

1                   A bill to be entitled  
2           An act relating to the Scripps Research Improvement  
3           District; creating the Scripps Research Improvement  
4           District; providing definitions; providing for a board of  
5           supervisors; providing for the appointment of the initial  
6           board of supervisors of the district; providing for the  
7           election of the board of supervisors by a specified date;  
8           providing for membership, terms of office, qualifications,  
9           organization, and compensation of the board; providing for  
10          meetings of the landowners and supervisors; providing  
11          procedures and requirements with respect thereto;  
12          providing for the appointment of a treasurer, selection of  
13          depositories, and employment of a fiscal agent; providing  
14          powers and duties of the board of supervisors; providing  
15          powers and duties of the district; providing for the  
16          ownership, acquisition, mortgage, lease, and disposal of  
17          property and facilities; providing that the district has  
18          the power of eminent domain; providing powers of the  
19          district with respect to water management, irrigation, and  
20          erosion control; providing powers of the district with  
21          respect to regulation of the use of sewers and the supply  
22          of water within the district; providing powers of the  
23          district with respect to waste collection and disposal;  
24          providing powers of the district with respect to mosquito  
25          and pest control; providing powers of the district with  
26          respect to recreation and parking facilities; providing  
27          powers of the district with respect to fire protection;  
28          providing powers of the district with respect to promotion

29 | of the district; providing powers of the district with  
30 | respect to transportation within the district; providing  
31 | powers of the district with respect to the designation,  
32 | creation, and enhancement of conservation areas; providing  
33 | power of the district to issue bonds for specified  
34 | purposes and projects; providing powers of the district  
35 | with respect to specified projects, including research and  
36 | development projects; providing powers of the district  
37 | with respect to the acquisition, construction, and  
38 | maintenance of roads within the district; providing powers  
39 | of the district with respect to the construction,  
40 | maintenance, and operation of facilities, projects, and  
41 | systems within units of the district; providing procedures  
42 | and requirements with respect to the designation of  
43 | district units and objections or challenges thereto;  
44 | providing for the adoption of unit development plans;  
45 | providing procedures and requirements with respect to  
46 | assessments, levies, taxes, bonds, and other obligations  
47 | relative to unit development, the modification of unit  
48 | development plans, and the changing of unit boundaries;  
49 | providing for the exercise of district powers within  
50 | municipalities situated wholly or partly within the  
51 | district; specifying powers of the district with respect  
52 | to projects, the furnishing of facilities and services,  
53 | and the collection of fees, rentals, and other charges  
54 | within the district; providing a limitation on powers of  
55 | the district outside the territorial limits of the  
56 | district; providing for mandatory use of certain district

57 facilities and services; providing for maintenance of  
58 projects across rights-of-way; providing power of the  
59 district to prescribe, fix, establish and collect rates,  
60 fees, rentals, tolls, fares, and other charges for  
61 specified purposes and to assess penalties for  
62 delinquencies; providing procedures and requirements with  
63 respect to the fixing of such rates, fees, rentals, tolls,  
64 fares, and other charges; specifying uses thereof;  
65 providing power of the board to enter into specified  
66 contracts; providing for recovery of delinquent charges,  
67 including attorney's fees and costs; providing for the  
68 discontinuance of service in the event of nonpayment of  
69 fees, rentals, or charges, procedures with respect to  
70 recovery, and enforcement of payment; providing authority  
71 of the district to enter into agreements for the  
72 furnishing of specified facilities and services; providing  
73 exclusive authority of the district with respect to  
74 comprehensive planning, zoning, subdivision, and land  
75 development, building, environmental, and fire and life  
76 safety regulations; prohibiting the annexation into the  
77 district of unincorporated lands located outside the  
78 district; prohibiting involuntary annexation of specified  
79 lands by a municipality; permitting certain voluntary  
80 annexation of district lands; providing power of the board  
81 to levy ad valorem taxes for specified purposes; providing  
82 a limitation on the levy of such taxes; providing for  
83 determination of district ad valorem taxes; providing for  
84 tax liens and service charge liens for nonpayment of taxes

85 | or fees and charges under service agreements; providing  
86 | for foreclosure of liens by the district; providing  
87 | procedures and requirements with respect thereto;  
88 | providing rights of the district with respect to payment  
89 | of delinquent taxes or assessments and redemption or  
90 | purchase of sales tax certificates; providing authority of  
91 | the district to issue general obligation bonds subject to  
92 | approval by referendum; providing procedures and  
93 | requirements with respect thereto; providing authority of  
94 | the district to issue revenue bonds; specifying sources  
95 | from which such bonds may be secured or payable;  
96 | authorizing the combination of projects; providing  
97 | procedures and requirements with respect thereto;  
98 | authorizing the issuance of additional bonds for the  
99 | completion of specified projects; providing authority of  
100 | the district to issue refunding bonds; providing  
101 | procedures and requirements with respect thereto;  
102 | authorizing the district to pledge ad valorem taxes,  
103 | assessments, and other revenues and properties as  
104 | additional security on bonds; providing that pledged  
105 | revenues, taxes and assessments are subject to lien;  
106 | providing for authority of the district to provide for the  
107 | construction or reconstruction of assessable improvements,  
108 | and for the levying of special assessments therefore;  
109 | providing requirements and procedures with respect  
110 | thereto; providing notice and hearing requirements;  
111 | providing for the issuance of assessment bonds and  
112 | requirements and procedures with respect to such bonds;

113 providing for payment and collection of assessments;  
114 providing for lien and foreclosure with respect to  
115 nonpayment of assessments; providing for maintenance of  
116 assessment funds in a special fund and providing  
117 restrictions on the use of such funds; specifying the  
118 powers of Palm Beach County and school districts and other  
119 political subdivisions wholly or partly within the  
120 district with respect to such special assessments;  
121 authorizing the board to modify or revoke any plan or  
122 specification for any assessable improvement and to  
123 reassess benefits or make additional assessments;  
124 providing for the issuance of certificates of  
125 indebtedness; providing requirements and procedures with  
126 respect thereto; providing authority of the district to  
127 issue assessment bonds; providing requirements and  
128 procedures with respect thereto; providing authority of  
129 the district to issue bond anticipation notes; providing  
130 requirements and procedures with respect thereto;  
131 authorizing the district to obtain specified short-term  
132 loans; providing for the securing of an issue of bonds by  
133 a trust agreement between the district and a corporate  
134 trustee; providing requirements and procedures with  
135 respect thereto; providing requirements and procedures  
136 with respect the sale, authorization, and form of bonds;  
137 providing for maximum allowable interest on district  
138 bonds; providing for the issuance of interim certificates,  
139 receipts, or temporary bonds and for the replacement of  
140 specified bonds; providing for negotiability of bonds;

141 providing for defeasance; providing that bonds issued  
142 under the act are legal investments and securities;  
143 authorizing specified covenants with respect to bonds  
144 issued under the act; providing for validity of bonds and  
145 proceedings with respect to determination of validity;  
146 providing that the act constitutes full and complete  
147 authority for the issuance of bonds and the exercise of  
148 the powers of the district; providing pledge to the  
149 bondholders of the district and to the Federal Government;  
150 authorizing the board and the governing bodies of any  
151 municipalities located within the district to enter into  
152 contracts and agreements with respect to common powers,  
153 duties, and functions; authorizing the state, counties,  
154 and municipalities to enter into cooperation agreements  
155 with the district for specified purposes; authorizing the  
156 board to undertake and finance district projects jointly  
157 with the Scripps Research Institute, Palm Beach County, or  
158 any municipality, or to combine projects of the district  
159 with the projects of a municipality or municipalities;  
160 providing authority of the district to make and enter into  
161 all necessary contracts and agreements and to accept and  
162 receive grants or loans of money, material, or property;  
163 providing tax exemption for all assets and properties of  
164 the district, bonds issued by the district, and all fees,  
165 charges and other revenues derived by the district from  
166 the projects under the act; providing construction with  
167 respect thereto; providing conditions precedent to  
168 bringing suit against the district; authorizing specified

169 action to be taken absent notice and hearing upon the  
170 written consent of landowners; providing remedies for  
171 noncompliance with the act; providing injunctive relief;  
172 specifying violations; providing penalties; authorizing  
173 investment of district funds by the board in specified  
174 obligations, bonds, notes, and other investments;  
175 specifying the fiscal year of the district; providing  
176 severability; providing construction of the act; requiring  
177 a referendum; providing an effective date.

178

179 WHEREAS, the economic progress and well-being of the people  
180 of Florida depend in large measure upon attracting and creating  
181 new high technology investments and jobs to Florida, and

182 WHEREAS, recent advances in technology and changes in the  
183 national and world economies make it imperative that appropriate  
184 measures be taken to promote new investments in job creation,  
185 the conservation of natural resources, and sustainable  
186 communities, and

187 WHEREAS, the promotion of new investments to create new  
188 jobs, the creation of sustainable communities, and conservation  
189 of natural resources are valid public purposes and the  
190 legitimate concern of special taxing districts created for that  
191 purpose, and

192 WHEREAS, it is the intention of the Legislature to  
193 establish the powers, functions, and authorities of the Scripps  
194 Research Improvement District, so as to enable that district to  
195 undertake the improvements herein provided for, to promote and  
196 create favorable conditions for the development and practical

197 application of new and advanced biotechnology concepts, and to  
 198 create a sustainable community, and

199 WHEREAS, the objectives and purposes of the Scripps  
 200 Research Improvement District shall be to provide for the  
 201 management of surface water, irrigation of land, environmental  
 202 mitigation, water and sewer systems, waste collection and  
 203 disposal facilities, mosquito and other pest controls, public  
 204 recreation, parking and pedestrian facilities, advertising,  
 205 public transportation, and other public utilities; to create and  
 206 maintain conservation areas and wildlife sanctuaries; to provide  
 207 streets, roads, bridges, street lighting, bike paths, pedestrian  
 208 ways, hiking trails, parks, landscaping, and signage; to adopt a  
 209 comprehensive plan and land development regulations; and to  
 210 exercise all of the other powers and authorities provided for in  
 211 this act, and

212 WHEREAS, the Legislature hereby finds and declares that the  
 213 several powers and authorities provided for in this act are each  
 214 valid and independent objectives and purposes of the Scripps  
 215 Research Improvement District and essential to the  
 216 accomplishment of the purposes of this act, and

217 WHEREAS, the Legislature further finds and declares that  
 218 the purposes of this act cannot be realized except through a  
 219 special taxing district having the powers hereinafter provided  
 220 and that the operation of the district and its facilities and  
 221 services and the exercise by the board of supervisors of the  
 222 district of the powers and authorities provided for herein are  
 223 necessary for the convenience, comfort, and welfare of the  
 224 district and all its inhabitants and landowners, will benefit



225 all properties, persons and enterprises within the district, and  
 226 constitute a valid public purpose, NOW, THEREFORE,

227

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

229

230 Section 1. Creation of the district.--There is hereby  
 231 created the Scripps Research Improvement District.

232 Section 2. Definitions.--Unless the context shall indicate  
 233 otherwise, the following words as used in this act shall have  
 234 the following meanings:

235 (1) "Assessable improvements" includes, without  
 236 limitation, any and all water management works and facilities,  
 237 preservation, conservation, and mitigation projects, sewer  
 238 systems, storm sewers and drains, water systems, streets, roads,  
 239 parks, landscaping, street lighting, signage, bike paths,  
 240 pedestrian ways, hiking trails, or other projects of the  
 241 district, or that portion or portions thereof, local in nature  
 242 and of special benefit to the premises or lands served thereby,  
 243 and any and all modifications, improvements, and enlargements  
 244 thereof.

245 (2) "Bond" includes "certificate," and provisions  
 246 applicable to bonds shall be equally applicable to certificates.  
 247 "Bond" includes general obligation bonds, assessment bonds,  
 248 refunding bonds, excise tax bonds, revenue bonds, and such other  
 249 obligations in the nature of bonds as are provided for in this  
 250 act, as the case may be.

251 (3) "Board of supervisors" means the Board of Supervisors  
 252 of the Scripps Research Improvement District or, if such

253 district shall be abolished, the board, body, or commission  
 254 succeeding to the principal functions thereof or to whom the  
 255 powers given by this act to the board of supervisors shall be  
 256 given by law.

257 (4) "Cost," when used with reference to any project,  
 258 includes, but is not limited to, the expenses of determining the  
 259 feasibility or practicability of acquisition, construction, or  
 260 reconstruction; the cost of surveys, estimates, plans, and  
 261 specifications; the cost of acquisition, construction, or  
 262 reconstruction; the cost of improvements; engineering,  
 263 consultants, fiscal and legal expenses, and charges; the cost of  
 264 all labor, materials, machinery, and equipment; the cost of all  
 265 lands, properties, rights, easements, and franchises acquired;  
 266 federal, state, and local taxes and assessments; financing  
 267 charges; the creation of initial reserve and debt service funds;  
 268 working capital; interest charges incurred or estimated to be  
 269 incurred on money borrowed prior to and during construction and  
 270 acquisition and for such period of time after completion of  
 271 construction or acquisition as the board of supervisors may  
 272 determine; the cost of issuance of bonds pursuant to this act,  
 273 including advertisements and printing; the cost of any election  
 274 held pursuant to this act and all other expenses of issuance of  
 275 bonds; discount, if any, on the sale or exchange of bonds;  
 276 administrative expenses; such other expenses as may be necessary  
 277 or incidental to the acquisition, construction, or  
 278 reconstruction of any project or to the financing thereof, or  
 279 the development of any lands within the district; and  
 280 reimbursement of any public or private body, person, firm, or

281 corporation for any moneys advanced in connection with any of  
 282 the foregoing items of cost. Any obligation or expense incurred  
 283 prior to the issuance of bonds in connection with the  
 284 acquisition, construction, or reconstruction of any project or  
 285 improvements thereon, or in connection with any other  
 286 development of land that the board of supervisors of the  
 287 district shall determine to be necessary or desirable in  
 288 carrying out the purposes of this act, may be treated as a part  
 289 of such cost.

290 (5) "District" means the Scripps Research Improvement  
 291 District.

292 (6) "Landowner" means the owner of the freehold estate, as  
 293 appears by the deed record, including private corporations  
 294 having such an ownership interest, and shall not include  
 295 reversioners, remaindermen, trustees, (other than persons owning  
 296 the freehold estate as of deed record) or mortgagees, who shall  
 297 not be counted and need not be notified by publication or served  
 298 by process, but shall be represented by the present owners of  
 299 the freehold estate in any proceeding under this act.

300 (7) "Parking facilities" means lots, garages, parking  
 301 terminals, and other structures either single or multilevel and  
 302 at, above, or below the surface for the offstreet parking of  
 303 motor vehicles, open to public use with or without a fee,  
 304 including, but without limiting the generality of the foregoing,  
 305 facilities for automobiles, trucks, buses, trains, bicycles,  
 306 trolleys, shuttles, waiting rooms, associated retail and service  
 307 facilities, lockers, and, if deemed necessary or desirable by  
 308 the board of supervisors, space to be leased for such uses as

309 the board of supervisors may deem advisable, and all facilities  
 310 appurtenant thereto, including onstreet parking meters, and all  
 311 property rights, easements, and interests relating thereto which  
 312 the board of supervisors deems necessary or desirable for the  
 313 construction or operation thereof.

314 (8) "Plat" means a map or drawing depicting the division  
 315 of lands into lots, blocks, parcels, tracts, sites, or other  
 316 divisions, however the same may be designated.

317 (9) "Project" means any development, improvement,  
 318 property, utility, facility, system, or water and surface water  
 319 management facilities, and works, including, without limitation,  
 320 water and sewer systems, waste collection and disposal systems,  
 321 roads, sidewalks, parks, lighting, signage, bike paths,  
 322 pedestrian ways, hiking trails, landscaping, parking facilities,  
 323 public transportation facilities and devices, and telephone,  
 324 cable, satellite, cellular, and other communication facilities  
 325 and services, now existing or hereafter undertaken or  
 326 established, that under the provisions of this act, the district  
 327 is authorized to construct, acquire, undertake, or furnish for  
 328 its own use or for the use of any other person, firm, or  
 329 corporation owning, leasing, or otherwise using the same, for  
 330 any profit or nonprofit purpose or activity, and shall include,  
 331 without limitation, such repairs, replacements, additions,  
 332 extensions, and betterments of and to any project as may be  
 333 deemed necessary or desirable by the board of supervisors to  
 334 place or to maintain such project in proper condition for the  
 335 safe, efficient, and economic operation thereof.

336       (10) "Sewer system" means any plant, system, facility, or  
337 property and additions, extensions, and improvements thereto at  
338 any future time constructed or acquired as part thereof, useful  
339 or necessary or having the present capacity for future use in  
340 connection with the collection, treatment, purification, or  
341 disposal of sewage, including, without limitation, industrial  
342 wastes resulting from any processes of industry, manufacture,  
343 trade, or business or from the development of any natural  
344 resources; and, without limiting the generality of the  
345 foregoing, shall include treatment plants, disposal facilities,  
346 pumping stations, lift stations, valves, force mains,  
347 intercepting sewers, laterals, pressure lines, mains, and all  
348 necessary appurtenances and equipment; all sewer mains,  
349 laterals, and other devices for the reception, treatment,  
350 disposal, and collection of sewage from premises connected  
351 therewith; all real and personal property and any interest  
352 therein; and rights, easements, and franchises of any nature  
353 whatsoever relating to any such system and necessary or  
354 convenient for the operation thereof.

