

By Senator Rich

34-2254-07

See HB 1533

1 A bill to be entitled

2 An act relating to the South Broward Drainage

3 District, Broward County; amending chapter

4 98-524, Laws of Florida, as amended; providing

5 for changing designation of supervisors to

6 commissioners; deleting reference to landowner

7 meetings; providing for notice and call of

8 emergency meetings of the board; amending the

9 amount for which advertisement for bids is

10 required for the procurement by the district of

11 contractual services and the purchase of goods,

12 supplies, and materials to comply with general

13 law; clarifying the terms of office for

14 commissioners; revising the events that will

15 result in a revision of the boundaries of the

16 commission zones; redesignating the office of

17 president of the board to chairperson of the

18 board; creating the office of vice chairperson

19 of the board; providing for a designation of

20 who shall preside at meetings of the board;

21 providing for election of officers of the

22 board; clarifying the commission zones that

23 will be up for election for 2008, 2010, and

24 subsequent years; revising inconsistent

25 provisions; providing severability; providing

26 an effective date.

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

30 Section 1. Subsections (3) and (8) of section 9,

31 section 12, subsection (15) of section 13, sections 18, 20,

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

1 23, and 39, subsection (1) of section 40, section 42,
2 subsection (1) of section 47, subsections (1), (3), and (5) of
3 section 50, subsection (1) of section 53, and section 67 of
4 section 2 of chapter 98-524, Laws of Florida, are amended to
5 read:

6 Section 9. Definitions.--

7 (3) "Board" means the board of commissioners
8 ~~supervisors~~ of the South Broward Drainage District, or, if
9 such district shall be abolished, the board, body, or
10 commission succeeding to the principal functions thereof or to
11 whom the powers given by this act to the board of
12 commissioners ~~supervisors~~ shall be given by law.

13 (8) "Project" means any development, improvement,
14 property, utility, facility, works, road, enterprise, service,
15 or convenience, now existing or hereafter undertaken or
16 established, that under the provisions of this act or under
17 chapter 298, Florida Statutes, the district is authorized to
18 construct, acquire, undertake, and furnish for its own use or
19 for the use of any other person, firm, or corporation, owning,
20 leasing, or otherwise using the same, for any purpose or
21 activity, and shall include, without limitation, such repairs,
22 replacements, additions, extensions, and betterments to any
23 project as may be deemed necessary or desirable by the board
24 of commissioners ~~supervisors~~ to place or to maintain such
25 project in proper condition for the same, efficient, and
26 economic operation thereof.

27 Section 12. Compensation of board.--Each commissioner
28 ~~supervisor~~ shall be entitled to receive for his or her
29 services an amount approved by resolution of the board not to
30 exceed \$400.00 per month. In addition, each commissioner
31 ~~supervisor~~ shall receive reasonable travel expenses for

1 attending the place of meeting from his or her residence.

2 Unless the board by resolution otherwise provides, such travel
3 expenses shall not be in excess of the amounts provided by law
4 for state and county officials.

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

7 (15) To employ engineers, attorneys, agents,
8 employees, and representatives as the board ~~of supervisors~~ may
9 from time to time determine necessary and to fix their
10 compensation and duties.

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

13 Section 20. Notice and call of board meetings ~~of~~
14 ~~landowners; quorum; adjournments; representation at meetings;~~
15 ~~taking action without meeting.--~~

16 (1) The board shall publish notice of all meetings of
17 the board at least 7 days ~~landowners once a week for 2~~
18 ~~consecutive weeks~~ prior to such meeting in a newspaper of
19 general circulation in Broward County. Meetings of the board
20 ~~landowners~~ shall be held in a public place, or any other place
21 made available for the purpose of such meeting, in Broward
22 County, and the place, date, and hour of holding such meeting
23 and the purpose thereof shall be stated in the notice. ~~Those~~
24 ~~landowners present in person or by proxy shall constitute a~~
25 ~~quorum at any meeting of the landowners.~~

26 (2) The board may call special meetings ~~of the~~
27 ~~landowners~~ at any time to receive reports of the board or for
28 such other purpose as the board may determine. In the event of
29 an emergency as determined by the district director, the
30 chairperson, or the vice chairperson of the board which
31 requires immediate board action, such notice as is reasonable

