

1                   A bill to be entitled  
2           An act relating to Tindall Hammock Irrigation and Soil  
3           Conservation District, Broward County; amending chapter  
4           98-523, Laws of Florida; providing for the addition of  
5           certain lands into the district; providing the board with  
6           the power to own, acquire, construct, operate, and improve  
7           water systems and sewer systems within and without the  
8           district; amending the amount for which advertisement for  
9           bids is required for the procurement by the district of  
10          contractual services and purchase of goods, supplies, and  
11          materials to comply with general law; providing additional  
12          requirements for the procurement of goods and services and  
13          contracts for improvements to district facilities;  
14          providing for the election of supervisors; redesignating  
15          the office of president of the board to chair of the  
16          board; creating the office of vice chair of the board;  
17          providing for a designation of who shall preside at  
18          meetings of the board; providing for the election of  
19          officers of the board; providing for the calling of  
20          special meetings of the board; providing the maximum  
21          allowable interest rate on loans, notes, bonds,  
22          assessments, and other obligations of the district;  
23          revising the district's bond criteria and provisions;  
24          providing that the meeting place of the district shall be  
25          in Broward County; deleting obsolete provisions; revising  
26          inconsistent provisions; revising provisions relating to  
27          controlling, regulating, and maintaining water systems and

28 sewer systems within and without the district; providing  
 29 severability; providing an effective date.

30

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

32

33 Section 1. Section 1, subsections (2) and (3) of section  
 34 2, subsection (6) of section 3, sections 4, 7, and 8, subsection  
 35 (1) of section 9, subsections (1) and (3) of section 10, section  
 36 11, subsection (1) of section 14, and section 18 of section 2 of  
 37 chapter 98-523, Laws of Florida, are amended, and subsection (7)  
 38 is added to section 3 of section 2 of that chapter, to read:

39 Section 1. For the purpose of draining, reclaiming, and  
 40 conserving the lands hereinafter described; for controlling the  
 41 water in the district and the water tables with respect to the  
 42 lands therein; for agricultural and sanitary purposes; for  
 43 owning, acquiring, constructing, operating, and improving water  
 44 systems and sewer systems within or without the district; and  
 45 for the public health, convenience, welfare, utility, and  
 46 benefit, an irrigation, soil conservation, and drainage, and  
 47 special improvement district is hereby established to be known  
 48 as "Tindall Hammock Irrigation and Soil Conservation District,"  
 49 an independent special district, the territorial boundaries of  
 50 which shall be as follows:

51

52 ~~(1)~~ Begin at a point which point is a point on the South  
 53 Line of Tract One, Tier Thirty-eight of John W. Newman's  
 54 Survey, according to the plat thereof as recorded in Plat  
 55 Book Two, Page Twenty-Six of the Public Records of Dade

56 County, Florida; ~~7~~ Fifty Feet East of the Southwest Corner  
 57 of Tract One, Tier Thirty-eight; Thence run Southerly to a  
 58 point on the North Line of Tract One of Tier Thirty-seven,  
 59 which point is Fifty Feet East of the Northwest Corner of  
 60 Tract One, Tier Thirty-seven; Thence run Westerly to the  
 61 Northwest Corner of said Tract One, Tier Thirty-seven;  
 62 Thence run Southerly along ~~parallel to~~ the West Line of  
 63 Tier Thirty-seven to the Southwest corner ~~a point which is~~  
 64 ~~Fifty Feet East of the West Line of Tier Thirty seven and~~  
 65 ~~Fifty Feet North of the South Line of Tract Four, Tier~~  
 66 ~~Thirty-seven; Thence run Easterly~~ along ~~parallel to~~ the  
 67 South Lines of Tracts ~~Tract~~ Four, of Tiers ~~Tier~~ Thirty-  
 68 seven, ~~Tract Four, Tier Thirty-five, Tract Four, Tier~~  
 69 ~~Thirty-three, and Tract Four, Tier Thirty-one, and~~  
 70 prolongations thereof, ~~to a point on the West Line of Tier~~  
 71 ~~Twenty-nine, Fifty Feet North of the Southwest Corner of~~  
 72 ~~Tract Four, Tier Twenty-nine; Thence run Southerly along~~  
 73 ~~the West Line of Tier Twenty-nine to the Southwest Corner~~  
 74 ~~of Tract Eight, Tier Twenty-nine; Thence run Easterly~~  
 75 ~~along the South Lines of~~ Tracts ~~Tract~~ Eight, of Tiers ~~Tier~~  
 76 ~~Twenty-nine, Tract Eight, Tier Twenty-seven, Tract Eight,~~  
 77 ~~Tier Twenty-five, and Tract Eight, Tier Twenty-three, and~~  
 78 prolongations thereof, ~~to the Southwest~~ ~~Southeast~~ Corner  
 79 of Tract Seven ~~Eight~~, Tier Twenty-one ~~Twenty-three~~; Thence  
 80 run Northerly along the West ~~East~~ Line of Tier Twenty-one  
 81 ~~Twenty-three~~ to the South line of the North 497.50 feet of  
 82 Tract Five, Tier Twenty-one; Thence run Easterly along  
 83 said South line to the East line of the West 245 feet of

