

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

29 sewer systems within and without the district; providing  
 30 severability; providing an effective date.  
 31

32 Be It Enacted by the Legislature of the State of Florida:  
 33

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

40 Section 1. For the purpose of draining, reclaiming, and  
 41 conserving the lands hereinafter described; ~~for~~ controlling the  
 42 water in the district and the water tables with respect to the  
 43 lands therein; ~~for~~ agricultural and sanitary purposes; for  
 44 owning, acquiring, constructing, operating, and improving water  
 45 systems and sewer systems within or without the district; ~~and~~  
 46 for the public health, convenience, welfare, utility, and  
 47 benefit, ~~an~~ irrigation, soil conservation, and drainage, and  
 48 special improvement district is hereby established to be known  
 49 as "Tindall Hammock Irrigation and Soil Conservation District,"  
 50 an independent special district, the territorial boundaries of  
 51 which shall be as follows:  
 52

53 Begin at a point which point is the Northwest Corner  
 54 of Tract One, Tier Thirty-seven of John W. Newman's  
 55 Survey, according to the plat thereof as recorded in  
 56 Plat Book Two, Page Twenty-Six of the Public Records

57 of Dade County, Florida; Thence run Southerly along  
58 the West Line of Tier Thirty-seven to the Southwest  
59 corner of Tract Four, Tier Thirty-seven; Thence run  
60 Easterly along the South Lines of Tracts Four, of  
61 Tiers Thirty-seven, Thirty-five, Thirty-three and  
62 Thirty-one, and prolongations thereof, to the  
63 Southwest Corner of Tract Four, Tier Twenty-nine;  
64 Thence run Southerly along the West Line of Tier  
65 Twenty-nine to the Southwest Corner of Tract Eight,  
66 Tier Twenty-nine; Thence run Easterly along the South  
67 Lines of Tracts Eight, of Tiers Twenty-nine, Twenty-  
68 seven, Twenty-five, Twenty-three, and prolongations  
69 thereof, to the Southwest Corner of Tract Seven, Tier  
70 Twenty-one; Thence run Northerly along the West Line  
71 of Tier Twenty-one to the South line of the North  
72 497.50 feet of Tract Five, Tier Twenty-one; Thence run  
73 Easterly along said South line to the East line of the  
74 West 245 feet of Tract Five, Tier Twenty-one; Thence  
75 run Northerly along the East line of the West 245 feet  
76 of said Tract Five to the South line of Tract Four,  
77 Tier Twenty-one; Thence run Easterly along the South  
78 Lines of Tracts Four, of Tiers Twenty-one, Nineteen,  
79 and Seventeen, and prolongations thereof, to the  
80 Southeast Corner of Tract Four, Tier Seventeen; Thence  
81 run Northerly along the East Line of Tier Seventeen to  
82 the Southwest Corner of Tract Three, Tier Fifteen;  
83 Thence run Easterly along the South Line of Tract  
84 Three, Tier Fifteen to the Southeast Corner of Tract

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

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

141 run Southerly along the West Line of Tier Seventeen to  
 142 the Northwest Corner of Tract Three, Tier Seventeen;  
 143 Thence run Westerly along the Westerly prolongation of  
 144 the North Line of Tract Three, Tier Seventeen and  
 145 along the North Line of Tract Three, Tier Nineteen to  
 146 the Northeast Corner of Tract Three, Tier Twenty-one;  
 147 Thence run Northerly along the East Line of Tier  
 148 Twenty-one to the Northeast Corner of Tract One, Tier  
 149 Twenty-one; Thence run in a Westerly direction along  
 150 the North Lines of Tracts One, of Tiers Twenty-one,  
 151 Twenty-three, Twenty-five, Twenty-seven, Twenty-nine,  
 152 Thirty-one, Thirty-three, Thirty-five, and Thirty-  
 153 seven, and prolongations thereof, to the point of  
 154 beginning; All in John W. Newman's Survey thereof  
 155 according to the Plat thereof recorded in Plat Book  
 156 Two, at Page Twenty-six of the Public Records of Dade  
 157 County, Florida; said lands situate, lying and being  
 158 in Broward County, Florida.

