

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; deleting or updating obsolete language;  
8           revising the geographical boundaries of district zones for  
9           the election of commissioners; revising residency  
10          requirements for commissioner qualification; revising  
11          requirements for the filling of vacancies on the board of  
12          commissioners; revising provisions relating to filing fees  
13          and oath of office; providing the procedure for selection  
14          of chair and vice chair in the event of a deadlock;  
15          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          providing severability; providing an effective date.

26  
27   Be It Enacted by the Legislature of the State of Florida:  
28

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

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

48  
 49 Begin at the intersection of the east right-of-way line  
 50 of State Road #7 and its intersection with the south  
 51 line of Tier 1; as shown by the Plat of NEWMAN'S SURVEY,  
 52 as recorded in Plat Book 2, Page 26, of the Public  
 53 Records of Miami-Dade County, Florida, (All subsequent  
 54 references to Tract and Tier number refer to this plat);  
 55 thence westerly, along the south line of Tiers 1, 3, 5,  
 56 7, and 9, and their prolongations thereof, to an

57 intersection with the northerly extension of the east  
58 line of Tract 7, Section 25, Township 50 South, Range 41  
59 East, as shown on said plat of NEWMAN'S SURVEY; thence  
60 southerly, along said northerly extension and said east  
61 line, to the southeast corner of said Tract 7; thence  
62 westerly, along the south line of said Tract 7 and its  
63 westerly prolongation, to the northeast corner of Tract  
64 9 of said Section 25; thence southerly, along the east  
65 line of said Tract 9, to the southeast corner of said  
66 Tract 9; thence westerly, along the south line of said  
67 Tract 9, to the southwest corner of said Tract 9; thence  
68 northerly, along the west line of Tracts 9 and 8, and  
69 their northerly prolongation to an intersection with the  
70 south line of Tier 13; thence westerly, along the south  
71 line of Tiers 13, 15, 17, 19, 23, 25, 27, and 29, and  
72 their prolongations thereof, to the southwest corner of  
73 Tract 8, Tier 29; thence northerly, along the west line  
74 of Tier 29, to the southwest corner of Tract 4, Tier 29;  
75 thence westerly, along the south line of Tract 4, Tiers  
76 31, 33, 35 and 37 and their prolongations thereof, to  
77 the Southwest corner of Tract 4, Tier 37; thence  
78 northerly, along the west line of said Tier 37, to the  
79 intersection with the centerline of the right-of-way of  
80 the North New River Canal; thence northwesterly, along  
81 said centerline, to the intersection with the west line  
82 of Section 4, Township 50 South, Range 40 East; thence  
83 southerly, along the west lines of Sections 4, 9, 16, 21  
84 and 28, of Township 50 South, Range 40 East, to the

85 physical centerline of the South New River Canal; thence  
86 meandering easterly, northeasterly, northerly,  
87 northwesterly, northeasterly, southeasterly and easterly  
88 along said physical centerline, to its intersection with  
89 the west line of Section 27, Township 50 South, Range 40  
90 East; thence southerly, along the west line of Sections  
91 27 and 34, Township 50 South, Range 40 East, and  
92 continuing southerly, along the west line of Section 3,  
93 Township 51 South, Range 40 East to the southwest corner  
94 of said Section 3; thence easterly, along the south line  
95 of Sections 3, 2, and 1, Township 51 South, Range 40  
96 East and continuing easterly, along the south line of  
97 Sections 6, 5 and 4, Township 51 South, Range 41 east,  
98 to the northwest corner of Section 10, Township 51  
99 South, Range 41 East; thence, southerly, along the west  
100 line of said Section 10, to the west one-quarter (W  
101 1/4) corner of said Section 10; thence, easterly, along  
102 the south line of the north one-half (N1/2) of Sections  
103 10, 11 and 12, Township 51 South, Range 41 East, to an  
104 intersection with a line 80 feet east of, as measured at  
105 right angles to, and parallel with the west right-of-way  
106 line of Florida's Turnpike; thence, northerly, along  
107 said parallel line, and continuing 80 feet east of said  
108 right-of-way, to an intersection with the south line of  
109 Section 36, Township 50 South, Range 41 East; thence,  
110 easterly, along said south line, to an intersection with  
111 the east right-of-way line of State Road #7; thence  
112 northerly, along said east right of way, to the Point of

113 Beginning. ~~Starting at the intersection of the East~~  
114 ~~Right-of-way line of State Road #7 and its intersection~~  
115 ~~with the South line of Tier 3; as shown by the Plat of~~  
116 ~~NEWMAN'S SURVEY, as recorded in Plat Book 2, Page 26 of~~  
117 ~~the Public Records of Dade County, Florida (All~~  
118 ~~subsequent references to Tract and Tier number refer to~~  
119 ~~this plat), for the point of beginning; thence Westerly~~  
120 ~~along the South line of Tiers 3, 5, 7 and 9, and their~~  
121 ~~prolongations thereof, to an intersection with the~~  
122 ~~Northerly extension of the East line of Tract 7, Section~~  
123 ~~25, Township 50 South, Range 41 East, as shown on said~~  
124 ~~plat of NEWMAN'S SURVEY; thence Southerly along the East~~  
125 ~~line of Tract 7 to the Southeast corner of said Tract 7;~~  
126 ~~thence Westerly along the South line of said Tract 7 to~~  
127 ~~the Northeast corner of tract 9 of said Section 25;~~  
128 ~~thence Southerly along the East line of said Tract 9 to~~  
129 ~~the Southeast corner of said Tract 9; thence Westerly,~~  
130 ~~along the South line of said Tract 9 to the Southwest~~  
131 ~~corner of said Tract 9; thence Northerly along the West~~  
132 ~~line of Tracts 9 and 8 and their Northerly prolongation~~  
133 ~~to an intersection with the South line of Tier 13;~~  
134 ~~thence Westerly along the South line of Tiers 15, 17,~~  
135 ~~19, 21, 23, 25, 27 and 29, and their prolongations~~  
136 ~~thereof to the Southwest corner of Tract 8, Tier 29;~~  
137 ~~thence Northerly along the West line of Tier 29 to the~~  
138 ~~Southwest corner of Tract 4, Tier 29; thence Westerly~~  
139 ~~along the South line of Tract 4, Tiers 31, 33, 35 and 37~~  
140 ~~and their prolongations thereof to the Southwest corner~~

141 ~~of Tract 4, Tier 37; thence run Northerly along the West~~  
 142 ~~line of said Tier 37, to the North right-of-way line of~~  
 143 ~~the North New River Canal; thence run northwesterly~~  
 144 ~~along the north side of the north bank of the said canal~~  
 145 ~~to the intersection of said bank with the west line of~~  
 146 ~~Section 4, Township 50 South, Range 40 East; thence~~  
 147 ~~southerly along the west line of Sections 4, 9, 16, 21~~  
 148 ~~and 28 of Township 50 South, Range 40 East, to the South~~  
 149 ~~side of the south bank of the South New River Canal;~~  
 150 ~~thence Easterly along the south side of the south bank~~  
 151 ~~the South New River canal to its intersection with the~~  
 152 ~~west line of Section 27, Township 50 South, Range 40~~  
 153 ~~East; thence southerly along the west line of Sections~~  
 154 ~~27 and 34, Township 50 South, Range 40 East and~~  
 155 ~~continuing along the West line of Section 3 Township 51~~  
 156 ~~South, Range 40 East to the Southwest corner of Section~~  
 157 ~~3, Township 51 South, Range 40 East; thence east along~~  
 158 ~~the south line of Sections 3, 2 and 1 in Township 51~~  
 159 ~~South, Range 40 East and continuing along the south line~~  
 160 ~~of Sections 6, 5 and 4, in Township 51 South, Range 41~~  
 161 ~~East, to the northwest corner of Section 10, Township 51~~  
 162 ~~South, Range 41 East; thence, run south along the west~~  
 163 ~~line of said Section 10 to the southwest corner of the~~  
 164 ~~north half of said Section 10; thence, run east along~~  
 165 ~~the south line of the north half of Sections 10, 11 and~~  
 166 ~~12, in Township 51 South, Range 41 East, to the east~~  
 167 ~~bank of the drainage ditch along the west side of the~~  
 168 ~~Florida Turnpike; thence, run north along the east bank~~

