

By Senator Ring

32-04135-09

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

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

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

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

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

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

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

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117 line of State Road #7; thence northerly, along said
118 east right of way, to the Point of Beginning. Starting
119 ~~at the intersection of the East Right-of-way line of~~
120 ~~State Road #7 and its intersection with the South line~~
121 ~~of Tier 3; as shown by the Plat of NEWMAN'S SURVEY, as~~
122 ~~recorded in Plat Book 2, Page 26 of the Public Records~~
123 ~~of Dade County, Florida (All subsequent references to~~
124 ~~Tract and Tier number refer to this plat), for the~~
125 ~~point of beginning; thence Westerly along the South~~
126 ~~line of Tiers 3, 5, 7 and 9, and their prolongations~~
127 ~~thereof, to an intersection with the Northerly~~
128 ~~extension of the East line of Tract 7, Section 25,~~
129 ~~Township 50 South, Range 41 East, as shown on said~~
130 ~~plat of NEWMAN'S SURVEY; thence Southerly along the~~
131 ~~East line of Tract 7 to the Southeast corner of said~~
132 ~~Tract 7; thence Westerly along the South line of said~~
133 ~~Tract 7 to the Northeast corner of tract 9 of said~~
134 ~~Section 25; thence Southerly along the East line of~~
135 ~~said Tract 9 to the Southeast corner of said Tract 9;~~
136 ~~thence Westerly, along the South line of said Tract 9~~
137 ~~to the Southwest corner of said Tract 9; thence~~
138 ~~Northerly along the West line of Tracts 9 and 8 and~~
139 ~~their Northerly prolongation to an intersection with~~
140 ~~the South line of Tier 13; thence Westerly along the~~
141 ~~South line of Tiers 15, 17, 19, 21, 23, 25, 27 and 29,~~
142 ~~and their prolongations thereof to the Southwest~~
143 ~~corner of Tract 8, Tier 29; thence Northerly along the~~
144 ~~West line of Tier 29 to the Southwest corner of Tract~~
145 ~~4, Tier 29; thence Westerly along the South line of~~

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146 ~~Tra~~ct 4, ~~Tier~~ 31, 33, 35 and 37 and their
147 ~~pro~~longations thereof to the ~~Southwest~~ corner of ~~Tra~~ct
148 4, ~~Tier~~ 37; ~~thence~~ run ~~Northerly~~ along the ~~West~~ line
149 of said ~~Tier~~ 37, to the ~~North~~ right-of-way line of the
150 ~~North~~ New River Canal; ~~thence~~ run ~~northwesterly~~ along
151 the ~~north~~ side of the ~~north~~ bank of the said canal to
152 the ~~intersection~~ of said bank with the ~~west~~ line of
153 ~~Section~~ 4, ~~Township~~ 50 South, ~~Range~~ 40 East; ~~thence~~
154 ~~southerly~~ along the ~~west~~ line of ~~Sections~~ 4, 9, 16, 21
155 and 28 of ~~Township~~ 50 South, ~~Range~~ 40 East, to the
156 ~~South~~ side of the ~~south~~ bank of the ~~South~~ New River
157 Canal; ~~thence~~ ~~Easterly~~ along the ~~south~~ side of the
158 ~~south~~ bank the ~~South~~ New River canal to its
159 ~~intersection~~ with the ~~west~~ line of ~~Section~~ 27,
160 ~~Township~~ 50 South, ~~Range~~ 40 East; ~~thence~~ ~~southerly~~
161 along the ~~west~~ line of ~~Sections~~ 27 and 34, ~~Township~~ 50
162 South, ~~Range~~ 40 East and ~~continuing~~ along the ~~West~~
163 line of ~~Section~~ 3 ~~Township~~ 51 South, ~~Range~~ 40 East to
164 the ~~Southwest~~ corner of ~~Section~~ 3, ~~Township~~ 51 South,
165 ~~Range~~ 40 East; ~~thence~~ ~~east~~ along the ~~south~~ line of
166 ~~Sections~~ 3, 2 and 1 in ~~Township~~ 51 South, ~~Range~~ 40
167 East and ~~continuing~~ along the ~~south~~ line of ~~Sections~~
168 6, 5 and 4, in ~~Township~~ 51 South, ~~Range~~ 41 East, to
169 the ~~northwest~~ corner of ~~Section~~ 10, ~~Township~~ 51 South,
170 ~~Range~~ 41 East; ~~thence~~, run ~~south~~ along the ~~west~~ line
171 of said ~~Section~~ 10 to the ~~southwest~~ corner of the
172 ~~north~~ half of said ~~Section~~ 10; ~~thence~~, run ~~east~~ along
173 the ~~south~~ line of the ~~north~~ half of ~~Sections~~ 10, 11
174 and 12, in ~~Township~~ 51 South, ~~Range~~ 41 East, to the

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175 ~~east bank of the drainage ditch along the west side of~~
176 ~~the Florida Turnpike; thence, run north along the east~~
177 ~~bank of said ditch to the south line of Section 36,~~
178 ~~Township 50 South, Range 41 East; thence, run east~~
179 ~~along the south line of said Section 36 to the east~~
180 ~~side of State Road #7; thence, in a northerly~~
181 ~~direction along the east side of said State Road #7 to~~
182 ~~the point of beginning.~~

183
184 Section 3. Powers.—The district is hereby granted and shall
185 have full power and authority as follows:

186 a. To contract and be contracted with.

187 b. To sue and be sued.

188 c. To plead and to be impleaded in all courts.

189 d. To acquire by purchase, gift, devise, condemnation,
190 eminent domain, or otherwise, property, real or personal, or any
191 estate therein, within or without the district, to be used for
192 any purpose necessary or to meet the needs of any of the
193 purposes of this act.

194 e. To establish, construct, operate, and maintain a system
195 of main and lateral canals, drains, ditches, levees, dikes,
196 dams, sluices, locks, revetments, reservoirs, holding basins,
197 floodways, pumping stations, syphons, culverts, and storm
198 sewers, and to connect some or any of them as within the
199 judgment of the board of commissioners is deemed advisable to
200 drain and provide water management services conducted pursuant
201 to this section for the lands within the district created.

202 f. To acquire and maintain appropriate sites for storage
203 and maintenance of the equipment of the district.