355       (11) "Subdivision" means the division of a parcel of land,  
356 whether improved or unimproved, into two or more lots or parcels  
357 of land for the purpose, whether immediate or future, of  
358 transfer of ownership or building development where the  
359 subdivider advocates, proposes, suggests, or exhibits a proposed  
360 plan, map, or plat of development of the land or where the  
361 subdivider proposes to create a street, right-of-way, or  
362 easement that joins or connects to an existing public street for  
363 ingress and egress, or to change an existing public street.

364       (12) "Waste collection and disposal system" means all the  
 365 facilities of the district for the collection and disposal of  
 366 garbage and other waste matter except sewage, but including  
 367 liquid waste material from septic tank and grease trap systems,  
 368 together with digested sludge from sewage treatment plants, and  
 369 shall include all such facilities, including incinerators,  
 370 composting plants, or other means of disposal constructed or  
 371 acquired pursuant to the provisions of this act, or hereafter  
 372 constructed or acquired by the district from any other source  
 373 whatsoever.

374       (13) "Water and surface water management facilities" means  
 375 any canals, ditches, or other drainage facilities, reservoirs,  
 376 dams, levees, sluiceways, dredging holding basins, floodways,  
 377 pumping stations, or any other works, structures, or facilities  
 378 for the conservation, control, development, utilization, and  
 379 disposal of water, and any purposes appurtenant, necessary, or  
 380 incidental thereto, and includes all real and personal property  
 381 and any interest therein, and rights, easements, and franchises  
 382 of any nature relating to any such water and surface water  
 383 management facilities or necessary or convenient for the  
 384 acquisition, construction, reconstruction, operation, or  
 385 maintenance thereof.

386       (14) "Water system" means any plant, system, facility or  
 387 property and additions, extensions, and improvements thereto at  
 388 any future time constructed or acquired as part thereof, useful  
 389 or necessary or having the present capacity for future use in  
 390 connection with the development of sources, treatment, or  
 391 purification and distribution of water for domestic, irrigation,

392 commercial, or industrial use and, without limiting the  
 393 generality of the foregoing, includes dams, reservoirs, storage  
 394 tanks, mains, lines, valves, pumping stations, laterals, and  
 395 pipes for the purpose of carrying water to the premises  
 396 connected with such system, all real and personal property and  
 397 any interests therein, and rights, easements, and franchises of  
 398 any nature whatsoever relating to any such system and necessary  
 399 or convenient for the operation thereof.

400 (15) References in this act to the "territorial limits" or  
 401 "corporate limits" of the district mean such limits or  
 402 boundaries as the same may from time to time be expanded,  
 403 contracted, or otherwise revised by law or in any proceedings  
 404 taken under this act, and any actions that may be taken by or on  
 405 behalf of the district under this act within the limits or  
 406 boundaries of the district may be taken within such limits or  
 407 boundaries as expanded, contracted, or otherwise revised.

408 Section 3. Board of supervisors; elections; organization;  
 409 terms of office; quorum; annual meetings; report and minutes.--

410 (1) The Board of Supervisors of the Scripps Research  
 411 Improvement District shall be the governing body of the district  
 412 and shall, subject to the provisions of this act, exercise the  
 413 powers granted to the district under this act. The board of  
 414 supervisors shall consist of seven members and, except as  
 415 otherwise provided herein, each member shall hold office for a  
 416 term of 4 years and until his or her successor shall be chosen  
 417 and shall qualify. A majority of the members of the board of  
 418 supervisors shall be residents of Palm Beach County.

419        (2) In the first 5 years after the effective date of this  
420 act, the board of supervisors shall be appointed, three members  
421 by the Governor, one by the Senate President, one by the Speaker  
422 of the House of Representatives, one by the City Commission of  
423 Palm Beach Gardens, and one by the County Commission of Palm  
424 Beach County. Thereafter, the landowners within the district  
425 shall elect the supervisors as set forth herein.

426        (3) The first annual meeting of the landowners of the  
427 district under this act shall be held in May, 2010 for the  
428 purpose of electing three supervisors for terms of 4 years each  
429 commencing on June 6, 2010, and until their successors are  
430 chosen and shall qualify. If for any reason such first annual  
431 meeting cannot be held in May, 2010 then such meeting shall be  
432 held as soon as practicable thereafter. Thereafter, an annual  
433 meeting of the landowners shall be held during the month of May  
434 of each year.

435        (4) Following the fourth annual meeting of the landowners,  
436 elections of supervisors shall be held every 2 years for the  
437 purpose of electing three or four supervisors, as the case may  
438 be, as successors to the supervisors whose terms expire in June  
439 of such year. Each supervisor so elected shall hold office for a  
440 term of 4 years, commencing as of the first Tuesday in June of  
441 the year of his or her election and until his or her successor  
442 is chosen and shall qualify. Such elections shall be held at the  
443 annual meeting of the landowners of the district held in such  
444 year.

445        (5) At all elections of supervisors, each landowner shall  
446 be entitled to one vote in person or by written proxy for every



447 acre of land and for every major fraction of an acre owned by  
 448 him or her in the district. The ownership of land or lands  
 449 aggregating in excess of one-half acre and less than one acre  
 450 shall entitle the landowner to one vote with respect thereto.  
 451 Except as otherwise provided hereinabove, there shall be no more  
 452 than one vote for every acre of land within the district,  
 453 regardless of the number of fractional or other ownership  
 454 interests held therein. Ownership of one-half acre or a lesser  
 455 fraction of an acre shall not entitle the owner thereof to a  
 456 vote. The person receiving the highest number of votes for the  
 457 office of supervisor shall be declared elected. If at any  
 458 meeting of the landowners more than one office of supervisor is  
 459 to be filled, a separate vote shall be taken on each such  
 460 office. The votes shall be decided by lot.

461 (6) All supervisors shall hold office for the terms for  
 462 which they are elected or appointed and until their successors  
 463 shall be chosen and qualify. In case of a vacancy after June 6,  
 464 2010, in the office of any supervisor, the remaining supervisor  
 465 or supervisors even though less than a quorum may fill such  
 466 vacancy until the sooner occurrence of:

467 (a) The next annual meeting of the landowners, when a  
 468 successor to such appointee shall be elected by the landowners  
 469 for the unexpired term; or

470 (b) The election by the landowners of a successor to such  
 471 appointee for the unexpired term, at a special meeting of the  
 472 landowners called for such purpose at any time upon written  
 473 request of the landowners as provided in subsection (5).

474

475 In the event any vacancy remains unfilled for more than 30 days  
 476 after such vacancy occurs, it may be filled by vote of the  
 477 landowners at a meeting of landowners called for such purpose,  
 478 and the person so elected shall replace any person who may have  
 479 been elected by the remaining supervisor or supervisors after  
 480 the landowners have made a written request for such an election  
 481 as provided in subsection (5).

482 (7) As soon as practicable after each election, the board  
 483 of supervisors of the district shall organize by choosing one of  
 484 their number president of the board of supervisors and by  
 485 electing a secretary, who need not be a member of the board. The  
 486 board of supervisors shall adopt a seal which shall be the seal  
 487 of the district.

488 (8) A majority of the members of the board of supervisors  
 489 shall constitute a quorum.

490 (9) At each annual meeting of the landowners of the  
 491 district the board of supervisors shall report all work  
 492 undertaken or completed during the preceding year and the status  
 493 of the finances of the district.

494 (10) The board of supervisors shall keep a permanent  
 495 record book entitled "Record of Governing Board of Scripps  
 496 Research Improvement District," in which shall be recorded  
 497 minutes of all meetings, resolutions, proceedings, certificates,  
 498 bonds given by all employees, and any and all corporate acts,  
 499 which book shall at reasonable times be opened to public  
 500 inspection. Such record book shall be kept at an office or other  
 501 regular place of business maintained by the board of supervisors  
 502 in Palm Beach County.

503 (11) Whenever any election shall be authorized or required  
 504 by this act to be held by the landowners at any particular or  
 505 stated time or day, and if for any reason such election is not  
 506 held at such time or on such day, then in such event the power  
 507 or duty to hold such election shall not cease or lapse, but such  
 508 election shall be held thereafter when practicable, in  
 509 accordance with the procedures provided by this act.

510 Section 4. Notice and call of meetings of landowners;  
 511 quorum; adjournments; representation at meetings; recall; taking  
 512 action without meeting.--

513 (1) The board of supervisors shall provide for the giving  
 514 of notice of all meetings of landowners by publication once a  
 515 week for 2 consecutive weeks prior to such meeting in a  
 516 newspaper or newspapers published or of general circulation in  
 517 Palm Beach County. Meetings of landowners shall be held in a  
 518 public place, or any other place made available for the purpose  
 519 of such meeting, in Palm Beach County and the place, date, and  
 520 hour of holding such meeting and the purpose thereof shall be  
 521 stated in the notice. Landowners representing a majority of the  
 522 number of acres in the district, present in person or by proxy,  
 523 shall constitute a quorum at any meeting of the landowners.

524 (2) The board of supervisors shall have the power to call  
 525 special meetings of the landowners at any time to receive  
 526 reports of the board of supervisors or for such other purpose as  
 527 the board of supervisors may determine. After June 6, 2010, a  
 528 special meeting of the landowners may also be called at any time  
 529 upon notice as provided hereinabove at the written request of

530 the owners of not less than 25 percent in acreage of the land  
 531 within the district for the purpose of:

532 (a) Filling any vacancy on the board of supervisors  
 533 remaining unfilled for more than 30 days after such vacancy  
 534 occurs;

535 (b) Recalling any supervisor theretofore elected or  
 536 designated and filling such vacancy for the unexpired term; or

537 (c) Taking any other action by the landowners of the  
 538 district.

539  
 540 Such special meeting shall be called by any court of competent  
 541 jurisdiction in the event that the board of supervisors fails to  
 542 do so upon request as provided in the preceding sentence. Except  
 543 as otherwise provided in section 3 (4) with respect to the  
 544 election of supervisors, action taken at a meeting of the  
 545 landowners shall be by the affirmative vote of the owners of at  
 546 least a majority in acreage of the land within the district  
 547 represented at such meeting.

548 (3) If no quorum is present or represented at a meeting of  
 549 the landowners at the time and place the same is called to be  
 550 held, the landowners present and represented, although less than  
 551 a quorum, may adjourn to another time or day, and at such or any  
 552 subsequent adjourned meeting may, if a quorum is then present or  
 553 represented, take any action that the landowners could have  
 554 taken at the meeting or meetings so adjourned for lack of a  
 555 quorum.

556 (4) At any meeting of the landowners, guardians may  
 557 represent their wards, executors and administrators may

558 represent the estate of deceased persons, trustees may represent  
 559 lands held by them in trust, and private corporations may be  
 560 represented by their duly authorized proxy. All landowners,  
 561 including guardians, executors, administrators, trustees, and  
 562 corporations, may be represented and vote by proxy.

563 (5) Any action required or that may be taken at a meeting  
 564 of the landowners may be taken, without a meeting or notice of  
 565 meeting being given, upon the written consent of all of the  
 566 landowners.

567 Section 5. Compensation of board.--Each supervisor shall  
 568 be entitled to receive for his or her services a per diem, not  
 569 to exceed that provided by law for state and county officials,  
 570 of \$25 for each day actually engaged in work pertaining to the  
 571 district, but not in excess in any one month of \$100. In  
 572 addition, each supervisor shall receive reasonable traveling  
 573 expenses for attending the place of meeting from his or her  
 574 residence. Unless the board of supervisors by resolution  
 575 otherwise provides, such traveling expenses shall not be in  
 576 excess of the amounts provided by law for state and county  
 577 officials.

578 Section 6. Treasurer; depositories; fiscal agent.--

579 (1) The board of supervisors shall designate a person who  
 580 is a resident of the state, or a bank or trust company organized  
 581 under the laws of the state, as treasurer of the district, who  
 582 shall have charge of the funds of the district. Such funds shall  
 583 be disbursed only upon the order of or pursuant to the  
 584 resolution of the board of supervisors by warrant or check  
 585 signed by the treasurer, or by such other person as may be

586 authorized by the board of supervisors. The board of supervisors  
 587 may give the treasurer such other or additional powers and  
 588 duties as the board may deem appropriate, and fix his or her  
 589 compensation. The board of supervisors may require the treasurer  
 590 to give a bond in such amount, on such terms, and with such  
 591 sureties as may be deemed satisfactory to the board to secure  
 592 the performance by the treasurer of his or her powers and  
 593 duties. The board of supervisors shall audit or have audited the  
 594 books of the treasurer at least once a year.

595 (2) The board of supervisors is authorized to select as  
 596 depositories in which the funds of the board and of the district  
 597 shall be deposited any banking corporation organized under the  
 598 laws of the state or under the national banking act, doing  
 599 business in the state, upon such terms and conditions as to the  
 600 payment of interest by such depository upon the funds so  
 601 deposited as the board may deem just and reasonable.

602 (3) The Comptroller may from time to time adopt, revise,  
 603 and rescind rules and regulations prescribing the qualifications  
 604 of depositories of funds of the district and establishing  
 605 requirements for security to be given by depositories with  
 606 respect to such funds. In the absence of any such rules and  
 607 regulations issued by the Comptroller, the board of supervisors  
 608 may prescribe the qualifications of depositories and the  
 609 requirements for security to be given by depositories.

610 (4) The board of supervisors may employ a fiscal agent,  
 611 who shall be either a resident of the state or a corporation  
 612 organized under the laws of this or any other state and  
 613 authorized by such laws to act as such fiscal agent for

614 municipal corporations in the state and who shall assist in the  
 615 keeping of the tax books, the collection of taxes, and the  
 616 remitting of funds to pay maturing bonds and coupons, and  
 617 perform such other or additional services and duties as fiscal  
 618 agent and receive such compensation as the board of supervisors  
 619 may determine.

620 Section 7. Powers and duties of the board of  
 621 supervisors.--

622 (1) Except as otherwise provided in this act, all of the  
 623 powers and duties of the district shall be exercised by and  
 624 through the board of supervisors. Without limiting the  
 625 generality of the foregoing, the board shall have the power and  
 626 authority to:

627 (a) Employ engineers, contractors, consultants, attorneys,  
 628 accountants, agents, employees, and representatives as the board  
 629 of supervisors may from time to time determine, on such terms  
 630 and conditions as the board of supervisors may approve, and fix  
 631 their compensation and duties.

632 (b) Adopt bylaws, rules, resolutions, and orders  
 633 prescribing the powers, duties, and functions of the officers of  
 634 the district, the conduct of the business of the district, the  
 635 maintenance of records, and the form of certificates evidencing  
 636 tax liens and all other documents and records of the district.  
 637 The board may adopt administrative rules and regulations with  
 638 respect to any of the projects of the district, on such notice  
 639 and public hearing, if any, as the board may determine.

640 (c) Maintain an office at such place or places as it may  
 641 designate.

642       (d) Enter or direct the entry upon any lands, premises,  
 643 waters, or other property subject to the requirements of due  
 644 process as to privately owned property.

645       (e) Execute all contracts and other documents, adopt all  
 646 proceedings, and perform all acts determined by the board of  
 647 supervisors to be necessary or desirable to carry out the  
 648 purposes of this act. The board may authorize one or more  
 649 members of the board to execute contracts and other documents on  
 650 behalf of the board or the district.

651       (f) Establish and create such departments, boards, or  
 652 other agencies as from time to time the board of supervisors may  
 653 deem necessary or desirable in the performance of any acts or  
 654 other things necessary to the exercise of the powers provided in  
 655 this act, and to delegate to such departments, boards, or other  
 656 agencies such administrative duties and other powers as the  
 657 board of supervisors may deem necessary or desirable. The board  
 658 of supervisors may appoint a person to act as general manager of  
 659 the district, having such official title, functions, duties, and  
 660 power as the board may prescribe.

661       (g) Examine, and authorize any officer or agent of the  
 662 district to examine, the county tax rolls with respect to the  
 663 assessed valuation of the real and personal property within the  
 664 district.

665       (2) The board of supervisors shall comply with the public  
 666 records and public meeting requirements of chapters 119 and 286,  
 667 Florida Statutes, and for the purposes of those requirements  
 668 shall be considered a state agency.



669            Section 8. Powers of the district.--The district shall  
 670 have the following powers:

671            (1) LEGAL PROCEEDINGS.--To sue and be sued by its name in  
 672 any court of law or in equity.

673            (2) CORPORATE SEAL.--To adopt and use a corporate seal and  
 674 to alter the same at pleasure.

