

HB 1059

2009

1 A bill to be entitled
2 An act relating to the Central Broward Water Control
3 District, Broward County; amending chapter 98-501, Laws of
4 Florida, as amended; providing for flood protection
5 services; revising the geographical boundaries of the
6 district; revising powers of the district with respect to
7 construction and imposition of liens; deleting or updating
8 obsolete language; revising the geographical boundaries of
9 district zones for the election of commissioners; revising
10 residency requirements for commissioner qualification;
11 revising requirements for the filling of vacancies on the
12 board of commissioners; revising provisions relating to
13 filing fees and oath of office; providing the procedure
14 for selection of chair and vice chair in the event of a
15 deadlock; revising quorum requirements; requiring certain
16 commissioners to preside over meetings of the board in the
17 absence of the chair and vice chair; deleting provisions
18 relating to a special warrant for collection of drainage
19 taxes; revising powers of the board in carrying out the
20 state comprehensive water management plan; revising
21 rulemaking authority of the board; revising eminent domain
22 provisions; revising language relating to obstruction of
23 certain district facilities; clarifying language relating
24 to the adoption of certain subdivision regulations;
25 prohibiting the amount paid by the district for contracted
26 goods or services from exceeding certain statutory
27 requirements unless certain notice is published in a

28 newspaper of general circulation; providing severability;
 29 providing an effective date.

30

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

32

33 Section 1. Sections 2 through 7, 12, 17, 33, 34, 37
 34 through 40, and 42 of section 2 of chapter 98-501, Laws of
 35 Florida, as amended by chapter 2002-362, Laws of Florida, are
 36 amended, and section 43 is added to that section, to read:

37 Section 2. District created and boundaries thereof.--The
 38 creation of the Central Broward Water Control District with the
 39 powers herein vested in it by this act is to further the best
 40 interests of the public, health, safety, and welfare inasmuch as
 41 proper drainage, flood protection, and water management are ~~is~~
 42 necessary to protect said lands hereinafter described. That for
 43 the purpose of providing drainage, flood protection, and water
 44 management services conducted pursuant to this section for the
 45 lands hereinafter described and for other purposes stated in
 46 this act, a drainage and water management district is hereby
 47 created and established in Broward County, to be known as the
 48 Central Broward Water Control District, an independent special
 49 district, the geographical boundaries of which shall include the
 50 following land lying, being, and situate in Broward County,
 51 Florida, to wit:

52

53 Begin at the intersection of the east right-of-way line
 54 of State Road #7 and its intersection with the south
 55 line of Tier 1; as shown by the Plat of NEWMAN'S SURVEY,

56 as recorded in Plat Book 2, Page 26, of the Public
57 Records of Miami-Dade County, Florida, (All subsequent
58 references to Tract and Tier number refer to this plat);
59 thence westerly, along the south line of Tiers 1, 3, 5,
60 7, and 9, and their prolongations thereof, to an
61 intersection with the northerly extension of the east
62 line of Tract 7, Section 25, Township 50 South, Range 41
63 East, as shown on said plat of NEWMAN'S SURVEY; thence
64 southerly, along said northerly extension and said east
65 line, to the southeast corner of said Tract 7; thence
66 westerly, along the south line of said Tract 7 and its
67 westerly prolongation, to the northeast corner of Tract
68 9 of said Section 25; thence southerly, along the east
69 line of said Tract 9, to the southeast corner of said
70 Tract 9; thence westerly, along the south line of said
71 Tract 9, to the southwest corner of said Tract 9; thence
72 northerly, along the west line of Tracts 9 and 8, and
73 their northerly prolongation to an intersection with the
74 south line of Tier 13; thence westerly, along the south
75 line of Tiers 13, 15, 17, 19, 23, 25, 27, and 29, and
76 their prolongations thereof, to the southwest corner of
77 Tract 8, Tier 29; thence northerly, along the west line
78 of Tier 29, to the southwest corner of Tract 4, Tier 29;
79 thence westerly, along the south line of Tract 4, Tiers
80 31, 33, 35 and 37 and their prolongations thereof, to
81 the Southwest corner of Tract 4, Tier 37; thence
82 northerly, along the west line of said Tier 37, to the
83 intersection with the centerline of the right-of-way of

84 the North New River Canal; thence northwesterly, along
85 said centerline, to the intersection with the west line
86 of Section 4, Township 50 South, Range 40 East; thence
87 southerly, along the west lines of Sections 4, 9, 16, 21
88 and 28, of Township 50 South, Range 40 East, to the
89 physical centerline of the South New River Canal; thence
90 meandering easterly, northeasterly, northerly,
91 northwesterly, northeasterly, southeasterly and easterly
92 along said physical centerline, to its intersection with
93 the west line of Section 27, Township 50 South, Range 40
94 East; thence southerly, along the west line of Sections
95 27 and 34, Township 50 South, Range 40 East, and
96 continuing southerly, along the west line of Section 3,
97 Township 51 South, Range 40 East to the southwest corner
98 of said Section 3; thence easterly, along the south line
99 of Sections 3, 2, and 1, Township 51 South, Range 40
100 East and continuing easterly, along the south line of
101 Sections 6, 5 and 4, Township 51 South, Range 41 east,
102 to the northwest corner of Section 10, Township 51
103 South, Range 41 East; thence, southerly, along the west
104 line of said Section 10, to the west one-quarter (W
105 1/4) corner of said Section 10; thence, easterly, along
106 the south line of the north one-half (N1/2) of Sections
107 10, 11 and 12, Township 51 South, Range 41 East, to an
108 intersection with a line 80 feet east of, as measured at
109 right angles to, and parallel with the west right-of-way
110 line of Florida's Turnpike; thence, northerly, along
111 said parallel line, and continuing 80 feet east of said

112 right-of-way, to an intersection with the south line of
 113 Section 36, Township 50 South, Range 41 East; thence,
 114 easterly, along said south line, to an intersection with
 115 the east right-of-way line of State Road #7; thence
 116 northerly, along said east right of way, to the Point of
 117 Beginning. ~~Starting at the intersection of the East~~
 118 ~~Right-of-way line of State Road #7 and its intersection~~
 119 ~~with the South line of Tier 3; as shown by the Plat of~~
 120 ~~NEWMAN'S SURVEY, as recorded in Plat Book 2, Page 26 of~~
 121 ~~the Public Records of Dade County, Florida (All~~
 122 ~~subsequent references to Tract and Tier number refer to~~
 123 ~~this plat), for the point of beginning; thence Westerly~~
 124 ~~along the South line of Tiers 3, 5, 7 and 9, and their~~
 125 ~~prolongations thereof, to an intersection with the~~
 126 ~~Northerly extension of the East line of Tract 7, Section~~
 127 ~~25, Township 50 South, Range 41 East, as shown on said~~
 128 ~~plat of NEWMAN'S SURVEY; thence Southerly along the East~~
 129 ~~line of Tract 7 to the Southeast corner of said Tract 7;~~
 130 ~~thence Westerly along the South line of said Tract 7 to~~
 131 ~~the Northeast corner of tract 9 of said Section 25;~~
 132 ~~thence Southerly along the East line of said Tract 9 to~~
 133 ~~the Southeast corner of said Tract 9; thence Westerly,~~
 134 ~~along the South line of said Tract 9 to the Southwest~~
 135 ~~corner of said Tract 9; thence Northerly along the West~~
 136 ~~line of Tracts 9 and 8 and their Northerly prolongation~~
 137 ~~to an intersection with the South line of Tier 13;~~
 138 ~~thence Westerly along the South line of Tiers 15, 17,~~
 139 ~~19, 21, 23, 25, 27 and 29, and their prolongations~~

140 ~~thereof to the Southwest corner of Tract 8, Tier 29;~~
141 ~~thence Northerly along the West line of Tier 29 to the~~
142 ~~Southwest corner of Tract 4, Tier 29; thence Westerly~~
143 ~~along the South line of Tract 4, Tiers 31, 33, 35 and 37~~
144 ~~and their prolongations thereof to the Southwest corner~~
145 ~~of Tract 4, Tier 37; thence run Northerly along the West~~
146 ~~line of said Tier 37, to the North right-of-way line of~~
147 ~~the North New River Canal; thence run northwesterly~~
148 ~~along the north side of the north bank of the said canal~~
149 ~~to the intersection of said bank with the west line of~~
150 ~~Section 4, Township 50 South, Range 40 East; thence~~
151 ~~southerly along the west line of Sections 4, 9, 16, 21~~
152 ~~and 28 of Township 50 South, Range 40 East, to the South~~
153 ~~side of the south bank of the South New River Canal;~~
154 ~~thence Easterly along the south side of the south bank~~
155 ~~the South New River canal to its intersection with the~~
156 ~~west line of Section 27, Township 50 South, Range 40~~
157 ~~East; thence southerly along the west line of Sections~~
158 ~~27 and 34, Township 50 South, Range 40 East and~~
159 ~~continuing along the West line of Section 3 Township 51~~
160 ~~South, Range 40 East to the Southwest corner of Section~~
161 ~~3, Township 51 South, Range 40 East; thence east along~~
162 ~~the south line of Sections 3, 2 and 1 in Township 51~~
163 ~~South, Range 40 East and continuing along the south line~~
164 ~~of Sections 6, 5 and 4, in Township 51 South, Range 41~~
165 ~~East, to the northwest corner of Section 10, Township 51~~
166 ~~South, Range 41 East; thence, run south along the west~~
167 ~~line of said Section 10 to the southwest corner of the~~

168 ~~north half of said Section 10; thence, run east along~~
 169 ~~the south line of the north half of Sections 10, 11 and~~
 170 ~~12, in Township 51 South, Range 41 East, to the east~~
 171 ~~bank of the drainage ditch along the west side of the~~
 172 ~~Florida Turnpike; thence, run north along the east bank~~
 173 ~~of said ditch to the south line of Section 36, Township~~
 174 ~~50 South, Range 41 East; thence, run east along the~~
 175 ~~south line of said Section 36 to the east side of State~~
 176 ~~Road #7; thence, in a northerly direction along the east~~
 177 ~~side of said State Road #7 to the point of beginning.~~

178
 179 Section 3. Powers.--The district is hereby granted and
 180 shall have full power and authority as follows:

- 181 a. To contract and be contracted with.
- 182 b. To sue and be sued.
- 183 c. To plead and to be impleaded in all courts.
- 184 d. To acquire by purchase, gift, devise, condemnation,
 185 eminent domain, or otherwise, property, real or personal, or any
 186 estate therein, within or without the district, to be used for
 187 any purpose necessary or to meet the needs of any of the
 188 purposes of this act.
- 189 e. To establish, construct, operate, and maintain a system
 190 of main and lateral canals, drains, ditches, levees, dikes,
 191 dams, sluices, locks, revetments, reservoirs, holding basins,
 192 floodways, pumping stations, syphons, culverts, and storm
 193 sewers, and to connect some or any of them as within the
 194 judgment of the board of commissioners is deemed advisable to

195 drain and provide water management services conducted pursuant
 196 to this section for the lands within the district created.