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- 204 g. To acquire and maintain and/or construct a suitable
205 building to house the offices and records of the district.
- 206 h. To have all the powers and rights of a body corporate
207 and to adopt and use a seal and to alter the same at the
208 pleasure of a majority of the board of commissioners.
- 209 i. To clean out, straighten, widen, open up or change the
210 course and flow, alter, or deepen any canal, ditch, drain,
211 river, water course, or natural stream as within the judgment of
212 the board of commissioners is deemed advisable to drain and
213 provide water management services conducted pursuant to this
214 section for the lands within the said district hereby created.
- 215 j. To acquire, purchase, operate, and maintain pumps,
216 plants, and pumping systems for drainage purposes.
- 217 k. To construct, operate, and maintain irrigation works and
218 machinery in connection with the purposes herein set forth.
- 219 l. To construct, improve, pave, and maintain roadways,
220 rights-of-way, easements, and roads necessary and convenient for
221 the exercise of the powers and duties herein set forth.
- 222 m. To regulate and set forth by appropriate order the
223 drainage requirements and other auxiliary conditions to be met
224 for plats to be entitled to record on any land within the
225 district, including authority to require as a condition
226 precedent for any platting that good and sufficient bond be
227 posted to assure proper drainage and water management for the
228 area to be platted.
- 229 n. To borrow money for periods over 1 year and issue
230 negotiable paper or other bonds of the district as hereinafter
231 provided.
- 232 o. To borrow money from time to time for periods under 1

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233 year and issue negotiable notes or other notes of said district
234 as provided in this act.

235 p. To build and construct any other works and improvements
236 deemed necessary to preserve and maintain the works in or out of
237 said district.

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

244 r. To contract for the purchase, construction, operation,
245 maintenance, use, sale, conveyance, and transfer of the said
246 pumping stations, machinery, motive equipment, electric lines,
247 and appurtenant equipment, including the purchase of electric
248 power and energy for the operation of the same.

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

254 t. To construct roadways over levees and embankments.

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

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

261 w. To hold, control, and acquire by donation or purchase,

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262 condemnation, easement, railroad right-of-way, sluice,
263 reservation, holding basin, or franchise in or out of said
264 district for right-of-way, holding basin, for any of the
265 purposes herein provided, or for material to be used in
266 constructing and maintaining said works and improvements for
267 drainage, protecting, and providing water management services
268 conducted pursuant to this section for the lands in said
269 district.

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

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

280 z. To impose and foreclose special assessment liens as
281 provided in this act.

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

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

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

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

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

312 Section 4. Board of commissioners.—

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

317 b. All commissioners shall be elected on an at-large
318 nonpartisan basis, by the qualified electors residing within the
319 district zone that the election is for, in accordance with the

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320 procedure provided in this act. ~~Commissioners from Zones 1, 2,~~
321 ~~and 6 shall be elected in the general election of November 2002.~~
322 ~~Commissioners from zones 3, 4, and 5 shall be elected in the~~
323 ~~general election of November 2004.~~ The individual receiving the
324 most votes who has qualified to run as commissioner for a
325 specific zone shall be elected commissioner of that zone. ~~No~~
326 ~~zone commissioner elected prior to January 1, 2002, shall be~~
327 ~~affected in his or her term of office.~~

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

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

335
336 Zone 1: Begin at the intersection of the centerline
337 right-of-way of the North New River Canal with the
338 west line of Section 3, Township 50 South, Range 40
339 East, Broward County, Florida; thence southeasterly,
340 along said centerline, to the intersection with the
341 east line of Section 12, Township 50 South, Range 40
342 East; thence southerly, along said east line, to the
343 southeast corner of said Section 12; thence westerly,
344 along the south line of said Section 12, to the
345 southwest corner of said Section 12; thence southerly,
346 along the east line of Sections 14, 23 and 26,
347 Township 50 South, Range 40 East, to the intersection
348 with the physical centerline of the South New River

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349 Canal; thence westerly, along said centerline, to the
350 intersection with the west line of the east one-half
351 (E 1/2) of Section 27, Township 50 South, Range 40
352 East; thence northerly, along the west line of the
353 east one-half (E 1/2) of Sections 27 and 22, Township
354 50 South, Range 40 East, to the north one-quarter (N
355 1/4) corner of said Section 22; thence westerly, along
356 the south line of Sections 15 and 16, Township 50
357 South, Range 40 East, to the south one-quarter (S 1/4)
358 corner of said Section 16; thence northerly, along the
359 west line of the east one-half (E 1/2) of said Section
360 16, to the north one-quarter (N 1/4) corner of said
361 Section 16; thence easterly, along the north line of
362 said Section 16, to the northeast corner of said
363 Section 16; thence northerly, along the west line of
364 Sections 10 and 3, Township 50 South, Range 40 East,
365 to the Point of Beginning. Beginning at the
366 ~~intersection of the north side of the north bank of~~
367 ~~the North New River Canal with the West line of~~
368 ~~Section 3, Township 50 South, Range 40 East, Broward~~
369 ~~County, Florida; thence Southeasterly along said north~~
370 ~~side of the north bank of the North New River Canal,~~
371 ~~to the intersection with the East line of Section 12,~~
372 ~~Township 50 South, Range 40 East; thence Southerly,~~
373 ~~along said East line of Section 12, to the Southeast~~
374 ~~corner of said Section 12; thence Westerly, along the~~
375 ~~South line of said Section 12, to the Southwest corner~~
376 ~~of said Section 12; thence Southerly, along the East~~
377 ~~line of Sections 14, 23 and 26, Township 50 South,~~

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378 ~~Range 40 East, to the intersection with the south side~~
379 ~~of the south bank of the South New River Canal; thence~~
380 ~~westerly, along said south side of the south bank of~~
381 ~~the South New River Canal, to the intersection with~~
382 ~~the West line of the East Half (E 1/2) of Section 27,~~
383 ~~Township 50 South, Range 40 East; thence Northerly,~~
384 ~~along the West line of the East Half of Sections 27~~
385 ~~and 22, Township 50 South, Range 40 East, to the~~
386 ~~Northwest corner of said East Half (E 1/2) of Section~~
387 ~~22; thence Westerly, along the South line of Sections~~
388 ~~15 and 16, Township 50 South, Range 40 East, to the~~
389 ~~West line of the East Half (E 1/2) of said Section 16;~~
390 ~~thence Northerly, along said West line of the East~~
391 ~~Half (E 1/2) of Section 16, to the Northwest corner of~~
392 ~~said East Half (E 1/2) of Section 16; thence Easterly,~~
393 ~~along the North line of said Section 16, to the~~
394 ~~Northeast corner of said Section 16; thence Northerly,~~
395 ~~along the West line of Sections 10 and 3, Township 50~~
396 ~~South, Range 40 East, to the Point of Beginning.~~