675            (3) OWNERSHIP AND DISPOSITION OF PROPERTY.--To acquire  
 676 property, real, personal, or mixed, within or without its  
 677 territorial limits, in fee simple or any lesser interest or  
 678 estate, by purchase, gift, devise, or lease, on such terms and  
 679 conditions as the board of supervisors may deem necessary or  
 680 desirable, and by condemnation (subject to the limitations of  
 681 subsection (5)), all provided that the board of supervisors  
 682 determines that the use or ownership of such property is  
 683 necessary in the furtherance of a designated lawful purpose  
 684 authorized under the provisions of this act, and amendments  
 685 thereto; to acquire mineral rights and leases; to acquire title  
 686 to easements or rights-of-way with or without restrictions  
 687 within or without the limits of the district; to accept the  
 688 dedication of streets and other rights-of-way on such terms and  
 689 conditions as the board of supervisors may approve; to make  
 690 purchase money mortgages and deed trusts and other forms of  
 691 encumbrance on any property acquired by the district and to  
 692 purchase property subject to purchase money mortgages, or other  
 693 encumbrances; and to mortgage, hold, manage, control, convey,  
 694 lease, sell, grant, or otherwise dispose of the same, and of any  
 695 of the assets and properties of the district, with or without  
 696 consideration.

697       (4) LEASE OF FACILITIES.--Whenever deemed necessary or  
 698 desirable by the board of supervisors, to lease as lessor or  
 699 lessee to or from any person, firm, corporation, association or  
 700 body, public or private, any projects of the type that the  
 701 district is authorized to undertake and facilities or property  
 702 of any nature for the use of the district and to carry out any  
 703 of the purposes of the district, subject to the limitations of  
 704 section 18 of this act.

705       (5) EMINENT DOMAIN.--To exercise within or without the  
 706 territorial limits of the district the right and power of  
 707 eminent domain to carry out the purposes of this act and  
 708 amendments thereto. In addition to and not in limitation of the  
 709 foregoing, the district may also exercise the right and power of  
 710 eminent domain within the territorial limits of the district for  
 711 the purpose of condemning any real, personal, or mixed property,  
 712 public or private, including, without limitation, property owned  
 713 by any other political body or municipal corporation, which the  
 714 board of supervisors shall deem necessary for the use,  
 715 construction, or operation of any of the projects of the  
 716 district or otherwise to carry out any of the purposes of the  
 717 district. The power of condemnation shall be exercised in the  
 718 same manner as is now provided by the general laws of the state.  
 719 In any proceeding under this act for the taking of property by  
 720 eminent domain or condemnation, the board of supervisors is  
 721 authorized to file a declaration of taking allowing immediate  
 722 possession of the property before the final trial by making  
 723 deposit as to value as provided by the general statutes, and  
 724 shall have all the benefits provided by chapters 73 and 74,

725 Florida Statutes, or any other statutes of the state which give  
 726 the right to immediate taking and possession. No public or  
 727 private body, and no agency or authority of the state or any  
 728 political subdivision thereof shall exercise the power of  
 729 eminent domain or condemnation with respect to any of the  
 730 properties, easements, or rights owned by the district and lying  
 731 within the district except with the concurrence of the board of  
 732 supervisors of the district, which shall not be unreasonably  
 733 withheld.

734 (6) WATER MANAGEMENT; IRRIGATION.--To adopt a water  
 735 management plan and to own, acquire, construct, reconstruct,  
 736 equip, operate, maintain, extend, and improve canals, ditches,  
 737 drains, dikes, levees, pumps, plants, pumping systems,  
 738 collection and distribution systems, and other works for water  
 739 management and irrigation purposes.

740 (7) WATER MANAGEMENT; EROSION CONTROL; ELIGIBILITY FOR  
 741 STATE AND FEDERAL ASSISTANCE.--To own, acquire, construct,  
 742 reconstruct, equip, maintain, operate, extend, and improve water  
 743 management facilities; to regulate the supply and level of water  
 744 within the district; to divert waters from one area, lake, pond,  
 745 river, stream, basin, or drainage or water flood control  
 746 facility to any other area, lake, pond, river, stream, basin, or  
 747 drainage and water flood control facility; to regulate, control,  
 748 and restrict the development and use of natural or artificial  
 749 streams or bodies of water, lakes, or ponds; and to take all  
 750 measures determined by the board of supervisors to be necessary  
 751 or desirable to prevent or alleviate land erosion. The powers  
 752 granted to the district by this subsection shall be exclusive

753 within the area of the district of the exercise of the same or  
 754 like powers by any other public body, agency, authority, or  
 755 subdivision, and no other public body, agency, authority, or  
 756 subdivision shall within the area of the district exercise the  
 757 same or like powers as are granted to the district under this  
 758 subsection except upon the concurrence of the board of  
 759 supervisors. The Legislature hereby finds and declares the  
 760 district eligible to receive moneys, disbursements, and  
 761 assistance from the state and federal governments to facilitate  
 762 the exercise of the powers under this subsection.

763 (8) WATER AND SEWER SYSTEMS.--To own, acquire, construct,  
 764 reconstruct, equip, operate, maintain, extend, and improve water  
 765 systems and sewer systems or combined water and sewer systems;  
 766 to regulate the use of sewers and the supply of water within the  
 767 district and to prohibit or regulate the use and maintenance of  
 768 outhouses, privies, septic tanks, or other sanitary structures  
 769 or appliances within the district; to prescribe methods of  
 770 pretreatment of wastes not amenable to treatment with domestic  
 771 sewage before accepting such wastes for treatment and to refuse  
 772 to accept such wastes when not sufficiently pretreated as may be  
 773 prescribed, and to prescribe penalties for the refusal of any  
 774 person or corporation to so pretreat such wastes; to sell or  
 775 otherwise dispose of the effluent, sludge, or other byproducts  
 776 as a result of sewage treatment; and to construct and operate  
 777 connecting, intercepting, or outlet sewers and sewer mains and  
 778 pipes and water mains, conduits, or pipelines in, along, or  
 779 under any street, alleys, highways, or other public places or  
 780 ways within or without the district, when deemed necessary or

781 desirable by the board of supervisors in accomplishing the  
 782 purposes of this act.

783 (9) WASTE COLLECTION AND DISPOSAL.--To own, acquire,  
 784 construct, reconstruct, equip, operate, maintain, extend, and  
 785 improve a waste collection and disposal system, and to sell or  
 786 otherwise dispose of any effluent, residue or other byproducts  
 787 of such system.

788 (10) MOSQUITO AND PEST CONTROLS; ELIGIBILITY FOR STATE AND  
 789 FEDERAL AID.--To establish a program for the control, abatement,  
 790 and elimination of mosquitoes and other noxious insects,  
 791 rodents, reptiles, and other pests throughout the district and  
 792 to undertake such works and construct such facilities within or  
 793 without the district as may be determined by the board of  
 794 supervisors to be needed to effectuate such program; to abate  
 795 and suppress mosquitoes and other arthropods, whether disease-  
 796 bearing or pestiferous, within or without the district when in  
 797 the judgment of the board of supervisors necessary or desirable  
 798 for the health and welfare of the inhabitants of or visitors to  
 799 the district; and to take any and all temporary or permanent  
 800 eliminative measures that the board of supervisors may deem  
 801 advisable. The Legislature hereby finds and declares the  
 802 district eligible to receive state and federal funds to  
 803 facilitate the exercise of the powers under this subsection.

804 (11) RECREATION FACILITIES.--To own, acquire, construct,  
 805 reconstruct, equip, operate, maintain, extend, and improve:  
 806 parks; playgrounds; picnic grounds; camping facilities; bicycle,  
 807 walking, and hiking trails; golf courses; athletic fields;  
 808 marinas; piers; wharves; docks; harbors; boating and fishing

809 facilities; swimming pools; bathing beaches and other water  
 810 recreation facilities; stadiums; auditoriums; civic centers;  
 811 aquariums; libraries; museums; recreational centers; convention  
 812 halls and facilities; radio, cellular, and television sending,  
 813 transmission, and receiving stations; community antenna and  
 814 cable television systems; and cultural, recreational, and  
 815 educational buildings, facilities, and projects of all kinds and  
 816 descriptions.

817 (12) PARKING FACILITIES.--To own, acquire, construct,  
 818 reconstruct, equip, operate, maintain, extend, and improve  
 819 parking facilities; to install or cause to be installed parking  
 820 meters at or near the curbs of streets, roads, and other public  
 821 ways within the district; and to adopt such regulations and  
 822 impose such charges in connection with any parking facilities  
 823 and parking meters as the board of supervisors may deem  
 824 necessary or desirable.

825 (13) FIRE PROTECTION.--To own, acquire, construct,  
 826 reconstruct, equip, maintain, operate, extend, and improve fire  
 827 control facilities for the district, including fire stations,  
 828 water mains and plugs, fire trucks, and other vehicles and  
 829 equipment, and to undertake such works and construct such  
 830 facilities as may be determined necessary by the board of  
 831 supervisors to carry out a program of fire prevention and fire  
 832 control within the district.

833 (14) ADVERTISING.--To undertake a program of advertising  
 834 to the public promoting the businesses, facilities, and  
 835 communities within the district and the projects of the  
 836 district, and to expend moneys and undertake such activities to

837 carry out such advertising and promotional program as the board  
 838 of supervisors from time to time may determine.

839 (15) TRANSPORTATION.--To own, acquire, construct,  
 840 reconstruct, equip, operate, maintain, extend, and improve  
 841 common, private, or contract carriers, buses, vehicles,  
 842 railroads, monorails, airplanes, helicopters, boats, and other  
 843 transportation facilities, whether now or hereafter invented or  
 844 developed, including, without limitation, novel and experimental  
 845 facilities such as moving platforms and sidewalks, as may be  
 846 determined from time to time by the board of supervisors to be  
 847 useful or appropriate to meet the transportation requirements of  
 848 the district and activities conducted within the district; and  
 849 to extend such transportation facilities to areas outside the  
 850 district in order to provide transportation to and from the  
 851 district.

852 (16) CONSERVATION AREAS AND SANCTUARIES.--To designate,  
 853 set aside, maintain, create, and enhance wetlands and uplands  
 854 within the district as conservation areas for fish and wildlife;  
 855 and to promulgate and enforce rules and regulations with respect  
 856 thereto.

857 (17) ISSUANCE OF BONDS.--To issue general obligation  
 858 bonds, revenue bonds, assessment bonds, or any other bonds or  
 859 obligations authorized by the provisions of this act or any  
 860 other law, or any combination of the foregoing, to pay all or  
 861 part of the cost of the acquisition, construction,  
 862 reconstruction, extension, repair, improvement, maintenance, or  
 863 operation of any project or combination of projects; to provide  
 864 for any facility, service, or other activity of the district;

865 and to provide for the retirement or refunding of any bonds or  
866 obligations of the district, or for any combination of the  
867 foregoing purposes.

868 (18) OTHER POWERS; RESEARCH AND DEVELOPMENT.--In addition  
869 to the powers specifically provided in this act, the district  
870 shall have the power to own, acquire, construct, reconstruct,  
871 equip, operate, maintain, extend, and improve such other  
872 projects as the board of supervisors may in its discretion find  
873 necessary or desirable to accomplish the purposes of this act,  
874 and to exercise through its board of supervisors all powers  
875 necessary, convenient, or proper to carry out the purposes of  
876 this act. In connection with any of the projects that the  
877 district is authorized to undertake pursuant to the powers and  
878 authority vested in it by this act and, in order to promote the  
879 development and utilization of new concepts, designs, and ideas  
880 in the fields of biotechnology, recreation, and sustainable  
881 communities, the district shall have the power and authority to  
882 examine into, develop, and utilize new concepts, designs, and  
883 ideas, and to own, acquire, construct, reconstruct, equip,  
884 operate, maintain, extend, and improve such experimental public  
885 facilities and services, and otherwise to undertake, sponsor,  
886 finance, and maintain such research activities, experimentation,  
887 and development as the board may from time to time determine.

888 Section 9. Authority of the district with respect to  
889 roads, bridges, street lighting.--

890 (1) The district shall have the powers, and shall be  
891 entitled to the benefits and privileges under law, of special  
892 road and bridge districts. The district shall have the right and



893 power to own, acquire, open, extend, close, vacate, abandon,  
 894 construct, reconstruct, pave, operate, improve, and maintain  
 895 highways, streets, toll roads and bridges, alleys, sidewalks,  
 896 bike paths, hiking trails, promenades, boardwalks, bridges,  
 897 tunnels, interchanges, underpasses, overpasses, causeways,  
 898 associated stormwater collection, conveyance, and treatment  
 899 systems, and public thoroughfares of all kinds and descriptions  
 900 (hereinafter collectively and severally referred to as "public  
 901 roads") and connections to and extensions of any and all  
 902 existing public roads within the district, deemed necessary or  
 903 convenient by the board of supervisors to provide access to and  
 904 efficient development of the territory within the district; to  
 905 regulate and control the use, encroachments in, upon, over, and  
 906 under, and the obstruction thereof; to erect, maintain, and from  
 907 time to time change the location of and operate toll plazas,  
 908 traffic control devices and signs, and street signs; and to  
 909 construct and maintain sidewalks and street lights along public  
 910 roads in the district and elsewhere as may from time to time be  
 911 deemed appropriate by the board of supervisors adequately to  
 912 service the lands in the district.

913 (2) The right and authority of the district to construct,  
 914 control, and maintain public roads and connections to and  
 915 extensions thereof now or hereafter acquired, constructed, or  
 916 maintained with public funds. No public road within the district  
 917 or any connection to or extensions thereof shall constitute a  
 918 part of the state highway system or the county road system  
 919 unless so designated by the board of supervisors of the  
 920 district, and no agency or authority of the state or any

921 political subdivision thereof shall have the power or authority,  
 922 except with the concurrence of the board of supervisors, to  
 923 acquire, construct, or maintain public roads within the  
 924 territorial limits of the district.

925 Section 10. Unit development; powers of board of  
 926 supervisors to designate units of district and adopt plans for  
 927 district facilities, projects and systems by unit; plans of work  
 928 and financing assessments for each unit; amendment of unit  
 929 plan.--

930 (1) The board of supervisors of the district shall have  
 931 the power and is hereby authorized in its discretion to  
 932 construct, maintain, and operate district facilities, projects,  
 933 and systems by designated areas or parts of the district to be  
 934 called "units." The units into which the district may be so  
 935 divided shall be given appropriate numbers or names by the board  
 936 of supervisors, so that the units may be readily identified and  
 937 distinguished. The board of supervisors shall have the power to  
 938 fix and determine the location, area, and boundaries of lands to  
 939 be included in each and all such units, the order of development  
 940 thereof, and the method of carrying on the work in each unit.

941 (2) If the board of supervisors determines that it is  
 942 advisable to construct, maintain, or operate district  
 943 facilities, projects, and systems by units, as authorized by  
 944 this section, the board shall, by resolution, declare its  
 945 purpose to conduct such work accordingly, and shall fix the  
 946 number, location, and boundaries of and description of lands  
 947 within such unit or units and give them appropriate numbers or  
 948 names. The entire district may also be designated as a unit for

949 the proper allocation of such part of its work plan as benefits  
950 the entire district.

951 (3) As soon as practicable after the adoption of such  
952 resolution, the board of supervisors shall publish notice once a  
953 week for 2 consecutive weeks in a newspaper or newspapers  
954 published or of general circulation in Palm Beach County,  
955 briefly describing the units into which the district has been  
956 divided and the lands embraced in each unit, giving the name,  
957 number, or other designation of such units, requiring all owners  
958 of lands in the district to show cause in writing before the  
959 board of supervisors at a time and place to be stated in such  
960 notice why such division of the district into such units should  
961 not be approved, and said system of development by units should  
962 not be adopted and given effect by the board, and why the  
963 proceedings and powers authorized by this section should not be  
964 had, taken, and exercised. At the time and place stated in said  
965 notice, the board of supervisors shall hear all objections or  
966 causes of objection (all of which shall be in writing) of any  
967 landowner in the district who may appear in person or by  
968 attorney, to the matters mentioned and referred to in such  
969 notice, and if no objections are made, or if objections are made  
970 and overruled by the board, then the board shall enter in its  
971 minutes its finding and order confirming the resolution, and may  
972 thereafter proceed with the work by units pursuant to such  
973 resolution and to the provisions of this act. The failure to  
974 make objection as provided hereinabove shall constitute a waiver  
975 of such objection, and if any objection shall be made and  
976 overruled or otherwise not sustained, confirmation of the

977 resolution shall be the final adjudication of the issues  
 978 presented unless a judicial proceeding is initiated within 10  
 979 days after such ruling as provided hereinafter.