169 ~~of said ditch to the south line of Section 36, Township~~  
 170 ~~50 South, Range 41 East; thence, run east along the~~  
 171 ~~south line of said Section 36 to the east side of State~~  
 172 ~~Road #7; thence, in a northerly direction along the east~~  
 173 ~~side of said State Road #7 to the point of beginning.~~

174  
 175 Section 3. Powers.--The district is hereby granted and  
 176 shall have full power and authority as follows:

- 177 a. To contract and be contracted with.
- 178 b. To sue and be sued.
- 179 c. To plead and to be impleaded in all courts.
- 180 d. To acquire by purchase, gift, devise, condemnation,
- 181 eminent domain, or otherwise, property, real or personal, or any
- 182 estate therein, within or without the district, to be used for
- 183 any purpose necessary or to meet the needs of any of the
- 184 purposes of this act.
- 185 e. To establish, construct, operate, and maintain a system
- 186 of main and lateral canals, drains, ditches, levees, dikes,
- 187 dams, sluices, locks, revetments, reservoirs, holding basins,
- 188 floodways, pumping stations, syphons, culverts, and storm
- 189 sewers, and to connect some or any of them as within the
- 190 judgment of the board of commissioners is deemed advisable to
- 191 drain and provide water management services conducted pursuant
- 192 to this section for the lands within the district created.
- 193 f. To acquire and maintain appropriate sites for storage
- 194 and maintenance of the equipment of the district.
- 195 g. To acquire and maintain and/or construct a suitable
- 196 building to house the offices and records of the district.

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

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

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

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

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

213 m. To regulate and set forth by appropriate order the  
214 drainage requirements and other auxiliary conditions to be met  
215 for plats to be entitled to record on any land within the  
216 district, including authority to require as a condition  
217 precedent for any platting that good and sufficient bond be  
218 posted to assure proper drainage and water management for the  
219 area to be platted.

220 n. To borrow money for periods over 1 year and issue  
221 negotiable paper or other bonds of the district as hereinafter  
222 provided.



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

226           p. To build and construct any other works and improvements  
 227 deemed necessary to preserve and maintain the works in or out of  
 228 said district.

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

235           r. To contract for the purchase, construction, operation,  
 236 maintenance, use, sale, conveyance, and transfer of the said  
 237 pumping stations, machinery, motive equipment, electric lines,  
 238 and appurtenant equipment, including the purchase of electric  
 239 power and energy for the operation of the same.

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

245           t. To construct roadways over levees and embankments.

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

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

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

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

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

271 z. To impose and foreclose special assessment liens as  
 272 provided in this act.

273 aa. To prohibit, regulate, and restrict by appropriate  
 274 resolution of the board of commissioners all structures,  
 275 materials, and things, whether solid, liquid, or gas, whether  
 276 permanent or temporary in nature, which come upon, come into,

277 connect to, or be a part of any of the main or lateral drains,  
 278 ditches, canals, levees, dikes, dams, sluices, revetments,  
 279 reservoirs, holding basins, floodways, pumping stations, and  
 280 syphons which may have been heretofore created or which may be  
 281 hereafter created or which may be hereafter constructed.

282 bb. To administer and provide for the enforcement of all  
 283 the provisions herein, including the making, adopting,  
 284 promulgating, amending, and repealing of all rules and  
 285 regulations necessary or convenient for the carrying out of the  
 286 duties, obligations, and powers conferred on the district  
 287 created hereby and further for the proper administration and  
 288 enforcement hereof.

289 cc. To cooperate with or contract with other drainage  
 290 districts or governmental agencies as may be necessary,  
 291 convenient, incidental, or proper in connection with any of the  
 292 powers, duties, or purposes of the district as stated in this  
 293 charter.

294 dd. To employ engineers, attorneys, agents, employees, and  
 295 representatives as the board of commissioners may from time to  
 296 time determine necessary and to fix their compensation and  
 297 duties.

298 ee. To exercise all of the powers necessary, convenient,  
 299 incidental, or proper in connection with any of the powers,  
 300 duties, or purposes of the district as stated in this act;  
 301 however, none of the powers contained herein shall apply to the  
 302 works of the South Florida Water Management District.

303 Section 4. Board of commissioners.--

304 a. The governing board of the district shall be designated  
 305 as the board of commissioners of the Central Broward Water  
 306 Control District and shall be composed of six members who shall  
 307 be known as commissioners.

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

319 c. The board of commissioners of the Central Broward Water  
 320 Control District shall hereafter be elected on a basis of each  
 321 of the six commissioners representing one of the six respective  
 322 geographical zones of the entire district as provided herein. In  
 323 qualifying for such office, each candidate shall designate the  
 324 zone he or she is qualifying for.

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

326  
 327 Zone 1: Begin at the intersection of the centerline  
 328 right-of-way of the North New River Canal with the west  
 329 line of Section 3, Township 50 South, Range 40 East,  
 330 Broward County, Florida; thence southeasterly, along  
 331 said centerline, to the intersection with the east line

332 of Section 12, Township 50 South, Range 40 East; thence  
 333 southerly, along said east line, to the southeast corner  
 334 of said Section 12; thence westerly, along the south  
 335 line of said Section 12, to the southwest corner of said  
 336 Section 12; thence southerly, along the east line of  
 337 Sections 14, 23 and 26, Township 50 South, Range 40  
 338 East, to the intersection with the physical centerline  
 339 of the South New River Canal; thence westerly, along  
 340 said centerline, to the intersection with the west line  
 341 of the east one-half (E 1/2) of Section 27, Township 50  
 342 South, Range 40 East; thence northerly, along the west  
 343 line of the east one-half (E 1/2) of Sections 27 and 22,  
 344 Township 50 South, Range 40 East, to the north one-  
 345 quarter (N 1/4) corner of said Section 22; thence  
 346 westerly, along the south line of Sections 15 and 16,  
 347 Township 50 South, Range 40 East, to the south one-  
 348 quarter (S 1/4) corner of said Section 16; thence  
 349 northerly, along the west line of the east one-half (E  
 350 1/2) of said Section 16, to the north one-quarter (N  
 351 1/4) corner of said Section 16; thence easterly, along  
 352 the north line of said Section 16, to the northeast  
 353 corner of said Section 16; thence northerly, along the  
 354 west line of Sections 10 and 3, Township 50 South, Range  
 355 40 East, to the Point of Beginning. ~~Beginning at the~~  
 356 ~~intersection of the north side of the north bank of the~~  
 357 ~~North New River Canal with the West line of Section 3,~~  
 358 ~~Township 50 South, Range 40 East, Broward County,~~  
 359 ~~Florida; thence Southeasterly along said north side of~~

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

388 | Zone 2: Begin at the intersection of the centerline  
389 | right-of-way of the North New River Canal with the east  
390 | line of Section 12, Township 50 South, Range 40 East,  
391 | Broward County, Florida; thence southeasterly, along  
392 | said centerline to the intersection with the east line  
393 | of Section 16, Township 50 South, Range 41 East; thence  
394 | southerly, along said east line, to the southeast corner  
395 | of said Section 16; thence westerly, along the south  
396 | line of said Section 16, to the southwest corner of said  
397 | Section 16; thence southerly, along the east line of  
398 | Section 20, Township 50 South, Range 41 East, to the  
399 | southeast corner of said Section 20; thence westerly,  
400 | along the south line of Sections 20 and 19, Township 50  
401 | South, Range 41 East, to the southwest corner of said  
402 | Section 19; thence continue westerly, along the  
403 | extension of the south line of said Section 19, across  
404 | the Hiatus between the west line of said Section 19 and  
405 | the east line of Section 24, Township 50 South, Range 40  
406 | East, to a point on the east line of said Section 24;  
407 | thence southerly, along the east line of Sections 24 and  
408 | 25, Township 50 South, Range 40 East, to the  
409 | intersection with the physical centerline of the South  
410 | New River Canal; thence westerly, along said centerline,  
411 | to the intersection with the west line of Section 25,  
412 | Township 50 South, Range 40 East; thence northerly,  
413 | along the west line of Sections 25, 24 and 13, Township  
414 | 50 South, Range 40 East to the southwest corner of  
415 | Section 12, Township 50 South, Range 40 East; thence