397
398 Zone 2: Begin at the intersection of the centerline
399 right-of-way of the North New River Canal with the
400 east line of Section 12, Township 50 South, Range 40
401 East, Broward County, Florida; thence southeasterly,
402 along said centerline to the intersection with the
403 east line of Section 16, Township 50 South, Range 41
404 East; thence southerly, along said east line, to the
405 southeast corner of said Section 16; thence westerly,
406 along the south line of said Section 16, to the

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407 southwest corner of said Section 16; thence southerly,
408 along the east line of Section 20, Township 50 South,
409 Range 41 East, to the southeast corner of said Section
410 20; thence westerly, along the south line of Sections
411 20 and 19, Township 50 South, Range 41 East, to the
412 southwest corner of said Section 19; thence continue
413 westerly, along the extension of the south line of
414 said Section 19, across the Hiatus between the west
415 line of said Section 19 and the east line of Section
416 24, Township 50 South, Range 40 East, to a point on
417 the east line of said Section 24; thence southerly,
418 along the east line of Sections 24 and 25, Township 50
419 South, Range 40 East, to the intersection with the
420 physical centerline of the South New River Canal;
421 thence westerly, along said centerline, to the
422 intersection with the west line of Section 25,
423 Township 50 South, Range 40 East; thence northerly,
424 along the west line of Sections 25, 24, and 13,
425 Township 50 South, Range 40 East to the southwest
426 corner of Section 12, Township 50 South, Range 40
427 East; thence easterly, along the south line of said
428 Section 12, to the southeast corner of said Section
429 12; thence northerly, along the east line of said
430 Section 12, to the Point of Beginning. Beginning at
431 ~~the intersection of the north side of the north bank~~
432 ~~of the North New River Canal with the east line of~~
433 ~~Section 12, Township 50 South, Range 40 East, Broward~~
434 ~~County, Florida; thence run southeasterly along the~~
435 ~~north side of the north bank of said canal to the~~

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436 ~~intersection of said bank with the east line of~~
437 ~~Section 16, Township 50 South, Range 41 East; thence~~
438 ~~run southerly along the east line of said Section 16,~~
439 ~~Township 50 South, Range 41 East to the southeast~~
440 ~~corner of said Section 16, Township 50 South, Range 41~~
441 ~~East; thence run westerly along the south line of said~~
442 ~~Section 16, Township 50 South, Range 41 East to the~~
443 ~~southwest corner of said Section 16, Township 50~~
444 ~~South, Range 41 East; thence run southerly along the~~
445 ~~east line of Section 20, Township 50 South, Range 41~~
446 ~~East, to the southeast corner of said Section 20,~~
447 ~~Township 50 South, Range 41 East; thence run westerly~~
448 ~~along the south line of Sections 20 and 19, Township~~
449 ~~50 South, Range 41 East, to the southwest corner of~~
450 ~~said Section 19, Township 50 South, Range 41 East;~~
451 ~~thence continue westerly along the extension of the~~
452 ~~south line of said Section 19, Township 50 South,~~
453 ~~Range 41 East across the Hiatus between the west line~~
454 ~~of said Section 19, Township 50 South, Range 41 East~~
455 ~~and the east line of Section 24, Township 50 South,~~
456 ~~Range 40 East to a point on the east line of said~~
457 ~~Section 24, Township 50 South, Range 40 East; thence~~
458 ~~continue southerly along the east line of Sections 24~~
459 ~~and 25, Township 50 South, Range 40 East, to the~~
460 ~~intersection with the south side of the south bank of~~
461 ~~the South New River Canal; thence run westerly along~~
462 ~~the south side of the south bank of said canal to the~~
463 ~~intersection with the west line of Section 25,~~
464 ~~Township 50 South, Range 40 East; thence, run~~

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465 ~~northerly along the west line of Sections 25, 24 and~~
466 ~~13, Township 50 South, Range 40 East to the Southwest~~
467 ~~corner of Section 12, Township 50 South, Range 40~~
468 ~~East, thence run easterly along the south line of said~~
469 ~~Section 12, Township 50 South, Range 40 East to the~~
470 ~~Southeast corner of said Section 12, Township 50~~
471 ~~South, Range 40 East, thence run northerly along the~~
472 ~~east line of said Section 12, Township 50 South, Range~~
473 ~~40 East, to the point of beginning.~~

474
475 Zone 3: Begin at the intersection of the physical
476 centerline of the South New River Canal and the east
477 right-of-way line of State Road No. 7; thence
478 northerly, along the east right of way line to
479 intersection with the south line of Tier 1; as shown
480 by the Plat of NEWMAN'S SURVEY, as recorded in Plat
481 Book 2, Page 26, of the Public Records of Miami-Dade
482 County, Florida, (All subsequent references to Tract
483 and Tier number refer to this plat); thence westerly,
484 along the south line of Tiers 1, 3, 5, 7, and 9, and
485 their prolongations thereof, to an intersection with
486 the northerly extension of the east line of Tract 7,
487 Section 25, Township 50 South, Range 41 East, as shown
488 on said plat of NEWMAN'S SURVEY; thence southerly,
489 along said northerly extension and said east line, to
490 the southeast corner of said Tract 7; thence westerly,
491 along the south line of said Tract 7 and its westerly
492 prolongation, to the northeast corner of Tract 9 of
493 said Section 25; thence southerly, along the east line