197 f. To acquire and maintain appropriate sites for storage
 198 and maintenance of the equipment of the district.

199 g. To acquire and maintain and/or construct a suitable
 200 building to house the offices and records of the district.

201 h. To have all the powers and rights of a body corporate
 202 and to adopt and use a seal and to alter the same at the
 203 pleasure of a majority of the board of commissioners.

204 i. To clean out, straighten, widen, open up or change the
 205 course and flow, alter, or deepen any canal, ditch, drain,
 206 river, water course, or natural stream as within the judgment of
 207 the board of commissioners is deemed advisable to drain and
 208 provide water management services conducted pursuant to this
 209 section for the lands within the said district hereby created.

210 j. To acquire, purchase, operate, and maintain pumps,
 211 plants, and pumping systems for drainage purposes.

212 k. To construct, operate, and maintain irrigation works
 213 and machinery in connection with the purposes herein set forth.

214 l. To construct, improve, pave, and maintain roadways,
 215 rights-of-way, easements, and roads necessary and convenient for
 216 the exercise of the powers and duties herein set forth.

217 m. To regulate and set forth by appropriate order the
 218 drainage requirements and other auxiliary conditions to be met
 219 for plats to be entitled to record on any land within the
 220 district, including authority to require as a condition
 221 precedent for any platting that good and sufficient bond be

HB 1059

2009

222 posted to assure proper drainage and water management for the
 223 area to be platted.

224 n. To borrow money for periods over 1 year and issue
 225 negotiable paper or other bonds of the district as hereinafter
 226 provided.

227 o. To borrow money from time to time for periods under 1
 228 year and issue negotiable notes or other notes of said district
 229 as provided in this act.

230 p. To build and construct any other works and improvements
 231 deemed necessary to preserve and maintain the works in or out of
 232 said district.

233 q. To acquire, construct, operate, maintain, use, sell,
 234 convey, transfer, or otherwise provide for pumping stations,
 235 including pumping machinery, motive equipment, electric lines,
 236 and all appurtenant or auxiliary machines, devices, or equipment
 237 for the purpose of drainage and water management services
 238 conducted pursuant to this section.

239 r. To contract for the purchase, construction, operation,
 240 maintenance, use, sale, conveyance, and transfer of the said
 241 pumping stations, machinery, motive equipment, electric lines,
 242 and appurtenant equipment, including the purchase of electric
 243 power and energy for the operation of the same.

244 s. To construct or enlarge, or cause to be constructed or
 245 enlarged, any and all bridges or culverts that may be needed in
 246 or out of the district, across any drain, ditch, canal,
 247 floodway, holding basin, excavation, public highway, railroad
 248 right-of-way, tract, grade, fill, or cut.

249 t. To construct roadways over levees and embankments.

250 u. To construct any and all of said works and improvements
 251 across, through, or over any public highway, railroad right-of-
 252 way, track, grade, fill, or cut in or out of the district.

253 v. To remove any fence, building, or other improvements,
 254 in or out of the district for purposes of drainage and water
 255 management services conducted pursuant to this section.

256 w. To hold, control, and acquire by donation or purchase,
 257 condemnation, easement, railroad right-of-way, sluice,
 258 reservation, holding basin, or franchise in or out of said
 259 district for right-of-way, holding basin, for any of the
 260 purposes herein provided, or for material to be used in
 261 constructing and maintaining said works and improvements for
 262 drainage, protecting, and providing water management services
 263 conducted pursuant to this section for the lands in said
 264 district.

265 x. To condemn or acquire, by purchase or grant, or by
 266 exercise of the right of eminent domain, for use in the
 267 district, any land or property within or without said district
 268 and acquire or condemn any other property within or without said
 269 district and shall follow in connection therewith the procedure
 270 set out in chapter 73, Florida Statutes, (Eminent Domain) which
 271 shall be construed so as to be applicable to the district
 272 created hereby.

273 y. To assess and impose upon all of the lands in the
 274 district an annual tax as provided in this act.

275 z. To impose and foreclose special assessment liens as
 276 provided in this act. Said liens shall have the same priority as

HB 1059

2009

277 all other special assessment liens and taxes but not have
278 priority of prior filed mortgages.

279 aa. To prohibit, regulate, and restrict by appropriate
280 resolution of the board of commissioners all structures,
281 materials, and things, whether solid, liquid, or gas, whether
282 permanent or temporary in nature, which come upon, come into,
283 connect to, or be a part of any of the main or lateral drains,
284 ditches, canals, levees, dikes, dams, sluices, revetments,
285 reservoirs, holding basins, floodways, pumping stations, and
286 syphons which may have been heretofore created or which may be
287 hereafter created or which may be hereafter constructed.

288 bb. To administer and provide for the enforcement of all
289 the provisions herein, including the making, adopting,
290 promulgating, amending, and repealing of all rules and
291 regulations necessary or convenient for the carrying out of the
292 duties, obligations, and powers conferred on the district
293 created hereby and further for the proper administration and
294 enforcement hereof.

295 cc. To cooperate with or contract with other drainage
296 districts or governmental agencies as may be necessary,
297 convenient, incidental, or proper in connection with any of the
298 powers, duties, or purposes of the district as stated in this
299 charter.

300 dd. To employ engineers, attorneys, agents, employees, and
301 representatives as the board of commissioners may from time to
302 time determine necessary and to fix their compensation and
303 duties.

304 ee. To exercise all of the powers necessary, convenient,
 305 incidental, or proper in connection with any of the powers,
 306 duties, or purposes of the district as stated in this act;
 307 however, none of the powers contained herein shall apply to the
 308 works of the South Florida Water Management District.

309 Section 4. Board of commissioners.--

310 a. The governing board of the district shall be designated
 311 as the board of commissioners of the Central Broward Water
 312 Control District and shall be composed of six members who shall
 313 be known as commissioners.

314 b. All commissioners shall be elected on an at-large
 315 nonpartisan basis, by the qualified electors residing within the
 316 district zone that the election is for, in accordance with the
 317 procedure provided in this act. ~~Commissioners from Zones 1, 2,~~
 318 ~~and 6 shall be elected in the general election of November 2002.~~
 319 ~~Commissioners from zones 3, 4, and 5 shall be elected in the~~
 320 ~~general election of November 2004.~~ The individual receiving the
 321 most votes who has qualified to run as commissioner for a
 322 specific zone shall be elected commissioner of that zone. ~~No~~
 323 ~~zone commissioner elected prior to January 1, 2002, shall be~~
 324 ~~affected in his or her term of office.~~

325 c. The board of commissioners of the Central Broward Water
 326 Control District shall hereafter be elected on a basis of each
 327 of the six commissioners representing one of the six respective
 328 geographical zones of the entire district as provided herein. In
 329 qualifying for such office, each candidate shall designate the
 330 zone he or she is qualifying for.

331 d. The six zones of the entire district are as follows:

332
333 Zone 1: Begin at the intersection of the centerline
334 right-of-way of the North New River Canal with the west
335 line of Section 3, Township 50 South, Range 40 East,
336 Broward County, Florida; thence southeasterly, along
337 said centerline, to the intersection with the east line
338 of Section 12, Township 50 South, Range 40 East; thence
339 southerly, along said east line, to the southeast corner
340 of said Section 12; thence westerly, along the south
341 line of said Section 12, to the southwest corner of said
342 Section 12; thence southerly, along the east line of
343 Sections 14, 23 and 26, Township 50 South, Range 40
344 East, to the intersection with the physical centerline
345 of the South New River Canal; thence westerly, along
346 said centerline, to the intersection with the west line
347 of the east one-half (E 1/2) of Section 27, Township 50
348 South, Range 40 East; thence northerly, along the west
349 line of the east one-half (E 1/2) of Sections 27 and 22,
350 Township 50 South, Range 40 East, to the north one-
351 quarter (N 1/4) corner of said Section 22; thence
352 westerly, along the south line of Sections 15 and 16,
353 Township 50 South, Range 40 East, to the south one-
354 quarter (S 1/4) corner of said Section 16; thence
355 northerly, along the west line of the east one-half (E
356 1/2) of said Section 16, to the north one-quarter (N
357 1/4) corner of said Section 16; thence easterly, along
358 the north line of said Section 16, to the northeast
359 corner of said Section 16; thence northerly, along the

360 west line of Sections 10 and 3, Township 50 South, Range
 361 40 East, to the Point of Beginning. Beginning at the
 362 ~~intersection of the north side of the north bank of the~~
 363 ~~North New River Canal with the West line of Section 3,~~
 364 ~~Township 50 South, Range 40 East, Broward County,~~
 365 ~~Florida; thence Southeasterly along said north side of~~
 366 ~~the north bank of the North New River Canal, to the~~
 367 ~~intersection with the East line of Section 12, Township~~
 368 ~~50 South, Range 40 East; thence Southerly, along said~~
 369 ~~East line of Section 12, to the Southeast corner of said~~
 370 ~~Section 12; thence Westerly, along the South line of~~
 371 ~~said Section 12, to the Southwest corner of said Section~~
 372 ~~12; thence Southerly, along the East line of Sections~~
 373 ~~14, 23 and 26, Township 50 South, Range 40 East, to the~~
 374 ~~intersection with the south side of the south bank of~~
 375 ~~the South New River Canal; thence westerly, along said~~
 376 ~~south side of the south bank of the South New River~~
 377 ~~Canal, to the intersection with the West line of the~~
 378 ~~East Half (E 1/2) of Section 27, Township 50 South,~~
 379 ~~Range 40 East; thence Northerly, along the West line of~~
 380 ~~the East Half of Sections 27 and 22, Township 50 South,~~
 381 ~~Range 40 East, to the Northwest corner of said East Half~~
 382 ~~(E 1/2) of Section 22; thence Westerly, along the South~~
 383 ~~line of Sections 15 and 16, Township 50 South, Range 40~~
 384 ~~East, to the West line of the East Half (E 1/2) of said~~
 385 ~~Section 16; thence Northerly, along said West line of~~
 386 ~~the East Half (E 1/2) of Section 16, to the Northwest~~
 387 ~~corner of said East Half (E 1/2) of Section 16; thence~~

