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HB 1533

2007 Legislature

1 A bill to be entitled
2 An act relating to the South Broward Drainage District,
3 Broward County; amending chapter 98-524, Laws of Florida,
4 as amended; providing for changing designation of
5 supervisors to commissioners; deleting reference to
6 landowner meetings; providing for notice and call of
7 emergency meetings of the board; amending the amount for
8 which advertisement for bids is required for the
9 procurement by the district of contractual services and
10 the purchase of goods, supplies, and materials to comply
11 with general law; clarifying the terms of office for
12 commissioners; revising the events that will result in a
13 revision of the boundaries of the commission zones;
14 redesignating the office of president of the board to
15 chairperson of the board; creating the office of vice
16 chairperson of the board; providing for a designation of
17 who shall preside at meetings of the board; providing for
18 election of officers of the board; clarifying the
19 commission zones that will be up for election for 2008,
20 2010, and subsequent years; revising inconsistent
21 provisions; providing severability; providing an effective
22 date.

23
24 Be It Enacted by the Legislature of the State of Florida:

25
26 Section 1. Subsections (3) and (8) of section 9, section
27 12, subsection (15) of section 13, sections 18, 20, 23, and 39,
28 subsection (1) of section 40, section 42, subsection (1) of

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29 | section 47, subsections (1), (3), and (5) of section 50,
 30 | subsection (1) of section 53, and section 67 of section 2 of
 31 | chapter 98-524, Laws of Florida, are amended to read:

32 | Section 9. Definitions.--

33 | (3) "Board" means the board of commissioners ~~supervisors~~
 34 | of the South Broward Drainage District, or, if such district
 35 | shall be abolished, the board, body, or commission succeeding to
 36 | the principal functions thereof or to whom the powers given by
 37 | this act to the board of commissioners ~~supervisors~~ shall be
 38 | given by law.

39 | (8) "Project" means any development, improvement,
 40 | property, utility, facility, works, road, enterprise, service,
 41 | or convenience, now existing or hereafter undertaken or
 42 | established, that under the provisions of this act or under
 43 | chapter 298, Florida Statutes, the district is authorized to
 44 | construct, acquire, undertake, and furnish for its own use or
 45 | for the use of any other person, firm, or corporation, owning,
 46 | leasing, or otherwise using the same, for any purpose or
 47 | activity, and shall include, without limitation, such repairs,
 48 | replacements, additions, extensions, and betterments to any
 49 | project as may be deemed necessary or desirable by the board of
 50 | commissioners ~~supervisors~~ to place or to maintain such project
 51 | in proper condition for the same, efficient, and economic
 52 | operation thereof.

53 | Section 12. Compensation of board.--Each commissioner
 54 | ~~supervisor~~ shall be entitled to receive for his or her services
 55 | an amount approved by resolution of the board not to exceed
 56 | \$400.00 per month. In addition, each commissioner ~~supervisor~~

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57 shall receive reasonable travel expenses for attending the place
 58 of meeting from his or her residence. Unless the board by
 59 resolution otherwise provides, such travel expenses shall not be
 60 in excess of the amounts provided by law for state and county
 61 officials.

62 Section 13. Powers.--The district shall have, and the
 63 board may exercise, any or all of the following powers:

64 (15) To employ engineers, attorneys, agents, employees,
 65 and representatives as the board ~~of supervisors~~ may from time
 66 to time determine necessary and to fix their compensation and
 67 duties.

68 Section 18. Fiscal year.--The board ~~of supervisors~~, by
 69 resolution, shall establish the fiscal year for the district.