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494 of said Tract 9, to the southeast corner of said Tract
495 9; thence westerly, along the south line of said Tract
496 9, to the southwest corner of said Tract 9; thence
497 northerly, along the west line of Tracts 9 and 8, and
498 their northerly prolongation to an intersection with
499 the south line of Tier 13; thence westerly, along the
500 south line of Tiers 13, 15, 17, 19, 23, 25, 27, and
501 29, and their prolongations thereof, to the southwest
502 corner of Tract 8, Tier 29; thence northerly, along
503 the west line of Tier 29, to the southwest corner of
504 Tract 4, Tier 29; thence westerly, along the south
505 line of Tract 4, Tiers 31, 33, 35 and 37 and their
506 prolongations thereof, to the Southwest corner of
507 Tract 4, Tier 37; thence northerly, along the west
508 line of said Tier 37, to the intersection with the
509 centerline of the right-of-way of the North New River
510 Canal; thence northwesterly, along said centerline, to
511 the intersection with the west line of Section 15,
512 Township 50 South, Range 41 East; thence southerly,
513 along the east line of Section 16, Township 50 South,
514 Range 41 East to the southeast corner of said Section
515 16; thence westerly, along the south line of said
516 Section 16, to southwest corner of said Section 16;
517 thence southerly, along the east line of Section 20,
518 Township 50 South, Range 41 East, to the southeast
519 corner of said Section 20; thence westerly, along the
520 south line of Sections 20 and 19, Township 50 South,
521 Range 41 East to the southwest corner of said Section
522 19; thence continue westerly, along the extension of

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523 the south line of said Section 19, across the Hiatus
524 between the west line of said Section 19 and the east
525 line of Section 24, Township 50 South, Range 40 East
526 to a point on the east line of said Section 24; thence
527 southerly, along the east line of Sections 24 and 25,
528 Township 50 South, Range 40 East, to the intersection
529 with the physical centerline of the South New River
530 Canal; thence easterly, along said centerline, to the
531 Point of Beginning. ~~Beginning at the intersection of~~
532 ~~the south side of the south bank of the South New~~
533 ~~River Canal and the east right-of-way line of State~~
534 ~~Road No. 7; thence, run northerly along the east side~~
535 ~~of said State Road No. 7 to the north line of Section~~
536 ~~25, Township 50 South, Range 41 East; thence run~~
537 ~~westerly along the north line of Sections 25 and 26,~~
538 ~~Township 50 South, Range 41 East, to its intersection~~
539 ~~with the west line of Tract 8, Tier 29, as shown by~~
540 ~~the Plat of NEWMAN'S SURVEY, as recorded in Plat Book~~
541 ~~2, Page 26, of the Public Records of Dade County,~~
542 ~~Florida, (all subsequent references to Tract and Tier~~
543 ~~numbers refer to this Plat) also known as the~~
544 ~~Southwest corner of Tract 8, Tier 29; thence run~~
545 ~~northerly along the west line of Tier 29 for a~~
546 ~~distance of 3,356.37 feet more or less to the~~
547 ~~southwest corner of Tract 4, Tier 29; thence run~~
548 ~~westerly along the south line of Tract 4 in Tiers 31,~~
549 ~~33, 35 and 37 and their prolongations thereof for a~~
550 ~~distance of 2,399.28 ft. more or less to the southwest~~
551 ~~corner of Tract 4, Tier 37; thence run northerly along~~

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552 ~~the west line of said Tier 37 for a distance of 3,456~~
553 ~~ft. more or less to the north right-of-way line of the~~
554 ~~North New River Canal; thence run northwesterly along~~
555 ~~the north side of the north bank of said canal to the~~
556 ~~intersection of said bank with the west line of~~
557 ~~Section 15, Township 50 South, Range 41 East; thence,~~
558 ~~run southerly along the east line of Section 16,~~
559 ~~Township 50 South, Range 41 East to the southeast~~
560 ~~corner of said Section 16, Township 50 South, Range 41~~
561 ~~East; thence run westerly along the south line of said~~
562 ~~Section 16, Township 50 South, Range 41 East to~~
563 ~~southwest corner of said Section 16, Township 50~~
564 ~~South, Range 41 East; thence run southerly along the~~
565 ~~east line of Section 20, Township 50 South, Range 41~~
566 ~~East, to the southeast corner of said Section 20,~~
567 ~~Township 50 South, Range 41 East; thence run westerly~~
568 ~~along the south line of Sections 20 and 19, Township~~
569 ~~50 South, Range 41 East to the southwest corner of~~
570 ~~said Section 19, Township 50 South, Range 41 East;~~
571 ~~thence continue westerly along the extension of the~~
572 ~~south line of said Section 19, Township 50 South,~~
573 ~~Range 41 East across the Hiatus between the west line~~
574 ~~of said Section 19, Township 50 South, Range 41 East~~
575 ~~and the east line of Section 24, Township 50 South,~~
576 ~~Range 40 East to a point on the east line of said~~
577 ~~Section 24, Township 50 South, Range 40 East; thence~~
578 ~~continue southerly along the east line of Sections 24~~
579 ~~and 25, Township 50 South, Range 40 East, to the~~
580 ~~intersection with the south side of the south bank of~~

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581 ~~the South New River Canal; thence, run easterly along~~
582 ~~the south side of the south bank of said canal to the~~
583 ~~point of beginning. Less the following described~~
584 ~~property: Beginning at the southeast corner of Tract~~
585 ~~7, Section 25, Township 50 South, Range 41 East, as~~
586 ~~shown by Plat of NEWMAN'S SURVEY, as recorded in Plat~~
587 ~~Book 2, Page 26, Public Records of Dade County,~~
588 ~~Florida (all subsequent references to Tract and Tier~~
589 ~~numbers refer to this plat); thence run westerly along~~
590 ~~the south line of said Tract 7 to the northeast corner~~
591 ~~of Tract 9 of said Section 25, Township 50 South,~~
592 ~~Range 41 East; thence southerly along the east line of~~
593 ~~said Tract 9 to the southeast corner of said Tract 9;~~
594 ~~thence westerly along the south line of said Tract 9~~
595 ~~to the southwest corner of said Tract 9; thence~~
596 ~~northerly along the west line of Tracts 9 and 8 and~~
597 ~~their northerly prolongation to an intersection with~~
598 ~~the south line of Tier 13; thence easterly along the~~
599 ~~south line of Tiers 13, 11 and 9 and their~~
600 ~~prolongations thereof to an intersection with the~~
601 ~~northerly extension of the east line of tract 7;~~
602 ~~thence southerly along the east line of Tract 7 to the~~
603 ~~point of beginning.~~

604
605 Zone 4: Begin at the intersection of the east right-
606 of-way line of State Road No. 7 and the physical
607 centerline of the South New River Canal; thence
608 southerly, along said right-of way line, to the
609 intersection with the south line of Section 36,