388 ~~Easterly, along the North line of said Section 16, to~~
 389 ~~the Northeast corner of said Section 16; thence~~
 390 ~~Northerly, along the West line of Sections 10 and 3,~~
 391 ~~Township 50 South, Range 40 East, to the Point of~~
 392 ~~Beginning.~~

393
 394 Zone 2: Begin at the intersection of the centerline
 395 right-of-way of the North New River Canal with the east
 396 line of Section 12, Township 50 South, Range 40 East,
 397 Broward County, Florida; thence southeasterly, along
 398 said centerline to the intersection with the east line
 399 of Section 16, Township 50 South, Range 41 East; thence
 400 southerly, along said east line, to the southeast corner
 401 of said Section 16; thence westerly, along the south
 402 line of said Section 16, to the southwest corner of said
 403 Section 16; thence southerly, along the east line of
 404 Section 20, Township 50 South, Range 41 East, to the
 405 southeast corner of said Section 20; thence westerly,
 406 along the south line of Sections 20 and 19, Township 50
 407 South, Range 41 East, to the southwest corner of said
 408 Section 19; thence continue westerly, along the
 409 extension of the south line of said Section 19, across
 410 the Hiatus between the west line of said Section 19 and
 411 the east line of Section 24, Township 50 South, Range 40
 412 East, to a point on the east line of said Section 24;
 413 thence southerly, along the east line of Sections 24 and
 414 25, Township 50 South, Range 40 East, to the
 415 intersection with the physical centerline of the South

416 New River Canal; thence westerly, along said centerline,
 417 to the intersection with the west line of Section 25,
 418 Township 50 South, Range 40 East; thence northerly,
 419 along the west line of Sections 25, 24 and 13, Township
 420 50 South, Range 40 East to the southwest corner of
 421 Section 12, Township 50 South, Range 40 East; thence
 422 easterly, along the south line of said Section 12, to
 423 the southeast corner of said Section 12; thence
 424 northerly, along the east line of said Section 12, to
 425 the Point of Beginning. Beginning at the intersection of
 426 ~~the north side of the north bank of the North New River~~
 427 ~~Canal with the east line of Section 12, Township 50~~
 428 ~~South, Range 40 East, Broward County, Florida; thence~~
 429 ~~run southeasterly along the north side of the north bank~~
 430 ~~of said canal to the intersection of said bank with the~~
 431 ~~east line of Section 16, Township 50 South, Range 41~~
 432 ~~East; thence run southerly along the east line of said~~
 433 ~~Section 16, Township 50 South, Range 41 East to the~~
 434 ~~southeast corner of said Section 16, Township 50 South,~~
 435 ~~Range 41 East; thence run westerly along the south line~~
 436 ~~of said Section 16, Township 50 South, Range 41 East to~~
 437 ~~the southwest corner of said Section 16, Township 50~~
 438 ~~South, Range 41 East; thence run southerly along the~~
 439 ~~east line of Section 20, Township 50 South, Range 41~~
 440 ~~East, to the southeast corner of said Section 20,~~
 441 ~~Township 50 South, Range 41 East; thence run westerly~~
 442 ~~along the south line of Sections 20 and 19, Township 50~~
 443 ~~South, Range 41 East, to the southwest corner of said~~

HB 1059

2009

444 ~~Section 19, Township 50 South, Range 41 East; thence~~
445 ~~continue westerly along the extension of the south line~~
446 ~~of said Section 19, Township 50 South, Range 41 East~~
447 ~~across the Hiatus between the west line of said Section~~
448 ~~19, Township 50 South, Range 41 East and the east line~~
449 ~~of Section 24, Township 50 South, Range 40 East to a~~
450 ~~point on the east line of said Section 24, Township 50~~
451 ~~South, Range 40 East; thence continue southerly along~~
452 ~~the east line of Sections 24 and 25, Township 50 South,~~
453 ~~Range 40 East, to the intersection with the south side~~
454 ~~of the south bank of the South New River Canal; thence~~
455 ~~run westerly along the south side of the south bank of~~
456 ~~said canal to the intersection with the west line of~~
457 ~~Section 25, Township 50 South, Range 40 East; thence,~~
458 ~~run northerly along the west line of Sections 25, 24 and~~
459 ~~13, Township 50 South, Range 40 East to the Southwest~~
460 ~~corner of Section 12, Township 50 South, Range 40 East,~~
461 ~~thence run easterly along the south line of said Section~~
462 ~~12, Township 50 South, Range 40 East to the Southeast~~
463 ~~corner of said Section 12, Township 50 South, Range 40~~
464 ~~East, thence run northerly along the east line of said~~
465 ~~Section 12, Township 50 South, Range 40 East, to the~~
466 ~~point of beginning.~~

467
468 Zone 3: Begin at the intersection of the physical
469 centerline of the South New River Canal and the east
470 right-of-way line of State Road No. 7; thence northerly,
471 along the east right of way line to intersection with

472 the south line of Tier 1; as shown by the Plat of
473 NEWMAN'S SURVEY, as recorded in Plat Book 2, Page 26, of
474 the Public Records of Miami-Dade County, Florida, (All
475 subsequent references to Tract and Tier number refer to
476 this plat); thence westerly, along the south line of
477 Tiers 1, 3, 5, 7, and 9, and their prolongations
478 thereof, to an intersection with the northerly extension
479 of the east line of Tract 7, Section 25, Township 50
480 South, Range 41 East, as shown on said plat of NEWMAN'S
481 SURVEY; thence southerly, along said northerly extension
482 and said east line, to the southeast corner of said
483 Tract 7; thence westerly, along the south line of said
484 Tract 7 and its westerly prolongation, to the northeast
485 corner of Tract 9 of said Section 25; thence southerly,
486 along the east line of said Tract 9, to the southeast
487 corner of said Tract 9; thence westerly, along the south
488 line of said Tract 9, to the southwest corner of said
489 Tract 9; thence northerly, along the west line of Tracts
490 9 and 8, and their northerly prolongation to an
491 intersection with the south line of Tier 13; thence
492 westerly, along the south line of Tiers 13, 15, 17, 19,
493 23, 25, 27, and 29, and their prolongations thereof, to
494 the southwest corner of Tract 8, Tier 29; thence
495 northerly, along the west line of Tier 29, to the
496 southwest corner of Tract 4, Tier 29; thence westerly,
497 along the south line of Tract 4, Tiers 31, 33, 35 and 37
498 and their prolongations thereof, to the Southwest corner
499 of Tract 4, Tier 37; thence northerly, along the west

500 line of said Tier 37, to the intersection with the
 501 centerline of the right-of-way of the North New River
 502 Canal; thence northwesterly, along said centerline, to
 503 the intersection with the west line of Section 15,
 504 Township 50 South, Range 41 East; thence southerly,
 505 along the east line of Section 16, Township 50 South,
 506 Range 41 East to the southeast corner of said Section
 507 16; thence westerly, along the south line of said
 508 Section 16, to southwest corner of said Section 16;
 509 thence southerly, along the east line of Section 20,
 510 Township 50 South, Range 41 East, to the southeast
 511 corner of said Section 20; thence westerly, along the
 512 south line of Sections 20 and 19, Township 50 South,
 513 Range 41 East to the southwest corner of said Section
 514 19; thence continue westerly, along the extension of the
 515 south line of said Section 19, across the Hiatus between
 516 the west line of said Section 19 and the east line of
 517 Section 24, Township 50 South, Range 40 East to a point
 518 on the east line of said Section 24; thence southerly,
 519 along the east line of Sections 24 and 25, Township
 520 50 South, Range 40 East, to the intersection with the
 521 physical centerline of the South New River Canal; thence
 522 easterly, along said centerline, to the Point of
 523 Beginning. ~~Beginning at the intersection of the south~~
 524 ~~side of the south bank of the South New River Canal and~~
 525 ~~the east right-of-way line of State Road No. 7; thence,~~
 526 ~~run northerly along the east side of said State Road No.~~
 527 ~~7 to the north line of Section 25, Township 50 South,~~

528 | ~~Range 41 East; thence run westerly along the north line~~
 529 | ~~of Sections 25 and 26, Township 50 South, Range 41 East,~~
 530 | ~~to its intersection with the west line of Tract 8, Tier~~
 531 | ~~29, as shown by the Plat of NEWMAN'S SURVEY, as recorded~~
 532 | ~~in Plat Book 2, Page 26, of the Public Records of Dade~~
 533 | ~~County, Florida, (all subsequent references to Tract and~~
 534 | ~~Tier numbers refer to this Plat) also known as the~~
 535 | ~~Southwest corner of Tract 8, Tier 29; thence run~~
 536 | ~~northerly along the west line of Tier 29 for a distance~~
 537 | ~~of 3,356.37 feet more or less to the southwest corner of~~
 538 | ~~Tract 4, Tier 29; thence run westerly along the south~~
 539 | ~~line of Tract 4 in Tiers 31, 33, 35 and 37 and their~~
 540 | ~~prolongations thereof for a distance of 2,399.28 ft.~~
 541 | ~~more or less to the southwest corner of Tract 4, Tier~~
 542 | ~~37; thence run northerly along the west line of said~~
 543 | ~~Tier 37 for a distance of 3,456 ft. more or less to the~~
 544 | ~~north right-of-way line of the North New River Canal;~~
 545 | ~~thence run northwesterly along the north side of the~~
 546 | ~~north bank of said canal to the intersection of said~~
 547 | ~~bank with the west line of Section 15, Township 50~~
 548 | ~~South, Range 41 East; thence, run southerly along the~~
 549 | ~~east line of Section 16, Township 50 South, Range 41~~
 550 | ~~East to the southeast corner of said Section 16,~~
 551 | ~~Township 50 South, Range 41 East; thence run westerly~~
 552 | ~~along the south line of said Section 16, Township 50~~
 553 | ~~South, Range 41 East to southwest corner of said Section~~
 554 | ~~16, Township 50 South, Range 41 East; thence run~~
 555 | ~~southerly along the east line of Section 20, Township 50~~