70 Section 20. Notice and call of board meetings ~~of~~
 71 ~~landowners; quorum; adjournments; representation at meetings;~~
 72 ~~taking action without meeting.--~~

73 (1) The board shall publish notice of all meetings of the
 74 board at least 7 days ~~landowners once a week for 2 consecutive~~
 75 ~~weeks~~ prior to such meeting in a newspaper of general
 76 circulation in Broward County. Meetings of the board ~~landowners~~
 77 shall be held in a public place, or any other place made
 78 available for the purpose of such meeting, in Broward County,
 79 and the place, date, and hour of holding such meeting and the
 80 purpose thereof shall be stated in the notice. ~~These landowners~~
 81 ~~present in person or by proxy shall constitute a quorum at any~~
 82 ~~meeting of the landowners.~~

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

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85 | purpose as the board may determine. In the event of an emergency
 86 | as determined by the district director, the chairperson, or the
 87 | vice chairperson of the board which requires immediate board
 88 | action, such notice as is reasonable under the circumstances
 89 | shall be provided. ~~A special meeting of the landowners may also~~
 90 | ~~be called at any time upon notice as provided in this section at~~
 91 | ~~the written request of the owners of not less than 25 percent in~~
 92 | ~~acreage of the land within the district for the purpose of~~
 93 | ~~taking any lawful action by the landowners of the district. Such~~
 94 | ~~special meeting shall be called by any court of competent~~
 95 | ~~jurisdiction in the event that the board fails to do so upon~~
 96 | ~~request as provided in this section. Except as otherwise~~
 97 | ~~provided in Section 10 with respect to the election of~~
 98 | ~~supervisors, action taken at a meeting of the landowners shall~~
 99 | ~~be by affirmative vote of the owners of a majority of the~~
 100 | ~~acreage represented at such meeting.~~

101 | ~~(3) At any meeting of the landowners, guardians may~~
 102 | ~~represent their wards; executors and administrators may~~
 103 | ~~represent the estate of deceased persons; trustees may represent~~
 104 | ~~lands held by them in trust; and private corporations may be~~
 105 | ~~represented by their duly authorized proxy. All landowners,~~
 106 | ~~including guardians, executors, administrators, trustees, and~~
 107 | ~~corporations, may be represented and vote by proxy.~~

108 | ~~(4) Any action required or that may be taken at a meeting~~
 109 | ~~of the landowners may be taken without a meeting or notice of~~
 110 | ~~meeting being given upon the written consent of all of the~~
 111 | ~~landowners.~~

112 | Section 23. Assessing land for reclamation; apportionment

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113 of tax; drainage tax record.--The board shall, without any
 114 unnecessary delay, levy a tax of such portion of benefits of the
 115 district's plan of reclamation on all lands in the district to
 116 which benefits have been assessed, as may be found necessary by
 117 the board ~~of supervisors~~ to pay the costs of the completion of
 118 the proposed works and improvements, as shown in said plan of
 119 reclamation and in carrying out the objects of said district;
 120 and, in addition thereto, 10 percent of said total amount for
 121 emergencies. The said tax shall be apportioned to, and levied
 122 on, each tract of land in said district in proportion to the
 123 benefits assessed, and not in excess thereof; and in case bonds
 124 are issued, as provided in this act, a tax shall be levied in a
 125 sum not less than an amount 90 percent of which shall be equal
 126 to the principal of said bonds. The amount of bonds to be issued
 127 for paying the cost of the works as set forth in the plan of
 128 reclamation shall be ascertained and determined by the board;
 129 however, the total amount of all bonds to be issued by the
 130 district shall in no case exceed 90 percent of the benefits
 131 assessed upon the lands of the district. The amount of the
 132 interest, as estimated by said board, which will accrue on such
 133 bonds, shall be included and added to the said tax, but the
 134 interest to accrue on account of the issuing of said bonds shall
 135 not be construed as a part of the costs of construction in
 136 determining whether or not the expenses and costs of making said
 137 improvements are equal to, or in excess of, the benefits
 138 assessed. The secretary of the board ~~of supervisors~~, or the
 139 director, as soon as said total tax is levied, shall, at the
 140 expense of the district, prepare a list of all taxies levied, in

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141 the form of a well bound book, which book shall be endorsed and
142 named "DRAINAGE TAX RECORD OF SOUTH BROWARD DRAINAGE DISTRICT,
143 BROWARD COUNTY, FLORIDA", which endorsement shall be printed or
144 written at the top of each page in said book, and shall be
145 signed and certified by the chairperson ~~president~~ and secretary
146 of the board, attested by affixing the seal of the district, and
147 the same shall thereafter become a permanent record in the
148 office of said secretary or director. In the alternative, so
149 long as the Broward County property appraiser or revenue
150 collector assesses and collects the taxes and assessments
151 authorized by this section, the records of the Broward County
152 property appraiser shall satisfy the requirements of the
153 drainage tax record of the district.

