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CS/HB 1365

2008 Legislature

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

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

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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~~ for controlling the
42 water in the district and the water tables with respect to the
43 lands therein; ~~for~~ 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

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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

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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

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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

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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~~

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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~~

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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~~

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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,~~

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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

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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

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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

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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

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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

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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

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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~~

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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

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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

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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

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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

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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

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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.