556 ~~South, Range 41 East, to the southeast corner of said~~
 557 ~~Section 20, Township 50 South, Range 41 East; thence run~~
 558 ~~westerly along the south line of Sections 20 and 19,~~
 559 ~~Township 50 South, Range 41 East to the southwest corner~~
 560 ~~of said Section 19, Township 50 South, Range 41 East;~~
 561 ~~thence continue westerly along the extension of the~~
 562 ~~south line of said Section 19, Township 50 South, Range~~
 563 ~~41 East across the Hiatus between the west line of said~~
 564 ~~Section 19, Township 50 South, Range 41 East and the~~
 565 ~~east line of Section 24, Township 50 South, Range 40~~
 566 ~~East to a point on the east line of said Section 24,~~
 567 ~~Township 50 South, Range 40 East; thence continue~~
 568 ~~southerly along the east line of Sections 24 and 25,~~
 569 ~~Township 50 South, Range 40 East, to the intersection~~
 570 ~~with the south side of the south bank of the South New~~
 571 ~~River Canal; thence, run easterly along the south side~~
 572 ~~of the south bank of said canal to the point of~~
 573 ~~beginning. Less the following described property:~~
 574 ~~Beginning at the southeast corner of Tract 7, Section~~
 575 ~~25, Township 50 South, Range 41 East, as shown by Plat~~
 576 ~~of NEWMAN'S SURVEY, as recorded in Plat Book 2, Page 26,~~
 577 ~~Public Records of Dade County, Florida (all subsequent~~
 578 ~~references to Tract and Tier numbers refer to this~~
 579 ~~plat); thence run westerly along the south line of said~~
 580 ~~Tract 7 to the northeast corner of Tract 9 of said~~
 581 ~~Section 25, Township 50 South, Range 41 East; thence~~
 582 ~~southerly along the east line of said Tract 9 to the~~
 583 ~~southeast corner of said Tract 9; thence westerly along~~

584 ~~the south line of said Tract 9 to the southwest corner~~
 585 ~~of said Tract 9; thence northerly along the west line of~~
 586 ~~Tracts 9 and 8 and their northerly prolongation to an~~
 587 ~~intersection with the south line of Tier 13; thence~~
 588 ~~easterly along the south line of Tiers 13, 11 and 9 and~~
 589 ~~their prolongations thereof to an intersection with the~~
 590 ~~northerly extension of the east line of tract 7; thence~~
 591 ~~southerly along the east line of Tract 7 to the point of~~
 592 ~~beginning.~~

593
 594 Zone 4: Begin at the intersection of the east right-of-
 595 way line of State Road No. 7 and the physical centerline
 596 of the South New River Canal; thence southerly, along
 597 said right-of way line, to the intersection with the
 598 south line of Section 36, Township 50 South, Range 41
 599 East; thence westerly, along the south line of Sections
 600 36, 35, 34, 33 and 32 in Township 50 South, Range 41
 601 East, to the northeast corner of Section 5, Township 51
 602 South, Range 41 East; thence southerly, along the east
 603 line of said Section 5, to the southeast corner of said
 604 Section 5; thence westerly, along the south line of
 605 Sections 5 and 6, Township 51 South, Range 41 East, to
 606 the southwest corner of said Section 6; thence
 607 northerly, along the west line of said Section 6, to the
 608 northwest corner of said Section 6; thence easterly,
 609 along the north line of Sections 6 and 5, Township 51
 610 South, Range 41 East to the southwest corner of Section
 611 32, Township 50 South, Range 41 East; thence northerly,

612 along the west line of Sections 32 and 29, Township 50
 613 South, Range 41 East to the physical centerline of the
 614 South New River Canal; thence easterly, along said
 615 physical centerline, to the Point of Beginning.
 616 ~~Beginning at the intersection of the east right-of-way~~
 617 ~~line of State Road No. 7 and the south side of the south~~
 618 ~~bank of South New River Canal; thence, run southerly~~
 619 ~~along with east side of said State Road No. 7 to the~~
 620 ~~south line of Section 36, Township 50 South, Range 41~~
 621 ~~East; thence, run westerly along the south line of~~
 622 ~~Sections 36, 35, 34, 33 and 32 in Township 50 South,~~
 623 ~~Range 41 East to the Northeast corner of Section 5,~~
 624 ~~Township 51 South, Range 41 East; thence, run southerly~~
 625 ~~to the Southeast corner of said Section 5, Township 51~~
 626 ~~South, Range 41 East; thence, run westerly along the~~
 627 ~~South line of Sections 5 and 6, Township 51 South, Range~~
 628 ~~41 East to the Southwest corner of said Section 6,~~
 629 ~~Township 51 South, Range 41 East; thence, run northerly~~
 630 ~~along the west line of Section 6, Township 51 South,~~
 631 ~~Range 41 East to the Northwest corner of said Section 6,~~
 632 ~~Township 51 South, Range 41 East; thence, run easterly~~
 633 ~~along the north line of Sections 6 and 5, Township 51~~
 634 ~~South, Range 41 East to the Southwest corner of Section~~
 635 ~~32, Township 50 South, Range 41 East; thence, run~~
 636 ~~northerly along the west line of Sections 32 and 29,~~
 637 ~~Township 50 South, Range 41 East to the south side of~~
 638 ~~the south bank of the South New River Canal; thence run~~

639 ~~easterly along the south side of the south bank of the~~
640 ~~South New River Canal to the point of beginning.~~

641
642 Zone 5: Begin at the northwest corner of Section 4,
643 Township 51 South, Range 41 East; thence southerly,
644 along the west line of said Section 4, to the southwest
645 corner of said Section 4; thence easterly, along the
646 south line of said Section 4, to the northwest corner of
647 Section 10, Township 51 South, Range 41 East; thence
648 southerly, along the west line of said Section 10, to
649 the west one-quarter (W 1/4) corner of said Section 10;
650 thence easterly, along the south line of the north one-
651 half (N 1/2) of Sections 10, 11 and 12, Township 51
652 South, Range 41 East, to an intersection with a line 80
653 feet east of, as measured at right angles to, and
654 parallel with the west right-of-way line of Florida's
655 Turnpike; thence northerly, along said parallel line,
656 and continuing 80 feet east of said right-of-way, to an
657 intersection with the north line of Section 1, Township
658 51 South, Range 41 East; thence westerly, along the
659 north line of Sections 1, 2, 3 and 4, Township 51 South,
660 Range 41 East, to the Point of Beginning. Beginning at
661 ~~the Northwest corner of Section 4, Township 51 South,~~
662 ~~Range 41 East; thence, run southerly along the west line~~
663 ~~of said Section 4, Township 51 South, Range 41 east to~~
664 ~~the Southwest corner of said Section 4, Township 51~~
665 ~~South, Range 41 East; thence, run easterly along the~~
666 ~~south line of said Section 4, Township 51 South, Range~~

667 ~~41 East, to the northwest corner of Section 10, Township~~
 668 ~~51 South, Range 41 East; thence, run southerly along the~~
 669 ~~west line of said Section 10, Township 51 South, Range~~
 670 ~~41 East to the southwest corner of the north half of~~
 671 ~~said Section 10, Township 51 South, Range 41 East;~~
 672 ~~thence run easterly along the south line of the north~~
 673 ~~half of Sections 10, 11 and 12, in Township 51 South,~~
 674 ~~Range 41 East to the east bank of the drainage ditch~~
 675 ~~along the west side of the Sunshine State Parkway~~
 676 ~~(Florida Turnpike); thence, run northerly along the east~~
 677 ~~bank of said ditch to the north line of Section 1,~~
 678 ~~Township 51 South, Range 41 East; thence, run westerly~~
 679 ~~along the north line of Sections 1, 2, 3 and 4, Township~~
 680 ~~51 South, Range 41 East to the point of beginning.~~

681
 682 Zone 6: Begin at the southwest corner of Section 3,
 683 Township 51 South, Range 40 East, Broward County,
 684 Florida; thence northerly, along the west line of said
 685 Section 3, to the northwest corner of said Section 3;
 686 thence northerly, along the west line of Sections 34 and
 687 27, Township 50 South, Range 40 East, to the
 688 intersection with the physical centerline of the South
 689 New River Canal; thence meandering westerly,
 690 northwesterly, southwesterly, southeasterly, southerly,
 691 southwesterly and westerly, along said centerline, to
 692 the intersection with the west line of Section 28,
 693 Township 50 South, Range 40 East; thence northerly,
 694 along the west line of Sections 28, 21, 16, 9 and 4,

695 Township 50 South, Range 40 East, to the intersection
696 with the centerline right-of-way of the North New River
697 Canal; thence southeasterly, along said centerline, to
698 the intersection with the west line of Section 3,
699 Township 50 South, Range 40 East; thence southerly,
700 along the west line of Sections 3 and 10, Township 50
701 South, Range 40 East, to the northeast corner of Section
702 16, Township 50 South, Range 40 East; thence westerly,
703 along the north line of said Section 16, to the north
704 one-quarter (N 1/4) corner of said Section 16; thence
705 southerly, along the west line of the east one-half (E
706 1/2) of said Section 16, to the south one-quarter (S
707 1/4) corner of said Section 16; thence easterly, along
708 the south line of Sections 16 and 15, Township 50 South,
709 Range 40 East, to the north one-quarter (N 1/4) corner
710 of Section 22, Township 50 South, Range 40 East; thence
711 southerly, along the west line of the east one-half (E
712 1/2) of Sections 22 and 27, Township 50 South, Range 40
713 East, to the intersection with the physical centerline
714 of the South New River Canal; thence easterly, along
715 said centerline, to the intersection with the east line
716 of Section 30, Township 50 South, Range 41 East; thence
717 southerly, along the east line of Sections 30 and 31,
718 Township 50 South, Range 41 East, to the north line of
719 Section 5, Township 51 South, Range 41 East; thence
720 westerly, along the north line of Sections 5 and 6,
721 Township 51 South, Range 41 East, to the northeast
722 corner of Section 1, Township 51 South, Range 40 East;