980 (4) The board of supervisors may, as a result of any  
 981 objections or of other matters brought forth at such hearing,  
 982 modify or amend said resolution in whole or in part, confirm  
 983 said resolution after overruling all objections, or reject said  
 984 resolution, and if such resolution is confirmed, modified, or  
 985 amended, may proceed thereafter in accordance with said  
 986 resolution as confirmed, modified or amended. The sustaining of  
 987 such objections and the rescinding of such resolutions shall not  
 988 exhaust the power of the board under this section, but the board  
 989 of supervisors may at any time adopt other resolutions under  
 990 this section and thereupon proceed on due notice in like manner  
 991 as above provided. If the board of supervisors shall overrule or  
 992 refuse to sustain any such objections in whole or in part made  
 993 by any landowner in the district, or if any such landowner shall  
 994 deem himself or herself aggrieved by any action of the board of  
 995 supervisors in respect to any objections so filed, such  
 996 landowner may, within 10 days after the ruling of the board,  
 997 invoke the jurisdiction of the Circuit Court for the Eleventh  
 998 Circuit, and such suits shall be conducted like others seeking  
 999 equitable relief suits, except that said suits shall have  
 1000 preference over all other pending actions except criminal  
 1001 actions and writs of habeas corpus.

1002 (5) When said resolutions creating said unit system shall  
 1003 be confirmed by the board of supervisors (or by the Circuit  
 1004 Court for the Eleventh Circuit, if such proposed action shall be

1005 challenged by a landowner by the judicial proceedings authorized  
 1006 in subsection (4)), the board of supervisors may adopt a plan or  
 1007 plans for work for and in respect to any or all such units, and  
 1008 have the benefits and costs resulting therefrom assessed and  
 1009 apportioned in like manner as is provided for in section 32 for  
 1010 the assessments of benefits. The board of supervisors shall have  
 1011 the same powers in respect to each and all of such units as is  
 1012 vested in them with respect to the entire district. Unless the  
 1013 board of supervisors by resolution otherwise provides, all  
 1014 assessments, levies, taxes, bonds, and other obligations made,  
 1015 levied, assessed, or issued for or in respect to any such unit  
 1016 or units shall be a lien and charge solely and only upon the  
 1017 lands in such unit or units, respectively, for the benefit of  
 1018 which the same shall be levied, made, or issued, and not upon  
 1019 the remaining units or lands in the district.

1020 (6) The board of supervisors may at any time amend its  
 1021 said resolutions by changing the location and description of  
 1022 lands in any such unit or units, provided that if the location  
 1023 of or description of lands located in any such unit or units is  
 1024 so changed, notice of such change shall be published as required  
 1025 in subsection (3) for notice of the formation or organization of  
 1026 such unit or units, and all proceedings shall be had and done in  
 1027 that regard as are provided in this section for the original  
 1028 creation of such unit or units.

1029 (7) If, after the determination of benefits with respect  
 1030 to any unit or units or the issuance of bonds or other  
 1031 obligations which are payable from taxes or assessments for  
 1032 benefits levied upon lands within such unit or units, the board

1033 of supervisors finds the plan of work of any such unit or units  
 1034 insufficient or inadequate for efficient development, the plan  
 1035 of work may be amended or changed as provided in this act, and  
 1036 the unit or units may be amended or changed as provided in this  
 1037 section by changing the location and description of lands in any  
 1038 such unit or units or by detaching lands therefrom or by adding  
 1039 lands thereto, but only upon the approval or consent of not less  
 1040 than the holders of a majority in principal amount of such bonds  
 1041 or other obligations, or such other percentage as may be  
 1042 required by the terms of such bonds or other obligations (or  
 1043 without such consent or approval, if the proceedings authorizing  
 1044 such bonds provide that such action may be taken without the  
 1045 consent or approval of the holders thereof). In the event of  
 1046 such amendment or change, all assessments, levies, taxes, bonds,  
 1047 or other obligations made, levied, assessed, incurred, or issued  
 1048 for or in respect to any such unit or units shall be allocated  
 1049 and apportioned to the amended unit or units in proportion to  
 1050 the benefits assessed with respect to the amended plan of work.  
 1051 In the event of the change of the boundaries of any unit as  
 1052 provided herein and the allocation and apportionment to the  
 1053 amended unit or units of assessments, levies, taxes, bonds, and  
 1054 other obligations in proportion to the benefits assessed for the  
 1055 amended plan of work, the holders of bonds or other obligations  
 1056 heretofore issued for the original unit shall be entitled to all  
 1057 rights and remedies against any lands added to the amended unit  
 1058 or units as fully and to the same extent as if such added lands  
 1059 had formed and constituted a part of the original unit or units  
 1060 at the time of the original issuance of such bonds or other

1061 obligations, and regardless of whether the holders of such bonds  
 1062 or other obligations are the original holders thereof or the  
 1063 holders from time to time hereafter, and the rights and remedies  
 1064 of such holders against the lands in the amended unit or units,  
 1065 including any lands added thereto, under such allocation and  
 1066 apportionment, shall constitute vested and irrevocable rights  
 1067 and remedies to the holders from time to time of such bonds or  
 1068 other obligations as fully and to the same extent as if such  
 1069 bonds or other obligations had been originally issued to finance  
 1070 the work in such amended unit or units under such amended plan  
 1071 of work. Conversely, in the event of the change of the  
 1072 boundaries of any unit whereby lands are detached therefrom, as  
 1073 provided for herein, said lands so detached shall be relieved  
 1074 and released from any further liability for the assessment,  
 1075 levy, or payment of any taxes for the purpose of paying the  
 1076 principal or interest on any bonds originally issued for the  
 1077 original unit from which said lands were detached.

1078       Section 11. Exercise by district of its powers within  
 1079 municipalities.--The district shall have the power to exercise  
 1080 any of its rights, powers, privileges, and authorities in any  
 1081 and all portions of the district lying within the boundaries of  
 1082 the City of Palm Beach Gardens and any other municipal  
 1083 corporation or other political subdivision heretofore or  
 1084 hereafter created or organized, whose boundaries lie wholly or  
 1085 partly within the geographic limits of the district, to the same  
 1086 extent and in the same manner as in areas of the district not  
 1087 incorporated as part of a municipality or other political  
 1088 subdivision. With respect to any municipal corporation or other

1089 political subdivision whose boundaries lie partly within and  
 1090 partly without the geographic limits of the district, the  
 1091 district shall have the power to exercise its rights, powers,  
 1092 privileges, and authorities only within the portion of such  
 1093 municipal corporation or other political subdivision lying  
 1094 within the boundaries of the district, except as otherwise  
 1095 provided in section 12. In the event of a conflict between the  
 1096 provisions of this act and the powers of the district herein  
 1097 provided for and the provisions of any charter or law now or  
 1098 hereafter enacted or adopted establishing or pertaining to any  
 1099 municipal corporation or other political subdivision whose  
 1100 boundaries lie wholly or partly within the district, the  
 1101 provisions of this act shall control in the portion of such  
 1102 municipal corporation or other political subdivision which lies  
 1103 within the geographic limits of the district, unless such other  
 1104 enactment specifically repeals or amends this act.

1105 Section 12. Furnishing facilities and services within  
 1106 district territory; limitation on the exercise of powers outside  
 1107 the district.--

1108 (1) The district shall have the power to construct,  
 1109 maintain, and operate its projects within the geographic limits  
 1110 of the district, including any portions of the district located  
 1111 inside the boundaries of any incorporated municipality or other  
 1112 political subdivision, and to offer, supply, and furnish the  
 1113 facilities and services provided for in this act to, and to  
 1114 collect fees, rentals and other charges from persons, firms,  
 1115 corporations, municipalities, counties, political subdivisions,  
 1116 and other public or private agencies or bodies within the



1117 geographic limits of the district, and for the use of the  
 1118 district itself.

1119 (2) The district shall have the power to construct,  
 1120 maintain, and operate its projects outside of the geographic  
 1121 limits of the district, and to offer, supply, and furnish the  
 1122 facilities and services provided for in this act to, and to  
 1123 collect fees, rentals, and other charges from, persons, firms,  
 1124 corporations, municipalities, counties, political subdivisions,  
 1125 and other public or private agencies or bodies outside of the  
 1126 geographic limits of the district. Provided, however, that the  
 1127 district shall not construct any project or offer, furnish, or  
 1128 supply facilities and services outside of the territorial limits  
 1129 of the district except upon the consent, approval, and  
 1130 certification of any regulatory agency or governing body of the  
 1131 state or of any municipality or other political subdivision  
 1132 thereof whose consent, approval or certification may be required  
 1133 by law.

1134 Section 13. Mandatory use of certain district facilities  
 1135 and services.--The district may require all lands, buildings,  
 1136 and premises, and all persons, firms, and corporations within  
 1137 the district or within any zone or area within such district  
 1138 created for such purpose, to use the district's facilities and  
 1139 services.

1140 Section 14. Maintenance of projects across rights-of-  
 1141 way.--The district shall have the power to construct and operate  
 1142 its projects in, along, or under any streets, alleys, highways,  
 1143 or other public places or ways, and across any drain, ditch,  
 1144 canal, floodway, holding basin, excavation, railroad right-of-

1145 way, track, grade, fill, or cut, provided, however, that just  
 1146 compensation shall be paid by the district for any private  
 1147 property taken or damaged by the exercise of such power.

1148 Section 15. Fees, rentals, tolls, fares, and charges;  
 1149 procedure for adoption and modification; minimum revenue  
 1150 requirements.--

1151 (1) The district shall have the power to prescribe, fix,  
 1152 establish, and collect rates, fees, rentals, tolls, fares, or  
 1153 other charges (hereinafter sometimes referred to as "revenues"),  
 1154 and to revise the same from time to time, for the facilities and  
 1155 services furnished or to be furnished by the district,  
 1156 including, but not limited to, drainage facilities, water and  
 1157 sewer systems, waste collection and disposal systems, toll roads  
 1158 and bridges, transportation facilities, and other public  
 1159 utilities; to recover the costs of making connection with any  
 1160 district facility or system; and to provide for reasonable  
 1161 penalties against any user or property for any such rates, fees,  
 1162 rentals, tolls, fares, or other charges that are delinquent.

1163 (2) No such rates, fees, rentals, tolls, fares, or other  
 1164 charges for any of the facilities or services of the district,  
 1165 other than parking facilities and parking meters, shall be fixed  
 1166 until after a public hearing at which all the users of the  
 1167 proposed facility or services or owners, tenants, or occupants  
 1168 served or to be served thereby and all other interested persons  
 1169 shall have an opportunity to be heard concerning the proposed  
 1170 rates, fees, rentals, tolls, fares, or other charges. Notice of  
 1171 such public hearing setting forth the proposed schedule or  
 1172 schedules of rates, fees, rentals, tolls, fares, and other

1173 charges shall have been published in a newspaper or newspapers  
 1174 published or of general circulation in Palm Beach County at  
 1175 least once not less than 10 days prior to such public hearing,  
 1176 which may be adjourned from time to time. After such hearing  
 1177 such schedule or schedules, either as initially proposed or as  
 1178 modified or amended, may be finally adopted. A copy of the  
 1179 schedule or schedules of such rates, fees, rentals, tolls,  
 1180 fares, or charges as finally adopted shall be kept on file in an  
 1181 office designated by the board of supervisors and shall be open  
 1182 at all reasonable times to public inspection. The rates, fees,  
 1183 rentals, tolls, fares, or charges so fixed for any class of  
 1184 users or property served shall be extended to cover any  
 1185 additional users or properties thereafter served which shall  
 1186 fall in the same class, without the necessity of any notice or  
 1187 hearing. Any change or revision of rates, fees, rentals, tolls,  
 1188 fares, or charges may be made in the same manner as the same  
 1189 were originally established, as hereinabove provided, except  
 1190 that if such changes or revisions are made substantially pro  
 1191 rata as to all classes of the type of service involved no notice  
 1192 or hearing shall be required.

1193 (3) Such rates, fees, rentals, tolls, fares, and charges  
 1194 shall be just and equitable and uniform for users of the same  
 1195 class and, where appropriate, may be based or computed either  
 1196 upon the amount of service furnished or upon the number or  
 1197 average number of persons residing or working or otherwise  
 1198 occupying the premises served, upon any other factor affecting  
 1199 the use of the facilities furnished, or upon any combination of

1200 the foregoing factors, as may be determined by the board of  
 1201 supervisors on an equitable basis.

1202 (4) The rates, fees, rentals, tolls, fares, or other  
 1203 charges prescribed shall be such as will produce revenues,  
 1204 together with any other assessments, taxes, revenues, or funds  
 1205 available or pledged for such purpose, at least sufficient to  
 1206 provide for the items hereinafter listed, but not necessarily in  
 1207 the order stated:

1208 (a) To provide for all expenses of operation and  
 1209 maintenance of such facility or service, including reserves for  
 1210 such purpose, unless the board of supervisors shall determine  
 1211 that in order to carry out the purposes of this act to provide  
 1212 novel and experimental facilities and services the requirements  
 1213 of this paragraph are inappropriate with respect to any such  
 1214 facility or service.

1215 (b) To pay when due all bonds and interest thereon for the  
 1216 payment of which such revenues are, or shall have been, pledged  
 1217 or encumbered, including reserves for such purpose.

1218 (c) To provide for any other funds which may be required  
 1219 under the resolution or resolutions authorizing the issuance of  
 1220 bonds pursuant to this act.

1221 (5) The board of supervisors shall have the power to enter  
 1222 into contracts for the use of the projects of the district and  
 1223 with respect to the services and facilities furnished or to be  
 1224 furnished by the district, including, but not limited to,  
 1225 service agreements with landowners and others within or without  
 1226 the district, for such consideration and on such other terms and  
 1227 conditions as the board of supervisors may approve. No hearing

1228 or notice thereof shall be required prior to the authorization  
 1229 or execution by the board of supervisors of any such contract or  
 1230 agreement, and the same shall not be subject to revision except  
 1231 in accordance with their terms. Such contracts or agreements,  
 1232 and revenues or service charges received or to be received by  
 1233 the district thereunder, may be pledged as security for any of  
 1234 the bonds of the district.

1235 Section 16. Recovery of delinquent charges.--In the event  
 1236 that any of the rates, fees, rentals, charges, or delinquent  
 1237 penalties shall not be paid as and when due and shall be in  
 1238 default for 30 days or more, the unpaid balance thereof and all  
 1239 interest accrued thereon, together with attorney's fees and  
 1240 costs, may be recovered by the district in a civil action.

1241 Section 17. Discontinuance of service.--In the event that  
 1242 the fees, rentals, or other charges for the services and  
 1243 facilities of any project are not paid when due, the board of  
 1244 supervisors shall have the power to discontinue and shut off the  
 1245 same until such fees, rentals, or other charges, including  
 1246 interest, penalties, and charges for the shutting off and  
 1247 discontinuance and the restoration of such services and  
 1248 facilities, are fully paid, and for such purposes may enter on  
 1249 any lands, waters, and premises of any person, firm,  
 1250 corporation, or other body, public or private, within or without  
 1251 the district limits. Such delinquent fees, rentals, or other  
 1252 charges, together with interest, penalties, and charges for the  
 1253 shutting off and discontinuance and the restoration of such  
 1254 services and facilities, and reasonable attorney's fees and  
 1255 other expenses, may be recovered by the district by suit in any

1256 court of competent jurisdiction. The district may also enforce  
 1257 payment of such delinquent fees, rentals, or other charges by  
 1258 any other lawful method of enforcement.

1259 Section 18. Agreements with private parties concerning the  
 1260 furnishing of facilities and services.--The district shall have  
 1261 the power to enter into agreements with any person, firm, or  
 1262 corporation for the furnishing by such person, firm, or  
 1263 corporation of any facilities and services of the type provided  
 1264 for in this act to the district, and for or on behalf of the  
 1265 district to persons, firms, corporations, and other public or  
 1266 private bodies and agencies to whom the district is empowered  
 1267 under this act to furnish facilities and services, and the  
 1268 district may by agreement join with any public or privately  
 1269 owned utility plant or system in furnishing any of the  
 1270 facilities or services of the district.

1271 Section 19. Planning, zoning, and building.--The district  
 1272 shall have the exclusive authority to exercise within the  
 1273 boundaries of the district the powers and duties which otherwise  
 1274 would be exercised by Palm Beach County or a municipal  
 1275 corporation regarding comprehensive planning, zoning, land  
 1276 development regulations, building regulations, environmental  
 1277 regulations, plats, subdivisions, and fire and life safety  
 1278 regulations under the laws of the state, including, but not  
 1279 limited to, chapters 163, 177, 191, 380, and 458, Florida  
 1280 Statutes. The supervisors shall serve as the local planning  
 1281 agency.

1282 Section 20. Annexation.--The district shall not have the  
 1283 authority to annex into the district any unincorporated lands

1284 located outside of the district boundaries. No municipality  
 1285 shall annex involuntarily any lands within the district which  
 1286 are not located within that municipality upon the effective date  
 1287 of this act; provided, however, that any voluntary annexation of  
 1288 district lands shall only be into the City of Palm Beach  
 1289 Gardens.