84 Tract Five, Tier Twenty-one; Thence run Northerly along  
 85 the East line of the West 245 feet of said Tract Five to  
 86 the South line of Tract Four, Tier Twenty-one ~~Southeast~~  
 87 ~~Corner of Tract Four, Tier Twenty three; Thence run~~  
 88 Easterly along the South Lines of Tracts ~~Tract~~ Four, of  
 89 Tiers ~~Tier~~ Twenty-one, ~~Tract Four, Tier~~ Nineteen, and  
 90 Tract Four, Tier Seventeen, and prolongations thereof, to  
 91 the Southeast Corner of Tract Four, Tier Seventeen; Thence  
 92 run Northerly along the East Line of Tier Seventeen to the  
 93 Southwest Corner of Tract Three, Tier Fifteen; Thence run  
 94 Easterly along the South Line of Tract Three, Tier Fifteen  
 95 to the Southeast Corner of Tract Three, Tier Fifteen;  
 96 Thence run Southerly along the East Line of Tier Fifteen  
 97 to the Southeast Corner of Tract Four, Tier Fifteen;  
 98 Thence run Easterly along the Easterly prolongation of the  
 99 South Line of Tract Four, Tier Fifteen and the South Line  
 100 of Tract Four, Tier Thirteen to the Southeast Corner of  
 101 Tract Four, Tier Thirteen; Thence run Southerly along the  
 102 East Line of Tier Thirteen to the Northeast Corner of  
 103 Tract Six, Tier Thirteen; Thence run Westerly along the  
 104 North Line of Tract Six, Tier Thirteen to the Northwest  
 105 Corner of Tract Six, Tier Thirteen; Thence run Southerly  
 106 along the West Line of Tier Thirteen to the Southwest  
 107 Corner of Tract Seven, Tier Thirteen; Thence run Southerly  
 108 to the Northwest Corner of Tract Eight, Section Twenty-  
 109 five, Township Fifty South, Range Forty-one East; Thence  
 110 run Southerly along the West Lines of Tract Eight, Section  
 111 Twenty-five, Township Fifty South, Range Forty-one East