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



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

461  
 462 Zone 3: Begin at the intersection of the physical  
 463 centerline of the South New River Canal and the east  
 464 right-of-way line of State Road No. 7; thence northerly,  
 465 along the east right of way line to intersection with  
 466 the south line of Tier 1; as shown by the Plat of  
 467 NEWMAN'S SURVEY, as recorded in Plat Book 2, Page 26, of  
 468 the Public Records of Miami-Dade County, Florida, (All  
 469 subsequent references to Tract and Tier number refer to  
 470 this plat); thence westerly, along the south line of  
 471 Tiers 1, 3, 5, 7, and 9, and their prolongations

472 thereof, to an intersection with the northerly extension  
 473 of the east line of Tract 7, Section 25, Township 50  
 474 South, Range 41 East, as shown on said plat of NEWMAN'S  
 475 SURVEY; thence southerly, along said northerly extension  
 476 and said east line, to the southeast corner of said  
 477 Tract 7; thence westerly, along the south line of said  
 478 Tract 7 and its westerly prolongation, to the northeast  
 479 corner of Tract 9 of said Section 25; thence southerly,  
 480 along the east line of said Tract 9, to the southeast  
 481 corner of said Tract 9; thence westerly, along the south  
 482 line of said Tract 9, to the southwest corner of said  
 483 Tract 9; thence northerly, along the west line of Tracts  
 484 9 and 8, and their northerly prolongation to an  
 485 intersection with the south line of Tier 13; thence  
 486 westerly, along the south line of Tiers 13, 15, 17, 19,  
 487 23, 25, 27, and 29, and their prolongations thereof, to  
 488 the southwest corner of Tract 8, Tier 29; thence  
 489 northerly, along the west line of Tier 29, to the  
 490 southwest corner of Tract 4, Tier 29; thence westerly,  
 491 along the south line of Tract 4, Tiers 31, 33, 35 and 37  
 492 and their prolongations thereof, to the Southwest corner  
 493 of Tract 4, Tier 37; thence northerly, along the west  
 494 line of said Tier 37, to the intersection with the  
 495 centerline of the right-of-way of the North New River  
 496 Canal; thence northwesterly, along said centerline, to  
 497 the intersection with the west line of Section 15,  
 498 Township 50 South, Range 41 East; thence southerly,  
 499 along the east line of Section 16, Township 50 South,

500 Range 41 East to the southeast corner of said Section  
 501 16; thence westerly, along the south line of said  
 502 Section 16, to southwest corner of said Section 16;  
 503 thence southerly, along the east line of Section 20,  
 504 Township 50 South, Range 41 East, to the southeast  
 505 corner of said Section 20; thence westerly, along the  
 506 south line of Sections 20 and 19, Township 50 South,  
 507 Range 41 East to the southwest corner of said Section  
 508 19; thence continue westerly, along the extension of the  
 509 south line of said Section 19, across the Hiatus between  
 510 the west line of said Section 19 and the east line of  
 511 Section 24, Township 50 South, Range 40 East to a point  
 512 on the east line of said Section 24; thence southerly,  
 513 along the east line of Sections 24 and 25, Township  
 514 50 South, Range 40 East, to the intersection with the  
 515 physical centerline of the South New River Canal; thence  
 516 easterly, along said centerline, to the Point of  
 517 Beginning. ~~Beginning at the intersection of the south~~  
 518 ~~side of the south bank of the South New River Canal and~~  
 519 ~~the east right-of-way line of State Road No. 7; thence,~~  
 520 ~~run northerly along the east side of said State Road No.~~  
 521 ~~7 to the north line of Section 25, Township 50 South,~~  
 522 ~~Range 41 East; thence run westerly along the north line~~  
 523 ~~of Sections 25 and 26, Township 50 South, Range 41 East,~~  
 524 ~~to its intersection with the west line of Tract 8, Tier~~  
 525 ~~29, as shown by the Plat of NEWMAN'S SURVEY, as recorded~~  
 526 ~~in Plat Book 2, Page 26, of the Public Records of Dade~~  
 527 ~~County, Florida, (all subsequent references to Tract and~~

528 ~~Tier numbers refer to this Plat) also known as the~~  
 529 ~~Southwest corner of Tract 8, Tier 29; thence run~~  
 530 ~~northerly along the west line of Tier 29 for a distance~~  
 531 ~~of 3,356.37 feet more or less to the southwest corner of~~  
 532 ~~Tract 4, Tier 29; thence run westerly along the south~~  
 533 ~~line of Tract 4 in Tiers 31, 33, 35 and 37 and their~~  
 534 ~~prolongations thereof for a distance of 2,399.28 ft.~~  
 535 ~~more or less to the southwest corner of Tract 4, Tier~~  
 536 ~~37; thence run northerly along the west line of said~~  
 537 ~~Tier 37 for a distance of 3,456 ft. more or less to the~~  
 538 ~~north right-of-way line of the North New River Canal;~~  
 539 ~~thence run northwesterly along the north side of the~~  
 540 ~~north bank of said canal to the intersection of said~~  
 541 ~~bank with the west line of Section 15, Township 50~~  
 542 ~~South, Range 41 East; thence, run southerly along the~~  
 543 ~~east line of Section 16, Township 50 South, Range 41~~  
 544 ~~East to the southeast corner of said Section 16,~~  
 545 ~~Township 50 South, Range 41 East; thence run westerly~~  
 546 ~~along the south line of said Section 16, Township 50~~  
 547 ~~South, Range 41 East to southwest corner of said Section~~  
 548 ~~16, Township 50 South, Range 41 East; thence run~~  
 549 ~~southerly along the east line of Section 20, Township 50~~  
 550 ~~South, Range 41 East, to the southeast corner of said~~  
 551 ~~Section 20, Township 50 South, Range 41 East; thence run~~  
 552 ~~westerly along the south line of Sections 20 and 19,~~  
 553 ~~Township 50 South, Range 41 East to the southwest corner~~  
 554 ~~of said Section 19, Township 50 South, Range 41 East;~~  
 555 ~~thence continue westerly along the extension of the~~

556 ~~south line of said Section 19, Township 50 South, Range~~  
 557 ~~41 East across the Hiatus between the west line of said~~  
 558 ~~Section 19, Township 50 South, Range 41 East and the~~  
 559 ~~east line of Section 24, Township 50 South, Range 40~~  
 560 ~~East to a point on the east line of said Section 24,~~  
 561 ~~Township 50 South, Range 40 East; thence continue~~  
 562 ~~southerly along the east line of Sections 24 and 25,~~  
 563 ~~Township 50 South, Range 40 East, to the intersection~~  
 564 ~~with the south side of the south bank of the South New~~  
 565 ~~River Canal; thence, run easterly along the south side~~  
 566 ~~of the south bank of said canal to the point of~~  
 567 ~~beginning. Less the following described property:~~  
 568 ~~Beginning at the southeast corner of Tract 7, Section~~  
 569 ~~25, Township 50 South, Range 41 East, as shown by Plat~~  
 570 ~~of NEWMAN'S SURVEY, as recorded in Plat Book 2, Page 26,~~  
 571 ~~Public Records of Dade County, Florida (all subsequent~~  
 572 ~~references to Tract and Tier numbers refer to this~~  
 573 ~~plat); thence run westerly along the south line of said~~  
 574 ~~Tract 7 to the northeast corner of Tract 9 of said~~  
 575 ~~Section 25, Township 50 South, Range 41 East; thence~~  
 576 ~~southerly along the east line of said Tract 9 to the~~  
 577 ~~southeast corner of said Tract 9; thence westerly along~~  
 578 ~~the south line of said Tract 9 to the southwest corner~~  
 579 ~~of said Tract 9; thence northerly along the west line of~~  
 580 ~~Tractions 9 and 8 and their northerly prolongation to an~~  
 581 ~~intersection with the south line of Tier 13; thence~~  
 582 ~~easterly along the south line of Tiers 13, 11 and 9 and~~  
 583 ~~their prolongations thereof to an intersection with the~~