159  
 160 ~~(1) Begin at a point which point is a point on the~~  
 161 ~~South Line of Tract One Tier Thirty eight, Fifty Feet~~  
 162 ~~East of the Southwest Corner of Tract One, Tier~~  
 163 ~~Thirty eight; Thence run Southerly parallel to the~~  
 164 ~~West Line of Tier Thirty seven to a point which is~~  
 165 ~~Fifty Feet East of the West Line of Tier Thirty seven~~  
 166 ~~and Fifty Feet North of the South Line of Tract Four,~~  
 167 ~~Tier Thirty seven; Thence run Easterly parallel to the~~  
 168 ~~South Lines of Tract Four, Tier Thirty seven, Tract~~

169 ~~Four, Tier Thirty five, Tract Four, Tier Thirty three,~~  
 170 ~~Tract Four, Tier Thirty one to a point on the West~~  
 171 ~~Line of Tier Twenty nine, Fifty Feet North of the~~  
 172 ~~Southwest Corner of Tract Four, Tier Twenty nine,~~  
 173 ~~Thence run Southerly along the West Line of Tier~~  
 174 ~~Twenty nine to the Southwest Corner of Tract Eight,~~  
 175 ~~Tier Twenty nine; Thence run Easterly along the South~~  
 176 ~~Lines of Tract Eight, Tier Twenty nine, Tract Eight,~~  
 177 ~~Tier Twenty seven, Tract Eight, Tier Twenty five, and~~  
 178 ~~Tract Eight, Tier Twenty three to the Southeast Corner~~  
 179 ~~of Tract Eight, Tier Twenty three; Thence run~~  
 180 ~~Northerly along the East Line of Tier Twenty three to~~  
 181 ~~the Southeast Corner of Tract Four, Tier Twenty three;~~  
 182 ~~Thence run Easterly along the South Lines of Tract~~  
 183 ~~Four, Tier Twenty one, Tract Four, Tier Nineteen, and~~  
 184 ~~Tract Four, Tier Seventeen to the Southeast Corner of~~  
 185 ~~Tract Four, Tier Seventeen; Thence run Northerly along~~  
 186 ~~the East Line of Tier Seventeen to the Southwest~~  
 187 ~~Corner of Tract Three, Tier Fifteen; Thence run~~  
 188 ~~Easterly along the South Line of Tract Three, Tier~~  
 189 ~~Fifteen to the Southeast Corner of Tract Three, Tier~~  
 190 ~~Fifteen; Thence run Southerly along the East Line of~~  
 191 ~~Tier Fifteen to the Southeast Corner of Tract Four,~~  
 192 ~~Tier Fifteen; Thence run Easterly along the South Line~~  
 193 ~~of Tract Four, Tier Thirteen to the Southeast Corner~~  
 194 ~~of Tract Four, Tier Thirteen; Thence run Southerly~~  
 195 ~~along the East Line of Tier Thirteen to the Northeast~~  
 196 ~~Corner of Tract Six, Tier Thirteen; Thence run~~