1 under the circumstances shall be provided. A special meeting
2 ~~of the landowners may also be called at any time upon notice~~
3 ~~as provided in this section at the written request of the~~
4 ~~owners of not less than 25 percent in acreage of the land~~
5 ~~within the district for the purpose of taking any lawful~~
6 ~~action by the landowners of the district. Such special meeting~~
7 ~~shall be called by any court of competent jurisdiction in the~~
8 ~~event that the board fails to do so upon request as provided~~
9 ~~in this section. Except as otherwise provided in Section 10~~
10 ~~with respect to the election of supervisors, action taken at a~~
11 ~~meeting of the landowners shall be by affirmative vote of the~~
12 ~~owners of a majority of the acreage represented at such~~
13 ~~meeting.~~

14 ~~(3) At any meeting of the landowners, guardians may~~
15 ~~represent their wards; executors and administrators may~~
16 ~~represent the estate of deceased persons; trustees may~~
17 ~~represent lands held by them in trust; and private~~
18 ~~corporations may be represented by their duly authorized~~
19 ~~proxy. All landowners, including guardians, executors,~~
20 ~~administrators, trustees, and corporations, may be represented~~
21 ~~and vote by proxy.~~

22 ~~(4) Any action required or that may be taken at a~~
23 ~~meeting of the landowners may be taken without a meeting or~~
24 ~~notice of meeting being given upon the written consent of all~~
25 ~~of the landowners.~~

26 Section 23. Assessing land for reclamation;
27 apportionment of tax; drainage tax record.--The board shall,
28 without any unnecessary delay, levy a tax of such portion of
29 benefits of the district's plan of reclamation on all lands in
30 the district to which benefits have been assessed, as may be
31 found necessary by the board ~~of supervisors~~ to pay the costs

1 of the completion of the proposed works and improvements, as
2 shown in said plan of reclamation and in carrying out the
3 objects of said district; and, in addition thereto, 10 percent
4 of said total amount for emergencies. The said tax shall be
5 apportioned to, and levied on, each tract of land in said
6 district in proportion to the benefits assessed, and not in
7 excess thereof; and in case bonds are issued, as provided in
8 this act, a tax shall be levied in a sum not less than an
9 amount 90 percent of which shall be equal to the principal of
10 said bonds. The amount of bonds to be issued for paying the
11 cost of the works as set forth in the plan of reclamation
12 shall be ascertained and determined by the board; however, the
13 total amount of all bonds to be issued by the district shall
14 in no case exceed 90 percent of the benefits assessed upon the
15 lands of the district. The amount of the interest, as
16 estimated by said board, which will accrue on such bonds,
17 shall be included and added to the said tax, but the interest
18 to accrue on account of the issuing of said bonds shall not be
19 construed as a part of the costs of construction in
20 determining whether or not the expenses and costs of making
21 said improvements are equal to, or in excess of, the benefits
22 assessed. The secretary of the board ~~of supervisors~~, or the
23 director, as soon as said total tax is levied, shall, at the
24 expense of the district, prepare a list of all taxies levied,
25 in the form of a well bound book, which book shall be endorsed
26 and named "DRAINAGE TAX RECORD OF SOUTH BROWARD DRAINAGE
27 DISTRICT, BROWARD COUNTY, FLORIDA", which endorsement shall be
28 printed or written at the top of each page in said book, and
29 shall be signed and certified by the chairperson ~~president~~ and
30 secretary of the board, attested by affixing the seal of the
31 district, and the same shall thereafter become a permanent

1 record in the office of said secretary or director. In the
2 alternative, so long as the Broward County property appraiser
3 or revenue collector assesses and collects the taxes and
4 assessments authorized by this section, the records of the
5 Broward County property appraiser shall satisfy the
6 requirements of the drainage tax record of the district.

7 Section 39. Pledge by the state to the bondholders of
8 the district and to the Federal Government.--The state pledges
9 to the holders of any bonds issued under this act that it will
10 not limit or alter the rights of the district to own, acquire,
11 construct, reconstruct, improve, maintain, operate, or furnish
12 the projects or to levy and collect the taxes, assessments,
13 rentals, rates, fees, tolls, fares, and other charges provided
14 for herein and to fulfill the terms of any agreement made with
15 the holders of such bonds or other obligations, that it will
16 not in any way impair the rights or remedies of the holders,
17 and that it will not modify in any way the exemption from
18 taxation provided in the act, until all such bonds together
19 with interest thereon, and all costs and expenses in
20 connection with any action or proceeding by or on behalf of
21 such holders, are fully met and discharged. The state pledges
22 to and agrees with the Federal Government that in the event
23 the Federal Government or any agency or authority thereof
24 shall construct or contribute any funds, materials, or
25 property for the construction, acquisition, extension,
26 improvement, enlargement, maintenance, operation, or
27 furnishing of any of the projects of the district, or any part
28 thereof, the state will not alter or limit the rights and
29 powers of the district in any manner which would be
30 inconsistent with the continued maintenance and operation of
31 such project, or any part thereof, or the improvement thereof,