584 ~~northerly extension of the east line of tract 7; thence~~  
585 ~~southerly along the east line of Tract 7 to the point of~~  
586 ~~beginning.~~

587  
588 Zone 4: Begin at the intersection of the east right-of-  
589 way line of State Road No. 7 and the physical centerline  
590 of the South New River Canal; thence southerly, along  
591 said right-of way line, to the intersection with the  
592 south line of Section 36, Township 50 South, Range 41  
593 East; thence westerly, along the south line of Sections  
594 36, 35, 34, 33 and 32 in Township 50 South, Range 41  
595 East, to the northeast corner of Section 5, Township 51  
596 South, Range 41 East; thence southerly, along the east  
597 line of said Section 5, to the southeast corner of said  
598 Section 5; thence westerly, along the south line of  
599 Sections 5 and 6, Township 51 South, Range 41 East, to  
600 the southwest corner of said Section 6; thence  
601 northerly, along the west line of said Section 6, to the  
602 northwest corner of said Section 6; thence easterly,  
603 along the north line of Sections 6 and 5, Township 51  
604 South, Range 41 East to the southwest corner of Section  
605 32, Township 50 South, Range 41 East; thence northerly,  
606 along the west line of Sections 32 and 29, Township 50  
607 South, Range 41 East to the physical centerline of the  
608 South New River Canal; thence easterly, along said  
609 physical centerline, to the Point of Beginning.

610 ~~Beginning at the intersection of the east right-of-way~~  
611 ~~line of State Road No. 7 and the south side of the south~~

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

635  
636 Zone 5: Begin at the northwest corner of Section 4,  
637 Township 51 South, Range 41 East; thence southerly,  
638 along the west line of said Section 4, to the southwest  
639 corner of said Section 4; thence easterly, along the

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



668 ~~Range 41 East to the east bank of the drainage ditch~~  
 669 ~~along the west side of the Sunshine State Parkway~~  
 670 ~~(Florida Turnpike); thence, run northerly along the east~~  
 671 ~~bank of said ditch to the north line of Section 1,~~  
 672 ~~Township 51 South, Range 41 East; thence, run westerly~~  
 673 ~~along the north line of Sections 1, 2, 3 and 4, Township~~  
 674 ~~51 South, Range 41 East to the point of beginning.~~

675  
 676 Zone 6: Begin at the southwest corner of Section 3,  
 677 Township 51 South, Range 40 East, Broward County,  
 678 Florida; thence northerly, along the west line of said  
 679 Section 3, to the northwest corner of said Section 3;  
 680 thence northerly, along the west line of Sections 34 and  
 681 27, Township 50 South, Range 40 East, to the  
 682 intersection with the physical centerline of the South  
 683 New River Canal; thence meandering westerly,  
 684 northwesterly, southwesterly, southeasterly, southerly,  
 685 southwesterly and westerly, along said centerline, to  
 686 the intersection with the west line of Section 28,  
 687 Township 50 South, Range 40 East; thence northerly,  
 688 along the west line of Sections 28, 21, 16, 9 and 4,  
 689 Township 50 South, Range 40 East, to the intersection  
 690 with the centerline right-of-way of the North New River  
 691 Canal; thence southeasterly, along said centerline, to  
 692 the intersection with the west line of Section 3,  
 693 Township 50 South, Range 40 East; thence southerly,  
 694 along the west line of Sections 3 and 10, Township 50  
 695 South, Range 40 East, to the northeast corner of Section

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

724 ~~Section 3, to the Northwest corner of said Section 3;~~  
 725 ~~thence Northerly, along the West line of Sections 34 and~~  
 726 ~~27, Township 50 South, Range 40 East, to the~~  
 727 ~~intersection with the south side of the south bank of~~  
 728 ~~the South New River Canal; thence Westerly, along said~~  
 729 ~~south side of the south bank of the South New River~~  
 730 ~~Canal, to the intersection with the West line of Section~~  
 731 ~~28, Township 50 South, Range 40 East; thence Northerly,~~  
 732 ~~along the West line of Sections 28, 21, 16, 9 and 4,~~  
 733 ~~Township 50 South, Range 40 East, to the intersection~~  
 734 ~~with the north side of the north bank of the North New~~  
 735 ~~River Canal; thence Southeasterly, along said north side~~  
 736 ~~of the north bank of the North New River Canal, to the~~  
 737 ~~intersection with the West line of Section 3, Township~~  
 738 ~~50 South, Range 40 East; thence Southerly, along the~~  
 739 ~~West line Sections 3 and 10, Township 50 South, Range 40~~  
 740 ~~East, to the Northeast corner of Section 16, Township 50~~  
 741 ~~South, Range 40 East; thence Westerly, along the North~~  
 742 ~~line of said Section 16, to the Northwest corner of the~~  
 743 ~~East Half (E 1/2) of said Section 16; thence Southerly,~~  
 744 ~~along the West line of said East Half (E 1/2) of Section~~  
 745 ~~16, to the Southwest corner of said East Half (E 1/2) of~~  
 746 ~~Section 16; thence Easterly, along the South line of~~  
 747 ~~Sections 16 and 15, Township 50 South, Range 40 East, to~~  
 748 ~~the Northwest corner of the East Half (E 1/2) of Section~~  
 749 ~~22, Township 50 South, Range 40 East; thence Southerly,~~  
 750 ~~along the West line of the East Half (E 1/2) of Sections~~  
 751 ~~22 and 27, Township 50 South, Range 40 East, to the~~

752 ~~intersection with the south side of the south bank of~~  
753 ~~the South New River Canal; thence Easterly, along said~~  
754 ~~south side of the south bank of the South New River~~  
755 ~~Canal, to the intersection with the East line of Section~~  
756 ~~30, Township 50 South, Range 41 East; thence Southerly,~~  
757 ~~along the East line of Sections 30 and 31, Township 50~~  
758 ~~South, Range 41 East, to the North line of Section 5,~~  
759 ~~Township 51 South, Range 41 East; thence Westerly, along~~  
760 ~~the North line of Sections 5 and 6, Township 51 South,~~  
761 ~~Range 41 East, to the Northeast corner of Section 1,~~  
762 ~~Township 51 South, Range 40 East; thence Southerly,~~  
763 ~~along the East line of said Section 1, to the Southeast~~  
764 ~~corner of said Section 1; thence Westerly, along the~~  
765 ~~South line of Sections 1, 2, and 3, Township 51 South,~~  
766 ~~Range 40 East, to the Point of Beginning.~~

767 e. All commissioners shall serve a term of 4 years. An  
768 election shall be held every 2 years to elect successors for  
769 that each group of commission seats up for election. The terms  
770 of the six commissioners shall be staggered. Elections for zones  
771 1, 2, and 6 shall be held in the 2010 general election and every  
772 4 years thereafter. Elections for zones 3, 4, and 5 shall be  
773 held in the 2012 general election and every 4 years thereafter,  
774 ~~so as to have the various successors elected at the expiration~~  
775 ~~of the term of the respective groups.~~

776 f. A commissioner shall, at the time of qualification for  
777 office, be a resident of the respective zone that he or she  
778 desires to represent for the 90 ~~30~~ days immediately preceding

779 the date of qualifying for nomination to office. Qualifying  
780 dates shall be the same as the qualifying dates for County  
781 Commission for the general election. A commissioner at the time  
782 of his or her qualification for office shall be a qualified  
783 voter in Broward County.