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

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639 ~~Range 41 East; thence, run westerly along the South~~
640 ~~line of Sections 5 and 6, Township 51 South, Range 41~~
641 ~~East to the Southwest corner of said Section 6,~~
642 ~~Township 51 South, Range 41 East; thence, run~~
643 ~~northerly along the west line of Section 6, Township~~
644 ~~51 South, Range 41 East to the Northwest corner of~~
645 ~~said Section 6, Township 51 South, Range 41 East;~~
646 ~~thence, run easterly along the north line of Sections~~
647 ~~6 and 5, Township 51 South, Range 41 East to the~~
648 ~~Southwest corner of Section 32, Township 50 South,~~
649 ~~Range 41 East; thence, run northerly along the west~~
650 ~~line of Sections 32 and 29, Township 50 South, Range~~
651 ~~41 East to the south side of the south bank of the~~
652 ~~South New River Canal; thence run easterly along the~~
653 ~~south side of the south bank of the South New River~~
654 ~~Canal to the point of beginning.~~

655
656 Zone 5: Begin at the northwest corner of Section 4,
657 Township 51 South, Range 41 East; thence southerly,
658 along the west line of said Section 4, to the
659 southwest corner of said Section 4; thence easterly,
660 along the south line of said Section 4, to the
661 northwest corner of Section 10, Township 51 South,
662 Range 41 East; thence southerly, along the west line
663 of said Section 10, to the west one-quarter (W 1/4)
664 corner of said Section 10; thence easterly, along the
665 south line of the north one-half (N 1/2) of Sections
666 10, 11 and 12, Township 51 South, Range 41 East, to an
667 intersection with a line 80 feet east of, as measured

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668 at right angles to, and parallel with the west right-
669 of-way line of Florida's Turnpike; thence northerly,
670 along said parallel line, and continuing 80 feet east
671 of said right-of-way, to an intersection with the
672 north line of Section 1, Township 51 South, Range 41
673 East; thence westerly, along the north line of
674 Sections 1, 2, 3, and 4, Township 51 South, Range 41
675 East, to the Point of Beginning. Beginning at the
676 ~~Northwest corner of Section 4, Township 51 South,~~
677 ~~Range 41 East; thence, run southerly along the west~~
678 ~~line of said Section 4, Township 51 South, Range 41~~
679 ~~east to the Southwest corner of said Section 4,~~
680 ~~Township 51 South, Range 41 East; thence, run easterly~~
681 ~~along the south line of said Section 4, Township 51~~
682 ~~South, Range 41 East, to the northwest corner of~~
683 ~~Section 10, Township 51 South, Range 41 East; thence,~~
684 ~~run southerly along the west line of said Section 10,~~
685 ~~Township 51 South, Range 41 East to the southwest~~
686 ~~corner of the north half of said Section 10, Township~~
687 ~~51 South, Range 41 East; thence run easterly along the~~
688 ~~south line of the north half of Sections 10, 11 and~~
689 ~~12, in Township 51 South, Range 41 East to the east~~
690 ~~bank of the drainage ditch along the west side of the~~
691 ~~Sunshine State Parkway (Florida Turnpike); thence, run~~
692 ~~northerly along the east bank of said ditch to the~~
693 ~~north line of Section 1, Township 51 South, Range 41~~
694 ~~East; thence, run westerly along the north line of~~
695 ~~Sections 1, 2, 3 and 4, Township 51 South, Range 41~~
696 ~~East to the point of beginning.~~

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697
698 Zone 6: Begin at the southwest corner of Section 3,
699 Township 51 South, Range 40 East, Broward County,
700 Florida; thence northerly, along the west line of said
701 Section 3, to the northwest corner of said Section 3;
702 thence northerly, along the west line of Sections 34
703 and 27, Township 50 South, Range 40 East, to the
704 intersection with the physical centerline of the South
705 New River Canal; thence meandering westerly,
706 northwesterly, southwesterly, southeasterly,
707 southerly, southwesterly and westerly, along said
708 centerline, to the intersection with the west line of
709 Section 28, Township 50 South, Range 40 East; thence
710 northerly, along the west line of Sections 28, 21, 16,
711 9, and 4, Township 50 South, Range 40 East, to the
712 intersection with the centerline right-of-way of the
713 North New River Canal; thence southeasterly, along
714 said centerline, to the intersection with the west
715 line of Section 3, Township 50 South, Range 40 East;
716 thence southerly, along the west line of Sections 3
717 and 10, Township 50 South, Range 40 East, to the
718 northeast corner of Section 16, Township 50 South,
719 Range 40 East; thence westerly, along the north line
720 of said Section 16, to the north one-quarter (N 1/4)
721 corner of said Section 16; thence southerly, along the
722 west line of the east one-half (E 1/2) of said Section
723 16, to the south one-quarter (S 1/4) corner of said
724 Section 16; thence easterly, along the south line of
725 Sections 16 and 15, Township 50 South, Range 40 East,

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726 to the north one-quarter (N 1/4) corner of Section 22,
727 Township 50 South, Range 40 East; thence southerly,
728 along the west line of the east one-half (E 1/2) of
729 Sections 22 and 27, Township 50 South, Range 40 East,
730 to the intersection with the physical centerline of
731 the South New River Canal; thence easterly, along said
732 centerline, to the intersection with the east line of
733 Section 30, Township 50 South, Range 41 East; thence
734 southerly, along the east line of Sections 30 and 31,
735 Township 50 South, Range 41 East, to the north line of
736 Section 5, Township 51 South, Range 41 East; thence
737 westerly, along the north line of Sections 5 and 6,
738 Township 51 South, Range 41 East, to the northeast
739 corner of Section 1, Township 51 South, Range 40 East;
740 thence southerly, along the east line of said Section
741 1, to the southeast corner of said Section 1; thence
742 westerly, along the south line of Sections 1, 2, and
743 3, Township 51 South, Range 40 East, to the Point of
744 Beginning. Beginning at the Southwest corner of
745 Section 3, Township 51 South, Range 40 East, Broward
746 County, Florida; thence Northerly, along the West line
747 of said Section 3, to the Northwest corner of said
748 Section 3; thence Northerly, along the West line of
749 Sections 34 and 27, Township 50 South, Range 40 East,
750 to the intersection with the south side of the south
751 bank of the South New River Canal; thence Westerly,
752 along said south side of the south bank of the South
753 New River Canal, to the intersection with the West
754 line of Section 28, Township 50 South, Range 40 East,