197 ~~Westerly along the North Line of Tract Six, Tier~~  
 198 ~~Thirteen to the Northwest Corner of Tract Six, Tier~~  
 199 ~~Thirteen; Thence run Southerly along the West Line of~~  
 200 ~~Tier Thirteen to the Southwest Corner of Tract Seven,~~  
 201 ~~Tier Thirteen; Thence run Southerly to the Northwest~~  
 202 ~~Corner of Tract Eight, Section Twenty five, Township~~  
 203 ~~Fifty South, Range Forty one East; Thence run~~  
 204 ~~Southerly along the West Lines of Tract Eight, Section~~  
 205 ~~Twenty five, Township Fifty South, Range Forty one~~  
 206 ~~East and Tract Nine, Section Twenty five, Township~~  
 207 ~~Fifty South, Range Forty one East to the Southwest~~  
 208 ~~Corner of said Tract Nine; Thence run Easterly along~~  
 209 ~~the South Line of said Tract Nine to the Southeast~~  
 210 ~~Corner of said Tract Nine; Thence run Northerly along~~  
 211 ~~the East Line of said Tract Nine to the Northeast~~  
 212 ~~Corner of said Tract Nine; Thence Easterly along the~~  
 213 ~~South Line of Tract Seven, Section Twenty five,~~  
 214 ~~Township Fifty South, Range Forty one East to the~~  
 215 ~~Southeast Corner of said Tract Seven; Thence run~~  
 216 ~~Northerly along the East Line of Tract Seven to the~~  
 217 ~~South Line of Tract Six, Tier Nine; Thence run~~  
 218 ~~Easterly along the South Line of Tract Six, Tier Nine~~  
 219 ~~to the Southeast Corner of Tract Six, Tier Nine;~~  
 220 ~~Thence run Northerly along the East Line of Tier Nine~~  
 221 ~~to the Southwest Corner of Tract Four, Tier Seven;~~  
 222 ~~Thence run Easterly along the South Line of Tract~~  
 223 ~~Four, Tier Seven to the Southeast Corner of Tract~~  
 224 ~~Four, Tier Seven; Thence run Northerly along the East~~



225 ~~Line of Tier Seven to the Northeast Corner of Tract~~  
 226 ~~Four, Tier Seven; Thence run Westerly along the North~~  
 227 ~~Lines of Tract Four, Tier Seven, Tract Four, Tier~~  
 228 ~~Nine, Tract Four, Tier Eleven and Tract Four, Tier~~  
 229 ~~Thirteen to the Northwest Corner of Tract Four, Tier~~  
 230 ~~Thirteen; Thence run Northerly along the West Line of~~  
 231 ~~Tier Thirteen to the Northwest Corner of Tract One,~~  
 232 ~~Tier Thirteen; Thence run Westerly along the North~~  
 233 ~~Lines of Tract One, Tier Fifteen and Tract One, Tier~~  
 234 ~~Seventeen to the Northwest Corner of Tract One, Tier~~  
 235 ~~Seventeen; Thence run Southerly along the West Line of~~  
 236 ~~Tier Seventeen to the Northwest Corner of Tract Three,~~  
 237 ~~Tier Seventeen; Thence run Westerly along the North~~  
 238 ~~Line of Tract Three, Tier Nineteen to the Northeast~~  
 239 ~~Corner of Tract Three, Tier Twenty one; Thence run~~  
 240 ~~Northerly along the East Line of Tier Twenty one to~~  
 241 ~~the Southeast Corner of Tract One, Tier Twenty two;~~  
 242 ~~Thence run in a Westerly direction along the~~  
 243 ~~prolongation of the South Line of Tract One, Tier~~  
 244 ~~Twenty two to the point of beginning; All in Newman's~~  
 245 ~~Survey thereof according to the Plat thereof recorded~~  
 246 ~~in Plat Book Two, at Page Twenty six of the Public~~  
 247 ~~Records of Dade County, Florida; said lands situate,~~  
 248 ~~lying and being in Broward County, Florida.~~

249  
 250 ~~(2) Also included within the territorial boundaries~~  
 251 ~~is the West 50 Feet of Tracts 1, 2, 3, and 4, Tier 37,~~  
 252 ~~and the South 50 Feet of Tract 4, Tier 31, of Tract 4,~~

253 ~~Tier 33, of Tract 4, Tier 35, and of Tract 4, Tier 37,~~  
254 ~~of Newman's Survey thereof, according to the Plat~~  
255 ~~thereof recorded in Plat Book 2, Page 26, Dade County~~  
256 ~~Records, said lands situate, lying and being in~~  
257 ~~Broward County, Florida.~~