1 or which would be inconsistent with the due performance of any
2 agreements between the district and the Federal Government,
3 and the district shall continue to have and may exercise all
4 powers herein granted so long as the board ~~of supervisors~~ may
5 deem the same necessary or desirable for the carrying out of
6 the purposes of this act and the purposes of the Federal
7 Government in the construction, acquisition, extension,
8 improvement, enlargement, maintenance, operation, or
9 furnishing of any of the projects of the district, or any part
10 thereof.

11 Section 40. Annual installment taxes.--

12 (1) The board shall annually determine, order and levy
13 the annual installment of the total taxes which are levied
14 under section 23 or under section s- 298.36, Florida Statutes,
15 which shall be due and be collected during each year that
16 county taxes are due and collected and said annual installment
17 and levy shall be evidenced to and certified by the board ~~of~~
18 ~~supervisors~~ each year to the Broward County Property
19 Appraiser. Said tax shall be entered by the county property
20 appraiser on the county tax rolls and shall be collected by
21 the Broward County revenue collector in the same manner and
22 same time as county taxes and the proceeds thereof paid to the
23 district. The tax shall be a lien until paid on the property
24 against which assessed and enforceable in like manner as
25 county taxes.

26 Section 42. Maintenance tax.--To maintain and preserve
27 the drainage improvements of the district, a maintenance tax
28 shall be evidenced to and certified by the board ~~of~~
29 ~~supervisors~~ each year to the property appraiser and shall be
30 entered by the property appraiser on the county tax rolls and
31 shall, be collected by the revenue collector in the same

1 manner and time as county taxes and the proceeds therefrom
2 paid to the district. The tax shall be a lien until paid on
3 the property against which assessed and enforceable in like
4 manner as county taxes. The amount of said maintenance tax
5 shall be determined by the board based upon a report of the
6 chief engineer or director and assessed by the board upon such
7 lands, which may be all of the lands within the district,
8 benefited by the maintenance thereof.

9 Section 47. Foreclosure of liens.--

10 (1) Any lien in favor of the district arising under
11 chapter 298, Florida Statutes, or under this act may be
12 foreclosed by the district by bringing foreclosure proceedings
13 in the name of the district in the circuit court in like
14 manner as is provided in chapter 173, Florida Statutes, and
15 amendments thereto, and the provisions of the chapter shall be
16 applicable to such proceedings with the same force and effect
17 as if the provisions were expressly set forth in this act. Any
18 act required or authorized to be done by or on behalf of a
19 city or town in foreclosure proceedings under chapter 173,
20 Florida Statutes, may be performed by such officer or agent of
21 the district as the board ~~of supervisors~~ may designate. Such
22 foreclosure proceedings may be brought at any time after the
23 expiration of 1 year from the date any tax, or installment
24 thereof, becomes delinquent.

25 Section 50. Unit development; powers of board ~~of~~
26 ~~supervisors~~ to designate units of district and adopt system of
27 progressive drainage by units; plans of reclamation and
28 financing assessments for each unit; amendment of unit plan.--

29 (1) The board ~~of supervisors of the district~~ is
30 authorized in its discretion to drain and reclaim and place
31 under water control or more completely and intensively to

1 drain and reclaim and place under water control the lands in
2 the district by designated areas or parts of the district to
3 be called "units". The units into which the district may be so
4 divided shall be given appropriate numbers or names by the
5 board, so that the units may be readily identified and
6 distinguished. The board shall have the power to fix and
7 determine the location, area, and boundaries of lands to be
8 included in each and all such units, the order of development
9 thereof, and the method of carrying on the work in each unit.
10 The unit system of drainage provided by this section may be
11 conducted and all of the proceedings by this section and this
12 act authorized in respect to such unit or units may be carried
13 on and conducted at the same time as or after the work of
14 draining and reclaiming of the entire district has been or is
15 being or shall be instituted or carried on under the
16 provisions of this act or under chapter 298, Florida Statutes,
17 or both.