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755 ~~thence Northerly, along the West line of Sections 28,~~
756 ~~21, 16, 9 and 4, Township 50 South, Range 40 East, to~~
757 ~~the intersection with the north side of the north bank~~
758 ~~of the North New River Canal; thence Southeasterly,~~
759 ~~along said north side of the north bank of the North~~
760 ~~New River Canal, to the intersection with the West~~
761 ~~line of Section 3, Township 50 South, Range 40 East;~~
762 ~~thence Southerly, along the West line Sections 3 and~~
763 ~~10, Township 50 South, Range 40 East, to the Northeast~~
764 ~~corner of Section 16, Township 50 South, Range 40~~
765 ~~East; thence Westerly, along the North line of said~~
766 ~~Section 16, to the Northwest corner of the East Half~~
767 ~~(E 1/2) of said Section 16; thence Southerly, along~~
768 ~~the West line of said East Half (E 1/2) of Section 16,~~
769 ~~to the Southwest corner of said East Half (E 1/2) of~~
770 ~~Section 16; thence Easterly, along the South line of~~
771 ~~Sections 16 and 15, Township 50 South, Range 40 East,~~
772 ~~to the Northwest corner of the East Half (E 1/2) of~~
773 ~~Section 22, Township 50 South, Range 40 East; thence~~
774 ~~Southerly, along the West line of the East Half (E~~
775 ~~1/2) of Sections 22 and 27, Township 50 South, Range~~
776 ~~40 East, to the intersection with the south side of~~
777 ~~the south bank of the South New River Canal; thence~~
778 ~~Easterly, along said south side of the south bank of~~
779 ~~the South New River Canal, to the intersection with~~
780 ~~the East line of Section 30, Township 50 South, Range~~
781 ~~41 East; thence Southerly, along the East line of~~
782 ~~Sections 30 and 31, Township 50 South, Range 41 East,~~
783 ~~to the North line of Section 5, Township 51 South,~~

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784 ~~Range 41 East; thence Westerly, along the North line~~
785 ~~of Sections 5 and 6, Township 51 South, Range 41 East,~~
786 ~~to the Northeast corner of Section 1, Township 51~~
787 ~~South, Range 40 East; thence Southerly, along the East~~
788 ~~line of said Section 1, to the Southeast corner of~~
789 ~~said Section 1; thence Westerly, along the South line~~
790 ~~of Sections 1, 2, and 3, Township 51 South, Range 40~~
791 ~~East, to the Point of Beginning.~~

792
793 e. All commissioners shall serve a term of 4 years. An
794 election shall be held every 2 years to elect successors for
795 that each group of commission seats up for election. The terms
796 of the six commissioners shall be staggered. Elections for zones
797 1, 2, and 6 shall be held in the 2010 general election and every
798 4 years thereafter. Elections for zones 3, 4, and 5 shall be
799 held in the 2012 general election and every 4 years thereafter,
800 ~~so as to have the various successors elected at the expiration~~
801 ~~of the term of the respective groups.~~

802 f. A commissioner shall, at the time of qualification for
803 office, be a resident of the respective zone that he or she
804 desires to represent for the 90 ~~30~~ days immediately preceding
805 the date of qualifying for nomination to office. Qualifying
806 dates shall be the same as the qualifying dates for County
807 Commission for the general election. A commissioner at the time
808 of his or her qualification for office shall be a qualified
809 voter in Broward County.

810 g. The compensation of each commissioner shall be set by
811 appropriate resolution of the board of commissioners, but shall
812 not exceed \$400 dollars per month. Expenses shall be reimbursed

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813 pursuant to Florida Statutes pertaining to per diem and travel
814 expenses of public officers, employees, and authorized persons,
815 and any subsequent amendments thereto.

816 h. Whenever a commissioner shall be absent from every
817 commission meeting held in 2 consecutive calendar months, such
818 commissioner shall at the discretion of the board of
819 commissioners receive no compensation nor reimbursement of
820 expenses for the next succeeding 2-month period. Such period
821 shall be cumulative.

822 i. In the event that a vacancy should occur in the office
823 of a commissioner, the remaining commissioners shall forthwith
824 appoint by a majority vote a successor commissioner having the
825 same qualifications, including zone resident requirements, as
826 prescribed herein for the office vacated, for the unexpired
827 term. If the commissioners shall fail to appoint a successor
828 commissioner within 30 days after a vacancy should occur, the
829 Governor shall appoint a successor commissioner for the
830 unexpired term. There is no prohibition on a commissioner
831 succeeding himself or herself in term of office.

832 j. A vacancy shall be deemed to occur if an elected
833 commissioner moves from his or her zone prior to the expiration
834 of the term to which he or she was elected. In that event, the
835 commission shall appoint a successor commissioner in accordance
836 with subsection i. Elected ~~Those commissioners holding office as~~
837 ~~of January 1, 2002, shall serve their full 4-year term. Those~~
838 ~~commissioners elected in 2002 and 2004 shall assume office and~~
839 shall be installed at the first regularly scheduled meeting
840 following their election.

841 Section 5. Elections.-

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

845 b. Only such qualified persons for the respective offices
846 shall be eligible to become candidates for such respective
847 offices. The names of all candidates who qualify for an election
848 shall be printed upon the election ballot. Every candidate for
849 nomination for office shall pay to the Supervisor of Elections
850 of Broward County the a filing fee for ~~in the amount of 3~~
851 ~~percent of the annual salary of the office and shall designate~~
852 ~~the office for which he or she has qualified. Each candidate for~~
853 ~~nomination for an office shall also take, sign, and subscribe to~~
854 ~~an oath or affirmation~~ as may be required by law. ~~in writing in~~
855 ~~substantially the following form:~~

856
857 ~~STATE OF FLORIDA~~)
858 _____) ss.
859 ~~COUNTY OF BROWARD~~)

860
861 ~~BEFORE ME, an officer authorized to administer oaths,~~
862 ~~personally appeared, to me well known, who, being~~
863 ~~sworn says that he or she is a candidate for office of~~
864 ~~commissioner for zone for the Central Broward Water Control~~
865 ~~District; that he or she is a qualified elector of Broward~~
866 ~~County, Florida; that he or she is qualified under the~~
867 ~~Constitution, the laws of Florida and the laws of Central~~
868 ~~Broward Water Control District to which he or she desires to be~~
869 ~~nominated or elected; that he or she has taken the oath required~~
870 ~~by ss. 876.05-876.10, Florida Statutes (public employees; oath);~~