1290 Section 21. Ad valorem taxes.--The board of supervisors  
 1291 shall have the power to levy and assess an ad valorem tax on all  
 1292 the taxable real and tangible personal property in the district  
 1293 to pay the principal of and interest on any general obligation  
 1294 bonds of the district, to provide for any sinking or other funds  
 1295 established in connection with any such bonds, and to finance  
 1296 and defray the cost of any of the projects or activities of the  
 1297 district authorized by the provisions of this act or under law.  
 1298 The total amount of such ad valorem taxes levied in any one year  
 1299 shall not be in excess of 30 mills on the dollar per annum on  
 1300 the assessed value of the taxable property within the district.  
 1301 The ad valorem tax provided for herein shall be in addition to  
 1302 county and municipal ad valorem taxes provided for by law.

1303 Section 22. Determining property values for ad valorem tax  
 1304 purposes.--Ad valorem taxes of the district shall be based on  
 1305 the assessed valuation for county taxes of the real and personal  
 1306 property subject to such district ad valorem taxes.

1307 Section 23. Tax liens; service charge liens.--

1308 (1) All taxes of the district provided for in this act,  
 1309 together with all penalties for default in payment of the same  
 1310 and all costs in collecting the same, including a reasonable  
 1311 attorney's fee fixed by the court and taxed as costs in the

1312 action brought to enforce payment, shall from January 1 for each  
 1313 year the property is liable to assessment and until paid  
 1314 constitute a lien of equal dignity with the liens for state and  
 1315 county taxes and other taxes of equal dignity with state and  
 1316 county taxes upon all the real and personal property against  
 1317 which such taxes shall be levied. A sale of any of the real  
 1318 property within the district for state and county or other taxes  
 1319 shall not operate to relieve or release the property so sold  
 1320 from the lien for subsequent district taxes, or installments of  
 1321 district taxes, which lien may be enforced against such property  
 1322 as though no such sale thereof had been made.

1323 (2) Charges and fees due or to become due under any  
 1324 service agreements entered into by the district pursuant to the  
 1325 act shall constitute a lien of equal dignity with district  
 1326 taxes, as provided for in subsection (1), upon all the real and  
 1327 personal property to which such service agreements relate or by  
 1328 which the same are secured, and the provisions of subsection (1)  
 1329 shall be applicable to such charges and fees.

1330 Section 24. Foreclosure of liens.--

1331 (1) Any lien in favor of the district arising under this  
 1332 act may be foreclosed by the district by bringing foreclosure  
 1333 proceedings in the name of the district in the Circuit Court for  
 1334 the Eleventh Circuit in like manner as is provided in chapter  
 1335 173, Florida Statutes, and amendments thereto, and the  
 1336 provisions of said chapter shall be applicable to such  
 1337 proceedings with the same force and effect as if said provisions  
 1338 were expressly set forth in this act. Any act required or  
 1339 authorized to be done by or on behalf of a city or town in



1340 foreclosure proceedings under chapter 173, Florida Statutes, may  
 1341 be performed by such officer or agent of the district as the  
 1342 board of supervisors may designate. Such foreclosure proceedings  
 1343 may be brought at any time after the expiration of 1 year from  
 1344 the date any tax, or installment thereof, becomes delinquent.

1345 (2) As an alternative to the foregoing, the district may  
 1346 at any time foreclose any lien for delinquent taxes or  
 1347 installments thereof by a chancery action brought in the name of  
 1348 the district in the Circuit Court for the Eleventh Circuit. The  
 1349 pleadings, process, practice, and sales in such proceedings  
 1350 shall be the same as in actions for the foreclosure of mortgages  
 1351 upon real property. One or more parcels of land may be included  
 1352 in the same suit.

1353 (3) In any foreclosure action filed by the district  
 1354 pursuant to this section, the district may join as a party  
 1355 defendant Palm Beach County for the purpose of determining the  
 1356 amount of their respective tax liens. When a county is so joined  
 1357 in such a foreclosure action, the judicial sale held in such  
 1358 action shall operate to satisfy all county tax liens to the date  
 1359 of such sale, and the net proceeds of such sale shall be applied  
 1360 first against delinquent state and county taxes and thereafter  
 1361 against delinquent district taxes on the property affected. The  
 1362 decree of the court in any such foreclosure action shall operate  
 1363 to quiet title to the property that is the subject of the  
 1364 action.

1365 Section 25. Payment of taxes and redemption of tax liens  
 1366 by the district; sharing in proceeds of tax sale under chapter  
 1367 197, Florida Statutes.--

1368           (1) The district has the right to:  
 1369           (a) Pay any delinquent state, county, district, municipal,  
 1370 or other tax or assessment upon lands located wholly or  
 1371 partially within the boundaries of the district.

1372           (b) Redeem or purchase any tax sales certificate issued or  
 1373 sold on account of any state, county, district, municipal, or  
 1374 other taxes or assessments upon lands located wholly or  
 1375 partially within the boundaries of the district.

1376           (2) Delinquent taxes paid, or tax sales certificates  
 1377 redeemed or purchased, by the district, together with all  
 1378 penalties for the default in payment of the same and all costs  
 1379 in collecting the same and a reasonable attorney's fee, shall  
 1380 constitute a lien in favor of the district of equal dignity with  
 1381 the liens of state and county taxes and other taxes of equal  
 1382 dignity with state and county taxes, upon all the real property  
 1383 against which said taxes were levied. The lien of the district  
 1384 may be foreclosed in the manner provided in this act.

1385           (3) In any sale of land pursuant to chapter 197, Florida  
 1386 Statutes, and amendments thereto, the district may certify to  
 1387 the clerk of the circuit court of the county holding such sale,  
 1388 the amount of taxes due to the district upon the lands sought to  
 1389 be sold, and the district shall share in the disbursement of the  
 1390 sales proceeds in accordance with the provisions of this act and  
 1391 under law.

1392           Section 26. General obligation bonds.--

1393           (1) The district shall have the power from time to time to  
 1394 issue general obligation bonds in an aggregate principal amount  
 1395 of bonds outstanding at any one time not in excess of 50 percent

1396 of the assessed value of the taxable property within the  
 1397 district as shown on the pertinent tax records at the time of  
 1398 the authorization of the general obligation bonds for which the  
 1399 full faith and credit of the district is pledged. Except for  
 1400 refunding bonds, no general obligation bonds shall be issued  
 1401 unless the issuance thereof shall have been approved at an  
 1402 election of freeholders held in accordance with the requirements  
 1403 for such election as prescribed by the State Constitution, such  
 1404 election to be called and held in the manner provided in the  
 1405 State Constitution and Florida Statutes for freeholder  
 1406 elections. Such elections shall be called to be held in the  
 1407 district by the Board of County Commissioners of Palm Beach  
 1408 County upon the request of the board of supervisors of the  
 1409 district. The expenses of calling and holding such referendum  
 1410 elections shall be borne by the district, and the district shall  
 1411 reimburse the Board of County Commissioners of Palm Beach County  
 1412 for any expenses incurred by said board in calling or holding  
 1413 such elections. In the alternative, at the option of the board  
 1414 of supervisors, the board of supervisors may make such other  
 1415 provision for the registration of such qualified electors who  
 1416 are freeholders and the calling and holding of such elections as  
 1417 the board may from time to time deem appropriate.

1418 (2) The district may pledge its full faith and credit for  
 1419 the payment of the principal and interest on such general  
 1420 obligation bonds, and for any reserve or other funds provided  
 1421 therefor, and may unconditionally and irrevocably pledge itself  
 1422 to levy ad valorem taxes on all taxable property in the  
 1423 district, to the extent necessary for the payment thereof

1424 subject, however, to the limitations on the total amount of ad  
 1425 valorem taxes that may be levied in any one year as specified in  
 1426 of this act.

1427 (3) If the board of supervisors shall determine to issue  
 1428 general obligation bonds for more than one different purpose,  
 1429 the approval of the issuance of the bonds for each and all such  
 1430 purposes may be submitted to the freeholders on one and the same  
 1431 ballot. The failure of the freeholders to approve the issuance  
 1432 of bonds for any one or more purposes shall not defeat the  
 1433 approval of bonds for any purpose which shall be approved by the  
 1434 freeholders.

1435 Section 27. Revenue bonds.--

1436 (1) The district shall have the power to issue revenue  
 1437 bonds from time to time without limitation as to amount. Such  
 1438 revenue bonds may be secured by or payable from the gross or net  
 1439 pledge of the revenues to be derived from any project or  
 1440 combination of projects, from the rates, fees, tolls, fares, or  
 1441 other charges to be collected from the users of any project or  
 1442 projects, from any revenue-producing undertaking or activity of  
 1443 the district, or from any other source or pledged security. Such  
 1444 bonds shall not constitute an indebtedness of the district, and  
 1445 the approval neither of the qualified electors nor of the  
 1446 qualified electors who are freeholders shall be required unless  
 1447 such bonds are additionally secured by the full faith and credit  
 1448 and taxing power of the district.

1449 (2) Any two or more projects may be combined and  
 1450 consolidated into a single project, and may thereafter be  
 1451 operated and maintained as a single project. The revenue bonds

1452 authorized herein may be issued to finance any one or more such  
1453 projects separately, or to finance two or more such projects,  
1454 regardless whether or not such projects have been combined and  
1455 consolidated into a single project. If the board of supervisors  
1456 deems it advisable, the proceedings authorizing such revenue  
1457 bonds may provide that the district may thereafter combine the  
1458 projects then being financed or theretofore financed with other  
1459 projects to be subsequently financed by the district, and that  
1460 revenue bonds to be thereafter issued by the district shall be  
1461 on parity with the revenue bonds then being issued, all on such  
1462 terms, conditions, and limitations as shall be provided, and may  
1463 further provide that the revenues to be derived from the  
1464 subsequent projects shall at the time of the issuance of such  
1465 parity revenue bonds be also pledged to the holders of any  
1466 revenue bonds theretofore issued to finance the revenue  
1467 undertakings which are later combined with such subsequent  
1468 projects. The district may pledge for the security of the  
1469 revenue bonds a fixed amount, without regard to any fixed  
1470 proportion of the gross revenues of any project.

1471 Section 28. Issuance of additional bonds.--If the proceeds  
1472 of any bonds shall be less than the cost of completing the  
1473 project in connection with which such bonds are issued, the  
1474 board of supervisors may authorize the issuance of additional  
1475 bonds, upon such terms and conditions as the board of  
1476 supervisors may provide in the resolution authorizing the  
1477 issuance thereof, but only in compliance with the resolution or  
1478 other proceedings authorizing the issuance of the original  
1479 bonds.

1480           Section 29. Refunding bonds.--The district shall have the  
 1481 power to issue bonds to provide for the retirement or refunding  
 1482 of any bonds or obligations of the district that at the time of  
 1483 such issuance are or subsequently thereto become due and  
 1484 payable, or that at the time of issuance have been called or are  
 1485 or will be subject to call for redemption within 10 years  
 1486 thereafter, or the surrender of which can be procured from the  
 1487 holders thereof at prices satisfactory to the board of  
 1488 supervisors. Refunding bonds may be issued at any time when in  
 1489 the judgment of the board of supervisors such issuance will be  
 1490 advantageous to the district. No approval of the qualified  
 1491 electors who are freeholders residing in the district shall be  
 1492 required for the issuance of refunding bonds except in cases  
 1493 where such approval is required by the State Constitution. The  
 1494 board of supervisors may by resolution confer upon the holders  
 1495 of such refunding bonds all rights, powers and remedies to which  
 1496 the holders would be entitled if they continued to be the owners  
 1497 and had possession of the bonds for the refinancing of which  
 1498 said refunding bonds are issued, including, but not limited to,  
 1499 the preservation of the lien of such bonds on the revenues of  
 1500 any project or on pledged -funds, without extinguishment,  
 1501 impairment or diminution thereof. The provisions of this act  
 1502 pertaining to bonds of the district shall, unless the context  
 1503 otherwise requires, govern the issuance of refunding bonds, the  
 1504 form and other details thereof, the rights of the holders  
 1505 thereof, and the duties of the board of supervisors with respect  
 1506 to the same.

1507           Section 30. Pledging ad valorem taxes, assessments, and  
 1508 other revenues and properties as additional security on  
 1509 bonds.--The district may pledge as additional security for the  
 1510 payment of any of the bonds of the district its full faith and  
 1511 credit and ad valorem taxing power, and provide that such bonds  
 1512 shall be payable as to both principal and interest, and as to  
 1513 any reserve or other funds provided therefor, from ad valorem  
 1514 taxes levied on the taxable real and tangible personal property  
 1515 in the district, to the full extent that any revenues as defined  
 1516 in this act, taxes, assessments, or other funds, or any  
 1517 combination thereof, pledged therefor are insufficient for the  
 1518 full payment of the same, but subject to the limitations on the  
 1519 total amount of ad valorem taxes that may be levied in any one  
 1520 year specified in this act, and provided further that no bonds  
 1521 shall be issued to the payment of which the full faith and  
 1522 credit and taxing power of the district is pledged unless  
 1523 approved at an election in the manner provided by law. The  
 1524 district by resolution of the board of supervisors may also  
 1525 pledge as additional security for any bonds the revenues from  
 1526 any project of the district, utility service taxes, assessments,  
 1527 and any other sources of revenues or funds, or any combination  
 1528 of the foregoing, and may pledge or mortgage any of the  
 1529 properties, rights, interests, or other assets of the district,  
 1530 and such pledge shall not require the submission to or approval  
 1531 by the qualified electors who are freeholders of the district  
 1532 unless required by the State Constitution. The board of  
 1533 supervisors may also provide with respect to any bonds of the  
 1534 district that such bonds shall be payable, in whole or in part,

1535 as to principal amount or interest, or both, out of rates, fees,  
 1536 tolls, fares, service charges, or other charges collected with  
 1537 respect to any of the projects of the district.

1538 Section 31. Lien of pledges.--All pledges of revenues,  
 1539 taxes, and assessments made pursuant to the provisions of this  
 1540 act shall be valid and binding from the time when such pledges  
 1541 are made. All such revenues, taxes, and assessments so pledged  
 1542 and thereafter collected shall immediately be subject to the  
 1543 lien of such pledges without any physical delivery thereof or  
 1544 further action, and the lien of such pledges shall be valid and  
 1545 binding as against all parties having claims of any kind in  
 1546 tort, contract, or otherwise against the district, irrespective  
 1547 of whether such parties have notice thereof.

1548 Section 32. Assessable improvements; levy and payment of  
 1549 special assessments; assessment bonds and certificates.--The  
 1550 district may provide for the construction or reconstruction of  
 1551 assessable improvements, and for the levying of special  
 1552 assessments upon benefited property for the payment thereof,  
 1553 under the provisions of this section.

1554 (1) The initial proceeding under this section shall be the  
 1555 passage by the board of supervisors of a resolution ordering the  
 1556 construction or reconstruction of such assessable improvements,  
 1557 indicating the location by terminal points, routes, or  
 1558 otherwise, and either giving a description of the improvements  
 1559 by their material, nature, character, and size or giving two or  
 1560 more descriptions with the directions that the material, nature,  
 1561 character, and size shall be subsequently determined in  
 1562 conformity with one of such descriptions. Assessable



1563 improvements need not be continuous and may be in more than one  
 1564 locality or street. The resolution ordering any such improvement  
 1565 may give any short and convenient designation to each  
 1566 improvement ordered thereby, and the property against which  
 1567 assessments are to be made for the cost of such improvement may  
 1568 be designated as an assessment district, followed by a letter or  
 1569 number or name to distinguish it from other assessment  
 1570 districts, after which it shall be sufficient to refer to such  
 1571 improvement and property by such designation in all proceedings  
 1572 and assessments, except in the notices required by this section.

1573 (2) As soon as possible after the passage of such  
 1574 resolution the engineer for the district shall prepare in  
 1575 duplicate plans and specifications for each improvement ordered  
 1576 thereby and an estimate of the cost thereof. Such cost shall  
 1577 include, in addition to the items of cost as defined in this  
 1578 act, the cost of relaying streets, sidewalks, and other public  
 1579 facilities or conveniences necessarily torn up or damaged and  
 1580 the following items of incidental expenses:

1581 (a) Printing and publishing notices and proceedings.

1582 (b) Costs of abstracts of title.

1583 (c) Any other expense necessary or proper in conducting  
 1584 the proceedings and work provided for in this section, including  
 1585 the estimated amount of discount, if any, upon the sale of  
 1586 assessment bonds or any other obligations issued hereunder for  
 1587 which such special assessments are to be pledged. If the  
 1588 resolution shall provide alternative descriptions of material,  
 1589 nature, character, and size, such estimate shall include an

1590 estimate of the cost of the improvement of each such  
 1591 description.

1592  
 1593 The engineer shall also prepare in duplicate a tentative  
 1594 apportionment of the estimated total cost of the improvement as  
 1595 between the district and each lot or parcel of land subject to  
 1596 special assessment under the resolution, such apportionment to  
 1597 be made in accordance with the provisions of the resolution and  
 1598 in relation to apportionment of cost provided herein for the  
 1599 preliminary assessment roll. Such tentative apportionment of  
 1600 total estimated cost shall not be held to limit or restrict the  
 1601 duties of the engineer in the preparation of such preliminary  
 1602 assessment roll. One of the duplicates of such plans,  
 1603 specifications, and estimates and such tentative apportionment  
 1604 shall be filed with the board of supervisors and the other  
 1605 duplicate shall be retained by the engineer in his or her files,  
 1606 all thereof to remain open to public inspection.