258 Section 2.

259 (2) The persons who are members of the board of  
260 supervisors of the district in office when this act takes effect  
261 ~~shall be Hamilton C. Forman, H. Collins Forman, Jr. and Charles~~  
262 ~~R. Forman and said landowners are hereby appointed as the Board~~  
263 ~~of Supervisors of the Tindall Hammock Irrigation and Soil~~  
264 ~~Conservation District and shall hold office until their~~  
265 ~~successors are elected and shall have qualified.~~

266 (3) In the month of September 2008, or as soon thereafter  
267 as practicable, there shall be held a meeting of the landowners  
268 of the district for the purpose of holding an election to fill  
269 the seats of the three supervisors; and in the month of  
270 September, or as soon thereafter as practicable, of every other  
271 year thereafter, there shall be held such a meeting and election  
272 to fill the same three seats. Notice of all a landowners'  
273 meetings ~~meeting~~ shall be given by publishing the time and place  
274 of such meeting in a newspaper of general circulation of Broward  
275 County at least 15 days prior to the meeting, the meeting to be  
276 held in a public place in Broward County. The landowners, when  
277 assembled, shall organize by the election of a chair and  
278 secretary of the meeting, who shall conduct the election. At  
279 such election, each and every acre of land in the district,  
280 except as hereinafter provided, shall represent one share, and

CS/HB 1365

2008

281 each owner shall be entitled to one vote in person or by proxy  
282 in writing, for each acre of land owned by him or her in the  
283 District. A fraction of an acre shall be voted as the same  
284 fraction of a vote. The three persons at each election who  
285 receive the highest number of votes for the office of supervisor  
286 shall be declared elected. At the first meeting of the board  
287 following the effective date of this act, and as soon as  
288 practicable following each election of supervisors thereafter,  
289 the board shall organize by electing from their members a chair  
290 and a vice chair of the board. At this meeting, the board shall  
291 also appoint a secretary and treasurer of the board, who may be  
292 the same person and who does not need to be a member of the  
293 board. The chair shall preside at all meetings. In the chair's  
294 absence, the vice chair shall preside over the meeting and have  
295 the same powers as the chair.

296 Section 3.

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

304 (7) The board shall have the power to own, acquire,  
305 construct, reconstruct, equip, operate, maintain, extend, and  
306 improve water systems and sewer systems or combined water and  
307 sewer systems; to regulate the use of sewers and the supply of  
308 water within and without the district and to prohibit or

309 regulate the use and maintenance of outhouses, privies, septic  
310 tanks, or other sanitary structures or appliances within or  
311 without the district; to prescribe methods of pretreatment of  
312 wastes not amenable to treatment with domestic sewage before  
313 accepting such wastes for treatment, to refuse to accept such  
314 wastes when not sufficiently pretreated as may be prescribed,  
315 and to prescribe penalties for the refusal of any person or  
316 corporation to so pretreat such wastes; to sell or otherwise  
317 dispose of the effluent, sludge, or other byproducts as a result  
318 of sewage treatment; and to construct and operate connecting,  
319 intercepting, or outlet sewers, sewer mains, pipes and water  
320 mains, conduits, or pipelines in, along, or under any public  
321 streets, alleys, highways, or other public places or ways within  
322 or without the district, when deemed necessary or desirable by  
323 the board. The plans for any water or sewer system shall be  
324 subject to the approval of the Department of Health.

325 Section 4. (1) The board may, in its discretion, let any  
326 part or all of the work to be performed within the district by  
327 contract, but no contract shall be let for the construction or  
328 maintenance of any improvements authorized by this act, nor  
329 shall any goods, supplies, or materials be purchased, for an  
330 amount in excess of the threshold amount provided in s. 287.017,  
331 Florida Statutes, for category four \$25,000 shall be let until  
332 notice thereof shall have been published in a newspaper of  
333 general circulation published in Broward County not less than  
334 once a week for 2 consecutive weeks before the date set for the  
335 letting of such contract. The work or purchase of goods,  
336 supplies, or materials so advertised shall be awarded to the