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871 ~~that he or she has not violated any of the laws of the state~~
872 ~~relating to elections or the registration of electors; that he~~
873 ~~or she has qualified for no other public office in the state,~~
874 ~~the terms of which office or any part thereof runs concurrent~~
875 ~~with that of the office he or she seeks; that he or she has~~
876 ~~resigned from any office from which he or she is required to~~
877 ~~resign pursuant to s. 99.012, Florida Statutes (restrictions on~~
878 ~~individuals qualifying for public office); and that he or she~~
879 ~~has submitted a sworn statement of contributions and~~
880 ~~expenditures, if any, incurred prior to the time of qualifying~~
881 ~~and since the last preceding general election; that he or she~~
882 ~~has been a resident of zone of the district for the 30 days~~
883 ~~immediately preceding the date of qualifying for nomination to~~
884 ~~office or is otherwise qualified for nomination to office as~~
885 ~~commissioner of zone of the district; and that he or she is~~
886 ~~an owner in fee simple of land within the district.~~

888
889 Signature of Candidate

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

892
893
894 Notary Public

895
896 c. Candidates for office shall be required to file their
897 qualification oath, fee, and designation of office with the
898 Supervisor of Elections of Broward County as prescribed by law,
899 at any time after noon of the first day for qualifying, which

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900 ~~shall be the 50th day prior to the first primary, but not later~~
901 ~~than noon the 46th day prior to the first primary.~~ If a
902 candidate fails to comply with the provisions herein, that
903 candidate's name shall not appear on the ballot. A candidate who
904 has filed the required oath and has paid the qualifying fee and
905 otherwise complied with the provisions herein shall be entitled
906 to have his or her name printed on the official ballot.

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

916 e. The candidate receiving the highest number of votes cast
917 by the electors in the general district election shall be
918 declared elected, as certified by the board of county canvassers
919 of Broward County.

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

924 g. Upon receipt of the certificate of the county canvassers
925 board, the district secretary shall transmit such returns to the
926 board of commissioners at the next regularly scheduled meeting.

927 h. The general district election shall be held on the first
928 Tuesday after the first Monday in November of each even-numbered

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929 year. Each person to be allowed to vote in any election must be
930 a qualified elector of the State of Florida, must be a permanent
931 resident of the district and zone which the election of
932 commissioner is for, and must be registered as a voter of
933 Broward County. All elections shall be conducted on the
934 principles adopted for state and county elections.

935 i. In all elections, the regular registration books of
936 Broward County covering an area of the district shall be used,
937 and only those persons who are shown thereon as qualified
938 electors and residing within the district and zone which the
939 election of commissioner is for shall be entitled to vote in
940 said election.

941 Section 6. Recall.—

942 a. Whenever 50 percent of the electors ~~freeholders~~
943 qualified to vote as prescribed herein from each and every zone
944 of the district created hereby shall sign a petition addressed
945 to the board of commissioners demanding that a recall election
946 be held, the board of commissioners shall take the following
947 action:

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

951 (2) Order the secretary to, and the secretary shall, check
952 the persons' names and eligibility signing the petition. The
953 secretary shall have 10 days in which to return same to the
954 board of commissioners along with his or her certification as to
955 whether or not the petition contains the proper percentage of
956 registered freeholders as prescribed herein.

957 (3) If the petition is valid as to the percentage of

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958 petitioners, then the board of commissioners shall issue its
959 resolution proclaiming a recall election of those commissioners
960 whom the petition shall name. The resolution shall contain all
961 information required by this charter as set forth herein.

962 b. The recall petition shall state the name or names of the
963 elected commissioners desired to be recalled. No reason or
964 reasons for such recall shall be required to be stated in the
965 petition.

966 c. In addition to proclaiming the recall election of the
967 commissioner, the resolution shall state the date for the
968 holding of the election, which shall be not more than 60 days
969 after the date of the resolution. Further, the resolution shall
970 set the date of qualifying of candidates for the election, which
971 date shall be not more than 20 days from the passage of the
972 resolution.

973 d. The elected commissioner sought to be recalled shall
974 remain in office and carry on his or her regular duties until
975 his or her successor, if any there be, is elected and takes
976 office. In the event the commissioner sought to be recalled
977 desires to stand for election in the recall election, he or she
978 shall qualify in the same manner as any other candidate.

979 e. The recall election shall be held as any other general
980 election of commissioners. The offices sought to be vacated
981 shall be treated as though the term of the offices filling that
982 post were expiring.

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

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

990 Section 7. Organization of board of commissioners.—At the
991 first regularly scheduled meeting following the first Tuesday
992 after the first Monday in November each year, the board of
993 commissioners shall assemble and organize by choosing one of
994 their members chair of the board, and choosing another one of
995 their members vice chair. In the event of a deadlock in
996 selecting a new chair or vice chair, the existing chair and vice
997 chair shall remain in office until a new chair or vice chair is
998 selected. ~~Those commissioners elected to the position of chair~~
999 ~~or vice chair in January 1998, shall continue in those offices~~
1000 ~~until the expiration of their terms. Those commissioners elected~~
1001 ~~to the position of chair or vice chair in January 1999, shall~~
1002 ~~hold those offices until the first regularly scheduled meeting~~
1003 ~~following the first Tuesday after the first Monday in November~~
1004 ~~1999.~~ The chair shall preside at all meetings. In the chair's
1005 absence, the vice chair shall preside and have the same powers
1006 and be subject to the same limitations as the chair. Four
1007 members of the board ~~including the chair, or the vice chair in~~
1008 ~~the chair's absence,~~ shall constitute a quorum for all purposes.
1009 In the absence of both the chair and vice chair, if a quorum is
1010 otherwise present, the commissioner with the most seniority
1011 shall be chair of such meeting and shall preside over the
1012 meeting and have the same powers as the chair. The board shall
1013 establish its own rules of procedure. In all matters, the board
1014 shall act by resolution and the affirmative votes of a majority,
1015 but not less than three of the members of the board that are

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1016 present at district meetings shall be required to make any
1017 determination or effect any action.

1018 Section 12. Taxation.—

1019 a. The board of commissioners of the district is authorized
1020 to levy taxes on land only and not upon any improvements thereon
1021 within the district up to and including 5 mills per dollar of
1022 assessed valuation. In the absence of any contrary action of the
1023 board of commissioners acting as a budget commission as herein
1024 provided, the tax rate of each calendar year shall be at the
1025 maximum provided herein.