112 and Tract Nine, Section Twenty-five, Township Fifty South,  
 113 Range Forty-one East to the Southwest Corner of said Tract  
 114 Nine; Thence run Easterly along the South Line of said  
 115 Tract Nine to the Southeast Corner of said Tract Nine;  
 116 Thence run Northerly along the East Line of said Tract  
 117 Nine to the Northeast Corner of said Tract Nine; Thence  
 118 run Easterly along the Easterly prolongation of the North  
 119 Line of said Tract Nine and the South Line of Tract Seven,  
 120 Section Twenty-five, Township Fifty South, Range Forty-one  
 121 East to the Southeast Corner of said Tract Seven; Thence  
 122 run Northerly along the East Line of Tract Seven and its  
 123 Northerly prolongation to the South Line of Tract Six,  
 124 Tier Nine; Thence run Easterly along the South Line of  
 125 Tract Six, Tier Nine to the Southeast Corner of Tract Six,  
 126 Tier Nine; Thence run Northerly along the East Line of  
 127 Tier Nine to the Southwest Corner of Tract Four, Tier  
 128 Seven; Thence run Easterly along the South Line of Tract  
 129 Four, Tier Seven to the Southeast Corner of Tract Four,  
 130 Tier Seven; Thence run Northerly along the East Line of  
 131 Tract Four and Tract Three, Tier Seven to an intersection  
 132 with the Easterly prolongation of the Northerly line of  
 133 Parcel "C" of "THE FOUNDATION PLAT," according to the Plat  
 134 thereof as recorded in Plat Book 158, Page 36, Broward  
 135 County Public Records; Thence run Westerly along said  
 136 prolongation to the Northerly line of said Parcel "C";  
 137 Thence continue Westerly along the Northerly line of said  
 138 Parcel "C" to an intersection with the North line of Tract  
 139 Four, Tier Thirteen; thence Westerly along the north line

140 ~~of the Northeast Corner of Tract Four, Tier Seven; Thence~~  
141 ~~run Westerly along the North Lines of Tract Four, Tier~~  
142 ~~Seven, Tract Four, Tier Nine, Tract Four, Tier Eleven and~~  
143 ~~Tract Four, Tier Thirteen to the Northwest Corner of Tract~~  
144 ~~Four, Tier Thirteen; Thence run Northerly along the West~~  
145 ~~Line of Tier Thirteen to the Northwest Corner of Tract~~  
146 ~~One, Tier Thirteen; Thence run Westerly along the Westerly~~  
147 ~~prolongation of the North Line of said Tract One, Tier~~  
148 ~~Thirteen and the North Lines of Tract One, Tier Fifteen~~  
149 ~~and Tract One, Tier Seventeen to the Northwest Corner of~~  
150 ~~Tract One, Tier Seventeen; Thence run Southerly along the~~  
151 ~~West Line of Tier Seventeen to the Northwest Corner of~~  
152 ~~Tract Three, Tier Seventeen; Thence run Westerly along the~~  
153 ~~Westerly prolongation of the North Line of Tract Three,~~  
154 ~~Tier Seventeen and along the North Line of Tract Three,~~  
155 ~~Tier Nineteen to the Northeast Corner of Tract Three, Tier~~  
156 ~~Twenty-one; Thence run Northerly along the East Line of~~  
157 ~~Tier Twenty-one to the Northeast Corner of Tract One, Tier~~  
158 ~~Twenty-one; Thence run Northerly to the Southeast Corner~~  
159 ~~of Tract One, Tier Twenty-two; Thence run in a Westerly~~  
160 ~~direction along ~~the prolongation of~~ the South Lines Line~~  
161 ~~of Tracts ~~Tract~~ One, of Tiers ~~Tier~~ Twenty-two, Twenty-~~  
162 ~~four, Twenty-six, Twenty-eight, Thirty, Thirty-two,~~  
163 ~~Thirty-four, Thirty-six, and Thirty-eight, and~~  
164 ~~prolongations thereof, to the point of beginning; All in~~  
165 ~~John W. Newman's Survey thereof according to the Plat~~  
166 ~~thereof recorded in Plat Book Two, at Page Twenty-six of~~  
167 ~~the Public Records of Dade County, Florida; said lands~~

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168 situate, lying and being in Broward County, Florida.

169  
170 ~~(2) Also included within the territorial boundaries is~~  
171 ~~the West 50 Feet of Tracts 1, 2, 3, and 4, Tier 37; and~~  
172 ~~the South 50 Feet of Tract 4, Tier 31, of Tract 4, Tier~~  
173 ~~33, of Tract 4, Tier 35, and of Tract 4, Tier 37, of~~  
174 ~~Newman's Survey thereof, according to the Plat thereof~~  
175 ~~recorded in Plat Book 2, Page 26, Dade County Records,~~  
176 ~~said lands situate, lying and being in Broward County,~~  
177 ~~Florida.~~