337 lowest responsible bidder, as may be determined by the board;  
 338 however, the board shall have the right to reject any and all  
 339 bids and to re-advertise, as provided herein. The board shall  
 340 have the right to require a bond with a surety to be approved by  
 341 the board in such amount as the board may determine, conditioned  
 342 that the contractor or vendor will well and truly carry out the  
 343 contract in accordance with the terms thereof. Nothing in this  
 344 section shall prevent the board of supervisors from undertaking  
 345 and performing the work authorized under this act without a  
 346 contract and by labor operating under the directions of the  
 347 board, its engineer or employees.

348 (2) The provisions of the Consultants' Competitive  
 349 Negotiation Act as provided in s. 287.055, Florida Statutes,  
 350 shall apply to contracts for engineering, architecture,  
 351 landscape architecture, or registered surveying and mapping  
 352 services let by the board.

353 (3) Notwithstanding the bidding procedure prescribed in  
 354 this subsection, if the board determines, by resolution, that  
 355 the use of competitive bidding is not practicable, contractual  
 356 services and purchases of goods, supplies, or materials may be  
 357 procured by competitive sealed proposals. The request for  
 358 proposals shall include a statement of the services sought or  
 359 the goods, supplies, or materials requested and all contractual  
 360 terms and conditions applicable to the procurement of the  
 361 contractual services or the goods, supplies, or materials  
 362 requested. The contract shall be awarded to the responsive  
 363 offeror whose proposal is determined to be the most advantageous  
 364 to the district, taking into consideration price and other

365 evaluation criteria set forth in the request for proposals.

366 (4) If the board determines, by resolution, that an  
367 immediate danger to the public health or safety or other  
368 substantial loss to the district requires emergency action, the  
369 board may proceed with the procurement of contractual services  
370 necessitated by the immediate danger without competition.  
371 However, such emergency procurement shall be made with such  
372 competition as is practicable under the circumstances.

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

377 (6) The district may apply to the Department of Management  
378 Services, or an entity succeeding to the duties of such  
379 department, to purchase commodities or contractual services from  
380 purchasing agreements established and state term contracts  
381 procured pursuant to s. 287.057, Florida Statutes, by such  
382 department, as provided in s. 287.056, Florida Statutes.

383 Section 7. The Board of Supervisors of Tindall Hammock  
384 Irrigation and Soil Conservation District is authorized and  
385 empowered to borrow money on temporary or permanent loans and to  
386 issue promissory notes, bonds, or other obligations ("bonds")  
387 ~~and to incur obligations~~ from time to time upon such terms and  
388 at such rates of interest, not exceeding the maximum rate  
389 authorized by general law, ~~or, if no rate is authorized by~~  
390 ~~general law, at a rate not exceeding 12 percent per year~~ as the  
391 board may determine for the purpose of raising funds to  
392 purchase, install, construct, and prosecute to final completion

393 the water systems, sewer systems, drainage works, and  
 394 improvements herein authorized, and for the purpose of paying  
 395 all expenses incident to such work and all expenses necessary or  
 396 needful in carrying out the purpose of the act, including,  
 397 without limiting the generality of the foregoing, cost of  
 398 rights-of-way. To enable the board to borrow and obtain money  
 399 necessary to carry out and perform the purposes aforesaid, the  
 400 board is authorized and empowered to issue in the corporate name  
 401 of the district negotiable ~~coupon~~ bonds, the aggregate amount of  
 402 all bonds issued hereunder to be an amount as may be determined  
 403 by the board ~~not to exceed \$450,000.~~

404 Section 8. (1) The bonds to be issued pursuant to the  
 405 provisions of this act shall be in denominations of \$1,000 ~~\$100,~~  
 406 or any multiple thereof, shall bear interest at a rate not to  
 407 exceed that authorized by general law, shall be payable at such  
 408 times as determined by the board, ~~semiannually,~~ and shall mature  
 409 at intervals within 50 years from the date of their issuance,  
 410 the ~~at~~ first maturity to be not more than 10 years from the date  
 411 thereof, and both principal and interest of such bonds shall be  
 412 payable at a place or places determined by the board and  
 413 designated in the bonds. All bonds ~~and coupons~~ not paid at a  
 414 maturity shall bear interest at a rate not to exceed that  
 415 authorized by general law from maturity until paid.

