

By Senator Ring

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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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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 2,  
35 subsection (6) of section 3, sections 4, 7, and 8, subsection (1)  
36 of section 9, subsections (1) and (3) of section 10, section 11,  
37 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 as  
49 "Tindall Hammock Irrigation and Soil Conservation District," an  
50 independent special district, the territorial boundaries of which  
51 shall be as follows:

52

53 Begin at a point which point is the Northwest Corner of  
54 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 of  
57 Dade County, Florida; Thence run Southerly along the

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

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

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

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

157 ~~(1) Begin at a point which point is a point on the~~  
158 ~~South Line of Tract One Tier Thirty-eight, Fifty Feet~~  
159 ~~East of the Southwest Corner of Tract One, Tier Thirty-~~  
160 ~~eight; Thence run Southerly parallel to the West Line~~  
161 ~~of Tier Thirty-seven to a point which is Fifty Feet~~  
162 ~~East of the West Line of Tier Thirty-seven and Fifty~~  
163 ~~Feet North of the South Line of Tract Four, Tier~~  
164 ~~Thirty-seven; Thence run Easterly parallel to the South~~  
165 ~~Lines of Tract Four, Tier Thirty-seven, Tract Four,~~  
166 ~~Tier Thirty-five, Tract Four, Tier Thirty-three, Tract~~  
167 ~~Four, Tier Thirty-one to a point on the West Line of~~  
168 ~~Tier Twenty-nine, Fifty Feet North of the Southwest~~  
169 ~~Corner of Tract Four, Tier Twenty-nine; Thence run~~  
170 ~~Southerly along the West Line of Tier Twenty-nine to~~  
171 ~~the Southwest Corner of Tract Eight, Tier Twenty-nine;~~  
172 ~~Thence run Easterly along the South Lines of Tract~~  
173 ~~Eight, Tier Twenty-nine, Tract Eight, Tier Twenty-~~

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174 ~~seven, Tract Eight, Tier Twenty-five, and Tract Eight,~~  
175 ~~Tier Twenty-three to the Southeast Corner of Tract~~  
176 ~~Eight, Tier Twenty-three; Thence run Northerly along~~  
177 ~~the East Line of Tier Twenty-three to the Southeast~~  
178 ~~Corner of Tract Four, Tier Twenty-three; Thence run~~  
179 ~~Easterly along the South Lines of Tract Four, Tier~~  
180 ~~Twenty-one, Tract Four, Tier Nineteen, and Tract Four,~~  
181 ~~Tier Seventeen to the Southeast Corner of Tract Four,~~  
182 ~~Tier Seventeen; Thence run Northerly along the East~~  
183 ~~Line of Tier Seventeen to the Southwest Corner of Tract~~  
184 ~~Three, Tier Fifteen; Thence run Easterly along the~~  
185 ~~South Line of Tract Three, Tier Fifteen to the~~  
186 ~~Southeast Corner of Tract Three, Tier Fifteen; Thence~~  
187 ~~run Southerly along the East Line of Tier Fifteen to~~  
188 ~~the Southeast Corner of Tract Four, Tier Fifteen;~~  
189 ~~Thence run Easterly along the South Line of Tract Four,~~  
190 ~~Tier Thirteen to the Southeast Corner of Tract Four,~~  
191 ~~Tier Thirteen; Thence run Southerly along the East Line~~  
192 ~~of Tier Thirteen to the Northeast Corner of Tract Six,~~  
193 ~~Tier Thirteen; Thence run Westerly along the North Line~~  
194 ~~of Tract Six, Tier Thirteen to the Northwest Corner of~~  
195 ~~Tract Six, Tier Thirteen; Thence run Southerly along~~  
196 ~~the West Line of Tier Thirteen to the Southwest Corner~~  
197 ~~of Tract Seven, Tier Thirteen; Thence run Southerly to~~  
198 ~~the Northwest Corner of Tract Eight, Section Twenty-~~  
199 ~~five, Township Fifty South, Range Forty-one East;~~  
200 ~~Thence run Southerly along the West Lines of Tract~~  
201 ~~Eight, Section Twenty-five, Township Fifty South, Range~~  
202 ~~Forty-one East and Tract Nine, Section Twenty-five,~~