178 Section 2.

179 (2) The persons who are members of the board of  
180 supervisors of the district in office when this act takes effect  
181 ~~shall be Hamilton C. Forman, H. Collins Forman, Jr. and Charles~~  
182 ~~R. Forman and said landowners are hereby appointed as the Board~~  
183 ~~of Supervisors of the Tindall Hammock Irrigation and Soil~~  
184 ~~Conservation District and shall hold office until their~~  
185 ~~successors are elected and shall have qualified.~~

186 (3) In the month of September 2008, or as soon thereafter  
187 as practicable, there shall be held a meeting of the landowners  
188 of the district for the purpose of holding an election to fill  
189 the seats of the three supervisors; and in the month of  
190 September, or as soon thereafter as practicable, of every other  
191 year thereafter, there shall be held such a meeting and election  
192 to fill the same three seats. Notice of all a landowners'  
193 meetings ~~meeting~~ shall be given by publishing the time and place  
194 of such meeting in a newspaper of general circulation of Broward  
195 County at least 15 days prior to the meeting, the meeting to be

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196 held in a public place in Broward County. The landowners, when  
197 assembled, shall organize by the election of a chair and  
198 secretary of the meeting, who shall conduct the election. At  
199 such election, each and every acre of land in the district,  
200 except as hereinafter provided, shall represent one share, and  
201 each owner shall be entitled to one vote in person or by proxy  
202 in writing, for each acre of land owned by him or her in the  
203 District. A fraction of an acre shall be voted as the same  
204 fraction of a vote. The three persons at each election who  
205 receive the highest number of votes for the office of supervisor  
206 shall be declared elected. At the first meeting of the board  
207 following the effective date of this act, and as soon as  
208 practicable following each election of supervisors thereafter,  
209 the board shall organize by electing from their members a chair  
210 and a vice chair of the board. At this meeting, the board shall  
211 also appoint a secretary and treasurer of the board, who may be  
212 the same person and who does not need to be a member of the  
213 board. The chair shall preside at all meetings. In the chair's  
214 absence, the vice chair shall preside over the meeting and have  
215 the same powers as the chair.

216 Section 3.

217 (6) The board ~~district~~ is hereby authorized, empowered,  
218 and directed to construct a water connection by channeling  
219 through or under State Road 84 and Interstate Highway I-595 to  
220 the North New River Canal for the purposes as provided herein.  
221 Said water connection shall be constructed in accordance with  
222 the regulations, requirements, and specifications of the  
223 Department of Transportation.



224       (7) The board shall have the power to own, acquire,  
 225 construct, reconstruct, equip, operate, maintain, extend, and  
 226 improve water systems and sewer systems or combined water and  
 227 sewer systems; to regulate the use of sewers and the supply of  
 228 water within and without the district and to prohibit or  
 229 regulate the use and maintenance of outhouses, privies, septic  
 230 tanks, or other sanitary structures or appliances within or  
 231 without the district; to prescribe methods of pretreatment of  
 232 wastes not amenable to treatment with domestic sewage before  
 233 accepting such wastes for treatment, to refuse to accept such  
 234 wastes when not sufficiently pretreated as may be prescribed,  
 235 and to prescribe penalties for the refusal of any person or  
 236 corporation to so pretreat such wastes; to sell or otherwise  
 237 dispose of the effluent, sludge, or other byproducts as a result  
 238 of sewage treatment; and to construct and operate connecting,  
 239 intercepting, or outlet sewers, sewer mains, pipes and water  
 240 mains, conduits, or pipelines in, along, or under any public  
 241 streets, alleys, highways, or other public places or ways within  
 242 or without the district, when deemed necessary or desirable by  
 243 the board. The plans for any water or sewer system shall be  
 244 subject to the approval of the Department of Health.