723 thence southerly, along the east line of said Section 1,
 724 to the southeast corner of said Section 1; thence
 725 westerly, along the south line of Sections 1, 2, and 3,
 726 Township 51 South, Range 40 East, to the Point of
 727 Beginning. ~~Beginning at the Southwest corner of Section~~
 728 ~~3, Township 51 South, Range 40 East, Broward County,~~
 729 ~~Florida; thence Northerly, along the West line of said~~
 730 ~~Section 3, to the Northwest corner of said Section 3;~~
 731 ~~thence Northerly, along the West line of Sections 34 and~~
 732 ~~27, Township 50 South, Range 40 East, to the~~
 733 ~~intersection with the south side of the south bank of~~
 734 ~~the South New River Canal; thence Westerly, along said~~
 735 ~~south side of the south bank of the South New River~~
 736 ~~Canal, to the intersection with the West line of Section~~
 737 ~~28, Township 50 South, Range 40 East; thence Northerly,~~
 738 ~~along the West line of Sections 28, 21, 16, 9 and 4,~~
 739 ~~Township 50 South, Range 40 East, to the intersection~~
 740 ~~with the north side of the north bank of the North New~~
 741 ~~River Canal; thence Southeasterly, along said north side~~
 742 ~~of the north bank of the North New River Canal, to the~~
 743 ~~intersection with the West line of Section 3, Township~~
 744 ~~50 South, Range 40 East; thence Southerly, along the~~
 745 ~~West line Sections 3 and 10, Township 50 South, Range 40~~
 746 ~~East, to the Northeast corner of Section 16, Township 50~~
 747 ~~South, Range 40 East; thence Westerly, along the North~~
 748 ~~line of said Section 16, to the Northwest corner of the~~
 749 ~~East Half (E 1/2) of said Section 16; thence Southerly,~~
 750 ~~along the West line of said East Half (E 1/2) of Section~~

751 ~~16, to the Southwest corner of said East Half (E 1/2) of~~
 752 ~~Section 16; thence Easterly, along the South line of~~
 753 ~~Sections 16 and 15, Township 50 South, Range 40 East, to~~
 754 ~~the Northwest corner of the East Half (E 1/2) of Section~~
 755 ~~22, Township 50 South, Range 40 East; thence Southerly,~~
 756 ~~along the West line of the East Half (E 1/2) of Sections~~
 757 ~~22 and 27, Township 50 South, Range 40 East, to the~~
 758 ~~intersection with the south side of the south bank of~~
 759 ~~the South New River Canal; thence Easterly, along said~~
 760 ~~south side of the south bank of the South New River~~
 761 ~~Canal, to the intersection with the East line of Section~~
 762 ~~30, Township 50 South, Range 41 East; thence Southerly,~~
 763 ~~along the East line of Sections 30 and 31, Township 50~~
 764 ~~South, Range 41 East, to the North line of Section 5,~~
 765 ~~Township 51 South, Range 41 East; thence Westerly, along~~
 766 ~~the North line of Sections 5 and 6, Township 51 South,~~
 767 ~~Range 41 East, to the Northeast corner of Section 1,~~
 768 ~~Township 51 South, Range 40 East; thence Southerly,~~
 769 ~~along the East line of said Section 1, to the Southeast~~
 770 ~~corner of said Section 1; thence Westerly, along the~~
 771 ~~South line of Sections 1, 2, and 3, Township 51 South,~~
 772 ~~Range 40 East, to the Point of Beginning.~~

773 e. All commissioners shall serve a term of 4 years. An
 774 election shall be held every 2 years to elect successors for
 775 that each group of commission seats up for election. The terms
 776 of the six commissioners shall be staggered, so as to have the
 777 ~~various successors elected at the expiration of the term of the~~
 778 ~~respective groups.~~

HB 1059

2009

779 f. A commissioner shall, at the time of qualification for
780 office, be a resident of the respective zone that he or she
781 desires to represent for the 90 ~~30~~ days immediately preceding
782 the date of qualifying for nomination to office. Qualifying
783 dates shall be the same as the qualifying dates for County
784 Commission for the general election. A commissioner at the time
785 of his or her qualification for office shall be a qualified
786 voter in Broward County.

787 g. The compensation of each commissioner shall be set by
788 appropriate resolution of the board of commissioners, but shall
789 not exceed \$400 dollars per month. Expenses shall be reimbursed
790 pursuant to Florida Statutes pertaining to per diem and travel
791 expenses of public officers, employees, and authorized persons,
792 and any subsequent amendments thereto.

793 h. Whenever a commissioner shall be absent from every
794 commission meeting held in 2 consecutive calendar months, such
795 commissioner shall at the discretion of the board of
796 commissioners receive no compensation nor reimbursement of
797 expenses for the next succeeding 2-month period. Such period
798 shall be cumulative.

799 i. In the event that a vacancy should occur in the office
800 of a commissioner, the remaining commissioners shall forthwith
801 appoint by a majority vote a successor commissioner having the
802 same qualifications, including zone resident requirements, as
803 prescribed herein for the office vacated, for the unexpired
804 term. If the commissioners shall fail to appoint a successor
805 commissioner within 30 days after a vacancy should occur, the
806 Governor shall appoint a successor commissioner for the

807 unexpired term. There is no prohibition on a commissioner
 808 succeeding himself or herself in term of office.

809 j. A vacancy shall be deemed to occur if an elected
 810 commissioner moves from his or her zone prior to the expiration
 811 of the term to which he or she was elected. In that event, the
 812 commission shall appoint a successor commissioner in accordance
 813 with subsection i. Elected ~~Those commissioners holding office as~~
 814 ~~of January 1, 2002, shall serve their full 4-year term. Those~~
 815 ~~commissioners elected in 2002 and 2004 shall assume office and~~
 816 shall be installed at the first regularly scheduled meeting
 817 following their election.

818 Section 5. Elections.--

819 a. All general district elections and primaries for same,
 820 unless otherwise provided in this charter, shall be in
 821 accordance with the Florida Election Code and revisions thereto.

822 b. Only such qualified persons for the respective offices
 823 shall be eligible to become candidates for such respective
 824 offices. The names of all candidates who qualify for an election
 825 shall be printed upon the election ballot. Every candidate for
 826 nomination for office shall pay to the Supervisor of Elections
 827 of Broward County the ~~a~~ filing fee for ~~in the amount of 3~~
 828 ~~percent of the annual salary of the office and shall designate~~
 829 the office for which he or she has qualified. Each candidate for
 830 nomination for an office shall also take, sign, and subscribe to
 831 an oath or affirmation as may be required by law. ~~in writing in~~
 832 ~~substantially the following form:~~

833

HB 1059

2009

834 ~~STATE OF FLORIDA~~)
 835 _____) ss.
 836 ~~COUNTY OF BROWARD~~)

838 ~~BEFORE ME, an officer authorized to administer oaths,~~
 839 ~~personally appeared, to me well known, who, being~~
 840 ~~sworn says that he or she is a candidate for office of~~
 841 ~~commissioner for zone for the Central Broward Water Control~~
 842 ~~District; that he or she is a qualified elector of Broward~~
 843 ~~County, Florida; that he or she is qualified under the~~
 844 ~~Constitution, the laws of Florida and the laws of Central~~
 845 ~~Broward Water Control District to which he or she desires to be~~
 846 ~~nominated or elected; that he or she has taken the oath required~~
 847 ~~by ss. 876.05-876.10, Florida Statutes (public employees; oath);~~
 848 ~~that he or she has not violated any of the laws of the state~~
 849 ~~relating to elections or the registration of electors; that he~~
 850 ~~or she has qualified for no other public office in the state,~~
 851 ~~the terms of which office or any part thereof runs concurrent~~
 852 ~~with that of the office he or she seeks; that he or she has~~
 853 ~~resigned from any office from which he or she is required to~~
 854 ~~resign pursuant to s. 99.012, Florida Statutes (restrictions on~~
 855 ~~individuals qualifying for public office); and that he or she~~
 856 ~~has submitted a sworn statement of contributions and~~
 857 ~~expenditures, if any, incurred prior to the time of qualifying~~
 858 ~~and since the last preceding general election; that he or she~~
 859 ~~has been a resident of zone of the district for the 30 days~~
 860 ~~immediately preceding the date of qualifying for nomination to~~
 861 ~~office or is otherwise qualified for nomination to office as~~

HB 1059

2009

862 ~~commissioner of zone of the district; and that he or she is~~
863 ~~an owner in fee simple of land within the district.~~

864
865
866 Signature of Candidate

867 SWORN TO and subscribed before me
868 this day of, 19...

869
870
871 Notary Public

872
873 c. Candidates for office shall be required to file their
874 qualification oath, fee, and designation of office with the
875 Supervisor of Elections of Broward County as prescribed by law,
876 ~~at any time after noon of the first day for qualifying, which~~
877 ~~shall be the 50th day prior to the first primary, but not later~~
878 ~~than noon the 46th day prior to the first primary.~~ If a
879 candidate fails to comply with the provisions herein, that
880 candidate's name shall not appear on the ballot. A candidate who
881 has filed the required oath and has paid the qualifying fee and
882 otherwise complied with the provisions herein shall be entitled
883 to have his or her name printed on the official ballot.

884 d. If only two persons qualify for any one particular
885 zone, then there shall be no primary election, and those
886 candidates shall appear on the general election ballot. If more
887 than two candidates qualify for any one particular zone, then
888 the names of those candidates shall be placed on the ballot at
889 the first primary election. The two candidates receiving the

HB 1059

2009

890 highest number of votes of the electors for each zone in the
891 first primary election shall have their names printed on the
892 ballot for the general district election.