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203 ~~Township Fifty South, Range Forty one East to the~~  
204 ~~Southwest Corner of said Tract Nine; Thence run~~  
205 ~~Easterly along the South Line of said Tract Nine to the~~  
206 ~~Southeast Corner of said Tract Nine; Thence run~~  
207 ~~Northerly along the East Line of said Tract Nine to the~~  
208 ~~Northeast Corner of said Tract Nine; Thence Easterly~~  
209 ~~along the South Line of Tract Seven, Section Twenty-~~  
210 ~~five, Township Fifty South, Range Forty one East to the~~  
211 ~~Southeast Corner of said Tract Seven; Thence run~~  
212 ~~Northerly along the East Line of Tract Seven to the~~  
213 ~~South Line of Tract Six, Tier Nine; Thence run Easterly~~  
214 ~~along the South Line of Tract Six, Tier Nine to the~~  
215 ~~Southeast Corner of Tract Six, Tier Nine; Thence run~~  
216 ~~Northerly along the East Line of Tier Nine to the~~  
217 ~~Southwest Corner of Tract Four, Tier Seven; Thence run~~  
218 ~~Easterly along the South Line of Tract Four, Tier Seven~~  
219 ~~to the Southeast Corner of Tract Four, Tier Seven;~~  
220 ~~Thence run Northerly along the East Line of Tier Seven~~  
221 ~~to the Northeast Corner of Tract Four, Tier Seven;~~  
222 ~~Thence run Westerly along the North Lines of Tract~~  
223 ~~Four, Tier Seven, Tract Four, Tier Nine, Tract Four,~~  
224 ~~Tier Eleven and Tract Four, Tier Thirteen to the~~  
225 ~~Northwest Corner of Tract Four, Tier Thirteen; Thence~~  
226 ~~run Northerly along the West Line of Tier Thirteen to~~  
227 ~~the Northwest Corner of Tract One, Tier Thirteen;~~  
228 ~~Thence run Westerly along the North Lines of Tract One,~~  
229 ~~Tier Fifteen and Tract One, Tier Seventeen to the~~  
230 ~~Northwest Corner of Tract One, Tier Seventeen; Thence~~  
231 ~~run Southerly along the West Line of Tier Seventeen to~~



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232 ~~the Northwest Corner of Tract Three, Tier Seventeen;~~  
233 ~~Thence run Westerly along the North Line of Tract~~  
234 ~~Three, Tier Nineteen to the Northeast Corner of Tract~~  
235 ~~Three, Tier Twenty-one; Thence run Northerly along the~~  
236 ~~East Line of Tier Twenty-one to the Southeast Corner of~~  
237 ~~Tract One, Tier Twenty-two; Thence run in a Westerly~~  
238 ~~direction along the prolongation of the South Line of~~  
239 ~~Tract One, Tier Twenty-two to the point of beginning;~~  
240 ~~All in Newman's Survey thereof according to the Plat~~  
241 ~~thereof recorded in Plat Book Two, at Page Twenty-six~~  
242 ~~of the Public Records of Dade County, Florida; said~~  
243 ~~lands situate, lying and being in Broward County,~~  
244 ~~Florida.~~

245 ~~(2) Also included within the territorial boundaries is~~  
246 ~~the West 50 Feet of Tracts 1, 2, 3, and 4, Tier 37; and~~  
247 ~~the South 50 Feet of Tract 4, Tier 31, of Tract 4, Tier~~  
248 ~~33, of Tract 4, Tier 35, and of Tract 4, Tier 37, of~~  
249 ~~Newman's Survey thereof, according to the Plat thereof~~  
250 ~~recorded in Plat Book 2, Page 26, Dade County Records,~~  
251 ~~said lands situate, lying and being in Broward County,~~  
252 ~~Florida.~~