245       Section 4. (1) The board may, in its discretion, let any  
 246 part or all of the work to be performed within the district by  
 247 contract, but no contract shall be let for the construction or  
 248 maintenance of any improvements authorized by this act, nor  
 249 shall any goods, supplies, or materials be purchased, for an  
 250 amount in excess of the threshold amount provided in s. 287.017,  
 251 Florida Statutes, for category four \$25,000 shall be let until

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252 notice thereof shall have been published in a newspaper of  
253 general circulation published in Broward County not less than  
254 once a week for 2 consecutive weeks before the date set for the  
255 letting of such contract. The work or purchase of goods,  
256 supplies, or materials so advertised shall be awarded to the  
257 lowest responsible bidder, as may be determined by the board;  
258 however, the board shall have the right to reject any and all  
259 bids and to re-advertise, as provided herein. The board shall  
260 have the right to require a bond with a surety to be approved by  
261 the board in such amount as the board may determine, conditioned  
262 that the contractor or vendor will well and truly carry out the  
263 contract in accordance with the terms thereof. Nothing in this  
264 section shall prevent the board of supervisors from undertaking  
265 and performing the work authorized under this act without a  
266 contract and by labor operating under the directions of the  
267 board, its engineer or employees.

268 (2) The provisions of the Consultants' Competitive  
269 Negotiation Act as provided in s. 287.055, Florida Statutes,  
270 shall apply to contracts for engineering, architecture,  
271 landscape architecture, or registered surveying and mapping  
272 services let by the board.

273 (3) Notwithstanding the bidding procedure prescribed in  
274 this subsection, if the board determines, by resolution, that  
275 the use of competitive bidding is not practicable, contractual  
276 services and purchases of goods, supplies, or materials may be  
277 procured by competitive sealed proposals. The request for  
278 proposals shall include a statement of the services sought or  
279 the goods, supplies, or materials requested and all contractual

280 terms and conditions applicable to the procurement of the  
281 contractual services or the goods, supplies, or materials  
282 requested. The contract shall be awarded to the responsive  
283 offeror whose proposal is determined to be the most advantageous  
284 to the district, taking into consideration price and other  
285 evaluation criteria set forth in the request for proposals.

286 (4) If the board determines, by resolution, that an  
287 immediate danger to the public health or safety or other  
288 substantial loss to the district requires emergency action, the  
289 board may proceed with the procurement of contractual services  
290 necessitated by the immediate danger without competition.  
291 However, such emergency procurement shall be made with such  
292 competition as is practicable under the circumstances.

293 (5) If no competitive bids or proposals for contractual  
294 services or for the purchase of goods, supplies, or materials  
295 are received, the board may negotiate the best terms and  
296 conditions available as determined by the board.

297 (6) The district may apply to the Department of Management  
298 Services, or an entity succeeding to the duties of such  
299 department, to purchase commodities or contractual services from  
300 purchasing agreements established and state term contracts  
301 procured pursuant to s. 287.057, Florida Statutes, by such  
302 department, as provided in s. 287.056, Florida Statutes.

303 Section 7. The Board of Supervisors of Tindall Hammock  
304 Irrigation and Soil Conservation District is authorized and  
305 empowered to borrow money on temporary or permanent loans and to  
306 issue promissory notes, bonds, or other obligations ("bonds")  
307 ~~and to incur obligations~~ from time to time upon such terms and

308 at such rates of interest, not exceeding the maximum rate  
 309 authorized by general law, ~~or, if no rate is authorized by~~  
 310 ~~general law, at a rate not exceeding 12 percent per year~~ as the  
 311 board may determine for the purpose of raising funds to  
 312 purchase, install, construct, and prosecute to final completion  
 313 the water systems, sewer systems, drainage works, and  
 314 improvements herein authorized, and for the purpose of paying  
 315 all expenses incident to such work and all expenses necessary or  
 316 needful in carrying out the purpose of the act, including,  
 317 without limiting the generality of the foregoing, cost of  
 318 rights-of-way. To enable the board to borrow and obtain money  
 319 necessary to carry out and perform the purposes aforesaid, the  
 320 board is authorized and empowered to issue in the corporate name  
 321 of the district negotiable ~~coupon~~ bonds, the aggregate amount of  
 322 all bonds issued hereunder to be an amount as may be determined  
 323 by the board ~~not to exceed \$450,000.~~

324 Section 8. (1) The bonds to be issued pursuant to the  
 325 provisions of this act shall be in denominations of \$1,000 ~~\$100~~,  
 326 or any multiple thereof, shall bear interest at a rate not to  
 327 exceed that authorized by general law, shall be payable at such  
 328 times as determined by the board, ~~semiannually,~~ and shall mature  
 329 at intervals within 50 years from the date of their issuance,  
 330 the ~~at~~ first maturity to be not more than 10 years from the date  
 331 thereof, and both principal and interest of such bonds shall be  
 332 payable at a place or places determined by the board and  
 333 designated in the bonds. All bonds ~~and coupons~~ not paid at a  
 334 maturity shall bear interest at a rate not to exceed that  
 335 authorized by general law from maturity until paid.