1607 (3) The board of supervisors upon the filing with it of  
 1608 such plans, specifications, estimates, and tentative  
 1609 apportionment of cost shall publish once in a newspaper or  
 1610 newspapers published or of general circulation in Palm Beach  
 1611 County a notice stating that at a meeting of the board of  
 1612 supervisors on a certain day and hour, not earlier than 15 days  
 1613 from such publication, the board of supervisors will hear  
 1614 objections of all interested persons to the confirmation of such  
 1615 resolution, which notice shall state in brief and general terms  
 1616 a description of the proposed assessable improvements with the  
 1617 location thereof, and shall also state that plans,

1618 specifications, estimates, and tentative apportionment of cost  
 1619 thereof are on file with the board of supervisors. The board of  
 1620 supervisors shall keep a record in which shall be inscribed, at  
 1621 the request of any person, firm or corporation having or  
 1622 claiming to have any interest in any lot or parcel of land or  
 1623 property, the name and post office address of such person, firm,  
 1624 or corporation, together with a brief description or designation  
 1625 of such lot or parcel, and it shall be the duty of the board of  
 1626 supervisors to mail a copy of such notice to such person, firm,  
 1627 or corporation at such address, at least 10 days before the time  
 1628 for the hearing as stated in such notice, but the failure of the  
 1629 board of supervisors to keep such record or so to inscribe any  
 1630 name or address or to mail any such notice shall not constitute  
 1631 a valid objection to holding the hearing as provided in this  
 1632 section or to any other action taken under the authority of this  
 1633 section.

1634 (4) At the time named in such notice, or to which an  
 1635 adjournment may be taken by the board of supervisors, the board  
 1636 of supervisors shall receive any objections of interested  
 1637 persons and may then or thereafter repeal or confirm such  
 1638 resolution with such amendments, if any, as may be desired by  
 1639 the board of supervisors and which do not cause any additional  
 1640 property to be specially assessed.

1641 (5) All objections to any such resolution on the ground  
 1642 that it contains items which cannot be properly assessed against  
 1643 property, or that it is, for any default or defect in the  
 1644 passage or character of the resolution or the plans or  
 1645 specifications or estimates, void or voidable in whole or in

1646 part, or that it exceeds the power of the board of supervisors,  
 1647 shall be made in writing in person or by attorney, and filed  
 1648 with the board of supervisors at or before the time or adjourned  
 1649 time of such hearing. Any objections against the making of any  
 1650 assessable improvements not so made shall be considered as  
 1651 waived, and if any objection shall be made and overruled or  
 1652 shall not be sustained, the confirmation of the resolution shall  
 1653 be the final adjudication of the issues presented unless proper  
 1654 steps shall be taken in the Circuit Court for the Eleventh  
 1655 Circuit to secure relief within 20 days.

1656 (6) Whenever any resolution providing for the construction  
 1657 or reconstruction of assessable improvements and for the levying  
 1658 of special assessments upon benefited property for the payment  
 1659 thereof shall have been confirmed, as hereinabove provided, or  
 1660 at any time thereafter, the board of supervisors may issue  
 1661 assessment bonds payable out of such assessments when collected.  
 1662 Said bonds shall mature not later than 2 years after the last  
 1663 installment in which said special assessments may be paid, as  
 1664 provided in subsection (10), and shall bear interest at not  
 1665 exceeding 6 percent per annum. Such assessment bonds shall be  
 1666 executed, shall have such provisions for redemption prior to  
 1667 maturity, and shall be sold in the manner and be subject to all  
 1668 of the applicable provisions contained in this act for revenue  
 1669 bonds, except as the same are inconsistent with the provisions  
 1670 of this section. The amount of such assessment bonds for any  
 1671 assessable improvement, after the confirmation of the initial  
 1672 resolution, shall not exceed 70 percent of the estimated amount  
 1673 of the cost of such assessable improvements which are to be

1674  specially assessed against the land or property to be specially  
 1675  benefited thereby, as shown in the estimates of the engineer for  
 1676  the district referred to in subsection (2). The amount of such  
 1677  assessment bonds for any assessable improvement to be issued,  
 1678  after the confirmation of the preliminary assessment roll  
 1679  provided for in subsection (9), including any assessment bonds  
 1680  theretofore issued, shall not exceed the amount of special  
 1681  assessments actually confirmed and levied by the board of  
 1682  supervisors as provided in subsection (9).

1683  Such assessment bonds shall be payable from the proceeds of the  
 1684  special assessments levied for the assessable improvement for  
 1685  which such assessment bonds are issued; provided, however, that  
 1686  the district may pledge the full faith and credit of the  
 1687  district for the payment of the principal of and interest on  
 1688  such assessment bonds if the issuance of such assessment bonds  
 1689  shall be approved in the manner provided by law.

1690  (7) After the passage of the resolution authorizing the  
 1691  construction or reconstruction of assessable improvements has  
 1692  been confirmed as provided in subsection (4), the district may  
 1693  proceed with the construction or reconstruction work. Promptly  
 1694  after the completion of the work, the engineer for the district,  
 1695  who is hereby designated as the official of the district to make  
 1696  preliminary assessment of benefits from assessable improvements,  
 1697  shall prepare a preliminary assessment roll and file the same  
 1698  with the board of supervisors, which roll shall contain the  
 1699  following

1700  (a) A description of the lots and parcels of land or  
 1701  property within the district which will benefit from such

1702 assessable improvements and the amount of such benefits to each  
 1703 such lot or parcel of land or property, and the preliminary  
 1704 assessment. Such lots and parcels shall include the property of  
 1705 the county or counties and any school district or other  
 1706 political subdivision within the district. There shall also be  
 1707 given the name of the owner of record of each lot or parcel  
 1708 where practicable, and a statement of the method of assessment  
 1709 used by such engineer.

1710 (b) The total cost of the improvement and the amount of  
 1711 incidental expense.

1712  
 1713 In making such preliminary assessments the engineer may use any  
 1714 method of determining the amount of special benefits accruing to  
 1715 each lot or parcel of land or property from such assessable  
 1716 improvements as shall be approved by the board of supervisors.  
 1717 Such special benefits may be based on an acreage assessment  
 1718 where benefits from such assessable improvements are equal or  
 1719 nearly equal for lands or property in a particular area, front  
 1720 footage, or any other factors which the board of supervisors  
 1721 deems fair and equitable as between the different lots or  
 1722 parcels of land or property benefited. It shall be the duty of  
 1723 the engineer in making such preliminary assessment roll to view  
 1724 all lots or parcels of land or property to be assessed, and to  
 1725 determine, for the preliminary assessment roll, the amount of  
 1726 benefit which each lot or parcel of land or property will  
 1727 receive from such assessable improvements, under the method or  
 1728 methods prescribed by the board of supervisors, or any  
 1729 combination thereof.

1730       (8) The preliminary roll shall be advisory only and shall  
1731 be subject to the action of the board of supervisors as  
1732 hereinafter provided. Upon the filing with the board of  
1733 supervisors of the preliminary assessment roll, the board of  
1734 supervisors shall publish at least once in a newspaper or  
1735 newspapers published or of general circulation within Palm Beach  
1736 County, a notice stating that at a meeting of the board of  
1737 supervisors to be held on a certain day and hour, not less than  
1738 15 days from the date of such publication, which meeting may be  
1739 a regular, adjourned or special meeting, all interested persons  
1740 may appear and file written objections to the confirmation of  
1741 such roll. Such notice shall state the class of the assessable  
1742 improvements and the location thereof by terminal points, route  
1743 or otherwise. The board of supervisors shall also mail a copy of  
1744 such notice to the persons, firms or corporations referred to in  
1745 subsection (3) at least 10 days before the time for the meeting  
1746 as stated in such notice, but the failure of the board of  
1747 supervisors to mail any such notice shall not constitute a valid  
1748 objection to holding such meeting or to any other action taken  
1749 under the authority of this section.

1750       (9) At the time and place stated in such notice the board  
1751 of supervisors shall meet and receive the objections in writing  
1752 of all interested persons as stated in such notice. The board of  
1753 supervisors may adjourn the hearing from time to time. After the  
1754 completion thereof the board of supervisors shall either annul  
1755 or sustain or modify in whole or in part the preliminary  
1756 assessment as indicated on such roll, either by confirming the  
1757 preliminary assessment against any or all lots or parcels

1758 described therein or by canceling, increasing or reducing the  
1759 same, according to the special benefits which the board of  
1760 supervisors decides each such lot or parcel has received or will  
1761 receive on account of such improvement. If any property which  
1762 may be chargeable under this section shall have been omitted  
1763 from the preliminary roll, or if the preliminary assessment  
1764 shall not have been made against it, the board may place on such  
1765 roll an apportionment to such property. The board of supervisors  
1766 shall not confirm any assessment in excess of the special.  
1767 benefits to the property assessed, and the assessments so  
1768 confirmed shall be in proportion to the special benefits. The  
1769 assessment so made shall be final and conclusive as to each lot  
1770 or parcel assessed unless proper steps be taken within 30 days  
1771 in the Circuit Court for the Eleventh Circuit to secure relief.  
1772 If the assessment against any property shall be sustained or  
1773 reduced or abated by the court, the board of supervisors shall  
1774 note that fact on the assessment roll opposite the description  
1775 of the property affected thereby. The amount of the special  
1776 assessment against any lot or parcel which may be reduced or  
1777 abated' by the court, unless the assessment upon the entire  
1778 district be, reduced or abated, or the amount by which such  
1779 assessment is so reduced or abated, may by resolution of the  
1780 board of supervisors be made chargeable against the district at  
1781 large; or, at the discretion of the board of supervisors, a new  
1782 assessment roll may be prepared and confirmed in the manner  
1783 hereinabove provided for the preparation and confirmation of the  
1784 original assessment roll.



1785       (10) Any assessment may be paid at the office of the board  
 1786 of supervisors within 60 days after the confirmation thereof,  
 1787 without interest. Thereafter all assessments shall be payable at  
 1788 such times, over such period of years not exceeding 20 years,  
 1789 and in such annual or other installments, with interest at such  
 1790 rate not exceeding eight percent per annum on the principal  
 1791 amount of such assessments from the expiration of said 60 days,  
 1792 as the board of supervisors shall determine by resolution. The  
 1793 board of supervisors may provide that any assessment may be paid  
 1794 at any time before due, together with interest accrued thereon  
 1795 to the date of prepayment, if such prior payment shall be  
 1796 permitted by the proceedings authorizing any assessment bonds or  
 1797 other obligations for the payment of which such special  
 1798 assessments have been pledged.

1799       (11) All such special assessments shall be collected by  
 1800 the tax collector for Palm Beach County, or by such other  
 1801 officer or agent as the board may designate, at such time or  
 1802 times as the board of supervisors shall specify in the  
 1803 proceedings authorizing or confirming the special assessments,  
 1804 and if no other time is specified then at the same time as  
 1805 general county taxes are collected in Palm Beach County.

1806       (12) All assessments shall constitute a lien upon the  
 1807 property so assessed from the date of confirmation of the  
 1808 resolution ordering the improvement, of the same nature and to  
 1809 the same extent as the lien for general county taxes falling due  
 1810 in the same year or years in which such assessments or  
 1811 installments thereof fall due, and any assessment or installment  
 1812 not paid when due shall be collectible with such interest and

1813 with a reasonable attorney's fee and costs, but without  
 1814 penalties, by the district by proceedings in the Circuit Court  
 1815 for the Eleventh Circuit to foreclose the lien of assessments as  
 1816 a lien for mortgages is or may be foreclosed under the laws of  
 1817 the State; provided that any such proceedings to foreclose shall  
 1818 embrace all installments of principal remaining unpaid with  
 1819 accrued interest thereon, which installments shall, by virtue of  
 1820 the institution of such proceedings, immediately become due and  
 1821 payable. Nevertheless, if prior to any sale of the property  
 1822 under decree of foreclosure in such proceedings, payment be made  
 1823 of the installment or installments which are shown to be due  
 1824 under the provisions of the resolution passed pursuant to  
 1825 subsection (9) and by subsection (10), and all costs including  
 1826 interest and attorney's fees, such payment shall have the effect  
 1827 of restoring the remaining installments to their original  
 1828 maturities, and the proceedings shall be dismissed. It shall be  
 1829 the duty of the district to enforce the prompt collection of  
 1830 assessments by the means herein provided, and such duty may be  
 1831 enforced at the suit of any holder of bonds issued under this  
 1832 act in the Circuit Court for the Eleventh Circuit by mandamus or  
 1833 other appropriate proceedings or action. Not later than 30 days  
 1834 after any installments are due and payable, it shall be the duty  
 1835 of the board of supervisors to direct the attorney or attorneys  
 1836 whom the board of supervisors shall then designate to institute  
 1837 action within two months after such direction to enforce the  
 1838 collection of all special assessments for assessable  
 1839 improvements made under this section and remaining due and  
 1840 unpaid at the time of such direction. Such action shall be

1841 prosecuted in a manner and under the conditions in and under  
 1842 which mortgages are foreclosed under the laws of the State. It  
 1843 shall be lawful to join in one action the collection of  
 1844 assessments against. any or all property assessed by virtue of  
 1845 the same assessment roll unless the court shall deem such  
 1846 joinder prejudicial to the interests of any defendant. The court  
 1847 shall allow a reasonable attorney's fee for the attorney or  
 1848 attorneys of the district, and the same shall be collectible as  
 1849 a part of or in addition to the costs of the action. At the sale  
 1850 pursuant to decree in any such action, the district may be a  
 1851 purchaser to the same extent as an individual person or  
 1852 corporation, except that the part of the purchase price  
 1853 represented by the assessments sued upon and. the interest  
 1854 thereon need not be paid in cash. Property so acquired by the  
 1855 district may be sold or otherwise disposed of, the proceeds of  
 1856 such disposition to be placed in the fund provided by subsection  
 1857 (13), provided, however, that no sale or other disposition  
 1858 thereof shall be made unless the notice calling for bids  
 1859 therefor to be received at a stated time and place shall have  
 1860 been published at least once in a newspaper or newspapers  
 1861 published or of general circulation in Palm Beach County.

1862 (13) All assessments and charges made under the provisions  
 1863 of this section for the payment of all or any part of the cost  
 1864 of any assessable improvements for which assessment bonds shall  
 1865 have been issued under the provisions of this law, or which have  
 1866 been pledged as additional security for any other bonds or  
 1867 obligations issued under this act, shall be maintained in a  
 1868 special fund or funds and be used only for the payment of

1869 principal of or interest on such assessment bonds or other bonds  
 1870 or obligations.

1871 (14) Palm Beach County and each school district and other  
 1872 political subdivision wholly or partly within the district shall  
 1873 possess the same power and be subject to the same duties and  
 1874 liabilities in respect of the special assessments under this  
 1875 section affecting the real estate of such county, school  
 1876 district or other political subdivision which, private owners of  
 1877 real estate possess or are subject to hereunder, and such real  
 1878 estate of any such county, school district and political  
 1879 subdivision shall be subject to liens for said assessments in  
 1880 all cases where the same property would be subject to such liens  
 1881 had it at the time the lien attached been owned by a private  
 1882 owner.

1883 (15) Subject to the terms of any bonds or other obligation  
 1884 payable from or secured by the assessments provided for herein,  
 1885 the board of supervisors may at any time and from time to time  
 1886 modify, in whole or in part, or revoke any plan or specification  
 1887 for any assessable improvement. In connection with the revision  
 1888 of any such plan or specification, benefits may be reassessed or  
 1889 additional assessments made in accordance with the provisions  
 1890 and procedures of this section. The board of supervisors may at  
 1891 any time approve and make effective technical changes and  
 1892 modifications of any plan for any improvement not affecting the  
 1893 determination of assessed benefits or the security of bond  
 1894 owners.

1895 Section 33. Issuance of certificates of indebtedness based  
 1896 on assessments for assessable improvements; assessment bonds.--

1897        (1) The board of supervisors may, after any assessments  
 1898 for assessable improvements are made, determined and confirmed  
 1899 as provided in section 32, issue certificates of indebtedness  
 1900 for the amount so assessed against the abutting property or  
 1901 property otherwise benefited, as the case may be, and separate  
 1902 certificates shall be issued against each part or parcel of land  
 1903 or property assessed, which certificates shall state the general  
 1904 nature of the improvement for which the said assessment is made.  
 1905 Said certificates shall be payable in annual installments or  
 1906 otherwise in accordance with the installments of the special  
 1907 assessments for which they are issued. The board of supervisors  
 1908 may determine the interest to be borne by such certificates at a  
 1909 rate no greater than six percent per annum, and may sell such  
 1910 certificates at either private or public sale and determine the  
 1911 form, manner of execution and other details of such  
 1912 certificates. Such certificates shall recite that they are  
 1913 payable only from the special assessments levied and collected  
 1914 from the part or parcel of land or property against which they  
 1915 are issued. The proceeds of such certificates may be pledged for  
 1916 the payment of principal of and interest on any revenue bonds or  
 1917 general obligation bonds issued to finance in whole or in part  
 1918 such assessable improvement, or, if not so pledged, may be used  
 1919 to pay the cost or part of the cost of such assessable  
 1920 improvements.