253 Section 2.

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

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261           (3) In the month of September 2008, or as soon thereafter  
262 as practicable, there shall be held a meeting of the landowners  
263 of the district for the purpose of holding an election to fill  
264 the seats of the three supervisors; and in the month of  
265 September, or as soon thereafter as practicable, of every other  
266 year thereafter, there shall be held such a meeting and election  
267 to fill the same three seats. Notice of all ~~a~~ landowners'  
268 meetings ~~meeting~~ shall be given by publishing the time and place  
269 of such meeting in a newspaper of general circulation of Broward  
270 County at least 15 days prior to the meeting, the meeting to be  
271 held in a public place in Broward County. The landowners, when  
272 assembled, shall organize by the election of a chair and  
273 secretary of the meeting, who shall conduct the election. At such  
274 election, each and every acre of land in the district, except as  
275 hereinafter provided, shall represent one share, and each owner  
276 shall be entitled to one vote in person or by proxy in writing,  
277 for each acre of land owned by him or her in the District. A  
278 fraction of an acre shall be voted as the same fraction of a  
279 vote. The three persons at each election who receive the highest  
280 number of votes for the office of supervisor shall be declared  
281 elected. At the first meeting of the board following the  
282 effective date of this act, and as soon as practicable following  
283 each election of supervisors thereafter, the board shall organize  
284 by electing from their members a chair and a vice chair of the  
285 board. At this meeting, the board shall also appoint a secretary  
286 and treasurer of the board, who may be the same person and who  
287 does not need to be a member of the board. The chair shall  
288 preside at all meetings. In the chair's absence, the vice chair  
289 shall preside over the meeting and have the same powers as the

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290 | chair.

291 | Section 3.

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

299 | (7) The board shall have the power to own, acquire,  
300 | construct, reconstruct, equip, operate, maintain, extend, and  
301 | improve water systems and sewer systems or combined water and  
302 | sewer systems; to regulate the use of sewers and the supply of  
303 | water within and without the district and to prohibit or regulate  
304 | the use and maintenance of outhouses, privies, septic tanks, or  
305 | other sanitary structures or appliances within or without the  
306 | district; to prescribe methods of pretreatment of wastes not  
307 | amenable to treatment with domestic sewage before accepting such  
308 | wastes for treatment, to refuse to accept such wastes when not  
309 | sufficiently pretreated as may be prescribed, and to prescribe  
310 | penalties for the refusal of any person or corporation to so  
311 | pretreat such wastes; to sell or otherwise dispose of the  
312 | effluent, sludge, or other byproducts as a result of sewage  
313 | treatment; and to construct and operate connecting, intercepting,  
314 | or outlet sewers, sewer mains, pipes and water mains, conduits,  
315 | or pipelines in, along, or under any public streets, alleys,  
316 | highways, or other public places or ways within or without the  
317 | district, when deemed necessary or desirable by the board. The  
318 | plans for any water or sewer system shall be subject to the

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319 approval of the Department of Health.

320 Section 4. (1) The board may, in its discretion, let any  
321 part or all of the work to be performed within the district by  
322 contract, but no contract shall be let for the construction or  
323 maintenance of any improvements authorized by this act, nor shall  
324 any goods, supplies, or materials be purchased, for an amount in  
325 excess of the threshold amount provided in s. 287.017, Florida  
326 Statutes, for category four ~~\$25,000 shall be let~~ until notice  
327 thereof shall have been published in a newspaper of general  
328 circulation published in Broward County not less than once a week  
329 for 2 consecutive weeks before the date set for the letting of  
330 such contract. The work or purchase of goods, supplies, or  
331 materials so advertised shall be awarded to the lowest  
332 responsible bidder, as may be determined by the board; however,  
333 the board shall have the right to reject any and all bids and to  
334 re-advertise, as provided herein. The board shall have the right  
335 to require a bond with a surety to be approved by the board in  
336 such amount as the board may determine, conditioned that the  
337 contractor or vendor will well and truly carry out the contract  
338 in accordance with the terms thereof. Nothing in this section  
339 shall prevent the board of supervisors from undertaking and  
340 performing the work authorized under this act without a contract  
341 and by labor operating under the directions of the board, its  
342 engineer or employees.