154 Section 39. Pledge by the state to the bondholders of the
155 district and to the Federal Government.--The state pledges to
156 the holders of any bonds issued under this act that it will not
157 limit or alter the rights of the district to own, acquire,
158 construct, reconstruct, improve, maintain, operate, or furnish
159 the projects or to levy and collect the taxes, assessments,
160 rentals, rates, fees, tolls, fares, and other charges provided
161 for herein and to fulfill the terms of any agreement made with
162 the holders of such bonds or other obligations, that it will not
163 in any way impair the rights or remedies of the holders, and
164 that it will not modify in any way the exemption from taxation
165 provided in the act, until all such bonds together with interest
166 thereon, and all costs and expenses in connection with any
167 action or proceeding by or on behalf of such holders, are fully
168 met and discharged. The state pledges to and agrees with the

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169 Federal Government that in the event the Federal Government or
 170 any agency or authority thereof shall construct or contribute
 171 any funds, materials, or property for the construction,
 172 acquisition, extension, improvement, enlargement, maintenance,
 173 operation, or furnishing of any of the projects of the district,
 174 or any part thereof, the state will not alter or limit the
 175 rights and powers of the district in any manner which would be
 176 inconsistent with the continued maintenance and operation of
 177 such project, or any part thereof, or the improvement thereof,
 178 or which would be inconsistent with the due performance of any
 179 agreements between the district and the Federal Government, and
 180 the district shall continue to have and may exercise all powers
 181 herein granted so long as the board ~~of supervisors~~ may deem the
 182 same necessary or desirable for the carrying out of the purposes
 183 of this act and the purposes of the Federal Government in the
 184 construction, acquisition, extension, improvement, enlargement,
 185 maintenance, operation, or furnishing of any of the projects of
 186 the district, or any part thereof.

187 Section 40. Annual installment taxes.--

188 (1) The board shall annually determine, order and levy the
 189 annual installment of the total taxes which are levied under
 190 section 23 or under section ~~s.~~ 298.36, Florida Statutes, which
 191 shall be due and be collected during each year that county taxes
 192 are due and collected and said annual installment and levy shall
 193 be evidenced to and certified by the board ~~of supervisors~~ each
 194 year to the Broward County Property Appraiser. Said tax shall be
 195 entered by the county property appraiser on the county tax rolls
 196 and shall be collected by the Broward County revenue collector

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197 in the same manner and same time as county taxes and the
198 proceeds thereof paid to the district. The tax shall be a lien
199 until paid on the property against which assessed and
200 enforceable in like manner as county taxes.

201 Section 42. Maintenance tax.--To maintain and preserve the
202 drainage improvements of the district, a maintenance tax shall
203 be evidenced to and certified by the board ~~of supervisors~~ each
204 year to the property appraiser and shall be entered by the
205 property appraiser on the county tax rolls and shall, be
206 collected by the revenue collector in the same manner and time
207 as county taxes and the proceeds therefrom paid to the district.
208 The tax shall be a lien until paid on the property against which
209 assessed and enforceable in like manner as county taxes. The
210 amount of said maintenance tax shall be determined by the board
211 based upon a report of the chief engineer or director and
212 assessed by the board upon such lands, which may be all of the
213 lands within the district, benefited by the maintenance thereof.