893 e. The candidate receiving the highest number of votes
894 cast by the electors in the general district election shall be
895 declared elected, as certified by the board of county canvassers
896 of Broward County.

897 f. The name of an unopposed candidate for the office of
898 commissioner shall not appear on any ballot, and such candidate
899 shall be deemed to have voted for himself or herself at the
900 general district election.

901 g. Upon receipt of the certificate of the county
902 canvassers board, the district secretary shall transmit such
903 returns to the board of commissioners at the next regularly
904 scheduled meeting.

905 h. The general district election shall be held on the
906 first Tuesday after the first Monday in November of each even-
907 numbered year. Each person to be allowed to vote in any election
908 must be a qualified elector of the State of Florida, must be a
909 permanent resident of the district and zone which the election
910 of commissioner is for, and must be registered as a voter of
911 Broward County. All elections shall be conducted on the
912 principles adopted for state and county elections.

913 i. In all elections, the regular registration books of
914 Broward County covering an area of the district shall be used,
915 and only those persons who are shown thereon as qualified
916 electors and residing within the district and zone which the

HB 1059

2009

917 election of commissioner is for shall be entitled to vote in
918 said election.

919 Section 6. Recall.--

920 a. Whenever 50 percent of the electors ~~freeholders~~
921 qualified to vote as prescribed herein from each and every zone
922 of the district created hereby shall sign a petition addressed
923 to the board of commissioners demanding that a recall election
924 be held, the board of commissioners shall take the following
925 action:

926 (1) Said petition shall be referred to and handed over to
927 the secretary not later than 10 days after the board of
928 commissioners has been presented with the petition.

929 (2) Order the secretary to, and the secretary shall, check
930 the persons' names and eligibility signing the petition. The
931 secretary shall have 10 days in which to return same to the
932 board of commissioners along with his or her certification as to
933 whether or not the petition contains the proper percentage of
934 registered freeholders as prescribed herein.

935 (3) If the petition is valid as to the percentage of
936 petitioners, then the board of commissioners shall issue its
937 resolution proclaiming a recall election of those commissioners
938 whom the petition shall name. The resolution shall contain all
939 information required by this charter as set forth herein.

940 b. The recall petition shall state the name or names of
941 the elected commissioners desired to be recalled. No reason or
942 reasons for such recall shall be required to be stated in the
943 petition.

HB 1059

2009

944 c. In addition to proclaiming the recall election of the
945 commissioner, the resolution shall state the date for the
946 holding of the election, which shall be not more than 60 days
947 after the date of the resolution. Further, the resolution shall
948 set the date of qualifying of candidates for the election, which
949 date shall be not more than 20 days from the passage of the
950 resolution.

951 d. The elected commissioner sought to be recalled shall
952 remain in office and carry on his or her regular duties until
953 his or her successor, if any there be, is elected and takes
954 office. In the event the commissioner sought to be recalled
955 desires to stand for election in the recall election, he or she
956 shall qualify in the same manner as any other candidate.

957 e. The recall election shall be held as any other general
958 election of commissioners. The offices sought to be vacated
959 shall be treated as though the term of the offices filling that
960 post were expiring.

961 f. In the event that more than two persons qualify for
962 each office sought to be vacated, then a primary election shall
963 be held and the time of holding such primary election shall be
964 not more than 35 days after the date of the recall resolution.

965 g. The person elected to the office vacated or sought to
966 be vacated shall take the oath of office and assume the duties
967 of the office not later than 7 days after the final election.

968 Section 7. Organization of board of commissioners.--At the
969 first regularly scheduled meeting following the first Tuesday
970 after the first Monday in November each year, the board of
971 commissioners shall assemble and organize by choosing one of

972 their members chair of the board, and choosing another one of
 973 their members vice chair. In the event of a deadlock in
 974 selecting a new chair or vice chair, the existing chair and vice
 975 chair shall remain in office until a new chair or vice chair is
 976 selected. ~~Those commissioners elected to the position of chair~~
 977 ~~or vice chair in January 1998, shall continue in those offices~~
 978 ~~until the expiration of their terms. Those commissioners elected~~
 979 ~~to the position of chair or vice chair in January 1999, shall~~
 980 ~~hold those offices until the first regularly scheduled meeting~~
 981 ~~following the first Tuesday after the first Monday in November~~
 982 ~~1999.~~ The chair shall preside at all meetings. In the chair's
 983 absence, the vice chair shall preside and have the same powers
 984 and be subject to the same limitations as the chair. Four
 985 members of the board ~~including the chair, or the vice chair in~~
 986 ~~the chair's absence,~~ shall constitute a quorum for all purposes.
 987 In the absence of both the chair and vice chair, if a quorum is
 988 otherwise present, the commissioner with the most seniority
 989 shall be chair of such meeting and shall preside over the
 990 meeting and have the same powers as the chair. The board shall
 991 establish its own rules of procedure. In all matters, the board
 992 shall act by resolution and the affirmative votes of a majority,
 993 but not less than three of the members of the board that are
 994 present at district meetings shall be required to make any
 995 determination or effect any action.

996 Section 12. Taxation.--

997 a. The board of commissioners of the district is
 998 authorized to levy taxes on land only and not upon any
 999 improvements thereon within the district up to and including 5

HB 1059

2009

1000 mills per dollar of assessed valuation. In the absence of any
 1001 contrary action of the board of commissioners acting as a budget
 1002 commission as herein provided, the tax rate of each calendar
 1003 year shall be at the maximum provided herein.

1004 b. Such taxes as provided herein and as may be determined
 1005 to be necessary by the board of commissioners, acting as budget
 1006 commission for the district for the operation of the affairs of
 1007 the district, shall be certified to the Property Appraiser of
 1008 Broward County, by the board of commissioners of Central Broward
 1009 Water Control District, and shall be placed upon the tax rolls
 1010 of Broward County, by the property appraiser, and shall be
 1011 collected by the Tax Collector of Broward County, as now
 1012 provided by law, and such taxes so levied shall become a lien
 1013 under the law against the property within the boundaries of the
 1014 Central Broward Water Control District and enforceable under the
 1015 laws of the State of Florida pertaining to the Central Broward
 1016 Water Control District.

1017 ~~e. The manner and basis of taxation for the year 1970~~
 1018 ~~shall be the same as existed for the Central Broward Water~~
 1019 ~~Control District prior to the enactment hereof.~~

1020 Section 17. Tax roll.--

1021 a. The county Property Appraiser of Broward County shall
 1022 certify to the board of commissioners of the Central Broward
 1023 Water Control District the total assessed value of real property
 1024 located within the boundaries of the district, on or before the
 1025 first day of July of each year, said certification to be
 1026 prepared from the tax roll of Broward County.

1027 b. It shall be the duty of the Property Appraiser of
 1028 Broward County to enter upon the tax roll of the county the
 1029 taxes or assessments levied by the district, upon certification
 1030 of the same by the chair or secretary of the board, which
 1031 certification shall be delivered on or before September 1 of
 1032 each year. The tax or assessment shall be entered upon the tax
 1033 roll in a proper column under the head of "Central Broward Water
 1034 Control District" opposite the name of the person or persons or
 1035 corporation owning such land in the manner provided by law for
 1036 making up the tax roll for state and county taxes, or in case
 1037 the ownership of such land is not shown upon such tax roll, then
 1038 opposite the word "unknown."

1039 c. The tax or assessment levied by this charter shall
 1040 constitute a lien upon the lands so assessed as of the first day
 1041 of January of each year in which the entries are made in the tax
 1042 rolls pursuant to subsection b., which lien shall be superior in
 1043 dignity to all other liens upon said lands, except the lien for
 1044 state and county taxes and other taxes of equal dignity, as to
 1045 which taxes the said lien shall be coordinate.

1046 ~~d. The property appraiser shall attach to the tax roll, a~~
 1047 ~~special warrant to the tax collector of the county for the~~
 1048 ~~collection of such drainage taxes, and the special warrant shall~~
 1049 ~~be signed by the property appraiser and shall be the authority~~
 1050 ~~of the tax collector of the collection of such taxes. The~~
 1051 ~~warrant shall be in substantially the following form:~~

1052
 1053 ~~SPECIAL WARRANT FOR COLLECTION OF DRAINAGE TAXES: STATE~~
 1054 ~~OF FLORIDA, TO, TAX COLLECTOR OF THE COUNTY~~

1055 ~~OF BROWARD. YOU ARE HEREBY COMMANDED TO COLLECT OUT OF~~
 1056 ~~THE REAL ESTATE AGAINST WHICH DRAINAGE TAXES ARE~~
 1057 ~~ASSESSED AND SET FORTH IN THIS ROLL, AND FROM THE~~
 1058 ~~PERSONS OR CORPORATIONS NAMED THEREIN, AGAINST WHOSE~~
 1059 ~~LANDS DRAINAGE TAXES ARE ASSESSED, THE DRAINAGE TAX SET~~
 1060 ~~DOWN IN SAID ROLL OPPOSITE EACH NAME, CORPORATION, OR~~
 1061 ~~PARCEL OF LAND THEREIN DESCRIBED, AND IN EACH CASE SUCH~~
 1062 ~~DRAINAGE TAX IS NOT PAID ON OR BEFORE THE FIRST DAY OF~~
 1063 ~~APRIL NEXT, YOU ARE TO COLLECT THE SAME BY LEVY AND SALE~~
 1064 ~~OF THE LANDS SO ASSESSED; AND ALL SUMS COLLECTED FOR~~
 1065 ~~DRAINAGE TAXES YOU ARE TO PAY TO THE TREASURER OF~~
 1066 ~~CENTRAL BROWARD WATER CONTROL DISTRICT. GIVEN UNDER MY~~
 1067 ~~HAND AND SEAL, THIS DAY OF, 19...~~

1068
 1069
 1070 ~~PROPERTY APPRAISER, BROWARD COUNTY~~

1071
 1072 ~~Such warrant shall remain in full force until all the Central~~
 1073 ~~Broward Water Control District taxes shown in said roll to be~~
 1074 ~~assessed shall be collected.~~

1075 d.e. The Revenue Tax Collector of Broward County shall
 1076 make returns and remittances of money collected by him or her
 1077 for Central Broward Water Control District in the manner and
 1078 time provided by law. Central Broward Water Control District
 1079 may, from time to time, make audits or checks of the tax
 1080 assessment roll at the property appraiser's office, and the
 1081 revenue tax collector shall furnish all that is required by law.

