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 HB 1657, Engrossed 1

2005 Legislature

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 23 Florida, are codified, reenacted, amended, and repealed as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:

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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.

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED

HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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.

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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:

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

ENROLLED

HB 1657, Engrossed 1

2005 Legislature

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 3rd Street, Northeast 4th Street, Northeast
 264 5th Street, Northeast 5th Avenue, and Northeast 5th
 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 4th 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 4th 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

ENROLLED

HB 1657, Engrossed 1

2005 Legislature

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 3rd 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 4th 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

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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 5th 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. 5th Terrace, lying East of
 325 adjacent to and referenced Lots; AND the East one-half
 326 of S.E. 5th 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

ENROLLED

HB 1657, Engrossed 1

2005 Legislature

334 West one-half of S.E. 5th Avenue, lying East of
 335 adjacent to and referenced Lots; AND the East one-half
 336 of S.E. 4th 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. 4th 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. 3rd
 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

ENROLLED

HB 1657, Engrossed 1

2005 Legislature

362 | records of Dade County, Florida; AND the West one-
 363 | half (W2) of S.E. 3rd 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 | 1st Avenue, lying West of and adjacent to above
 367 | referenced Block 4; AND the North one-half (N2) of
 368 | S.E. 6th 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. 6th 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

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

390 Lots 13, 14, 15, 16, 17, 18, 19, 20 and 21; AND the
 391 East one-half of S.W. 1st 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. 1st 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 7th 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

ENROLLED

HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED

HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED

HB 1657, Engrossed 1

2005 Legislature

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

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HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED

HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED

HB 1657, Engrossed 1

2005 Legislature

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.

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

ENROLLED

HB 1657, Engrossed 1

2005 Legislature

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.

ENROLLED

HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED

HB 1657, Engrossed 1

2005 Legislature

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.

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED

HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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.

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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.

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED

HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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

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 HB 1657, Engrossed 1

2005 Legislature

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

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 HB 1657, Engrossed 1

2005 Legislature

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

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 HB 1657, Engrossed 1

2005 Legislature

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

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 HB 1657, Engrossed 1

2005 Legislature

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

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 HB 1657, Engrossed 1

2005 Legislature

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

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 HB 1657, Engrossed 1

2005 Legislature

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

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HB 1657, Engrossed 1

2005 Legislature

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

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HB 1657, Engrossed 1

2005 Legislature

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.

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 HB 1657, Engrossed 1

2005 Legislature

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

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 HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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

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HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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.

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED

HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED

HB 1657, Engrossed 1

2005 Legislature

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.

ENROLLED

HB 1657, Engrossed 1

2005 Legislature

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.

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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.

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 HB 1657, Engrossed 1

2005 Legislature

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

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 HB 1657, Engrossed 1

2005 Legislature

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.--

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HB 1657, Engrossed 1

2005 Legislature

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,

ENROLLED

HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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

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 HB 1657, Engrossed 1

2005 Legislature

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.

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 HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED

HB 1657, Engrossed 1

2005 Legislature

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

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 HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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,

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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.

ENROLLED

HB 1657, Engrossed 1

2005 Legislature

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.

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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.

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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.

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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.--

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED

HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED
 HB 1657, Engrossed 1

2005 Legislature

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

ENROLLED

HB 1657, Engrossed 1

2005 Legislature

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.