343 (2) The provisions of the Consultants' Competitive  
344 Negotiation Act as provided in s. 287.055, Florida Statutes,  
345 shall apply to contracts for engineering, architecture, landscape  
346 architecture, or registered surveying and mapping services let by  
347 the board.

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

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

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

372       (6) The district may apply to the Department of Management  
373 Services, or an entity succeeding to the duties of such  
374 department, to purchase commodities or contractual services from  
375 purchasing agreements established and state term contracts  
376 procured pursuant to s. 287.057, Florida Statutes, by such

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377 department, as provided in s. 287.056, Florida Statutes.

378 Section 7. The Board of Supervisors of Tindall Hammock  
379 Irrigation and Soil Conservation District is authorized and  
380 empowered to borrow money on temporary or permanent loans and to  
381 issue promissory notes, bonds, or other obligations ("bonds") ~~and~~  
382 ~~to incur obligations~~ from time to time upon such terms and at  
383 such rates of interest, not exceeding the maximum rate authorized  
384 by general law, ~~or, if no rate is authorized by general law, at a~~  
385 ~~rate not exceeding 12 percent per year~~ as the board may determine  
386 for the purpose of raising funds to purchase, install, construct,  
387 and prosecute to final completion the water systems, sewer  
388 systems, drainage works, and improvements herein authorized, and  
389 for the purpose of paying all expenses incident to such work and  
390 all expenses necessary or needful in carrying out the purpose of  
391 the act, including, without limiting the generality of the  
392 foregoing, cost of rights-of-way. To enable the board to borrow  
393 and obtain money necessary to carry out and perform the purposes  
394 aforesaid, the board is authorized and empowered to issue in the  
395 corporate name of the district negotiable ~~coupon~~ bonds, the  
396 aggregate amount of all bonds issued hereunder to be an amount as  
397 may be determined by the board ~~not to exceed \$450,000.~~

398 Section 8. (1) The bonds to be issued pursuant to the  
399 provisions of this act shall be in denominations of \$1,000 ~~\$100,~~  
400 or any multiple thereof, shall bear interest at a rate not to  
401 exceed that authorized by general law, shall be payable at such  
402 times as determined by the board, ~~semiannually,~~ and shall mature  
403 at intervals within 50 years from the date of their issuance, the  
404 ~~at~~ first maturity to be not more than 10 years from the date  
405 thereof, and both principal and interest of such bonds shall be

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406 payable at a place or places determined by the board and  
407 designated in the bonds. All bonds ~~and coupons~~ not paid at a  
408 maturity shall bear interest at a rate not to exceed that  
409 authorized by general law from maturity until paid.

410 (2) The bonds shall show on their face the purposes for  
411 which they are issued and shall be payable solely out of the  
412 acreage and/or millage taxes levied by or for the district,  
413 pursuant to the provisions of this act. The bonds shall be signed  
414 by the chair or, in his or her absence, the vice chair ~~president~~  
415 of the board of supervisors and, attested by the secretary under  
416 the seal of the district. ~~Interest payments shall be evidenced by~~  
417 ~~coupons bearing a facsimile of the signature of the president of~~  
418 ~~the board of supervisors, or secretary of the district.~~ Such  
419 bonds ~~and coupons~~ shall be considered as having been validly  
420 executed if signed by the proper officers in the office at the  
421 time of such signing. Said bonds may contain such provisions for  
422 registration, including a book entry only provision for  
423 registration, either as to principal, or principal and interest,  
424 as the board may prescribe, and in the discretion of the board it  
425 may be provided that, at any time after such dates as shall be  
426 fixed by the board, the bonds may be redeemed at the option of  
427 the board or upon mandatory redemption, in a manner and at prices  
428 ~~a price~~ to be specified in the resolution pursuant to in  
429 ~~pursuance of~~ which said bonds are issued.