HB 1059

2009

1082 ~~e.f.~~ No provision hereof shall in any way affect the power
 1083 and authority of the Central Broward Water Control District to
 1084 levy or collect any special assessment.

1085 ~~g. The manner and basis of establishing the tax roll shall~~
 1086 ~~be the same as existed for the Central Broward Water Control~~
 1087 ~~District prior to 1970.~~

1088 Section 33. Powers of commissioners to carry out
 1089 plan.--The board of commissioners of the district created hereby
 1090 shall have full power and authority to put out requests for
 1091 proposals or bids for contracts and to build, construct,
 1092 excavate, and complete any and all works and improvements which
 1093 may be needed to carry out, maintain, and protect "the state
 1094 comprehensive water management plan." To accomplish that end the
 1095 board of commissioners may employ persons and teams and purchase
 1096 machinery, employ persons to operate same, and directly have
 1097 charge of and construct the works and improvements in such
 1098 manner or by use of other or more efficient means than provided
 1099 for in the plans adopted. The board of commissioners may, at its
 1100 discretion, award ~~let~~ the contract for such works and
 1101 improvements, either as a whole or in sections, and when such
 1102 contracts are awarded ~~let~~ they shall be advertised and awarded
 1103 ~~let~~ to the lowest qualified, responsible ~~and best~~ bidder, as
 1104 determined by the board, which bidder ~~who~~ shall give a good and
 1105 approved bond, with ample security, conditioned that he or she
 1106 will promptly carry out the contract for such work and
 1107 improvements under such terms and conditions as the board of
 1108 commissioners deems necessary; which contract shall be in
 1109 writing and to which shall be attached, and made a part thereof,

1110 complete plans and specifications of the work to be done and
 1111 improvements to be made under such contract, which plans and
 1112 specifications shall be prepared by the district's engineer and
 1113 shall be incorporated in, and attached to, the contract; and
 1114 such contract shall be prepared by the attorney for the district
 1115 and approved by the board of commissioners and signed by its
 1116 chair or vice chair and the contractor and executed in
 1117 duplicate. The district manager shall be the superintendent of
 1118 all the works and improvements, and shall, at least once each
 1119 year and when required, make a full report to the board of all
 1120 work done and improvements made, and make suggestions and
 1121 recommendations to the board as he or she may deem proper.

1122 Section 34. Rules and regulations.--The board of
 1123 commissioners is hereby authorized to adopt, promulgate, and
 1124 enforce all rules and regulations necessary and appropriate for
 1125 the administration and enforcement of this charter. No such
 1126 action shall be taken by the board of commissioners until after
 1127 the holding by this board of commissioners of a public hearing
 1128 on the proposed rules and regulations. The provisions of chapter
 1129 120, Florida Statutes (Administrative Procedure Act), shall
 1130 apply to all such rules and regulations. As soon as practicable
 1131 and as necessary, from time to time, the board of commissioners
 1132 shall effect appropriate rules and regulations as deemed
 1133 necessary, including, but not limited to, the following:

- 1134 a. Conditions precedent to be met for land to be platted
 1135 in ~~on~~ the public records of the appropriate governmental
 1136 authority to assure provisions for proper drainage and water
 1137 management, the dedication of proper easements or rights-of-way

HB 1059

2009

1138 to the district, and the procedures to be followed in connection
 1139 therewith including ~~cooperation with the county engineer,~~ and
 1140 the posting of such bonds in such amounts on such conditions as
 1141 are deemed necessary in such plats to ensure the proper and
 1142 timely completion of such drainage and water management
 1143 provisions. No plat for the subdivision of any land within the
 1144 district shall be entitled to be recorded ~~record~~ without the
 1145 approval of the board of commissioners.

1146 b. Code of regulations, standards, ~~general specifications~~
 1147 ~~and~~ procedures, and design criteria for the obtainment of a
 1148 permit and for hearings in connection therewith before the board
 1149 of commissioners for approval of plans for all drainage
 1150 improvements within the district, including structural
 1151 improvements coming into, over, onto, or through any of the
 1152 waterways of the district.

1153 c. Code of regulations, standards, procedures, and design
 1154 criteria ~~specifications~~ as to content of discharge and effluents
 1155 coming into the waterways of the district.

1156 Section 37. Eminent domain.--The district created hereby
 1157 may acquire, by gift, purchase, exchange, donation, dedication,
 1158 or condemnation, any lands within or without the said district
 1159 for canal rights-of-way or easements, or for other general
 1160 purposes of the said district, and, if acquired by condemnation,
 1161 the procedure shall be as prescribed in chapter 73, Florida
 1162 Statutes, Eminent Domain.

1163 Section 38. Obstructions, damage, and destruction
 1164 prohibited; damages; penalties.--No person may willfully or
 1165 otherwise obstruct any canal, drain, ditch, or watercourse or

1166 damage or destroy any drainage works constructed in the drainage
 1167 district.

1168 a. Any person who shall willfully obstruct any canal,
 1169 drain, ditch, or other watercourse, or shall damage or destroy
 1170 any drainage works constructed by the drainage district, shall
 1171 be liable to any person injured thereby for the full amount of
 1172 the injury occasioned to any land or crops or other property by
 1173 such misconduct and shall be liable to the drainage district
 1174 constructing the work for double the cost of removing such
 1175 obstruction or repairing such damage. The costs shall include
 1176 all labor, materials, equipment, and supplies necessary to
 1177 effect such removal or repair, and all costs and expenses,
 1178 including reasonable attorney's fees, necessary to make any
 1179 person injured or the drainage district whole.

1180 b. Any person who willfully or otherwise obstructs any
 1181 canal, drain, ditch, or watercourse, or impedes or obstructs the
 1182 flow of water thereof, or damages or destroys any drainage works
 1183 constructed by any drainage district is guilty of a misdemeanor
 1184 of the first degree, punishable as provided by general law.

1185 c. If the board of commissioners finds and determines that
 1186 any dike, culvert, bridge, crossing, or any other device in any
 1187 canal, drain, ditch, or watercourse which is used for servicing
 1188 any property or providing access thereto constitutes an
 1189 obstruction or impediment to the free flow of water or drainage
 1190 or access to maintenance of any district facility, whether the
 1191 same has been so placed in or near any canal, drain, ditch, or
 1192 watercourse under permit by the district or otherwise, the
 1193 record owner of the property provided access or service shall be

HB 1059

2009

1194 notified in writing of such obstruction with a demand therein
 1195 that such owner cause the condition to be remedied. The notice
 1196 shall be given by registered mail, addressed to the owner or
 1197 owners of the property described, as their names and addresses
 1198 are shown upon the records of the county property appraiser, and
 1199 shall be deemed complete and sufficient when so addressed and
 1200 deposited in the United States mail with proper postage prepaid.
 1201 In the event that such notice is returned by postal authorities,
 1202 the district shall cause a copy of the notice to be served by
 1203 any officers, commissioners, or agents of the district, an
 1204 affidavit of such service by such officer, commissioner, or
 1205 agent filed in the minutes of the district shall be proof of
 1206 service thereof, upon the occupant of the property or upon any
 1207 agent of the owner thereof. In the event that personal service
 1208 upon the occupant of the property or upon any agent of the owner
 1209 thereof cannot be performed after a reasonable search, the
 1210 notice shall be accomplished by physical posting on the
 1211 property. The notice shall be in substantially the following
 1212 form:

1213
 1214 Name of Owner:.....
 1215 Address of Owner:.....
 1216

1217 Our records indicate you are the owner(s) of the
 1218 following property located in the Central Broward Water
 1219 Control District, Broward County, Florida:

1220
 1221 (describe property)

1222
1223
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An inspection of this property and the abutting canal, drain, ditch, or watercourse discloses, and the Board of Commissioners of the Central Broward Water Control District has found and determined, that an obstruction in said canal, drain, ditch, or watercourse exists, thereby impeding the free flow of water or ~~and~~ drainage or access to maintenance of a district facility and constituting a hazard and danger to the inhabitants within the Central Broward Water Control District so as to constitute a violation of the charter and regulations of the Central Broward Water Control District in that:

(describe the condition which places the property in violation.)

You are hereby notified that unless the condition above described is remedied so as to make it nonviolative of the charter and regulations of the Central Broward Water Control District within 20 days from the date hereof, the Central Broward Water Control District will proceed to remedy this condition and the cost of the work, including advertising costs and all other expenses, will be imposed as lien on the property if not otherwise paid within 30 days after receipt of billing.

Central Broward Water Control District
BY.....

HB 1059

2009

1250
1251 d. Within 20 days after the mailing of the notice to him
1252 or her, the owner of the property may make written request to
1253 the board of commissioners for a hearing before that body to
1254 show that the condition alleged in the notice does not exist or
1255 that such condition does not constitute an obstruction or
1256 impediment to the drainage and free flow of water in any canal,
1257 ditch, drain, or watercourse of the district. At the hearing,
1258 the district and the property owner may introduce such evidence
1259 as is deemed necessary.

1260 e. If within 20 days after mailing of the notice no
1261 hearing has been requested and the condition described in the
1262 notice has not been remedied, the district shall cause the
1263 condition to be remedied by the district at the expense of the
1264 property owner. If a hearing has been held and has concluded
1265 adversely to the property owner, the district may cause the
1266 condition to be remedied at the expense of the property owner,
1267 by appropriate resolution, and may order the removal of the
1268 same, including any appurtenances thereto, and may provide for
1269 the payment of all or any part of the cost of any such removal
1270 by levying and collecting a special assessment on the property
1271 affected or afforded service by such bridge, culvert, etc.