214 Section 47. Foreclosure of liens.--

215 (1) Any lien in favor of the district arising under
216 chapter 298, Florida Statutes, or under this act may be
217 foreclosed by the district by bringing foreclosure proceedings
218 in the name of the district in the circuit court in like manner
219 as is provided in chapter 173, Florida Statutes, and amendments
220 thereto, and the provisions of the chapter shall be applicable
221 to such proceedings with the same force and effect as if the
222 provisions were expressly set forth in this act. Any act
223 required or authorized to be done by or on behalf of a city or
224 town in foreclosure proceedings under chapter 173, Florida

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225 Statutes, may be performed by such officer or agent of the
226 district as the board ~~of supervisors~~ may designate. Such
227 foreclosure proceedings may be brought at any time after the
228 expiration of 1 year from the date any tax, or installment
229 thereof, becomes delinquent.

230 Section 50. Unit development; powers of board ~~of~~
231 ~~supervisors~~ to designate units of district and adopt system of
232 progressive drainage by units; plans of reclamation and
233 financing assessments for each unit; amendment of unit plan.--

234 (1) The board ~~of supervisors of the district~~ is authorized
235 in its discretion to drain and reclaim and place under water
236 control or more completely and intensively to drain and reclaim
237 and place under water control the lands in the district by
238 designated areas or parts of the district to be called "units".
239 The units into which the district may be so divided shall be
240 given appropriate numbers or names by the board, so that the
241 units may be readily identified and distinguished. The board
242 shall have the power to fix and determine the location, area,
243 and boundaries of lands to be included in each and all such
244 units, the order of development thereof, and the method of
245 carrying on the work in each unit. The unit system of drainage
246 provided by this section may be conducted and all of the
247 proceedings by this section and this act authorized in respect
248 to such unit or units may be carried on and conducted at the
249 same time as or after the work of draining and reclaiming of the
250 entire district has been or is being or shall be instituted or
251 carried on under the provisions of this act or under chapter
252 298, Florida Statutes, or both.

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253 (3) As soon as practicable after the adoption of such
254 resolution, the board shall publish notice once a week for 2
255 consecutive weeks in a newspaper or newspapers published and of
256 general circulation in Broward County, briefly describing the
257 units into which the district has been divided and the lands
258 embraced in each unit, giving the name, number or other
259 designation of such units, requiring all owners of lands in the
260 district to show cause in writing before the board at a time and
261 place to be stated in such notice why such division of the
262 district into such units should not be approved, and the system
263 of development by units should not be adopted and given effect
264 by the board, and why the proceedings and powers authorized by
265 this section should not be had, taken and exercised. At the time
266 and place stated in the notice, the board ~~of supervisors~~ shall
267 hear all objections or causes of objection, all of which shall
268 be in writing, of any landowner in the district who may appear
269 in person or by attorney, to the matters mentioned and referred
270 to in such notice, and, if no objections are made, or if
271 objections are made and overruled by the board, then the board
272 shall enter in its minutes its finding and order confirming the
273 resolution, and may thereafter proceed with the development,
274 drainage, and reclamation of the district by units pursuant to
275 such resolution and to the provisions of this act. The failure
276 to make objections as provided in this subsection shall
277 constitute a waiver of such objection, and, if any objection
278 shall be made and overruled or otherwise not sustained,
279 confirmation of the resolution shall be the final adjudication
280 of the issues presented unless a judicial proceeding is

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281 initiated within 10 days after such ruling.

282 (5) When the resolutions creating the unit system shall be
283 confirmed by the board, or by the circuit court, if such
284 proposed action shall be challenged by a landowner by the
285 judicial proceedings authorized in this section, the board may
286 adopt a plan or plans of reclamation for and in respect to any
287 or all such units, and to have the benefits and damages
288 resulting therefrom assessed and apportioned in like manner as
289 is provided by chapter 298, Florida Statutes, in regard to plans
290 of reclamation for the assessments of benefits and damages of
291 the entire district, or in like manner as is provided for in
292 this act for the assessments of benefits. The board shall have
293 the same powers in respect to each and all of such units as is
294 vested in them with respect to the entire district. All the
295 provisions of this act shall apply to the drainage, reclamation,
296 and improvement of each, any, and all such units, and the
297 enumeration of or reference to specific powers or duties of the
298 commissioners ~~supervisors~~ or any other officers or other matters
299 in this act, as set forth in this act, shall not limit or
300 restrict the application of any and all of the proceedings and
301 powers herein to the drainage and reclamation of such units as
302 fully and completely as if such unit or units were specifically
303 and expressly named in every section and clause of this act
304 where the entire district is mentioned or referred to. Unless
305 the board by resolution otherwise provides, all assessments,
306 levies, taxes, bonds, and other obligations made, levied,
307 assessed, or issued for or in respect to any such unit or units
308 shall be a lien and charge solely and only upon the lands in

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309 such unit or units, respectively, for the benefit of which the
 310 same shall be levied, made, or issued, and not upon the
 311 remaining units or lands in the district.