430 (3) The board may retain trustees, paying agents, bond  
431 registrars, or authentication agents in connection with the  
432 issuance of its bonds, upon such terms as it deems appropriate.  
433 ~~The board of supervisors is authorized to provide in the~~  
434 ~~resolution authorizing the issuance of bonds and in the said~~

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435 ~~bonds that one-half of the acreage and/or millage tax will be~~  
436 ~~devoted to, so far as necessary, the payment of the principal of~~  
437 ~~and interest on said bonds; that the holders of such bonds shall~~  
438 ~~have a first lien upon one-half of the acreage and/or millage~~  
439 ~~tax; and that no further charge shall be placed upon the proceeds~~  
440 ~~of such tax or obligation incurred payable therefrom unless such~~  
441 ~~charge or obligation be junior and subordinate to the lien upon~~  
442 ~~such proceeds for the payment of the principal and interest on~~  
443 ~~the bonds.~~

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

447 Section 9. (1) This act shall, without reference to any  
448 other act of the Legislature, be full authority for the issuance  
449 and sale of bonds of Tindall Hammock Irrigation and Soil  
450 Conservation District as authorized in this act, which bonds  
451 shall have all the qualities of negotiable paper under the law  
452 merchant, and shall not be invalid for any irregularity or defect  
453 in the proceedings for the sale and issue thereof and shall be  
454 incontestable in the hands of bona fide purchasers or holders  
455 thereof for value. No proceedings in respect to the issuance of  
456 any such bonds shall be necessary except such as are required by  
457 this act, except that the issuance or sale of bonds pursuant to  
458 the provisions of this act shall comply with the general law  
459 requirements applicable to the issuance or sale of bonds by the  
460 district. The provisions of this act shall constitute an  
461 irrevocable contract between the district and the holders of any  
462 bonds ~~and coupons attached thereto~~ issued pursuant to the  
463 provisions hereof. Any holder of any bonds ~~or coupons~~ may either



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464 at law or in equity, by suit or mandamus, enforce and compel the  
465 performance of the duties required by this act of any of the  
466 officers or persons mentioned in this act in relation to the  
467 bonds or to the collection, enforcement, and application of the  
468 taxes for the payment thereof.

469 Section 10. (1) Upon the adoption by the board of  
470 supervisors of a resolution providing for the issuance of bonds,  
471 ~~a certified copy of such resolution shall be forwarded to the~~  
472 ~~Board of County Commissioners of Broward County. At the first~~  
473 ~~meeting of the board of county commissioners after the receipt of~~  
474 ~~the certified copy of the resolution,~~ the board of supervisors  
475 ~~county commissioners~~ shall order that an election be held in the  
476 ~~portion of the district lying within the county~~ at a time and a  
477 place designated by the board of supervisors ~~county commissioners~~  
478 to determine whether or not the bonds authorized by such  
479 resolution shall be issued, and in such election only the  
480 landowners who are qualified electors owning land in the district  
481 shall be entitled to vote. Prior to the time of the holding of  
482 the election, the board of supervisors ~~county commissioners~~ shall  
483 cause to be published, once a week for 4 consecutive weeks, in a  
484 newspaper of general circulation published in the county, a  
485 notice of the holding of the election which shall specify the  
486 time and place or places of the holding thereof. The board of  
487 supervisors ~~county commissioners~~ shall appoint a clerk or clerks  
488 and inspectors for such election, who need not be qualified  
489 electors residing in Tindall Hammock Irrigation and Soil  
490 Conservation District.