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

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

796 i. In the event that a vacancy should occur in the office  
797 of a commissioner, the remaining commissioners shall forthwith  
798 appoint by a majority vote a successor commissioner having the  
799 same qualifications, including zone resident requirements, as  
800 prescribed herein for the office vacated, for the unexpired  
801 term. If the commissioners shall fail to appoint a successor  
802 commissioner within 30 days after a vacancy should occur, the  
803 Governor shall appoint a successor commissioner for the  
804 unexpired term. There is no prohibition on a commissioner  
805 succeeding himself or herself in term of office.

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

815           Section 5. Elections.--

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

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

830  
 831 ~~STATE OF FLORIDA~~ \_\_\_\_\_ )  
 832 \_\_\_\_\_ ) ss.  
 833 ~~COUNTY OF BROWARD~~ \_\_\_\_\_ )

834  
 835 ~~BEFORE ME, an officer authorized to administer oaths,~~  
 836 ~~personally appeared ....., to me well known, who, being~~  
 837 ~~sworn says that he or she is a candidate for office of~~  
 838 ~~commissioner for zone .... for the Central Broward Water Control~~  
 839 ~~District; that he or she is a qualified elector of Broward~~  
 840 ~~County, Florida; that he or she is qualified under the~~  
 841 ~~Constitution, the laws of Florida and the laws of Central~~  
 842 ~~Broward Water Control District to which he or she desires to be~~  
 843 ~~nominated or elected; that he or she has taken the oath required~~  
 844 ~~by ss. 876.05-876.10, Florida Statutes (public employees; oath);~~  
 845 ~~that he or she has not violated any of the laws of the state~~  
 846 ~~relating to elections or the registration of electors; that he~~  
 847 ~~or she has qualified for no other public office in the state,~~  
 848 ~~the terms of which office or any part thereof runs concurrent~~  
 849 ~~with that of the office he or she seeks; that he or she has~~  
 850 ~~resigned from any office from which he or she is required to~~  
 851 ~~resign pursuant to s. 99.012, Florida Statutes (restrictions on~~  
 852 ~~individuals qualifying for public office); and that he or she~~  
 853 ~~has submitted a sworn statement of contributions and~~  
 854 ~~expenditures, if any, incurred prior to the time of qualifying~~  
 855 ~~and since the last preceding general election; that he or she~~  
 856 ~~has been a resident of zone .... of the district for the 30 days~~  
 857 ~~immediately preceding the date of qualifying for nomination to~~  
 858 ~~office or is otherwise qualified for nomination to office as~~  
 859 ~~commissioner of zone .... of the district; and that he or she is~~  
 860 ~~an owner in fee simple of land within the district.~~  
 861

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862 | .....  
 863 | ~~Signature of Candidate~~

864 | ~~SWORN TO and subscribed before me~~  
 865 | ~~this .... day of ....., 19...~~

866 |  
 867 | .....  
 868 | ~~Notary Public~~

869 |  
 870 | c. Candidates for office shall be required to file their  
 871 | qualification oath, fee, and designation of office with the  
 872 | Supervisor of Elections of Broward County as prescribed by law,  
 873 | ~~at any time after noon of the first day for qualifying, which~~  
 874 | ~~shall be the 50th day prior to the first primary, but not later~~  
 875 | ~~than noon the 46th day prior to the first primary.~~ If a  
 876 | candidate fails to comply with the provisions herein, that  
 877 | candidate's name shall not appear on the ballot. A candidate who  
 878 | has filed the required oath and has paid the qualifying fee and  
 879 | otherwise complied with the provisions herein shall be entitled  
 880 | to have his or her name printed on the official ballot.

881 | d. If only two persons qualify for any one particular  
 882 | zone, then there shall be no primary election, and those  
 883 | candidates shall appear on the general election ballot. If more  
 884 | than two candidates qualify for any one particular zone, then  
 885 | the names of those candidates shall be placed on the ballot at  
 886 | the first primary election. The two candidates receiving the  
 887 | highest number of votes of the electors for each zone in the  
 888 | first primary election shall have their names printed on the  
 889 | ballot for the general district election.



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2009

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

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

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

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

910 i. In all elections, the regular registration books of  
911 Broward County covering an area of the district shall be used,  
912 and only those persons who are shown thereon as qualified  
913 electors and residing within the district and zone which the  
914 election of commissioner is for shall be entitled to vote in  
915 said election.

916 Section 6. Recall.--

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2009

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

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

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

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

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

941 c. In addition to proclaiming the recall election of the  
942 commissioner, the resolution shall state the date for the  
943 holding of the election, which shall be not more than 60 days  
944 after the date of the resolution. Further, the resolution shall

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945 set the date of qualifying of candidates for the election, which  
946 date shall be not more than 20 days from the passage of the  
947 resolution.

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

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

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

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

965 Section 7. Organization of board of commissioners.--At the  
966 first regularly scheduled meeting following the first Tuesday  
967 after the first Monday in November each year, the board of  
968 commissioners shall assemble and organize by choosing one of  
969 their members chair of the board, and choosing another one of  
970 their members vice chair. In the event of a deadlock in  
971 selecting a new chair or vice chair, the existing chair and vice  
972 chair shall remain in office until a new chair or vice chair is

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

993 | Section 12. Taxation.--

994 | a. The board of commissioners of the district is  
 995 | authorized to levy taxes on land only and not upon any  
 996 | improvements thereon within the district up to and including 5  
 997 | mills per dollar of assessed valuation. In the absence of any  
 998 | contrary action of the board of commissioners acting as a budget  
 999 | commission as herein provided, the tax rate of each calendar  
 1000 | year shall be at the maximum provided herein.

1001           b. Such taxes as provided herein and as may be determined  
 1002 to be necessary by the board of commissioners, acting as budget  
 1003 commission for the district for the operation of the affairs of  
 1004 the district, shall be certified to the Property Appraiser of  
 1005 Broward County, by the board of commissioners of Central Broward  
 1006 Water Control District, and shall be placed upon the tax rolls  
 1007 of Broward County, by the property appraiser, and shall be  
 1008 collected by the Revenue Tax Collector of Broward County, as now  
 1009 provided by law, and such taxes so levied shall become a lien  
 1010 under the law against the property within the boundaries of the  
 1011 Central Broward Water Control District and enforceable under the  
 1012 laws of the State of Florida pertaining to the Central Broward  
 1013 Water Control District.

1014           ~~e. The manner and basis of taxation for the year 1970~~  
 1015 ~~shall be the same as existed for the Central Broward Water~~  
 1016 ~~Control District prior to the enactment hereof.~~

1017           Section 17. Tax roll.--

1018           a. The county Property Appraiser of Broward County shall  
 1019 certify to the board of commissioners of the Central Broward  
 1020 Water Control District the total assessed value of real property  
 1021 located within the boundaries of the district, on or before the  
 1022 first day of July of each year, said certification to be  
 1023 prepared from the tax roll of Broward County.

1024           b. It shall be the duty of the Property Appraiser of  
 1025 Broward County to enter upon the tax roll of the county the  
 1026 taxes or assessments levied by the district, upon certification  
 1027 of the same by the chair or secretary of the board, which  
 1028 certification shall be delivered on or before September 1 of

1029 each year. The tax or assessment shall be entered upon the tax  
 1030 roll in a proper column under the head of "Central Broward Water  
 1031 Control District" opposite the name of the person or persons or  
 1032 corporation owning such land in the manner provided by law for  
 1033 making up the tax roll for state and county taxes, or in case  
 1034 the ownership of such land is not shown upon such tax roll, then  
 1035 opposite the word "unknown."

1036 c. The tax or assessment levied by this charter shall  
 1037 constitute a lien upon the lands so assessed as of the first day  
 1038 of January of each year in which the entries are made in the tax  
 1039 rolls pursuant to subsection b., which lien shall be superior in  
 1040 dignity to all other liens upon said lands, except the lien for  
 1041 state and county taxes and other taxes of equal dignity, as to  
 1042 which taxes the said lien shall be coordinate.