18 (3) As soon as practicable after the adoption of such
19 resolution, the board shall publish notice once a week for 2
20 consecutive weeks in a newspaper or newspapers published and
21 of general circulation in Broward County, briefly describing
22 the units into which the district has been divided and the
23 lands embraced in each unit, giving the name, number or other
24 designation of such units, requiring all owners of lands in
25 the district to show cause in writing before the board at a
26 time and place to be stated in such notice why such division
27 of the district into such units should not be approved, and
28 the system of development by units should not be adopted and
29 given effect by the board, and why the proceedings and powers
30 authorized by this section should not be had, taken and
31 exercised. At the time and place stated in the notice, the

1 | board ~~of supervisors~~ shall hear all objections or causes of
2 | objection, all of which shall be in writing, of any landowner
3 | in the district who may appear in person or by attorney, to
4 | the matters mentioned and referred to in such notice, and, if
5 | no objections are made, or if objections are made and
6 | overruled by the board, then the board shall enter in its
7 | minutes its finding and order confirming the resolution, and
8 | may thereafter proceed with the development, drainage, and
9 | reclamation of the district by units pursuant to such
10 | resolution and to the provisions of this act. The failure to
11 | make objections as provided in this subsection shall
12 | constitute a waiver of such objection, and, if any objection
13 | shall be made and overruled or otherwise not sustained,
14 | confirmation of the resolution shall be the final adjudication
15 | of the issues presented unless a judicial proceeding is
16 | initiated within 10 days after such ruling.

17 | (5) When the resolutions creating the unit system
18 | shall be confirmed by the board, or by the circuit court, if
19 | such proposed action shall be challenged by a landowner by the
20 | judicial proceedings authorized in this section, the board may
21 | adopt a plan or plans of reclamation for and in respect to any
22 | or all such units, and to have the benefits and damages
23 | resulting therefrom assessed and apportioned in like manner as
24 | is provided by chapter 298, Florida Statutes, in regard to
25 | plans of reclamation for the assessments of benefits and
26 | damages of the entire district, or in like manner as is
27 | provided for in this act for the assessments of benefits. The
28 | board shall have the same powers in respect to each and all of
29 | such units as is vested in them with respect to the entire
30 | district. All the provisions of this act shall apply to the
31 | drainage, reclamation, and improvement of each, any, and all

1 such units, and the enumeration of or reference to specific
2 powers or duties of the commissioners ~~supervisors~~ or any other
3 officers or other matters in this act, as set forth in this
4 act, shall not limit or restrict the application of any and
5 all of the proceedings and powers herein to the drainage and
6 reclamation of such units as fully and completely as if such
7 unit or units were specifically and expressly named in every
8 section and clause of this act where the entire district is
9 mentioned or referred to. Unless the board by resolution
10 otherwise provides, all assessments, levies, taxes, bonds, and
11 other obligations made, levied, assessed, or issued for or in
12 respect to any such unit or units shall be a lien and charge
13 solely and only upon the lands in such unit or units,
14 respectively, for the benefit of which the same shall be
15 levied, made, or issued, and not upon the remaining units or
16 lands in the district.

17 Section 53. Procurement of contractual services and
18 purchase of goods, supplies, and materials.--

19 (1) All contracts let by the board for professional
20 architectural, engineering, landscape architectural, or ~~land~~
21 surveying and mapping services for any project authorized by
22 this act shall be in compliance with section s- 287.055,
23 Florida Statutes, ~~as amended~~. Except as stated herein and as
24 provided by section s- 287.055, Florida Statutes, ~~as amended~~,
25 no contract shall be let by the board for the construction or
26 maintenance of any improvements authorized under this act, nor
27 shall any goods, supplies, or materials be purchased, when the
28 amount thereof to be paid by the district shall exceed the
29 threshold amount provided in section 287.017(1), Florida
30 Statutes, for category two \$10,000, unless notice of bids
31 shall be advertised once a week for 2 consecutive weeks in a

1 newspaper in general circulation in Broward County, and in
2 each case the bid of the lowest responsible bidder shall be
3 accepted, unless all bids are rejected because the bids are
4 too high. The board may require the bidders to furnish bond
5 with responsible surety to be approved by the board. Nothing
6 in this section shall prevent the board from undertaking and
7 performing the construction, operation, and maintenance of any
8 project, facility, or improvements authorized under this act
9 by the employment of labor, material, and machinery.