312 Section 53. Procurement of contractual services and
 313 purchase of goods, supplies, and materials.--

314 (1) All contracts let by the board for professional
 315 architectural, engineering, landscape architectural, or ~~land~~
 316 surveying and mapping services for any project authorized by
 317 this act shall be in compliance with section s. 287.055, Florida
 318 Statutes, ~~as amended~~. Except as stated herein and as provided by
 319 section s. 287.055, Florida Statutes, ~~as amended~~, no contract
 320 shall be let by the board for the construction or maintenance of
 321 any improvements authorized under this act, nor shall any goods,
 322 supplies, or materials be purchased, when the amount thereof to
 323 be paid by the district shall exceed the threshold amount
 324 provided in section 287.017(1), Florida Statutes, for category
 325 two \$10,000, unless notice of bids shall be advertised once a
 326 week for 2 consecutive weeks in a newspaper in general
 327 circulation in Broward County, and in each case the bid of the
 328 lowest responsible bidder shall be accepted, unless all bids are
 329 rejected because the bids are too high. The board may require
 330 the bidders to furnish bond with responsible surety to be
 331 approved by the board. Nothing in this section shall prevent
 332 the board from undertaking and performing the construction,
 333 operation, and maintenance of any project, facility, or
 334 improvements authorized under this act by the employment of
 335 labor, material, and machinery.

336 Section 67. Bailey Drainage District's contracts and

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337 | agreements to be approved by South Broward Drainage
 338 | District.--Beginning on March 12, 1992, no contracts or
 339 | agreements entered into by the Bailey Drainage District which
 340 | contain obligations of Bailey Drainage District that are not
 341 | provided for in the Bailey Drainage District budget for fiscal
 342 | year 1991-1992 shall be valid unless approved by a majority of
 343 | the board ~~Board of Supervisors of the South Broward Drainage~~
 344 | ~~District~~.

345 | Section 2. Subsections (1), (2), (3), (4), (6), (7), (8),
 346 | (10), (11), (12), and (14) of section 10 of chapter 98-524, Laws
 347 | of Florida, as amended by chapter 2004-459, Laws of Florida, are
 348 | amended to read:

349 | Section 10. Board of commissioners ~~supervisors~~; election;
 350 | organization; terms of office; benefits; quorum; report and
 351 | minutes.--

352 | (1) The board of commissioners ~~supervisors~~ of the district
 353 | shall be the governing body of the district and shall exercise
 354 | the powers granted to the district under this act and under
 355 | chapter 298, Florida Statutes. The board shall consist of ~~six~~
 356 | ~~members, until the first meeting of the board following~~
 357 | ~~certification of the November 2006 election, and seven members~~
 358 | who shall be known as commissioners ~~thereafter~~. Except as
 359 | otherwise provided herein, each member shall hold office for a
 360 | term of 4 years and until his or her successor shall be chosen
 361 | and shall qualify.

362 | (2) ~~Beginning with the November 2004 election,~~ A candidate
 363 | for the office of commissioner ~~supervisor~~ shall, at the time of
 364 | his or her qualification for office, be a qualified elector of

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365 the South Broward Drainage District and shall qualify with the
366 county supervisor of elections in accordance with the Florida
367 Election Code and this act. To be a qualified candidate of the
368 South Broward Drainage District, he or she shall, at the time of
369 his or her qualification, have continuously resided within the
370 boundaries of the district and within the respective zone that
371 he or she may represent for the 60 days immediately preceding
372 his or her qualifying for office and until he or she is inducted
373 into office. Each commissioner ~~supervisor~~ shall reside within
374 the district and within the geographical zone he or she
375 represents during his or her entire term in office, but any
376 commissioner ~~supervisor~~ who has the boundaries of his or her
377 zone changed and because of said change no longer resides within
378 the zone he or she represents shall remain in office until the
379 normal expiration of his or her term.

