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CS/HB 1059

2009 Legislature

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

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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

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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

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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

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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~~

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

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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~~

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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.

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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.

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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.

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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,

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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.--

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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

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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~~

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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

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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

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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~~

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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

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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,

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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~~

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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~~

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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~~

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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~~

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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

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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,~~

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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

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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

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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~~

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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

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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.

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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~~ _____)

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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.~~
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.....
~~Signature of Candidate~~

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

.....
~~Notary Public~~

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

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

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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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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

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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.

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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

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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~~

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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.~~

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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

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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

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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

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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

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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,

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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,

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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

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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

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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.