10 Section 67. Bailey Drainage District's contracts and
11 agreements to be approved by South Broward Drainage
12 District.--Beginning on March 12, 1992, no contracts or
13 agreements entered into by the Bailey Drainage District which
14 contain obligations of Bailey Drainage District that are not
15 provided for in the Bailey Drainage District budget for fiscal
16 year 1991-1992 shall be valid unless approved by a majority of
17 the board ~~Board of Supervisors of the South Broward Drainage~~
18 ~~District~~.

19 Section 2. Subsections (1), (2), (3), (4), (6), (7),
20 (8), (10), (11), (12), and (14) of section 10 of chapter
21 98-524, Laws of Florida, as amended by chapter 2004-459, Laws
22 of Florida, are amended to read:

23 Section 10. Board of commissioners ~~supervisors~~;
24 election; organization; terms of office; benefits; quorum;
25 report and minutes.--

26 (1) The board of commissioners ~~supervisors~~ of the
27 district shall be the governing body of the district and shall
28 exercise the powers granted to the district under this act and
29 under chapter 298, Florida Statutes. The board shall consist
30 of ~~six members, until the first meeting of the board following~~
31 ~~certification of the November 2006 election, and~~ seven members

1 who shall be known as commissioners thereafter. Except as
2 otherwise provided herein, each member shall hold office for a
3 term of 4 years and until his or her successor shall be chosen
4 and shall qualify.

5 (2) ~~Beginning with the November 2004 election,~~ A
6 candidate for the office of commissioner ~~supervisor~~ shall, at
7 the time of his or her qualification for office, be a
8 qualified elector of the South Broward Drainage District and
9 shall qualify with the county supervisor of elections in
10 accordance with the Florida Election Code and this act. To be
11 a qualified candidate of the South Broward Drainage District,
12 he or she shall, at the time of his or her qualification, have
13 continuously resided within the boundaries of the district and
14 within the respective zone that he or she may represent for
15 the 60 days immediately preceding his or her qualifying for
16 office and until he or she is inducted into office. Each
17 commissioner ~~supervisor~~ shall reside within the district and
18 within the geographical zone he or she represents during his
19 or her entire term in office, but any commissioner ~~supervisor~~
20 who has the boundaries of his or her zone changed and because
21 of said change no longer resides within the zone he or she
22 represents shall remain in office until the normal expiration
23 of his or her term.

24 (3) Notwithstanding any other provision of this act,
25 the persons who are members of the former board of supervisors
26 of the district in office when this act takes effect shall
27 constitute the members of the board of commissioners until the
28 next election for their seats. Those members of the board
29 whose terms expire in November 2008 ~~June 2004~~ shall remain
30 members of the board ~~and their terms shall be extended from~~
31 ~~June 2004~~ until their successors are inducted into office at

1 the first regularly scheduled meeting of the board following
2 certification of the November 2008 ~~2004~~ general election.
3 Those members of the board whose terms expire in November 2010
4 ~~June 2006~~ shall remain members of the board ~~and their terms~~
5 ~~shall be extended from June 2006~~ until their successors are
6 inducted into office at the first regularly scheduled meeting
7 of the board following certification of the November 2010 ~~2006~~
8 general election.

9 (4) ~~After the effective date of this act,~~ Except as
10 stated herein, all commissioners ~~supervisors~~ shall be elected
11 by the qualified electors of the district on a nonpartisan
12 basis. Except as stated herein, the seven commissioners
13 ~~supervisors~~ shall be elected from seven single-member zones
14 which shall be identified as Zone 1, Zone 2, Zone 3, Zone 4,
15 Zone 5, Zone 6, and Zone 7. The commissioners ~~supervisors~~
16 shall be elected from the registered voters of each respective
17 zone.

18 (6) ~~Commencing with the first regularly scheduled~~
19 ~~meeting of the board following certification of the November~~
20 ~~2006 general election,~~ Except as stated in this act, the board
21 shall be composed of seven members as follows:

22 (a) ~~Three supervisors shall be elected~~ In the general
23 election of November 2008 and in the November general election
24 ~~of every 4th year thereafter, 2004. At the November 2004~~
25 ~~general election,~~ one commissioner ~~supervisor~~ shall be elected
26 ~~from the combined registered voters from Zone Zones 1 and 2,~~
27 one commissioner ~~supervisor~~ shall be elected ~~from the combined~~
28 ~~registered voters from Zone Zones 3 and 4,~~ and one
29 commissioner ~~supervisor~~ shall be elected ~~from the combined~~
30 ~~registered voters from Zone Zones 5, 6, and 7.~~ The
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1 ~~commissioners supervisors~~ elected in November ~~2008 2004~~ shall
2 serve until their terms expire in November ~~2012 2008~~.