380 (3) Notwithstanding any other provision of this act, the
381 persons who are members of the former board of supervisors of
382 the district in office when this act takes effect shall
383 constitute the members of the board of commissioners until the
384 next election for their seats. Those members of the board whose
385 terms expire in November 2008 ~~June 2004~~ shall remain members of
386 the board ~~and their terms shall be extended from June 2004~~ until
387 their successors are inducted into office at the first regularly
388 scheduled meeting of the board following certification of the
389 November 2008 ~~2004~~ general election. Those members of the board
390 whose terms expire in November 2010 ~~June 2006~~ shall remain
391 members of the board ~~and their terms shall be extended from June~~
392 ~~2006~~ until their successors are inducted into office at the

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393 first regularly scheduled meeting of the board following
 394 certification of the November 2010 ~~2006~~ general election.

395 (4) ~~After the effective date of this act,~~ Except as stated
 396 herein, all commissioners ~~supervisors~~ shall be elected by the
 397 qualified electors of the district on a nonpartisan basis.
 398 Except as stated herein, the seven commissioners ~~supervisors~~
 399 shall be elected from seven single-member zones which shall be
 400 identified as Zone 1, Zone 2, Zone 3, Zone 4, Zone 5, Zone 6,
 401 and Zone 7. The commissioners ~~supervisors~~ shall be elected from
 402 the registered voters of each respective zone.

403 (6) ~~Commencing with the first regularly scheduled meeting~~
 404 ~~of the board following certification of the November 2006~~
 405 ~~general election,~~ Except as stated in this act, the board shall
 406 be composed of seven members as follows:

407 (a) ~~Three supervisors shall be elected~~ In the general
 408 election of November 2008 and in the November general election
 409 of every 4th year thereafter, ~~2004. At the November 2004 general~~
 410 ~~election,~~ one commissioner ~~supervisor~~ shall be elected from the
 411 ~~combined registered voters~~ from Zone ~~Zones~~ 1 and 2, one
 412 commissioner ~~supervisor~~ shall be elected from the ~~combined~~
 413 ~~registered voters~~ from Zone ~~Zones~~ 3 and 4, and one commissioner
 414 ~~supervisor~~ shall be elected from the ~~combined registered voters~~
 415 from Zone ~~Zones~~ 5, 6, and 7. The commissioners ~~supervisors~~
 416 elected in November 2008 ~~2004~~ shall serve until their terms
 417 expire in November 2012 ~~2008~~.

418 (b) In the general election of November 2010 ~~2006~~, and in
 419 the November general election of every fourth year thereafter,
 420 one commissioner ~~supervisor~~ shall be elected from ~~the zone in~~

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421 ~~which the supervisor elected in 2004 from Zones 1 and Zone 2 is~~
422 ~~not a resident, one commissioner supervisor shall be elected~~
423 ~~from the zone in which the supervisor elected in 2004 from Zones~~
424 ~~3 and Zone 4 is not a resident, and, one commissioner supervisor~~
425 ~~shall be elected from each of the two zones in which the~~
426 ~~supervisor elected in 2004 from Zones Zone 5, and one~~
427 ~~commissioner shall be elected from Zone 7. The commissioners~~
428 ~~elected in November 2010 shall serve until their terms expire in~~
429 ~~November 2014, 6, and 7 is not a resident.~~

430 ~~(c) In the general election of November 2008, the zones in~~
431 ~~which the supervisors elected in 2004 reside and whose terms of~~
432 ~~office expire in November 2008 shall be designated as the zones~~
433 ~~whose representatives shall be elected in 2008 and in the~~
434 ~~November general election of every fourth year thereafter.~~

435 ~~(c)(d)~~ If only one candidate qualifies for an office, that
436 candidate shall be deemed elected. If two or more candidates
437 qualify for an office, the names of those candidates shall be
438 placed on the ballot for the designated November general
439 election.