336           (2) The bonds shall show on their face the purposes for  
 337 which they are issued and shall be payable solely out of the  
 338 acreage and/or millage taxes levied by or for the district,  
 339 pursuant to the provisions of this act. The bonds shall be  
 340 signed by the chair or, in his or her absence, the vice chair  
 341 ~~president~~ of the board of supervisors and, attested by the  
 342 secretary under the seal of the district. ~~Interest payments~~  
 343 ~~shall be evidenced by coupons bearing a facsimile of the~~  
 344 ~~signature of the president of the board of supervisors, or~~  
 345 ~~secretary of the district.~~ Such bonds and coupons shall be  
 346 considered as having been validly executed if signed by the  
 347 proper officers in the office at the time of such signing. Said  
 348 bonds may contain such provisions for registration, including a  
 349 book entry only provision for registration, either as to  
 350 principal, or principal and interest, as the board may  
 351 prescribe, and in the discretion of the board it may be provided  
 352 that, at any time after such dates as shall be fixed by the  
 353 board, the bonds may be redeemed at the option of the board or  
 354 upon mandatory redemption, in a manner and at prices a price to  
 355 be specified in the resolution pursuant to ~~in pursuance of~~ which  
 356 said bonds are issued.

357           (3) The board may retain trustees, paying agents, bond  
 358 registrars, or authentication agents in connection with the  
 359 issuance of its bonds, upon such terms as it deems appropriate.  
 360 ~~The board of supervisors is authorized to provide in the~~  
 361 ~~resolution authorizing the issuance of bonds and in the said~~  
 362 ~~bonds that one-half of the acreage and/or millage tax will be~~  
 363 ~~devoted to, so far as necessary, the payment of the principal of~~

364 ~~and interest on said bonds; that the holders of such bonds shall~~  
 365 ~~have a first lien upon one half of the acreage and/or millage~~  
 366 ~~tax; and that no further charge shall be placed upon the~~  
 367 ~~proceeds of such tax or obligation incurred payable therefrom~~  
 368 ~~unless such charge or obligation be junior and subordinate to~~  
 369 ~~the lien upon such proceeds for the payment of the principal and~~  
 370 ~~interest on the bonds.~~

371 (4) All bonds issued under the provisions of this act may  
 372 be validated in the manner now or hereafter provided for the  
 373 validation of bonds of independent drainage districts.

374 Section 9. (1) This act shall, without reference to any  
 375 other act of the Legislature, be full authority for the issuance  
 376 and sale of bonds of Tindall Hammock Irrigation and Soil  
 377 Conservation District as authorized in this act, which bonds  
 378 shall have all the qualities of negotiable paper under the law  
 379 merchant, and shall not be invalid for any irregularity or  
 380 defect in the proceedings for the sale and issue thereof and  
 381 shall be incontestable in the hands of bona fide purchasers or  
 382 holders thereof for value. No proceedings in respect to the  
 383 issuance of any such bonds shall be necessary except such as are  
 384 required by this act, except that the issuance or sale of bonds  
 385 pursuant to the provisions of this act shall comply with the  
 386 general law requirements applicable to the issuance or sale of  
 387 bonds by the district. The provisions of this act shall  
 388 constitute an irrevocable contract between the district and the  
 389 holders of any bonds ~~and coupons attached thereto~~ issued  
 390 pursuant to the provisions hereof. Any holder of any bonds ~~or~~  
 391 ~~coupons~~ may either at law or in equity, by suit or mandamus,

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392 enforce and compel the performance of the duties required by  
393 this act of any of the officers or persons mentioned in this act  
394 in relation to the bonds or to the collection, enforcement, and  
395 application of the taxes for the payment thereof.