1043 ~~d. The property appraiser shall attach to the tax roll, a~~  
 1044 ~~special warrant to the tax collector of the county for the~~  
 1045 ~~collection of such drainage taxes, and the special warrant shall~~  
 1046 ~~be signed by the property appraiser and shall be the authority~~  
 1047 ~~of the tax collector of the collection of such taxes. The~~  
 1048 ~~warrant shall be in substantially the following form:~~

1049  
 1050 ~~SPECIAL WARRANT FOR COLLECTION OF DRAINAGE TAXES: STATE~~  
 1051 ~~OF FLORIDA, TO ....., TAX COLLECTOR OF THE COUNTY~~  
 1052 ~~OF BROWARD. YOU ARE HEREBY COMMANDED TO COLLECT OUT OF~~  
 1053 ~~THE REAL ESTATE AGAINST WHICH DRAINAGE TAXES ARE~~  
 1054 ~~ASSESSED AND SET FORTH IN THIS ROLL, AND FROM THE~~  
 1055 ~~PERSONS OR CORPORATIONS NAMED THEREIN, AGAINST WHOSE~~  
 1056 ~~LANDS DRAINAGE TAXES ARE ASSESSED, THE DRAINAGE TAX SET~~

1057 ~~DOWN IN SAID ROLL OPPOSITE EACH NAME, CORPORATION, OR~~  
 1058 ~~PARCEL OF LAND THEREIN DESCRIBED, AND IN EACH CASE SUCH~~  
 1059 ~~DRAINAGE TAX IS NOT PAID ON OR BEFORE THE FIRST DAY OF~~  
 1060 ~~APRIL NEXT, YOU ARE TO COLLECT THE SAME BY LEVY AND SALE~~  
 1061 ~~OF THE LANDS SO ASSESSED; AND ALL SUMS COLLECTED FOR~~  
 1062 ~~DRAINAGE TAXES YOU ARE TO PAY TO THE TREASURER OF~~  
 1063 ~~CENTRAL BROWARD WATER CONTROL DISTRICT. GIVEN UNDER MY~~  
 1064 ~~HAND AND SEAL, THIS .... DAY OF ....., 19...~~

1065  
 1066 .....  
 1067 PROPERTY APPRAISER, BROWARD COUNTY  
 1068

1069 ~~Such warrant shall remain in full force until all the Central~~  
 1070 ~~Broward Water Control District taxes shown in said roll to be~~  
 1071 ~~assessed shall be collected.~~

1072 d.e. The Revenue Tax Collector of Broward County shall  
 1073 make returns and remittances of money collected by him or her  
 1074 for Central Broward Water Control District in the manner and  
 1075 time provided by law. Central Broward Water Control District  
 1076 may, from time to time, make audits or checks of the tax  
 1077 assessment roll at the property appraiser's office, and the  
 1078 revenue tax collector shall furnish all that is required by law.

1079 e.f. No provision hereof shall in any way affect the power  
 1080 and authority of the Central Broward Water Control District to  
 1081 levy or collect any special assessment.

1082 ~~g. The manner and basis of establishing the tax roll shall~~  
 1083 ~~be the same as existed for the Central Broward Water Control~~  
 1084 ~~District prior to 1970.~~

1085           Section 33. Powers of commissioners to carry out  
 1086 plan.--The board of commissioners of the district created hereby  
 1087 shall have full power and authority to put out requests for  
 1088 proposals or bids for contracts and to build, construct,  
 1089 excavate, and complete any and all works and improvements which  
 1090 may be needed to carry out, maintain, and protect "the state  
 1091 comprehensive water management plan." To accomplish that end the  
 1092 board of commissioners may employ persons and teams and purchase  
 1093 machinery, employ persons to operate same, and directly have  
 1094 charge of and construct the works and improvements in such  
 1095 manner or by use of other or more efficient means than provided  
 1096 for in the plans adopted. The board of commissioners may, at its  
 1097 discretion, award ~~let~~ the contract for such works and  
 1098 improvements, either as a whole or in sections, and when such  
 1099 contracts are awarded ~~let~~ they shall be advertised and awarded  
 1100 ~~let~~ to the lowest qualified, responsible and best bidder, as  
 1101 determined by the board, which bidder ~~who~~ shall give a good and  
 1102 approved bond, with ample security, conditioned that he or she  
 1103 will promptly carry out the contract for such work and  
 1104 improvements under such terms and conditions as the board of  
 1105 commissioners deems necessary; which contract shall be in  
 1106 writing and to which shall be attached, and made a part thereof,  
 1107 complete plans and specifications of the work to be done and  
 1108 improvements to be made under such contract, which plans and  
 1109 specifications shall be prepared by the district's engineer and  
 1110 shall be incorporated in, and attached to, the contract; and  
 1111 such contract shall be prepared by the attorney for the district  
 1112 and approved by the board of commissioners and signed by its



1113 chair or vice chair and the contractor and executed in  
 1114 duplicate. The district manager shall be the superintendent of  
 1115 all the works and improvements, and shall, at least once each  
 1116 year and when required, make a full report to the board of all  
 1117 work done and improvements made, and make suggestions and  
 1118 recommendations to the board as he or she may deem proper.

1119 Section 34. Rules and regulations.--The board of  
 1120 commissioners is hereby authorized to adopt, promulgate, and  
 1121 enforce all rules and regulations necessary and appropriate for  
 1122 the administration and enforcement of this charter. No such  
 1123 action shall be taken by the board of commissioners until after  
 1124 the holding by this board of commissioners of a public hearing  
 1125 on the proposed rules and regulations. The provisions of chapter  
 1126 120, Florida Statutes (Administrative Procedure Act), shall  
 1127 apply to all such rules and regulations. As soon as practicable  
 1128 and as necessary, from time to time, the board of commissioners  
 1129 shall effect appropriate rules and regulations as deemed  
 1130 necessary, including, but not limited to, the following:

1131 a. Conditions precedent to be met for land to be platted  
 1132 in ~~on~~ the public records of the appropriate governmental  
 1133 authority to assure provisions for proper drainage and water  
 1134 management, the dedication of proper easements or rights-of-way  
 1135 to the district, and the procedures to be followed in connection  
 1136 therewith including ~~cooperation with the county engineer, and~~  
 1137 the posting of such bonds in such amounts on such conditions as  
 1138 are deemed necessary in such plats to ensure the proper and  
 1139 timely completion of such drainage and water management  
 1140 provisions. No plat for the subdivision of any land within the

1141 district shall be entitled to be recorded ~~record~~ without the  
 1142 approval of the board of commissioners.

1143 b. Code of regulations, standards, ~~general specifications~~  
 1144 ~~and procedures,~~ and design criteria for the obtainment of a  
 1145 permit and for hearings in connection therewith before the board  
 1146 of commissioners for approval of plans for all drainage  
 1147 improvements within the district, including structural  
 1148 improvements coming into, over, onto, or through any of the  
 1149 waterways of the district.

1150 c. Code of regulations, standards, procedures, and design  
 1151 criteria ~~specifications~~ as to content of discharge and effluents  
 1152 coming into the waterways of the district.

1153 Section 37. Eminent domain.--The district created hereby  
 1154 may acquire, by gift, purchase, exchange, donation, dedication,  
 1155 or condemnation, any lands within or without the said district  
 1156 for canal rights-of-way or easements, or for other general  
 1157 purposes of the said district, and, if acquired by condemnation,  
 1158 the procedure shall be as prescribed in chapter 73, Florida  
 1159 Statutes, Eminent Domain.

1160 Section 38. Obstructions, damage, and destruction  
 1161 prohibited; damages; penalties.--No person may willfully or  
 1162 otherwise obstruct any canal, drain, ditch, or watercourse or  
 1163 damage or destroy any drainage works constructed in the drainage  
 1164 district.