3 (b) In the general election of November ~~2010 2006~~, and
4 in the November general election of every fourth year
5 thereafter, one ~~commissioner supervisor~~ shall be elected from
6 ~~the zone in which the supervisor elected in 2004 from Zones 1~~
7 ~~and Zone 2 is not a resident~~, one ~~commissioner supervisor~~
8 shall be elected from ~~the zone in which the supervisor elected~~
9 ~~in 2004 from Zones 3 and Zone 4 is not a resident~~, and, one
10 ~~commissioner supervisor~~ shall be elected from each of the two
11 ~~zones in which the supervisor elected in 2004 from Zones~~ Zone
12 5, and one commissioner shall be elected from Zone 7. The
13 commissioners elected in November 2010 shall serve until their
14 terms expire in November 2014, ~~6, and 7 is not a resident~~.

15 ~~(c) In the general election of November 2008, the~~
16 ~~zones in which the supervisors elected in 2004 reside and~~
17 ~~whose terms of office expire in November 2008 shall be~~
18 ~~designated as the zones whose representatives shall be elected~~
19 ~~in 2008 and in the November general election of every fourth~~
20 ~~year thereafter.~~

21 ~~(c)(d)~~ If only one candidate qualifies for an office,
22 that candidate shall be deemed elected. If two or more
23 candidates qualify for an office, the names of those
24 candidates shall be placed on the ballot for the designated
25 November general election.

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

31

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

4 (7) Except as provided in this section, election of
5 commissioners ~~supervisors~~ shall be as provided in the Florida
6 Election Code and revisions thereto.

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

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

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

15 (c) Property is deleted from the district's
16 geographical area ~~Any annexation, deannexation, or merger~~
17 ~~causes the population of the district to increase or decrease~~
18 ~~by 5 percent or more; or~~

19 (d) The passage of at least 10 years since the
20 previous review of the single-member zone boundaries. If the
21 population of the single-member zones meets the requirements
22 of subsection (9), the boundaries of the single-member zones
23 may remain as is;—

24 (e) The population of any one or more zones increases
25 or decreases by more than 10 percent since the previous
26 boundary revision; or

27 (f) Five of the seven commissioners approve a
28 resolution to revise the boundaries.

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

3 (11) All commissioners ~~supervisors~~ shall hold office
4 for the terms for which they are elected or appointed and
5 until their successors shall be chosen and qualify. In case of
6 a vacancy in the office of any commissioner ~~supervisor~~, the
7 remaining commissioner ~~supervisor~~ or commissioners
8 ~~supervisors~~, even though less than a quorum, may fill such
9 vacancy for the unexpired term of the commissioner ~~supervisor~~
10 who vacated his or her office.

11 (12) At the first meeting of the board following the
12 effective date of this act, ~~certification of the general~~
13 ~~election of November 2004~~ and at the first regularly scheduled
14 meeting of the board following certification of the general
15 election in the month of November of every even-numbered ~~other~~
16 year thereafter, the board shall organize by electing from
17 ~~choosing one of~~ their members a chairperson, a vice
18 chairperson, president, a secretary, and a treasurer of the
19 board. The chairperson shall preside at all meetings. In the
20 chairperson's absence, the vice chairperson shall preside over
21 the meeting and have the same powers as the chairperson. In
22 the absence of both the chairperson and vice chairperson, the
23 board members who are present shall select a member of the
24 board by majority vote of those members present who shall
25 preside over the meeting as acting chairperson and have the
26 same powers as the chairperson.

27 (14) Except as stated in sections 12 and 14, the
28 commissioners ~~supervisors~~ of the district shall not receive
29 any benefits, including, but not limited to, state or district
30 retirement, health insurance, medical insurance, dental
31 insurance, or life insurance.

1 Section 3. A certified copy of this act shall be
2 recorded in the Broward County Public Records by the South
3 Broward Drainage District.

4 Section 4. If any provision of this act or the
5 application thereof to any person or circumstance is held
6 invalid, the invalidity shall not affect other provisions or
7 applications of this act which can be given effect without the
8 invalid provision or application, and to this end the
9 provisions of this act are declared severable.

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

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