1921        (2) The district may also issue assessment bonds or other  
 1922 obligations payable from a special fund into which such  
 1923 certificates of indebtedness referred to in the preceding  
 1924 paragraph may be deposited; or, if. such certificates of

1925 indebtedness have not been issued, the district may assign to  
 1926 such special fund for the benefit of the holders of such  
 1927 assessment bonds or other obligations, or to a trustee for such  
 1928 bondholders, the assessment liens provided for in section 32,  
 1929 unless such certificates of indebtedness or assessment liens  
 1930 have been theretofore pledged for any bonds or other obligations  
 1931 authorized hereunder. In the event of the creation of such  
 1932 special fund and the issuance of such assessment bonds or other  
 1933 obligations, the proceeds of such certificates of indebtedness  
 1934 or assessment liens deposited therein shall be used only for the  
 1935 payment of the assessment bonds or other obligations issued as  
 1936 provided in this section. The district is hereby authorized to  
 1937 covenant with the holders of such assessment bonds or other  
 1938 obligations that it will diligently and faithfully enforce and  
 1939 collect all the special assessments and interest and penalties  
 1940 thereon for which such certificates of indebtedness or  
 1941 assessment liens have been deposited in or assigned to such  
 1942 fund, and to foreclose such assessment liens so assigned to such  
 1943 special fund or represented by the certificates of indebtedness  
 1944 deposited in said special fund, after such assessment liens have  
 1945 become delinquent, and deposit the proceeds derived from such  
 1946 foreclosure, including interest and penalties, in such special  
 1947 fund, and to make any other covenants deemed necessary or  
 1948 advisable in order to properly secure the holders of such  
 1949 assessment bonds or other obligations.

1950 (3) The assessment bonds or other obligations issued  
 1951 pursuant to this section shall have such dates of issue and  
 1952 maturity as shall be deemed advisable by the board of

1953 supervisors, provided, however, that the maturities of such  
 1954 assessment bonds or other obligations shall not be more than 2  
 1955 years after the due date of the last installment which will be  
 1956 payable on any of the special assessments for which such  
 1957 assessment liens, or the certificates of indebtedness  
 1958 representing such assessment liens, are assigned to or deposited  
 1959 in such special fund.

1960 (4) Such assessment bonds or other obligations issued  
 1961 under this section shall bear interest at not exceeding six  
 1962 percent per annum, shall be executed, shall have such provisions  
 1963 for redemption prior to maturity, shall be sold in the manner  
 1964 and be subject to all of the applicable provisions contained in  
 1965 this act for revenue bonds, except as the same may be  
 1966 inconsistent with the provisions of this section.

1967 (5) All assessment bonds or other obligations issued under  
 1968 the provisions of this act, except certificates of indebtedness  
 1969 issued against separate lots or parcels of land or property as  
 1970 provided in this section, shall be and constitute and have all  
 1971 the qualities and incidents of negotiable instruments under the  
 1972 law merchant and the laws of the State.

1973 Section 34. Issuance of bond anticipation notes.--In  
 1974 addition to the other powers provided for in this act and not in  
 1975 limitation thereof, the district shall have the power, at any  
 1976 time and from time to time after the issuance of any bonds of  
 1977 the district shall have been authorized, to borrow money for the  
 1978 purposes for which such bonds are to be issued in anticipation  
 1979 of the receipt of the proceeds of the sale of such bonds and to  
 1980 issue bond anticipation notes in a principal amount not in

1981 excess of the authorized maximum amount of such bond issue. Such  
 1982 notes shall be in such denomination or denominations, bear  
 1983 interest at such rate or rates not in excess of six percent per  
 1984 annum, mature at such time or times not later than 5 years from  
 1985 the date of issuance, be renewable for an additional term or  
 1986 terms in the aggregate not in excess of 5 years from the date of  
 1987 first renewal, and be in such form and executed in such manner  
 1988 as the board of supervisors shall prescribe. Such notes may be  
 1989 sold at either public or private sale, or if such notes shall be  
 1990 renewal notes, may be exchanged for notes then outstanding on  
 1991 such terms as the board of supervisors shall determine. Such  
 1992 notes shall be paid from the proceeds of such bonds when issued.  
 1993 The board of supervisors may in its discretion, in lieu of  
 1994 retiring the notes by means of bonds, retire them by means of  
 1995 current revenues or from any taxes or assessments levied for the  
 1996 payment of such bonds, but in such event a like amount of the  
 1997 bonds authorized shall not be issued.

1998       Section 35. Short-term borrowings.--The district at any  
 1999 time may obtain loans, in such amount and on such terms and  
 2000 conditions as the board of supervisors may approve, for the  
 2001 purpose of paying any of the expenses of the district or any  
 2002 costs incurred or that may be incurred in connection with any of  
 2003 the projects of the district, which loans shall have a term not  
 2004 exceeding 2 years from the date of issuance thereof, and may be  
 2005 renewable for a like term or terms, shall bear interest in any  
 2006 amount not in excess of six percent per annum, and may be  
 2007 payable from and secured by a pledge of such funds, revenues,  
 2008 taxes and assessments as the board of supervisors may determine.



2009 For the purpose of defraying such costs and expenses, the  
 2010 district may issue negotiable notes, warrants or other evidences  
 2011 of debt signed on behalf of the district by any one of the board  
 2012 of supervisors duly authorized by the board, such notes or other  
 2013 evidences of indebtedness to be payable at such times, to bear  
 2014 interest at a rate not exceeding six percent per annum and to be  
 2015 sold or discounted at such price or prices and on such terms as  
 2016 the board may deem advisable. The board shall have the right to  
 2017 provide for the payment thereof by pledging the whole or any  
 2018 part of the funds, revenues, taxes and assessments of the  
 2019 district. The approval of the qualified electors who are,  
 2020 freeholders residing in the district shall not be necessary  
 2021 except where required by the Constitution.

2022       Section 36. Trust agreements.--In the discretion of the  
 2023 board of supervisors, any issue of bonds may be secured by a  
 2024 trust agreement by and between the district and a corporate  
 2025 trustee or trustees, which may be any trust company or bank  
 2026 having the powers of a trust company within or without the  
 2027 State. The resolution authorizing the issuance of the bonds or  
 2028 such trust agreement may pledge the revenues to be received from  
 2029 any projects of the district and may contain such provisions for  
 2030 protecting and enforcing the rights and remedies of the  
 2031 bondholders as the board of supervisors may approve, including  
 2032 without limitation covenants setting forth the duties of the  
 2033 district in relation to the acquisition, construction,  
 2034 reconstruction, improvement, maintenance, repair, operation and  
 2035 insurance of any projects, the fixing and revising of the rates,  
 2036 fees, tolls, fares and charges, and the custody, safeguarding

2037 and application of all moneys, and for the employment of  
 2038 counseling engineers in connection with such acquisition,  
 2039 construction, reconstruction, improvement, maintenance, repair  
 2040 or operation. It shall be lawful for any bank or trust company  
 2041 incorporated under the laws of the State which may act as a  
 2042 depository of the proceeds of bonds or of revenues to furnish  
 2043 such indemnifying bonds or to pledge such securities as may be  
 2044 required by the district. Such resolution or trust agreement may  
 2045 set forth the rights and remedies of the bondholders and of the  
 2046 trustee, if any, and may restrict the individual right of action  
 2047 by bondholders. The board of supervisors may provide for the  
 2048 payment of the proceeds of the sale of the bonds and the  
 2049 revenues of any project to such officer, board or depository as  
 2050 it may designate for the custody thereof, and for the method of  
 2051 disbursement thereof with such safeguards and restrictions as it  
 2052 may determine. All expenses incurred in carrying out the  
 2053 provisions of such resolution or trust agreement may be treated  
 2054 as part of the cost of operation of the project to which such  
 2055 trust agreement pertains.

2056       Section 37. Sale of bonds.--Bonds may be sold in blocks or  
 2057 installments at different times, or an entire issue or series  
 2058 may be sold at one time. Bonds may be sold at public or private  
 2059 sale after such advertisement, if any, as the board of  
 2060 supervisors may deem advisable but not in any event at less than  
 2061 ninety-five (95) percent of the par value thereof, together with  
 2062 accrued interest thereon. Bonds may be sold or exchanged for  
 2063 refunding bonds. Special assessment and revenue bonds may be  
 2064 delivered as payment by the district of the purchase price or

2065 lease of any project or part thereof, or a combination of  
 2066 projects or parts thereof, or as the purchase price or exchanged  
 2067 for any property, real, personal or mixed, including franchises,  
 2068 or services rendered by any contractor, engineer or other  
 2069 person, all at one time or in blocks from time to time, in such  
 2070 manner and upon such terms as the board of supervisors in its  
 2071 discretion shall determine. The price or prices for any bonds  
 2072 sold, exchanged or delivered may be (a) the money paid for the  
 2073 bonds, (b) the principal amount, plus accrued interest to the  
 2074 date of redemption or exchange, of outstanding obligations  
 2075 exchanged for refunding bonds, (c) in the case of special  
 2076 assessment or revenue bonds, the amount of any indebtedness to  
 2077 contractors or other persons paid with such bonds, or the fair  
 2078 value of any properties exchanged for the bonds, as determined  
 2079 by the board of supervisors.

2080 Section 38. Authorization and form of bonds.--Bonds may be  
 2081 authorized by resolution or resolutions of the board of  
 2082 supervisors which shall be adopted by a majority of all of the  
 2083 members thereof then in office. Such resolution or resolutions  
 2084 may be adopted at the same meeting at which they are introduced,  
 2085 and need not be published or posted. The board of supervisors  
 2086 may by resolution authorize the issuance of bonds, fix the  
 2087 aggregate amount of bonds to be issued, the purpose or purposes  
 2088 for which the moneys derived therefrom shall be expended, the  
 2089 rate or rates of interest, which shall not exceed six percent  
 2090 per annum, the denomination of the bonds, whether or not the  
 2091 bonds are to be issued in one or more series, the date or dates  
 2092 thereof, the date or dates of maturity, which shall not exceed

2093 40 years from their respective dates of issuance, the medium of  
 2094 payment, the place or places within or without the State where  
 2095 payment shall be made, registration privileges, redemption terms  
 2096 and privileges whether with or without premium, the manner of  
 2097 execution, the form of the bonds including any interest coupons  
 2098 to be attached thereto, the manner of execution of bonds and  
 2099 coupons, and any and all other terms, covenants and conditions  
 2100 thereof, and the establishment of reserve or other funds. Such  
 2101 authorizing resolution may further provide that such bonds may  
 2102 be executed manually or by engraved, lithographed or facsimile  
 2103 signature, provided that where signatures are engraved,  
 2104 lithographed or facsimile no bond shall be valid unless  
 2105 countersigned by a registrar or other officer designated by  
 2106 appropriate resolution of the board of supervisors. The seal of  
 2107 the district may be affixed, lithographed, engraved or otherwise  
 2108 reproduced in facsimile on such bonds. In case any officer whose  
 2109 signature or a facsimile of whose signature shall appear on any  
 2110 bonds or coupons shall cease to be such officer before the  
 2111 delivery of such bonds, such signature or facsimile shall  
 2112 nevertheless be valid and sufficient for all purposes the same  
 2113 as if he had remained in office until such delivery.

2114       Section 39. Increase in maximum allowable interest on  
 2115 district bonds.--Anything in this act or the laws of the state  
 2116 to the contrary notwithstanding, if at any time and from time to  
 2117 time the general laws of the State of Florida permit the  
 2118 counties, municipalities or political subdivisions of the State,  
 2119 or any of them, to issue general obligation, revenue, assessment  
 2120 or other bonds bearing interest in an amount or at a rate in

2121 excess of six percent per annum, then the maximum allowable  
 2122 interest on any bonds of the district that may be issued during  
 2123 the effective period of such general law shall be the maximum  
 2124 amount or rate permitted under such general law.

2125 Section 40. Interim certificates; replacement  
 2126 certificates.--Pending the preparation of definitive bonds, the  
 2127 board of supervisors may issue interim certificates or receipts  
 2128 or temporary bonds, in such form and with such provisions as the  
 2129 board of supervisors may determine, exchangeable for definitive  
 2130 bonds when such bonds shall have been executed and are available  
 2131 for delivery. The board of supervisors may also provide for the  
 2132 replacement of any bonds which shall become mutilated or be lost  
 2133 or destroyed.

2134 Section 41. Negotiability of bonds.--Any bond issued under  
 2135 this act and any interim certificate, receipt or temporary bond  
 2136 shall, in the absence of an express recital on the face thereof  
 2137 that it is nonnegotiable, be fully negotiable and shall be and  
 2138 constitute negotiable instruments within the meaning and for all  
 2139 purposes of the law merchant and the laws of the State of  
 2140 Florida.

2141 Section 42. Defeasance.--The board of supervisors may make  
 2142 such provision with respect to the defeasance of the right,  
 2143 title and interest of the holders of any of the bonds and  
 2144 obligations of the district in any revenues, funds or other  
 2145 properties by which such bonds are secured as the board deems  
 2146 appropriate and, without limitation on the foregoing, may  
 2147 provide that when such bonds or obligations become due and  
 2148 payable or shall have been called for redemption, and the whole

2149 amount of the principal and the interest and premium, if any,  
 2150 due and payable upon the bonds or obligations then outstanding  
 2151 shall be paid, or sufficient moneys or direct obligations of the  
 2152 United States Government the principal of and the interest on  
 2153 which when due will provide sufficient moneys, shall be held or  
 2154 deposited in trust for such purpose, and provision shall also be  
 2155 made for paying all other sums payable in connection with such  
 2156 bonds or other obligations, then and in such event the right,  
 2157 title and interest of the holders of the bonds in any revenues,  
 2158 funds or other properties by which such bonds are secured shall  
 2159 thereupon cease, determine and become void, and the board of  
 2160 supervisors may apply any surplus in any sinking fund  
 2161 established in connection with such bonds or obligations and all  
 2162 balances remaining in all other funds or accounts other than  
 2163 money held for the redemption or payment of the bonds or other  
 2164 obligations to any lawful purpose of the district as the board  
 2165 of supervisors shall determine.

2166 Section 43. Bonds as legal investment or  
 2167 security.--Notwithstanding any provisions of any other law to  
 2168 the contrary, all bonds issued under the provisions of this act  
 2169 shall constitute legal investments for savings banks, banks,  
 2170 trust companies, insurance companies, executors, administrators,  
 2171 trustees, guardians, and other fiduciaries, and for any board,  
 2172 body, agency, instrumentality, county, municipality or other  
 2173 political subdivision of the State, and shall be and constitute  
 2174 securities which may be deposited by banks or trust companies as  
 2175 security for deposits of state, county, municipal or other

2176 public funds, or by insurance companies as required or voluntary  
 2177 statutory deposits.

2178       Section 44. Covenants.--Any resolution authorizing the  
 2179 issuance of bonds may contain such covenants as the board of  
 2180 supervisors may deem advisable and all such covenants shall  
 2181 constitute valid and legally binding and enforceable contracts  
 2182 between the district and the bondholders, regardless of the time  
 2183 of issuance thereof. Such covenants may include, without  
 2184 limitation, covenants concerning the disposition of the bond  
 2185 proceeds, the use and disposition of project revenues, the  
 2186 pledging of revenues, taxes and assessments, the obligations of  
 2187 the district with respect to the operation of the project and  
 2188 the maintenance of adequate project revenues, the issuance of  
 2189 additional bonds, the appointment, powers and duties of trustees  
 2190 and receivers, the acquisition of outstanding bonds and  
 2191 obligations, restrictions on the establishing of competing  
 2192 projects or facilities, restrictions on the sale or disposal of  
 2193 the assets and property of the district, the priority of  
 2194 assessment liens, the priority of claims by bondholders on the  
 2195 taxing power of the district, the maintenance of deposits to  
 2196 assure the payment of revenues by users of district facilities  
 2197 and services, the discontinuance of district services by reason  
 2198 of delinquent payments, acceleration upon default, the execution  
 2199 of necessary instruments, the procedure for amending or  
 2200 abrogating covenants with the bondholders, and such other  
 2201 covenants as may be deemed necessary or desirable for the  
 2202 security of the bondholders.