1165 a. Any person who shall willfully obstruct any canal,  
 1166 drain, ditch, or other watercourse, or shall damage or destroy  
 1167 any drainage works constructed by the drainage district, shall  
 1168 be liable to any person injured thereby for the full amount of

1169 the injury occasioned to any land or crops or other property by  
 1170 such misconduct and shall be liable to the drainage district  
 1171 constructing the work for double the cost of removing such  
 1172 obstruction or repairing such damage. The costs shall include  
 1173 all labor, materials, equipment, and supplies necessary to  
 1174 effect such removal or repair, and all costs and expenses,  
 1175 including reasonable attorney's fees, necessary to make any  
 1176 person injured or the drainage district whole.

1177 b. Any person who willfully or otherwise obstructs any  
 1178 canal, drain, ditch, or watercourse, or impedes or obstructs the  
 1179 flow of water thereof, or damages or destroys any drainage works  
 1180 constructed by any drainage district is guilty of a misdemeanor  
 1181 of the first degree, punishable as provided by general law.

1182 c. If the board of commissioners finds and determines that  
 1183 any dike, culvert, bridge, crossing, or any other device in any  
 1184 canal, drain, ditch, or watercourse which is used for servicing  
 1185 any property or providing access thereto constitutes an  
 1186 obstruction or impediment to the free flow of water or drainage  
 1187 or access to maintenance of any district facility, whether the  
 1188 same has been so placed in or near any canal, drain, ditch, or  
 1189 watercourse under permit by the district or otherwise, the  
 1190 record owner of the property provided access or service shall be  
 1191 notified in writing of such obstruction with a demand therein  
 1192 that such owner cause the condition to be remedied. The notice  
 1193 shall be given by registered mail, addressed to the owner or  
 1194 owners of the property described, as their names and addresses  
 1195 are shown upon the records of the county property appraiser, and  
 1196 shall be deemed complete and sufficient when so addressed and

1197 deposited in the United States mail with proper postage prepaid.  
 1198 In the event that such notice is returned by postal authorities,  
 1199 the district shall cause a copy of the notice to be served by  
 1200 any officers, commissioners, or agents of the district, an  
 1201 affidavit of such service by such officer, commissioner, or  
 1202 agent filed in the minutes of the district shall be proof of  
 1203 service thereof, upon the occupant of the property or upon any  
 1204 agent of the owner thereof. In the event that personal service  
 1205 upon the occupant of the property or upon any agent of the owner  
 1206 thereof cannot be performed after a reasonable search, the  
 1207 notice shall be accomplished by physical posting on the  
 1208 property. The notice shall be in substantially the following  
 1209 form:

1210  
 1211 Name of Owner:.....  
 1212 Address of Owner:.....

1213  
 1214 Our records indicate you are the owner(s) of the  
 1215 following property located in the Central Broward Water  
 1216 Control District, Broward County, Florida:

1217  
 1218 (describe property)

1219  
 1220 An inspection of this property and the abutting canal,  
 1221 drain, ditch, or watercourse discloses, and the Board of  
 1222 Commissioners of the Central Broward Water Control  
 1223 District has found and determined, that an obstruction  
 1224 in said canal, drain, ditch, or watercourse exists,

1225 | thereby impeding the free flow of water or ~~and~~ drainage  
 1226 | or access to maintenance of a district facility and  
 1227 | constituting a hazard and danger to the inhabitants  
 1228 | within the Central Broward Water Control District so as  
 1229 | to constitute a violation of the charter and regulations  
 1230 | of the Central Broward Water Control District in that:

1231 |  
 1232 | (describe the condition which places  
 1233 | the property in violation.)  
 1234 |

1235 | You are hereby notified that unless the condition above  
 1236 | described is remedied so as to make it nonviolative of  
 1237 | the charter and regulations of the Central Broward Water  
 1238 | Control District within 20 days from the date hereof,  
 1239 | the Central Broward Water Control District will proceed  
 1240 | to remedy this condition and the cost of the work,  
 1241 | including advertising costs and all other expenses, will  
 1242 | be imposed as lien on the property if not otherwise paid  
 1243 | within 30 days after receipt of billing.

1244 |  
 1245 | Central Broward Water Control District  
 1246 | BY.....  
 1247 |

1248 | d. Within 20 days after the mailing of the notice to him  
 1249 | or her, the owner of the property may make written request to  
 1250 | the board of commissioners for a hearing before that body to  
 1251 | show that the condition alleged in the notice does not exist or  
 1252 | that such condition does not constitute an obstruction or

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1253 | impediment to the drainage and free flow of water in any canal,  
1254 | ditch, drain, or watercourse of the district. At the hearing,  
1255 | the district and the property owner may introduce such evidence  
1256 | as is deemed necessary.

1257 |       e. If within 20 days after mailing of the notice no  
1258 | hearing has been requested and the condition described in the  
1259 | notice has not been remedied, the district shall cause the  
1260 | condition to be remedied by the district at the expense of the  
1261 | property owner. If a hearing has been held and has concluded  
1262 | adversely to the property owner, the district may cause the  
1263 | condition to be remedied at the expense of the property owner,  
1264 | by appropriate resolution, and may order the removal of the  
1265 | same, including any appurtenances thereto, and may provide for  
1266 | the payment of all or any part of the cost of any such removal  
1267 | by levying and collecting a special assessment on the property  
1268 | affected or afforded service by such bridge, culvert, etc.

1269 |       f. After causing the condition to be remedied, the  
1270 | secretary of the district shall certify to the board the  
1271 | expenses incurred in remedying the condition. Upon the receipt  
1272 | of such certificate, the board of commissioners shall review the  
1273 | same and determine the amount to be assessed against such  
1274 | property by resolution. Upon adoption of the resolution, the  
1275 | assessment shall constitute a lien on the respective lots or  
1276 | parcels of land or other real property upon which they are  
1277 | levied, superior to all other liens, except those for district  
1278 | and county taxes.

1279 |       g. The board of commissioners shall cause to be recorded  
1280 | in the office of the clerk of the circuit court, in and for

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1281 Broward County, a copy of the resolution within 10 days after  
1282 the adoption thereof. The assessment shall be payable at the  
1283 time and in the manner stipulated in the resolution and the  
1284 assessment shall remain a lien coequal with the lien of other  
1285 taxes, superior in dignity to all other liens, titles, and  
1286 claims, until paid and shall bear interest at a rate not to  
1287 exceed 18 percent per annum from the date of the resolution.

1288 h. Upon the failure of any property owner to pay the  
1289 assessment or any installment thereof or any part thereof as  
1290 provided for in the resolution, the board of commissioners shall  
1291 cause to be brought the necessary legal proceedings to enforce  
1292 payment thereof with all the accrued interest and penalties,  
1293 together with all legal costs incurred, including reasonable  
1294 attorneys' fees, to be assessed as a part of the cost; and in  
1295 the event of default in the payment of any installment of an  
1296 assessment, or any accrued interest on said assessment, the  
1297 whole assessment with the interest and penalties thereon shall  
1298 immediately become due and payable and subject to foreclosure.  
1299 In the foreclosure of any assessment, service of process against  
1300 unknown or nonresident defendants may be had by publication, as  
1301 provided by law. Foreclosure proceedings shall be prosecuted to  
1302 the sale and conveyance of the property involved in said  
1303 proceedings as provided by law in suits to foreclose mortgages;  
1304 or, in the alternative, said proceedings may be instituted and  
1305 prosecuted under chapter 173, Florida Statutes, Foreclosure of  
1306 Municipal Tax and Special Assessment Liens.

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1307 i. The remedies provided in subsections c. through h. are  
1308 in addition to and not in lieu of other remedies provided for in  
1309 this charter or otherwise.