416 (2) The bonds shall show on their face the purposes for  
 417 which they are issued and shall be payable solely out of the  
 418 acreage and/or millage taxes levied by or for the district,  
 419 pursuant to the provisions of this act. The bonds shall be  
 420 signed by the chair or, in his or her absence, the vice chair

421 ~~president~~ of the board of supervisors and, attested by the  
 422 secretary under the seal of the district. ~~Interest payments~~  
 423 ~~shall be evidenced by coupons bearing a facsimile of the~~  
 424 ~~signature of the president of the board of supervisors, or~~  
 425 ~~secretary of the district.~~ Such bonds and coupons shall be  
 426 considered as having been validly executed if signed by the  
 427 proper officers in the office at the time of such signing. Said  
 428 bonds may contain such provisions for registration, including a  
 429 book entry only provision for registration, either as to  
 430 ~~principal, or principal and interest,~~ as the board may  
 431 prescribe, and in the discretion of the board it may be provided  
 432 that, at any time after such dates as shall be fixed by the  
 433 board, the bonds may be redeemed at the option of the board or  
 434 upon mandatory redemption, in a manner and at prices ~~a price~~ to  
 435 be specified in the resolution pursuant to ~~in pursuance of~~ which  
 436 said bonds are issued.

437 (3) The board may retain trustees, paying agents, bond  
 438 registrars, or authentication agents in connection with the  
 439 issuance of its bonds, upon such terms as it deems appropriate.  
 440 ~~The board of supervisors is authorized to provide in the~~  
 441 ~~resolution authorizing the issuance of bonds and in the said~~  
 442 ~~bonds that one half of the acreage and/or millage tax will be~~  
 443 ~~devoted to, so far as necessary, the payment of the principal of~~  
 444 ~~and interest on said bonds; that the holders of such bonds shall~~  
 445 ~~have a first lien upon one half of the acreage and/or millage~~  
 446 ~~tax; and that no further charge shall be placed upon the~~  
 447 ~~proceeds of such tax or obligation incurred payable therefrom~~  
 448 ~~unless such charge or obligation be junior and subordinate to~~



449 ~~the lien upon such proceeds for the payment of the principal and~~  
 450 ~~interest on the bonds.~~

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

454 Section 9. (1) This act shall, without reference to any  
 455 other act of the Legislature, be full authority for the issuance  
 456 and sale of bonds of Tindall Hammock Irrigation and Soil  
 457 Conservation District as authorized in this act, which bonds  
 458 shall have all the qualities of negotiable paper under the law  
 459 merchant, and shall not be invalid for any irregularity or  
 460 defect in the proceedings for the sale and issue thereof and  
 461 shall be incontestable in the hands of bona fide purchasers or  
 462 holders thereof for value. No proceedings in respect to the  
 463 issuance of any such bonds shall be necessary except such as are  
 464 required by this act, except that the issuance or sale of bonds  
 465 pursuant to the provisions of this act shall comply with the  
 466 general law requirements applicable to the issuance or sale of  
 467 bonds by the district. The provisions of this act shall  
 468 constitute an irrevocable contract between the district and the  
 469 holders of any bonds ~~and coupons attached thereto~~ issued  
 470 pursuant to the provisions hereof. Any holder of any bonds ~~or~~  
 471 ~~coupons~~ may either at law or in equity, by suit or mandamus,  
 472 enforce and compel the performance of the duties required by  
 473 this act of any of the officers or persons mentioned in this act  
 474 in relation to the bonds or to the collection, enforcement, and  
 475 application of the taxes for the payment thereof.