1272 f. After causing the condition to be remedied, the
1273 secretary of the district shall certify to the board the
1274 expenses incurred in remedying the condition. Upon the receipt
1275 of such certificate, the board of commissioners shall review the
1276 same and determine the amount to be assessed against such
1277 property by resolution. Upon adoption of the resolution, the

HB 1059

2009

1278 assessment shall constitute a lien on the respective lots or
1279 parcels of land or other real property upon which they are
1280 levied, superior to all other liens, except those for district
1281 and county taxes.

1282 g. The board of commissioners shall cause to be recorded
1283 in the office of the clerk of the circuit court, in and for
1284 Broward County, a copy of the resolution within 10 days after
1285 the adoption thereof. The assessment shall be payable at the
1286 time and in the manner stipulated in the resolution and the
1287 assessment shall remain a lien coequal with the lien of other
1288 taxes, superior in dignity to all other liens, titles, and
1289 claims, until paid and shall bear interest at a rate not to
1290 exceed 18 percent per annum from the date of the resolution.

1291 h. Upon the failure of any property owner to pay the
1292 assessment or any installment thereof or any part thereof as
1293 provided for in the resolution, the board of commissioners shall
1294 cause to be brought the necessary legal proceedings to enforce
1295 payment thereof with all the accrued interest and penalties,
1296 together with all legal costs incurred, including reasonable
1297 attorneys' fees, to be assessed as a part of the cost; and in
1298 the event of default in the payment of any installment of an
1299 assessment, or any accrued interest on said assessment, the
1300 whole assessment with the interest and penalties thereon shall
1301 immediately become due and payable and subject to foreclosure.
1302 In the foreclosure of any assessment, service of process against
1303 unknown or nonresident defendants may be had by publication, as
1304 provided by law. Foreclosure proceedings shall be prosecuted to
1305 the sale and conveyance of the property involved in said

1306 proceedings as provided by law in suits to foreclose mortgages;
 1307 or, in the alternative, said proceedings may be instituted and
 1308 prosecuted under chapter 173, Florida Statutes, Foreclosure of
 1309 Municipal Tax and Special Assessment Liens.

1310 i. The remedies provided in subsections c. through h. are
 1311 in addition to and not in lieu of other remedies provided for in
 1312 this charter or otherwise.

1313 Section 39. Extensions of boundaries.--The boundary line
 1314 of the district as defined in this act may be extended to
 1315 include additional adjacent land at any time in the discretion
 1316 of the board of commissioners upon such conditions as the board
 1317 of commissioners of the district may prescribe upon petition of
 1318 the landowners ~~freeholders~~ owning 51 percent or more of the land
 1319 in the area sought to be included in this district by such
 1320 boundary extension. The petition of such landowners ~~freeholders~~
 1321 shall be directed to the board of commissioners of this
 1322 district, and shall be in writing and duly signed and
 1323 acknowledged by each of the landowners ~~freeholders~~ seeking to
 1324 include such area in the extended boundaries of this district.
 1325 The area included in this district shall be defined and the
 1326 inclusion thereof shall be affirmed by an appropriate resolution
 1327 of the board of commissioners of this district at a regular or
 1328 special meeting called for that purpose, which resolution shall
 1329 be preserved in the minutes of such meeting, and shall be
 1330 recorded in the public records of Broward County, Florida. The
 1331 board of commissioners of this district shall thereafter have
 1332 jurisdiction and hold and be entitled to exercise all of the
 1333 right, power, and authority for the drainage, water management

HB 1059

2009

1334 services conducted pursuant to this section, and improvement of
1335 the land or area so included in this district as is granted such
1336 board of commissioners by this charter with respect to the lands
1337 within the boundaries of this district as hereinabove set forth,
1338 it being the intention of the Legislature to confer upon the
1339 board of commissioners for the drainage and water control
1340 district hereby created the same rights, powers and authorities,
1341 duties, responsibilities, and obligations over the lands so
1342 included in this district as is by this charter conferred upon
1343 them with reference to the lands within the boundaries of this
1344 district as hereby created and established.

1345 Section 40. Subdivision regulation.--

1346 a. It is the intent and purpose of this charter to promote
1347 and provide for the public health, safety, comfort, convenience,
1348 and welfare necessary and required to promote the harmonious,
1349 orderly, and progressive development of land within the
1350 district. It is the further intent of this charter to secure the
1351 establishment of standards of subdivision designs, which will
1352 encourage the development of sound and economically stable
1353 communities, and the creation of healthful living environments.

1354 b. A subdivision for the purpose of this charter is hereby
1355 defined as: The division of a parcel of land, whether improved
1356 or unimproved, into three or more lots, or other divisions of
1357 land for the purpose, whether immediate or future, of transfer
1358 of ownership, or, if the establishment of any new street is
1359 involved, any division of such parcel; provided that the
1360 division of land into parcels of more than 5 acres not involving
1361 any changes in street lines or public easements shall not be

HB 1059

2009

1362 deemed to be a subdivision within the meaning of this charter.
1363 The term includes a resubdivision and, when appropriate to
1364 context, shall relate to the process of subdivision or to land
1365 subdivided. The singular usage includes the plural and the
1366 plural the singular.

1367 c. Any division of a parcel of land as a subdivision shall
1368 be subject to such plat and subdivision regulations heretofore
1369 adopted or hereafter adopted, amended, or modified by the
1370 district under authority of law. Such regulations may provide
1371 for streets in the subdivision, to be of such width, grade, and
1372 location as to facilitate drainage; provide that adequate
1373 easements and rights-of-way be provided for drainage purposes
1374 and that the layout of the subdivision conform to the
1375 comprehensive plan for drainage for the area; and provide that
1376 ~~for~~ the Central Broward Water Control District's drainage
1377 requirements ~~to~~ be met. The district shall not approve any
1378 subdivision plats unless the land included within the
1379 subdivision is suitable or shall be made suitable to the various
1380 purposes for which it is intended to be used, and in particular,
1381 unless all land intended for building sites can be used safely
1382 for building purposes, without the danger from flood of other
1383 inundation, or from any such menace to health, safety, or public
1384 welfare. It shall be unlawful for anyone being an owner, or
1385 agent of an owner, of any land to transfer, sell, agree to sell,
1386 or negotiate to sell such land by reference to, or exhibition
1387 of, or by any other use of a plat or subdivision of such land,
1388 without having submitted a plat of such subdivision to the
1389 district and obtaining its approval as required by this charter.

HB 1059

2009

1390 If such unlawful use be made of a plat before it is properly
 1391 approved by the district, the owner, or the agent of the owner,
 1392 of such land shall be guilty of a misdemeanor, punishable as
 1393 provided by general law. The description by metes and bounds in
 1394 the instrument of transfer or other documents used in the
 1395 process of transferring shall not exempt the transaction from
 1396 such penalties. It shall be unlawful to transfer lots or units
 1397 of lots by metes and bounds description in order to circumvent
 1398 the provisions of this charter. The district, through its legal
 1399 representatives, may enjoin such transfers or sales or
 1400 agreements by injunction or other appropriate action.

1401 Section 42. Procurement of contractual services and
 1402 purchase of goods, supplies, and materials.--The Board of
 1403 Commissioners of the Central Broward Water Control District in
 1404 Broward County may procure contractual services and purchase
 1405 goods, supplies, and materials as provided in this section.

1406 a. All contracts let by the board of commissioners for
 1407 professional architectural, engineering, landscape
 1408 architectural, or land surveying services for any project
 1409 authorized by this charter must comply with s. 287.055, Florida
 1410 Statutes, Consultants Competitive Negotiation Act.

1411 b. Except as stated herein and as provided in subsections
 1412 c., d., and e. and in s. 287.055, Florida Statutes, the board of
 1413 commissioners may not enter into a contract for the construction
 1414 or maintenance of any improvements authorized under this
 1415 charter, and goods, supplies, or materials may not be purchased
 1416 if the amount to be paid by the district under the contract or
 1417 for the goods, supplies, or materials exceeds the amount allowed

HB 1059

2009

1418 by s. 287.017, Florida Statutes, for category two \$10,000,
1419 unless notice of bids is advertised ~~advertized~~ in a newspaper of
1420 general circulation in Broward County. The bid of the lowest
1421 responsible, acceptable bidder must be accepted, unless all bids
1422 are rejected. The board of commissioners may require the bidders
1423 to furnish a bond or letter of credit with responsible surety to
1424 be approved by the board of commissioners. This section does not
1425 prevent the board of commissioners from undertaking and
1426 performing the construction, operation, and maintenance of any
1427 project, facility, or improvement authorized under this charter,
1428 by the employment of labor, material, and machinery.

1429 c. Notwithstanding subsection b., if the board of
1430 commissioners finds, by resolution, that the use of competitive
1431 bidding is not practicable, contractual services and purchases
1432 of goods, supplies, or materials may be procured by competitive
1433 sealed proposals. The request for proposals must include a
1434 statement of the services sought or the goods, supplies, or
1435 materials requested and all contractual terms and conditions
1436 applicable to the procurement of the contractual services or of
1437 the goods, supplies, or materials requested. The contract must
1438 be awarded to the responsive offeror whose proposal is
1439 determined to be the most advantageous to the district, taking
1440 into consideration price and other evaluation criteria set forth
1441 in the request for proposals.

1442 d. If the board of commissioners finds, by resolution,
1443 that an immediate danger to the public health, safety, or
1444 welfare or substantial loss to the district or property owners
1445 in the district requires emergency action, the board of

HB 1059

2009

1446 commissioners may procure contractual services necessitated by
1447 the immediate danger or substantial loss without competition.
1448 However, such emergency procurement shall be made with such
1449 competition as is practicable under the circumstances.

1450 e. If competitive bids or proposals for contractual
1451 services or for purchases of goods, supplies, or materials are
1452 not received, the board of commissioners may negotiate and
1453 determine the best terms and conditions.

1454 Section 43. Severability.--In the event any section or
1455 provision of this act is determined to be invalid or
1456 unenforceable, such determination shall not affect the validity
1457 or enforceability of each other section and provision of this
1458 act, and to this end the provisions of this act are declared
1459 severable.

1460 Section 2. This act shall take effect upon becoming a law.