1310 Section 39. Extensions of boundaries.--The boundary line  
1311 of the district as defined in this act may be extended to  
1312 include additional adjacent land at any time in the discretion  
1313 of the board of commissioners upon such conditions as the board  
1314 of commissioners of the district may prescribe upon petition of  
1315 the landowners ~~freeholders~~ owning 51 percent or more of the land  
1316 in the area sought to be included in this district by such  
1317 boundary extension. The petition of such landowners ~~freeholders~~  
1318 shall be directed to the board of commissioners of this  
1319 district, and shall be in writing and duly signed and  
1320 acknowledged by each of the landowners ~~freeholders~~ seeking to  
1321 include such area in the extended boundaries of this district.  
1322 The area included in this district shall be defined and the  
1323 inclusion thereof shall be affirmed by an appropriate resolution  
1324 of the board of commissioners of this district at a regular or  
1325 special meeting called for that purpose, which resolution shall  
1326 be preserved in the minutes of such meeting, and shall be  
1327 recorded in the public records of Broward County, Florida. The  
1328 board of commissioners of this district shall thereafter have  
1329 jurisdiction and hold and be entitled to exercise all of the  
1330 right, power, and authority for the drainage, water management  
1331 services conducted pursuant to this section, and improvement of  
1332 the land or area so included in this district as is granted such  
1333 board of commissioners by this charter with respect to the lands  
1334 within the boundaries of this district as hereinabove set forth,



1335 it being the intention of the Legislature to confer upon the  
 1336 board of commissioners for the drainage and water control  
 1337 district hereby created the same rights, powers and authorities,  
 1338 duties, responsibilities, and obligations over the lands so  
 1339 included in this district as is by this charter conferred upon  
 1340 them with reference to the lands within the boundaries of this  
 1341 district as hereby created and established.

1342 Section 40. Subdivision regulation.--

1343 a. It is the intent and purpose of this charter to promote  
 1344 and provide for the public health, safety, comfort, convenience,  
 1345 and welfare necessary and required to promote the harmonious,  
 1346 orderly, and progressive development of land within the  
 1347 district. It is the further intent of this charter to secure the  
 1348 establishment of standards of subdivision designs, which will  
 1349 encourage the development of sound and economically stable  
 1350 communities, and the creation of healthful living environments.

1351 b. A subdivision for the purpose of this charter is hereby  
 1352 defined as: The division of a parcel of land, whether improved  
 1353 or unimproved, into three or more lots, or other divisions of  
 1354 land for the purpose, whether immediate or future, of transfer  
 1355 of ownership, or, if the establishment of any new street is  
 1356 involved, any division of such parcel; provided that the  
 1357 division of land into parcels of more than 5 acres not involving  
 1358 any changes in street lines or public easements shall not be  
 1359 deemed to be a subdivision within the meaning of this charter.  
 1360 The term includes a resubdivision and, when appropriate to  
 1361 context, shall relate to the process of subdivision or to land

1362 subdivided. The singular usage includes the plural and the  
 1363 plural the singular.

1364 c. Any division of a parcel of land as a subdivision shall  
 1365 be subject to such plat and subdivision regulations heretofore  
 1366 adopted or hereafter adopted, amended, or modified by the  
 1367 district under authority of law. Such regulations may provide  
 1368 for streets in the subdivision, to be of such width, grade, and  
 1369 location as to facilitate drainage; provide that adequate  
 1370 easements and rights-of-way be provided for drainage purposes  
 1371 and that the layout of the subdivision conform to the  
 1372 comprehensive plan for drainage for the area; and provide that  
 1373 ~~for~~ the Central Broward Water Control District's drainage  
 1374 requirements ~~to~~ be met. The district shall not approve any  
 1375 subdivision plats unless the land included within the  
 1376 subdivision is suitable or shall be made suitable to the various  
 1377 purposes for which it is intended to be used, and in particular,  
 1378 unless all land intended for building sites can be used safely  
 1379 for building purposes, without the danger from flood of other  
 1380 inundation, or from any such menace to health, safety, or public  
 1381 welfare. It shall be unlawful for anyone being an owner, or  
 1382 agent of an owner, of any land to transfer, sell, agree to sell,  
 1383 or negotiate to sell such land by reference to, or exhibition  
 1384 of, or by any other use of a plat or subdivision of such land,  
 1385 without having submitted a plat of such subdivision to the  
 1386 district and obtaining its approval as required by this charter.  
 1387 If such unlawful use be made of a plat before it is properly  
 1388 approved by the district, the owner, or the agent of the owner,  
 1389 of such land shall be guilty of a misdemeanor, punishable as

1390 provided by general law. The description by metes and bounds in  
 1391 the instrument of transfer or other documents used in the  
 1392 process of transferring shall not exempt the transaction from  
 1393 such penalties. It shall be unlawful to transfer lots or units  
 1394 of lots by metes and bounds description in order to circumvent  
 1395 the provisions of this charter. The district, through its legal  
 1396 representatives, may enjoin such transfers or sales or  
 1397 agreements by injunction or other appropriate action.

1398 Section 42. Procurement of contractual services and  
 1399 purchase of goods, supplies, and materials.--The Board of  
 1400 Commissioners of the Central Broward Water Control District in  
 1401 Broward County may procure contractual services and purchase  
 1402 goods, supplies, and materials as provided in this section.

1403 a. All contracts let by the board of commissioners for  
 1404 professional architectural, engineering, landscape  
 1405 architectural, or land surveying services for any project  
 1406 authorized by this charter must comply with s. 287.055, Florida  
 1407 Statutes, Consultants Competitive Negotiation Act.

1408 b. Except as stated herein and as provided in subsections  
 1409 c., d., and e. and in s. 287.055, Florida Statutes, the board of  
 1410 commissioners may not enter into a contract for the construction  
 1411 or maintenance of any improvements authorized under this  
 1412 charter, and goods, supplies, or materials may not be purchased  
 1413 if the amount to be paid by the district under the contract or  
 1414 for the goods, supplies, or materials exceeds \$10,000, unless  
 1415 notice of bids is advertised ~~advertized~~ in a newspaper of  
 1416 general circulation in Broward County. The bid of the lowest  
 1417 responsible, acceptable bidder must be accepted, unless all bids

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1418 are rejected. The board of commissioners may require the bidders  
1419 to furnish a bond or letter of credit with responsible surety to  
1420 be approved by the board of commissioners. This section does not  
1421 prevent the board of commissioners from undertaking and  
1422 performing the construction, operation, and maintenance of any  
1423 project, facility, or improvement authorized under this charter,  
1424 by the employment of labor, material, and machinery.

1425 c. Notwithstanding subsection b., if the board of  
1426 commissioners finds, by resolution, that the use of competitive  
1427 bidding is not practicable, contractual services and purchases  
1428 of goods, supplies, or materials may be procured by competitive  
1429 sealed proposals. The request for proposals must include a  
1430 statement of the services sought or the goods, supplies, or  
1431 materials requested and all contractual terms and conditions  
1432 applicable to the procurement of the contractual services or of  
1433 the goods, supplies, or materials requested. The contract must  
1434 be awarded to the responsive offeror whose proposal is  
1435 determined to be the most advantageous to the district, taking  
1436 into consideration price and other evaluation criteria set forth  
1437 in the request for proposals.

1438 d. If the board of commissioners finds, by resolution,  
1439 that an immediate danger to the public health, safety, or  
1440 welfare or substantial loss to the district or property owners  
1441 in the district requires emergency action, the board of  
1442 commissioners may procure contractual services necessitated by  
1443 the immediate danger or substantial loss without competition.  
1444 However, such emergency procurement shall be made with such  
1445 competition as is practicable under the circumstances.

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1446 e. If competitive bids or proposals for contractual  
1447 services or for purchases of goods, supplies, or materials are  
1448 not received, the board of commissioners may negotiate and  
1449 determine the best terms and conditions.

1450 Section 43. Severability.--In the event any section or  
1451 provision of this act is determined to be invalid or  
1452 unenforceable, such determination shall not affect the validity  
1453 or enforceability of each other section and provision of this  
1454 act, and to this end the provisions of this act are declared  
1455 severable.

1456 Section 2. This act shall take effect upon becoming a law.