476 Section 10. (1) Upon the adoption by the board of

477 supervisors of a resolution providing for the issuance of bonds,  
 478 ~~a certified copy of such resolution shall be forwarded to the~~  
 479 ~~Board of County Commissioners of Broward County. At the first~~  
 480 ~~meeting of the board of county commissioners after the receipt~~  
 481 ~~of the certified copy of the resolution,~~ the board of  
 482 supervisors ~~county commissioners~~ shall order that an election be  
 483 held in the ~~portion of the district lying within the county~~ at a  
 484 time and a place designated by the board of supervisors ~~county~~  
 485 ~~commissioners~~ to determine whether or not the bonds authorized  
 486 by such resolution shall be issued, and in such election only  
 487 the landowners who are qualified electors owning land in the  
 488 district shall be entitled to vote. Prior to the time of the  
 489 holding of the election, the board of supervisors ~~county~~  
 490 ~~commissioners~~ shall cause to be published, once a week for 4  
 491 consecutive weeks, in a newspaper of general circulation  
 492 published in the county, a notice of the holding of the election  
 493 which shall specify the time and place or places of the holding  
 494 thereof. The board of supervisors ~~county commissioners~~ shall  
 495 appoint a clerk or clerks and inspectors for such election, who  
 496 need not be qualified electors residing in Tindall Hammock  
 497 Irrigation and Soil Conservation District.

498 (3) After the closing of the registration books, 5 days  
 499 prior to the date of holding of such election, the board of  
 500 supervisors ~~County Commissioners of Broward County~~ shall cause  
 501 to be prepared and certified ~~by the registration officer of the~~  
 502 ~~county,~~ a list of the names of all qualified electors appearing  
 503 on the county registration books who are determined to be  
 504 landowners of Tindall Hammock Irrigation and Soil Conservation

505 District, and ~~who are also determined to be~~ qualified to vote in  
 506 the election. ~~In each county,~~ A certified copy of such lists of  
 507 qualified electors who are landowners of Tindall Hammock  
 508 Irrigation and Soil Conservation District who are entitled to  
 509 participate in the election, shall be furnished to the  
 510 inspectors and clerks of the election at every voting place  
 511 where election in the county is to be held, and such lists shall  
 512 be deemed taken and held to be prima facie evidence of the total  
 513 number of qualified electors who are landowners of the Tindall  
 514 Hammock Irrigation and Soil Conservation District who are  
 515 qualified to vote in such election, and no person shall be  
 516 permitted to vote in any election whose name does not appear  
 517 upon such list. In making up the list of qualified voters, as  
 518 herein provided, such investigation shall be made as will  
 519 warrant the conclusion that all names appearing on the list are  
 520 qualified to vote in the bond election and that said list is a  
 521 complete list of all voters residing in Broward County who are  
 522 qualified to vote in such election. After the Broward County  
 523 Supervisor of Elections ~~county registration officer~~ certifies  
 524 the list of voters, who are qualified electors and ~~who are~~  
 525 landowners of the Tindall Hammock Irrigation and Soil  
 526 Conservation District, the list shall be filed and preserved  
 527 among the records of the Board of Supervisors of Tindall Hammock  
 528 Irrigation and Soil Conservation District.

529 Section 11. (1) At the bond election, ballot boxes may be  
 530 used, notwithstanding the fact that at the time of ~~the~~ holding  
 531 the election, voting machines may be in general use in Broward  
 532 County. The ballots to be used in such election shall have