396 Section 10. (1) Upon the adoption by the board of  
397 supervisors of a resolution providing for the issuance of bonds,  
398 ~~a certified copy of such resolution shall be forwarded to the~~  
399 ~~Board of County Commissioners of Broward County. At the first~~  
400 ~~meeting of the board of county commissioners after the receipt~~  
401 ~~of the certified copy of the resolution,~~ the board of  
402 supervisors ~~county commissioners~~ shall order that an election be  
403 held in the ~~portion of the district lying within the county~~ at a  
404 time and a place designated by the board of supervisors ~~county~~  
405 ~~commissioners~~ to determine whether or not the bonds authorized  
406 by such resolution shall be issued, and in such election only  
407 the landowners who are qualified electors owning land in the  
408 district shall be entitled to vote. Prior to the time of the  
409 holding of the election, the board of supervisors ~~county~~  
410 ~~commissioners~~ shall cause to be published, once a week for 4  
411 consecutive weeks, in a newspaper of general circulation  
412 published in the county, a notice of the holding of the election  
413 which shall specify the time and place or places of the holding  
414 thereof. The board of supervisors ~~county commissioners~~ shall  
415 appoint a clerk or clerks and inspectors for such election, who  
416 need not be qualified electors residing in Tindall Hammock  
417 Irrigation and Soil Conservation District.

418 (3) After the closing of the registration books, 5 days  
419 prior to the date of holding of such election, the board of

420 supervisors ~~County Commissioners of Broward County~~ shall cause  
 421 to be prepared and certified ~~by the registration officer of the~~  
 422 ~~county,~~ a list of the names of all qualified electors appearing  
 423 on the county registration books who are determined to be  
 424 landowners of Tindall Hammock Irrigation and Soil Conservation  
 425 District, ~~and who are also determined to be~~ qualified to vote in  
 426 the election. ~~In each county,~~ A certified copy of such lists of  
 427 qualified electors who are landowners of Tindall Hammock  
 428 Irrigation and Soil Conservation District who are entitled to  
 429 participate in the election, shall be furnished to the  
 430 inspectors and clerks of the election at every voting place  
 431 where election in the county is to be held, and such lists shall  
 432 be deemed taken and held to be prima facie evidence of the total  
 433 number of qualified electors who are landowners of the Tindall  
 434 Hammock Irrigation and Soil Conservation District who are  
 435 qualified to vote in such election, and no person shall be  
 436 permitted to vote in any election whose name does not appear  
 437 upon such list. In making up the list of qualified voters, as  
 438 herein provided, such investigation shall be made as will  
 439 warrant the conclusion that all names appearing on the list are  
 440 qualified to vote in the bond election and that said list is a  
 441 complete list of all voters residing in Broward County who are  
 442 qualified to vote in such election. After the county  
 443 registration officer certifies the list of voters, who are  
 444 qualified electors and ~~who are~~ landowners of the Tindall Hammock  
 445 Irrigation and Soil Conservation District, the list shall be  
 446 filed and preserved among the records of the Board of  
 447 Supervisors of Tindall Hammock Irrigation and Soil Conservation



448 District.

449 Section 11. (1) At the bond election, ballot boxes may be  
 450 used, notwithstanding the fact that at the time of ~~the~~ holding  
 451 the election, voting machines may be in general use in Broward  
 452 County. The ballots to be used in such election shall have  
 453 printed thereon the description of the issuance of bonds to be  
 454 voted on as the board of supervisors of the district may  
 455 prescribe. Direction to the voter to express his or her choice  
 456 by making an "X" mark in the space opposite the words "For  
 457 Bonds" or "Against Bonds" shall be stated on the ballot. The  
 458 clerks and inspectors of the elections shall make returns to the  
 459 board of supervisors ~~county commissioners~~ which appointed them  
 460 immediately after the elections and the board of supervisors  
 461 ~~county commissioners~~ shall hold special meetings as soon  
 462 thereafter as practicable for the purpose of canvassing the  
 463 election returns and shall determine and certify to the result  
 464 thereof ~~for the county~~. The certificates shall each show the  
 465 number of qualified electors in the county who are landowners of  
 466 Tindall Hammock Irrigation and Soil Conservation District, and  
 467 shall show the total number of votes cast "For Bonds" and  
 468 "Against Bonds." ~~The certificates shall be forwarded immediately~~  
 469 ~~to the Board of Supervisors of the Tindall Hammock Irrigation~~  
 470 ~~and Soil Conservation District, by the board of county~~  
 471 ~~commissioners~~. The certificates of declaration of result of such  
 472 elections shall be recorded in the minutes of the board of  
 473 supervisors of the district.