440 ~~(d)(e)~~ The candidate receiving the highest number of votes
441 cast for the office of commissioner ~~supervisor~~ for each
442 respective zone at each respective election shall be declared
443 elected to such office. If the vote results in a tie, the
444 outcome shall be determined by lot.

445 ~~(e)(f)~~ Commissioners ~~Supervisors~~ elected or reelected
446 shall be inducted into office at the first regularly scheduled
447 meeting of the board following certification of the election.

448 (7) Except as provided in this section, election of

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449 commissioners ~~supervisors~~ shall be as provided in the Florida
 450 Election Code and revisions thereto.

451 (8) The boundaries of Zones 1, 2, 3, 4, 5, 6, and 7 shall
 452 be reviewed and revised by the board upon the occurrence of any
 453 of the following events:

454 (a) Property is added to the district's geographical area
 455 ~~changes by 10 percent or more;~~

456 (b) The district's population changes by 10 percent or
 457 more since the previous determination of the single-member zone
 458 boundaries;

459 (c) Property is deleted from the district's geographical
 460 area ~~Any annexation, deannexation, or merger causes the~~
 461 ~~population of the district to increase or decrease by 5 percent~~
 462 ~~or more; or~~

463 (d) The passage of at least 10 years since the previous
 464 review of the single-member zone boundaries. If the population
 465 of the single-member zones meets the requirements of subsection
 466 (9), the boundaries of the single-member zones may remain as
 467 is; ~~or~~

468 (e) The population of any one or more zones increases or
 469 decreases by more than 10 percent since the previous boundary
 470 revision; or

471 (f) Five of the seven commissioners approve a resolution
 472 to revise the boundaries.

473 (10) Each commissioner ~~supervisor~~, before entering upon
 474 his or her official duties, shall take and subscribe to an oath
 475 of office as prescribed in section ~~s.~~ 298.13, Florida Statutes.

476 (11) All commissioners ~~supervisors~~ shall hold office for

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477 the terms for which they are elected or appointed and until
478 their successors shall be chosen and qualify. In case of a
479 vacancy in the office of any commissioner ~~supervisor~~, the
480 remaining commissioner ~~supervisor~~ or commissioners ~~supervisors~~,
481 even though less than a quorum, may fill such vacancy for the
482 unexpired term of the commissioner ~~supervisor~~ who vacated his or
483 her office.

484 (12) At the first meeting of the board following the
485 effective date of this act, ~~certification of the general~~
486 ~~election of November 2004~~ and at the first regularly scheduled
487 meeting of the board following certification of the general
488 election in the month of November of every even-numbered ~~other~~
489 year thereafter, the board shall organize by electing from
490 ~~choosing one of~~ their members a chairperson, a vice chairperson,
491 ~~president~~, a secretary, and a treasurer of the board. The
492 chairperson shall preside at all meetings. In the chairperson's
493 absence, the vice chairperson shall preside over the meeting and
494 have the same powers as the chairperson. In the absence of both
495 the chairperson and vice chairperson, the board members who are
496 present shall select a member of the board by majority vote of
497 those members present who shall preside over the meeting as
498 acting chairperson and have the same powers as the chairperson.

499 (14) Except as stated in sections 12 and 14, the
500 commissioners ~~supervisors~~ of the district shall not receive any
501 benefits, including, but not limited to, state or district
502 retirement, health insurance, medical insurance, dental
503 insurance, or life insurance.

504 Section 3. A certified copy of this act shall be recorded

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505 in the Broward County Public Records by the South Broward
506 Drainage District.

507 Section 4. If any provision of this act or the application
508 thereof to any person or circumstance is held invalid, the
509 invalidity shall not affect other provisions or applications of
510 this act which can be given effect without the invalid provision
511 or application, and to this end the provisions of this act are
512 declared severable.

513 Section 5. This act shall take effect upon becoming a law.