533 printed thereon the description of the issuance of bonds to be  
 534 voted on as the board of supervisors of the district may  
 535 prescribe. Direction to the voter to express his or her choice  
 536 by making an "X" mark in the space opposite the words "For  
 537 Bonds" or "Against Bonds" shall be stated on the ballot. The  
 538 clerks and inspectors of the elections shall make returns to the  
 539 board of supervisors ~~county commissioners~~ which appointed them  
 540 immediately after the elections and the board of supervisors  
 541 ~~county commissioners~~ shall hold special meetings as soon  
 542 thereafter as practicable for the purpose of canvassing the  
 543 election returns and shall determine and certify to the result  
 544 thereof ~~for the county~~. The certificates shall each show the  
 545 number of qualified electors in the county who are landowners of  
 546 Tindall Hammock Irrigation and Soil Conservation District, and  
 547 shall show the total number of votes cast "For Bonds" and  
 548 "Against Bonds." ~~The certificates shall be forwarded immediately~~  
 549 ~~to the Board of Supervisors of the Tindall Hammock Irrigation~~  
 550 ~~and Soil Conservation District, by the board of county~~  
 551 ~~commissioners~~. The certificates of declaration of result of such  
 552 elections shall be recorded in the minutes of the board of  
 553 supervisors of the district.

554 (2) If it shall appear from the certificates of the board  
 555 of supervisors ~~county commissioners~~ as a result of the elections  
 556 that a majority of the landowners who are qualified electors of  
 557 Tindall Hammock Irrigation and Soil Conservation District  
 558 participated in the bond elections, and that a majority of the  
 559 votes cast in such elections are in favor of the issuance of  
 560 such bonds, then the same shall be deemed to have been

561 authorized in accordance with s. 12, Art. VII of the State  
 562 Constitution, as amended.

563 (3) Whenever any election shall be called and held, under  
 564 the provisions of this act, and the votes cast thereat returned,  
 565 tallied, and canvassed by the board of supervisors ~~county~~  
 566 ~~commissioners~~, and the findings of the board certified to the  
 567 Board of Supervisors of Tindall Hammock Irrigation and Soil  
 568 Conservation District, as herein provided, and recorded on the  
 569 minutes of the board of supervisors, a duly certified copy of  
 570 such certificates shall be admissible as evidence in all courts  
 571 of the state, and shall be deemed prima facie evidence of the  
 572 truth of the facts recited and shown thereby, including the  
 573 regularity of the call, conduct, and holding of such election at  
 574 the time and place specified.

575 Section 14. (1) Two members of the board of supervisors  
 576 shall constitute a quorum. The board of supervisors shall, ~~by~~  
 577 ~~resolution~~, fix the time and the place for holding regular  
 578 meetings, but special meetings may be called by the chair or  
 579 vice chair ~~president or any two members~~ of the board of  
 580 ~~supervisors~~, at any time or place. The meeting place of the  
 581 board shall ~~may~~ be in Broward County ~~either within or without~~  
 582 ~~the district~~.

583 Section 18. The purpose of forming the Tindall Hammock  
 584 Irrigation and Soil Conservation District is to create an  
 585 independent improvement irrigation district for the purpose of  
 586 controlling, regulating, and maintaining water systems and sewer  
 587 systems within and without the district and for the purpose of  
 588 controlling, regulating, and maintaining the water levels in all

589 the ditches and canals lying within the boundaries of the  
 590 district separate and apart from drainage purposes. To  
 591 accomplish this purpose it is necessary for the ~~irrigation~~  
 592 district board of supervisors to have full, complete, and  
 593 exclusive control over all water levels within the Tindall  
 594 Hammock Irrigation and Soil Conservation District. In order to  
 595 carry out the purpose and intent of this act, the Board of  
 596 Supervisors of the Tindall Hammock Irrigation and Soil  
 597 Conservation District is authorized and empowered to have the  
 598 exclusive right and power, in their discretion, to regulate,  
 599 maintain, and control water systems and sewer systems within and  
 600 without the district and to regulate, maintain, and control the  
 601 water levels in all the canals and ditches lying within the  
 602 boundaries of the said Tindall Hammock Irrigation and Soil  
 603 Conservation District.

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

607 Section 3. If any provision of this act or the application  
 608 thereof to any person or circumstance is held invalid, the  
 609 invalidity shall not affect other provisions or applications of  
 610 this act which can be given effect without the invalid provision  
 611 or application, and to this end the provisions of this act are  
 612 declared severable.

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