be necessary  
 2146 during the next fiscal year in order to provide for payment of

2147 any bonds, loans, advances, undertakings, or indebtedness, plus  
 2148 interest accruing thereon, or any other financial obligation  
 2149 approved by the board and to the payment of which redevelopment  
 2150 trust funds have been pledged or committed. The redevelopment  
 2151 trust fund budget for each fiscal year shall be prepared and  
 2152 approved by the board and trustees and a copy thereof shall be  
 2153 furnished to each taxing authority, except school districts, at  
 2154 least 30 days prior to the first day of such fiscal year. The  
 2155 ad valorem tax revenues as defined and determined in subsection  
 2156 (3) accruing to such authorities.

2157 (c) The obligation of the taxing authorities, except  
 2158 school districts and the authority, to make annual  
 2159 appropriations to the fund shall continue so long as the  
 2160 authority exists, or until all bonds, loans, advances, and  
 2161 indebtedness, or interest thereof, incurred by the authority  
 2162 under this act, and for which redevelopment trust funds have  
 2163 been pledged have been paid, provided that such obligation shall  
 2164 be imposed on the annual tax increment calculated in accordance  
 2165 with subsection (3) is greater than zero.

2166 (4) BOARD OF TRUSTEES.--

2167 (a) The redevelopment Trust Fund of the Downtown  
 2168 Development Authority of the City of Fort Lauderdale shall be  
 2169 subject to the jurisdiction, administration, and control of a  
 2170 board of trustees consisting of five members.

2171 (b) Within 30 days after the board of County  
 2172 Commissioners of Broward County adopts the ordinance approving  
 2173 the act, the board of County Commissioners of Broward County  
 2174 shall appoint two of its members to the board of trustees, the

2175 City Commission of the City of Fort Lauderdale shall appoint two  
 2176 members of its commission to the board of trustees, and the  
 2177 Downtown Development Authority of the City of Fort Lauderdale,  
 2178 shall appoint one member of the board of trustees. All  
 2179 appointments shall be by resolution. The terms of office of a  
 2180 member of the board of trustees shall be 1 year from the date of  
 2181 appointment. A vacancy occurring during a term shall be filled  
 2182 for the unexpired portion of the terms by the governing body  
 2183 which made the original appointment. A member of the board of  
 2184 trustees shall continue to serve until his or her successor has  
 2185 been appointed. Decisions of the board of trustees shall be  
 2186 made on the affirmative vote of a majority of its members.

2187 (c) The board of trustees shall control, operate, and  
 2188 administer the Redevelopment Trust Fund of the Downtown  
 2189 Development Authority of the City of Fort Lauderdale as provided  
 2190 in this section. No project for which redevelopment trust funds  
 2191 are to be used shall be undertaken unless first approved by a  
 2192 resolution of the board of trustees. Any such project shall be  
 2193 acquired, constructed, and operated in accordance with the  
 2194 provisions of such resolution and shall not be conveyed by the  
 2195 authority to any person unless such conveyance is first approved  
 2196 by a resolution of the board of trustees. The board of trustees  
 2197 may attach such conditions to the approval of such project as  
 2198 the board of trustees deems necessary. The authority shall not  
 2199 pledge funds in the redevelopment trust fund for the payment of  
 2200 any bond, loan, advance, or indebtedness, unless the authority  
 2201 has, by a resolution, pledged said funds for the time during

2202 which any such bond, loan, advance, or indebtedness, or any  
 2203 interest thereon, remains unpaid.

2204 (5) REVENUE BONDS AND NOTES.--

2205 (a) Revenue bonds and notes of every issue under this  
 2206 section shall be payable solely out of revenues deposited in the  
 2207 authority's development trust fund. The lien created by such  
 2208 revenue bonds and notes shall not attach until the revenues  
 2209 referred to herein are deposited in the authority's  
 2210 redevelopment trust fund at the times and to the extent that  
 2211 such revenues accrue. The holders of such revenue bonds and  
 2212 notes shall have no right to require or compel the imposition of  
 2213 any tax or the establishment of any rate of taxation for which  
 2214 to provide for the payment of such revenue bonds and notes.

2215 (b) Revenue bonds and notes issued under the provisions of  
 2216 this section shall not constitute a debt, liability, or  
 2217 obligation of the authority, Broward County, the City of Fort  
 2218 Lauderdale, or the state or any political subdivision thereof,  
 2219 or a pledge of the faith or credit of Broward County, the City  
 2220 of Fort Lauderdale, or the state or any political subdivision  
 2221 thereof, but shall be payable solely from the redevelopment  
 2222 trust fund as provided for in this section. All such revenue  
 2223 bonds and notes shall contain on the face thereof a statement to  
 2224 the effect that the authority shall not be obligated to pay the  
 2225 same or the interest thereon except from the redevelopment trust  
 2226 fund of the authority held for that purpose and that neither the  
 2227 faith nor credit nor the taxing power of the authority, Broward  
 2228 County, the City of Fort Lauderdale, or the state or any



2229 political subdivision thereof is pledged to the payment of  
 2230 principal or interest on such revenue bonds and notes.

2231 (c) Revenue bonds and notes issued under the provisions of  
 2232 this section shall not be included in the computation of any  
 2233 limitation or the amount of bonded indebtedness which the  
 2234 authority may incur under other sections of this act.

2235 (6) REVENUE BONDS, PLEDGE OF REDEVELOPMENT TRUST FUNDS AND  
 2236 BONDS AS LEGAL INVESTMENTS.--Bonds issued under this section  
 2237 shall be authorized by resolution of the board of trustees.  
 2238 They may be issued in one or more series and shall bear such  
 2239 date or dates, be payable upon demand or mature at such time or  
 2240 times, bear interest at such rate or rates, be in such  
 2241 denomination or denominations, be either with or without coupon  
 2242 or registered, carry such conversion or registration privileges,  
 2243 have such rank or priority, be executed in such manner, be  
 2244 payable in such medium of payment at such place or places, be  
 2245 subject to such terms of redemption (with or without premium),  
 2246 be secured in such manner, and have such other characteristics  
 2247 as may be provided by such resolution or trust indenture or  
 2248 mortgage issued pursuant thereto. Bonds issued under this  
 2249 section may be sold in such manner, either at public or private  
 2250 sale, and for such price as the board of trustees may determine  
 2251 will effectuate the purpose of this section.

2252 Section 4. If any provision of this act or the application  
 2253 thereof to any person or circumstance is held invalid, the  
 2254 invalidity shall not affect the provisions or applications of  
 2255 the acts which can be given effect without the invalid provision

2256 or application, and to this end the provisions of this act are  
 2257 declared severable.

2258 Section 5. Chapters 65-1541, 67-1385, 69-1056, 75-371, 80-  
 2259 501, 85-393, 87-507, 89-431, 92-247, 93-392, and 95-531, Laws of  
 2260 Florida, are repealed.

2261 Section 6. This act shall take effect upon becoming a law.