474 (2) If it shall appear from the certificates of the board  
 475 of supervisors ~~county commissioners~~ as a result of the elections

476 that a majority of the landowners who are qualified electors of  
 477 Tindall Hammock Irrigation and Soil Conservation District  
 478 participated in the bond elections, and that a majority of the  
 479 votes cast in such elections are in favor of the issuance of  
 480 such bonds, then the same shall be deemed to have been  
 481 authorized in accordance with s. 12, Art. VII of the State  
 482 Constitution, as amended.

483 (3) Whenever any election shall be called and held, under  
 484 the provisions of this act, and the votes cast thereat returned,  
 485 tallied, and canvassed by the board of supervisors ~~county~~  
 486 ~~commissioners~~, and the findings of the board certified to the  
 487 Board of Supervisors of Tindall Hammock Irrigation and Soil  
 488 Conservation District, as herein provided, and recorded on the  
 489 minutes of the board of supervisors, a duly certified copy of  
 490 such certificates shall be admissible as evidence in all courts  
 491 of the state, and shall be deemed prima facie evidence of the  
 492 truth of the facts recited and shown thereby, including the  
 493 regularity of the call, conduct, and holding of such election at  
 494 the time and place specified.

495 Section 14. (1) Two members of the board of supervisors  
 496 shall constitute a quorum. The board of supervisors shall, ~~by~~  
 497 ~~resolution~~, fix the time and the place for holding regular  
 498 meetings, but special meetings may be called by the chair or  
 499 vice chair ~~president or any two members~~ of the board of  
 500 ~~supervisors~~, at any time or place. The meeting place of the  
 501 board shall ~~may be~~ in Broward County ~~either within or without~~  
 502 ~~the district~~.

503 Section 18. The purpose of forming the Tindall Hammock

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504 Irrigation and Soil Conservation District is to create an  
505 independent improvement irrigation district for the purpose of  
506 controlling, regulating, and maintaining water systems and sewer  
507 systems within and without the district and for the purpose of  
508 controlling, regulating, and maintaining the water levels in all  
509 the ditches and canals lying within the boundaries of the  
510 district separate and apart from drainage purposes. To  
511 accomplish this purpose it is necessary for the ~~irrigation~~  
512 district board of supervisors to have full, complete, and  
513 exclusive control over all water levels within the Tindall  
514 Hammock Irrigation and Soil Conservation District. In order to  
515 carry out the purpose and intent of this act, the Board of  
516 Supervisors of the Tindall Hammock Irrigation and Soil  
517 Conservation District is authorized and empowered to have the  
518 exclusive right and power, in their discretion, to regulate,  
519 maintain, and control water systems and sewer systems within and  
520 without the district and to regulate, maintain, and control the  
521 water levels in all the canals and ditches lying within the  
522 boundaries of the said Tindall Hammock Irrigation and Soil  
523 Conservation District.

524 Section 2. A certified copy of this act shall be recorded  
525 in the Broward County Public Records by the Tindall Hammock  
526 Irrigation and Soil Conservation District.

527 Section 3. If any provision of this act or the application  
528 thereof to any person or circumstance is held invalid, the  
529 invalidity shall not affect other provisions or applications of  
530 this act which can be given effect without the invalid provision

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531 or application, and to this end the provisions of this act are  
532 declared severable.

533 Section 4. This act shall take effect upon becoming a law.