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

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

521 Section 11. (1) At the bond election, ballot boxes may be

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522 used, notwithstanding the fact that at the time of ~~the~~ holding  
523 the election, voting machines may be in general use in Broward  
524 County. The ballots to be used in such election shall have  
525 printed thereon the description of the issuance of bonds to be  
526 voted on as the board of supervisors of the district may  
527 prescribe. Direction to the voter to express his or her choice by  
528 making an "X" mark in the space opposite the words "For Bonds" or  
529 "Against Bonds" shall be stated on the ballot. The clerks and  
530 inspectors of the elections shall make returns to the board of  
531 supervisors ~~county commissioners~~ which appointed them immediately  
532 after the elections and the board of supervisors ~~county~~  
533 ~~commissioners~~ shall hold special meetings as soon thereafter as  
534 practicable for the purpose of canvassing the election returns  
535 and shall determine and certify to the result thereof ~~for the~~  
536 ~~county~~. The certificates shall each show the number of qualified  
537 electors in the county who are landowners of Tindall Hammock  
538 Irrigation and Soil Conservation District, and shall show the  
539 total number of votes cast "For Bonds" and "Against Bonds." ~~The~~  
540 ~~certificates shall be forwarded immediately to the Board of~~  
541 ~~Supervisors of the Tindall Hammock Irrigation and Soil~~  
542 ~~Conservation District, by the board of county commissioners.~~ The  
543 certificates of declaration of result of such elections shall be  
544 recorded in the minutes of the board of supervisors of the  
545 district.

546 (2) If it shall appear from the certificates of the board  
547 of supervisors ~~county commissioners~~ as a result of the elections  
548 that a majority of the landowners who are qualified electors of  
549 Tindall Hammock Irrigation and Soil Conservation District  
550 participated in the bond elections, and that a majority of the

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551 | votes cast in such elections are in favor of the issuance of such  
552 | bonds, then the same shall be deemed to have been authorized in  
553 | accordance with s. 12, Art. VII of the State Constitution, as  
554 | amended.

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

567 | Section 14. (1) Two members of the board of supervisors  
568 | shall constitute a quorum. The board of supervisors shall, ~~by~~  
569 | ~~resolution~~, fix the time and the place for holding regular  
570 | meetings, but special meetings may be called by the chair or vice  
571 | chair ~~president or any two members~~ of the board of ~~supervisors~~,  
572 | at any time or place. The meeting place of the board shall ~~may~~ be  
573 | in Broward County ~~either within or without the district~~.

574 | Section 18. The purpose of forming the Tindall Hammock  
575 | Irrigation and Soil Conservation District is to create an  
576 | independent improvement ~~irrigation~~ district for the purpose of  
577 | controlling, regulating, and maintaining water systems and sewer  
578 | systems within and without the district and for the purpose of  
579 | controlling, regulating, and maintaining the water levels in all

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580 the ditches and canals lying within the boundaries of the  
581 district separate and apart from drainage purposes. To accomplish  
582 this purpose it is necessary for the ~~irrigation~~ district board of  
583 supervisors to have full, complete, and exclusive control over  
584 all water levels within the Tindall Hammock Irrigation and Soil  
585 Conservation District. In order to carry out the purpose and  
586 intent of this act, the Board of Supervisors of the Tindall  
587 Hammock Irrigation and Soil Conservation District is authorized  
588 and empowered to have the exclusive right and power, in their  
589 discretion, to regulate, maintain, and control water systems and  
590 sewer systems within and without the district and to regulate,  
591 maintain, and control the water levels in all the canals and  
592 ditches lying within the boundaries of the said Tindall Hammock  
593 Irrigation and Soil Conservation District.

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

597 Section 3. If any provision of this act or the application  
598 thereof to any person or circumstance is held invalid, the  
599 invalidity shall not affect other provisions or applications of  
600 this act which can be given effect without the invalid provision  
601 or application, and to this end the provisions of this act are  
602 declared severable.

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