2203       Section 45. Validity of bonds; validation proceedings.--

2204       (1) Any bonds issued by the district shall be  
2205 incontestable in the hands of bona fide purchasers or holders  
2206 for value and shall not be invalid because of any irregularity  
2207 or defects in the proceedings for the issue and sale thereof.  
2208 Prior to the issuance of any bonds, the district may, but is not  
2209 required to, publish a notice at least once in a newspaper or  
2210 newspapers published or of general circulation in Palm Beach  
2211 County, stating the date of adoption of the resolution  
2212 authorizing such obligations, the amount, maximum rate of  
2213 interest and maturity of such obligations, and the purpose in  
2214 general terms for which such obligations are to be issued, and  
2215 further stating that any action or proceeding questioning the  
2216 validity of such obligations or of the proceedings authorizing  
2217 the issuance thereof, or of any covenants made therein, must be  
2218 instituted within 20 days after the first publications of such  
2219 notice, or the validity of such obligations, proceedings and  
2220 covenants shall not be thereafter questioned in any court  
2221 whatsoever. If no such action or proceeding is so instituted  
2222 within such 20-day period then the validity of such obligations,  
2223 proceedings and covenants shall be conclusive, and all persons  
2224 or parties whatsoever shall be forever barred from questioning  
2225 the validity of such obligations, proceedings or covenants in  
2226 any court whatsoever.

2227       (2) The power of the district to issue bonds under the  
2228 provisions of this act may be determined and any of the bonds of  
2229 the district may be validated and confirmed by circuit court  
2230 decree, under the provisions of chapter 75, Florida Statutes,  
2231 and laws amendatory thereof or supplementary thereto.



2232           Section 46. Within act furnishes full authority for  
 2233 issuance of bonds.--This act constitutes full and complete  
 2234 authority for the issuance of bonds and the exercise of the  
 2235 powers of the district provided herein. No procedures or  
 2236 proceedings, publications, notices, consents, approvals, orders,  
 2237 acts or things by the board of supervisors, or any board,  
 2238 officers, commission, department, agency or instrumentality of  
 2239 the district, other than those required by this act, shall be  
 2240 required to issue any bonds or to do any act or perform anything  
 2241 under this act, and the issuance or sale of bonds pursuant to  
 2242 the provisions of this act need not comply with the requirements  
 2243 of any other law applicable to the issuance or sale of bonds,  
 2244 except as otherwise provided in this act, and shall not require  
 2245 the consent or approval of the Board of Drainage Commissioners  
 2246 of the State of Florida or of any other board, officers,  
 2247 commission, department, agency or instrumentality of the state  
 2248 or any political subdivision thereof. Except as otherwise  
 2249 provided herein, no proceedings or procedures of any character  
 2250 whatever shall be necessary or required for the issuance of  
 2251 bonds other than the adoption of an appropriate resolution by  
 2252 the board of supervisors as provided in this act with respect to  
 2253 the issuance of the same. The powers conferred by this act on  
 2254 the district with respect to the issuance and sale of bonds  
 2255 shall be in addition and supplemental to the powers conferred by  
 2256 any other law.

2257           Section 47. Pledge by the state to the bond holders of the  
 2258 district and to the Federal Government.--The state pledges to  
 2259 the holders of any bonds issued under this act that it will not

2260 limit or alter the rights of the district to own, acquire,  
 2261 construct, reconstruct, improve, maintain, operate or furnish  
 2262 the projects or to levy and collect the taxes, assessments,  
 2263 rentals, rates, fees, tolls, fares and other charges provided  
 2264 for herein and to fulfill the terms of any agreement made with  
 2265 the holders of such bonds or other obligations, that it will not  
 2266 in any way impair the rights or remedies of the holders, and  
 2267 that it will not modify in any way the exemption from taxation  
 2268 provided in the act, until all such bonds together with interest  
 2269 thereon, and all costs and expenses in connection with any  
 2270 action or proceeding by or on behalf of such holders, are fully  
 2271 met and discharged. The state pledges to and agrees with the  
 2272 Federal Government that in the event the Federal Government or  
 2273 any agency or authority thereof shall construct or contribute  
 2274 any funds, materials or property for the construction,  
 2275 acquisition, extension, improvement, enlargement, maintenance,  
 2276 operation, or furnishing of any of the projects of the district,  
 2277 or any part thereof, the State will not alter or limit the  
 2278 rights and powers of the district in any manner which would be  
 2279 inconsistent with the continued maintenance and operation of  
 2280 such project, or any part thereof, or the improvement thereof,  
 2281 or which would be inconsistent with the due performance of any  
 2282 agreements between the district and the Federal Government, and  
 2283 the district shall continue to have and may exercise all powers  
 2284 herein granted so long as the board of supervisors may deem the  
 2285 same necessary or desirable for the carrying out of the purposes  
 2286 of this act and the purposes of the Federal Government in the  
 2287 construction, acquisition, extension, improvement, enlargement,

2288 maintenance, operation, or furnishing of any of the projects of  
 2289 the district, or any part thereof.

2290 Section 48. Agreements with municipalities within the  
 2291 district for the joint discharge of common functions.--The board  
 2292 of supervisors of the district and the governing bodies of any  
 2293 one or more municipalities located wholly or partly within the  
 2294 district, whether now in existence or hereafter created, are  
 2295 authorized to enter into and carry into effect contracts and  
 2296 agreements relating to the common powers, duties and functions  
 2297 of the board of supervisors and other officers, agents and  
 2298 employees of the district, and the respective governing bodies  
 2299 of one or more such municipalities, and their respective  
 2300 officers, agents and employees, to the end that there may be  
 2301 effective cooperation between and coordination of the efforts of  
 2302 such municipalities and the district in discharging their common  
 2303 functions, powers and duties and in rendering services to the  
 2304 respective residents and property owners of such municipalities  
 2305 and the district. The board of supervisors of the district and  
 2306 the governing bodies of one or more such municipalities are  
 2307 further authorized to enter into and carry into effect contracts  
 2308 and agreements for the performance of any of their common  
 2309 functions, powers and duties by a central agency or common agent  
 2310 of the contracting parties.

2311 Section 49. Cooperation agreements with the state,  
 2312 counties, and municipalities.--

2313 (1) The state and the counties, municipalities, and other  
 2314 political subdivisions and public bodies and agencies thereof,  
 2315 or any of them, whether now existing or hereafter created, are

2316 authorized to aid and cooperate with the district in carrying  
 2317 out any of the purposes and projects of the district, to enter  
 2318 into cooperation agreements with the district, to provide in any  
 2319 such cooperation agreement for the making of loans, gifts,  
 2320 grants, or contributions to the district and the granting and  
 2321 conveyance to the district of real or personal property of any  
 2322 kind or nature, or any interest therein, for the carrying out of  
 2323 the purposes and projects of the district, to covenant in any  
 2324 such cooperation agreement to pay all or any part of the costs  
 2325 of acquisition, construction, reconstruction, extension,  
 2326 improvement, operation and maintenance of any of the projects of  
 2327 the district, and to pay all or any part of the principal and  
 2328 interest on any bonds of the district and all or any part of the  
 2329 deposits required to be made into any reserve, renewal and  
 2330 replacement or other funds created and established by the  
 2331 indenture, resolution, deed of trust or other instrument  
 2332 securing such bonds.

2333 (2) The state and the counties, municipalities and other  
 2334 political subdivisions and public bodies and agencies thereof,  
 2335 or any of them, whether now existing or hereafter created, and  
 2336 the district created by this act, are further authorized to  
 2337 enter cooperative agreements to provide for the furnishing by  
 2338 the district to the state or any county, municipality or other  
 2339 political subdivision or public body or agency thereof of any of  
 2340 the facilities and services of the district, or by the state or  
 2341 any county, municipality or other political subdivision or  
 2342 public body or agency thereof to the district and to persons,  
 2343 firms or corporations within the district of facilities and

2344 services of the type that the district is authorized to furnish  
 2345 or undertake, or such other facilities and services as may be  
 2346 determined necessary or desirable by the board of supervisors  
 2347 for the carrying out of the purposes of this act, all on such  
 2348 terms and conditions as the board of supervisors may deem  
 2349 appropriate. Without limitation on the foregoing, such  
 2350 cooperation agreements may provide for the furnishing by any  
 2351 county, municipality or other political subdivision of fire and  
 2352 police protection for the district and persons and property  
 2353 within the district, and for the providing to the district of  
 2354 any services deemed necessary or desirable by the board of  
 2355 supervisors for the proper functioning of the district.

2356 (3) Without limitation of the foregoing, the board of  
 2357 supervisors may undertake and finance any of the projects of the  
 2358 district, in whole or in part, jointly with the Scripps Research  
 2359 Institute, Palm Beach County or any municipality, now existing  
 2360 or hereafter created, or in any other manner combine the  
 2361 projects of the district with the projects of such municipality  
 2362 or municipalities, on such terms and conditions as the board of  
 2363 supervisors shall approve, and the provisions of this act,  
 2364 including without limitation the provisions for the financing of  
 2365 district projects through bond issues, shall be applicable to  
 2366 such projects.

2367 (4) Any agreement of the type authorized by this section  
 2368 may be made and entered into pursuant to this act for such time  
 2369 or times, not exceeding 40 years, as shall be agreed by the  
 2370 parties thereto or for such longer time as any bonds of any of  
 2371 the contracting parties, including refunding bonds, remain

2372 outstanding and unpaid, and may contain such details, terms,  
 2373 provisions and conditions as shall be agreed upon by the parties  
 2374 thereto. Any such agreement may be made and entered into for the  
 2375 benefit of the holders of any bonds of the district as well as  
 2376 the parties thereto and in such event shall be enforceable in  
 2377 any court of competent jurisdiction by the holders of any such  
 2378 bonds or of the coupons appertaining thereto.

2379       Section 50. Contracts, grants, and contributions.--The  
 2380 district shall have the power to make and enter all contracts  
 2381 and agreements necessary or incidental to the performance of the  
 2382 functions of the district and the execution of its powers, and  
 2383 to contract with, and to accept and receive grants or loans of  
 2384 money, material, or property from, any person; private or public  
 2385 corporation; the state or any agency or instrumentality thereof;  
 2386 any county, municipality, or other political subdivision; or any  
 2387 agency, instrumentality, or corporation of or created by the  
 2388 United States of America, or the United States of America, as  
 2389 the board of supervisors shall determine to be necessary or  
 2390 desirable to carry out the purposes of this act, and in  
 2391 connection with any such contract, grant, or loan to stipulate  
 2392 and agree to such covenants, terms, and conditions as the board  
 2393 of supervisors shall deem appropriate.

2394       Section 51. Tax exemption.--As the exercise of the powers  
 2395 conferred by this act to effect the purposes of this act  
 2396 constitute the performance of essential public functions, and as  
 2397 the projects of the district will constitute public property  
 2398 used for public purposes, all assets and properties of the  
 2399 district, and all bonds issued hereunder and interest paid

2400 thereon, and all fees, charges, and other revenues derived by  
 2401 the district from the projects provided for by this act shall be  
 2402 exempt from all taxes by the state or by any political  
 2403 subdivision, agency, or instrumentality thereof, provided,  
 2404 however, that nothing in this act shall be deemed to exempt from  
 2405 taxation any property, project, facility, business activity, or  
 2406 enterprise that cannot validly be undertaken as a public  
 2407 function by special taxing districts or other public bodies  
 2408 under the laws of the state and State Constitution, and provided  
 2409 further, that nothing in this act shall be deemed to exempt any  
 2410 property, project, facility, or business activity or enterprise  
 2411 of the district, or revenues derived therefrom, which would be  
 2412 subject to taxation under the general laws of the state if such  
 2413 property, project, or facility were owned or undertaken by a  
 2414 municipal corporation.

2415       Section 52. Suits against the district.--No suit or action  
 2416 shall be brought or maintained against the district for damages  
 2417 arising out of tort or breach of contract, including, without  
 2418 limitation, any claim arising upon account of an act causing a  
 2419 wrongful death, unless written notice of such claim is within 90  
 2420 days after receiving the alleged injury given to the secretary  
 2421 of the board of supervisors, with detailed specifications as to  
 2422 the time, place, and manner of injury. No such suit or action  
 2423 shall be brought or maintained unless brought within 12 months  
 2424 from the time of the injury or damages.

2425       Section 53. Action taken on consent of landowners.--Any  
 2426 action required under this act to be taken on notice to the  
 2427 landowners of the district and on public hearing for the purpose

2428 of receiving and passing on objections by landowners may be  
 2429 taken without such notice or hearing upon the written consent of  
 2430 all of the landowners affected by such action.

2431 Section 54. Enforcement and penalties.--

2432 (1) The board of supervisors or any aggrieved person may  
 2433 have recourse to such remedies in law and equity as may be  
 2434 necessary to ensure compliance with the provisions of this act,  
 2435 including injunctive relief to enjoin or restrain any person  
 2436 violating the provisions of this act, and any resolutions,  
 2437 regulations, rules, codes, and orders adopted under this act,  
 2438 and the court shall, upon proof of such violation, have the duty  
 2439 to issue forthwith such temporary and permanent injunctions as  
 2440 are necessary to prevent such further violation thereof. In case  
 2441 any building or structure is erected, constructed,  
 2442 reconstructed, altered, repaired, converted, or maintained, or  
 2443 any building, structure, land, or water is used in violation of  
 2444 this act or of any code, order, resolution, or other regulation  
 2445 made under authority conferred by this act or under law, the  
 2446 board of supervisors and any person residing in the district may  
 2447 institute any appropriate action or proceeding to prevent such  
 2448 unlawful erection, construction, reconstruction, alteration,  
 2449 repair, conversion, maintenance, or use to restrain, correct, or  
 2450 avoid such violation, to prevent the occupancy of such building,  
 2451 structure, land, or water, and to prevent any illegal act,  
 2452 conduct, business, or use in or about such premises, land, or  
 2453 water.

2454 (2) Any person violating the provisions of this act or who  
 2455 shall fail to abide by and obey any of the resolutions,



2456 regulations, rules, codes and orders adopted under this act  
 2457 shall be guilty of a misdemeanor. Each day that the violation  
 2458 shall continue shall constitute a separate violation.

2459 (3) It shall be unlawful and a misdemeanor for the owner  
 2460 of any land subject to this act, or his or her agent, or other  
 2461 persons, to advocate, propose, suggest, use or exhibit a map,  
 2462 plat, survey or plan of subdivision or development of land  
 2463 except in conformity with this act and the rules and regulations  
 2464 of the board of supervisors.

2465 Section 55. Investment of funds.--The board of supervisors  
 2466 may in its discretion invest funds of the district in:

2467 (1) Direct obligations of or obligations guaranteed by the  
 2468 United States of America or for the payment of the principal and  
 2469 interest of which the faith and credit of the United States is  
 2470 pledged;

2471 (2) Bonds or notes issued by any of the following federal  
 2472 agencies: Bank for Cooperatives; federal intermediate credit  
 2473 banks; federal home loan bank system; federal land banks; or the  
 2474 Federal National Mortgage Association including debentures or  
 2475 participating certificates issued by such association;

2476 (3) Public housing bonds issued by public housing  
 2477 authorities and secured by a pledge of annual contributions  
 2478 under an annual contribution contract or contracts with the  
 2479 United States of America;

2480 (4) Bonds or other interest bearing obligations of any  
 2481 county, district, city, or town located in the state for which  
 2482 the full faith and credit of such political subdivision is  
 2483 pledged; or

2484           (5) Any investment authorized for insurers by sections  
 2485 625.0105 through 625.0115, Florida Statutes, inclusive, and  
 2486 amendments thereto.

2487           Section 56. Fiscal year of the district.--The board of  
 2488 supervisors has the power to establish and from time to time  
 2489 redetermine the fiscal year of the district. Unless the board of  
 2490 supervisors otherwise provides, the district shall be on a  
 2491 calendar fiscal year.

2492           Section 57. Severability of provisions.--If any section,  
 2493 clause, sentence, or provision of this act, or the application  
 2494 of such section, clause, sentence, or provision to any person or  
 2495 bodies or under any circumstances shall be held to be  
 2496 inoperative, invalid, or unconstitutional, the invalidity of  
 2497 such section, clause, sentence, or provision shall not be  
 2498 deemed, held or taken to affect the validity or  
 2499 constitutionality of any of the remaining parts of this act, or  
 2500 the application of any of the provisions of this act to persons,  
 2501 bodies, or in circumstances other than those as to which it or  
 2502 any part thereof shall have been held inoperative, invalid, or  
 2503 unconstitutional, and it is intended that this act shall be  
 2504 construed and applied as if any section, clause, sentence, or  
 2505 provision held inoperative, invalid, or unconstitutional had not  
 2506 been included in this act.

2507           Section 58. Liberal construction.--The provisions of this  
 2508 act shall be liberally construed to effect its purposes and  
 2509 shall be deemed cumulative, supplemental, and alternative  
 2510 authority for the exercise of the powers provided herein.

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2511           Section 59. This act shall take effect upon becoming a  
2512 law, except that the provisions of section 21 which authorize  
2513 the levy of ad valorem taxation shall take effect only upon  
2514 express approval by a majority vote of those qualified electors  
2515 of the Scripps Research Improvement District voting in a  
2516 referendum election to be called by the district and held within  
2517 60 days of this act becoming a law in accordance with the  
2518 provisions of law relating to elections currently in force in  
2519 the district.