1026 b. Such taxes as provided herein and as may be determined
1027 to be necessary by the board of commissioners, acting as budget
1028 commission for the district for the operation of the affairs of
1029 the district, shall be certified to the Property Appraiser of
1030 Broward County, by the board of commissioners of Central Broward
1031 Water Control District, and shall be placed upon the tax rolls
1032 of Broward County, by the property appraiser, and shall be
1033 collected by the Revenue ~~Tax~~ Collector of Broward County, as now
1034 provided by law, and such taxes so levied shall become a lien
1035 under the law against the property within the boundaries of the
1036 Central Broward Water Control District and enforceable under the
1037 laws of the State of Florida pertaining to the Central Broward
1038 Water Control District.

1039 ~~e. The manner and basis of taxation for the year 1970 shall~~
1040 ~~be the same as existed for the Central Broward Water Control~~
1041 ~~District prior to the enactment hereof.~~

1042 Section 17. Tax roll.—

1043 a. The county Property Appraiser of Broward County shall
1044 certify to the board of commissioners of the Central Broward

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1045 Water Control District the total assessed value of real property
1046 located within the boundaries of the district, on or before the
1047 first day of July of each year, said certification to be
1048 prepared from the tax roll of Broward County.

1049 b. It shall be the duty of the Property Appraiser of
1050 Broward County to enter upon the tax roll of the county the
1051 taxes or assessments levied by the district, upon certification
1052 of the same by the chair or secretary of the board, which
1053 certification shall be delivered on or before September 1 of
1054 each year. The tax or assessment shall be entered upon the tax
1055 roll in a proper column under the head of "Central Broward Water
1056 Control District" opposite the name of the person or persons or
1057 corporation owning such land in the manner provided by law for
1058 making up the tax roll for state and county taxes, or in case
1059 the ownership of such land is not shown upon such tax roll, then
1060 opposite the word "unknown."

1061 c. The tax or assessment levied by this charter shall
1062 constitute a lien upon the lands so assessed as of the first day
1063 of January of each year in which the entries are made in the tax
1064 rolls pursuant to subsection b., which lien shall be superior in
1065 dignity to all other liens upon said lands, except the lien for
1066 state and county taxes and other taxes of equal dignity, as to
1067 which taxes the said lien shall be coordinate.

1068 ~~d. The property appraiser shall attach to the tax roll, a
1069 special warrant to the tax collector of the county for the
1070 collection of such drainage taxes, and the special warrant shall
1071 be signed by the property appraiser and shall be the authority
1072 of the tax collector of the collection of such taxes. The
1073 warrant shall be in substantially the following form:~~

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~~SPECIAL WARRANT FOR COLLECTION OF DRAINAGE TAXES:
STATE OF FLORIDA, TO, TAX COLLECTOR OF
THE COUNTY OF BROWARD. YOU ARE HEREBY COMMANDED TO
COLLECT OUT OF THE REAL ESTATE AGAINST WHICH DRAINAGE
TAXES ARE ASSESSED AND SET FORTH IN THIS ROLL, AND
FROM THE PERSONS OR CORPORATIONS NAMED THEREIN,
AGAINST WHOSE LANDS DRAINAGE TAXES ARE ASSESSED, THE
DRAINAGE TAX SET DOWN IN SAID ROLL OPPOSITE EACH NAME,
CORPORATION, OR PARCEL OF LAND THEREIN DESCRIBED, AND
IN EACH CASE SUCH DRAINAGE TAX IS NOT PAID ON OR
BEFORE THE FIRST DAY OF APRIL NEXT, YOU ARE TO COLLECT
THE SAME BY LEVY AND SALE OF THE LANDS SO ASSESSED;
AND ALL SUMS COLLECTED FOR DRAINAGE TAXES YOU ARE TO
PAY TO THE TREASURER OF CENTRAL BROWARD WATER CONTROL
DISTRICT. GIVEN UNDER MY HAND AND SEAL, THIS DAY
OF, 19...~~

.....
~~PROPERTY APPRAISER, BROWARD COUNTY~~

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

d.e. The Revenue Tax Collector of Broward County shall make
returns and remittances of money collected by him or her for
Central Broward Water Control District in the manner and time
provided by law. Central Broward Water Control District may,
from time to time, make audits or checks of the tax assessment

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1103 roll at the property appraiser's office, and the revenue ~~tax~~
 1104 collector shall furnish all that is required by law.

1105 ~~e.f.~~ No provision hereof shall in any way affect the power
 1106 and authority of the Central Broward Water Control District to
 1107 levy or collect any special assessment.

1108 ~~g. The manner and basis of establishing the tax roll shall~~
 1109 ~~be the same as existed for the Central Broward Water Control~~
 1110 ~~District prior to 1970.~~

1111 Section 33. Powers of commissioners to carry out plan.—The
 1112 board of commissioners of the district created hereby shall have
 1113 full power and authority to put out requests for proposals or
 1114 bids for contracts and to build, construct, excavate, and
 1115 complete any and all works and improvements which may be needed
 1116 to carry out, maintain, and protect "the state comprehensive
 1117 water management plan." To accomplish that end the board of
 1118 commissioners may employ persons and teams and purchase
 1119 machinery, employ persons to operate same, and directly have
 1120 charge of and construct the works and improvements in such
 1121 manner or by use of other or more efficient means than provided
 1122 for in the plans adopted. The board of commissioners may, at its
 1123 discretion, award ~~let~~ the contract for such works and
 1124 improvements, either as a whole or in sections, and when such
 1125 contracts are awarded ~~let~~ they shall be advertised and awarded
 1126 ~~let~~ to the lowest qualified, responsible and best bidder, as
 1127 determined by the board, which bidder ~~who~~ shall give a good and
 1128 approved bond, with ample security, conditioned that he or she
 1129 will promptly carry out the contract for such work and
 1130 improvements under such terms and conditions as the board of
 1131 commissioners deems necessary; which contract shall be in

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1132 writing and to which shall be attached, and made a part thereof,
1133 complete plans and specifications of the work to be done and
1134 improvements to be made under such contract, which plans and
1135 specifications shall be prepared by the district's engineer and
1136 shall be incorporated in, and attached to, the contract; and
1137 such contract shall be prepared by the attorney for the district
1138 and approved by the board of commissioners and signed by its
1139 chair or vice chair and the contractor and executed in
1140 duplicate. The district manager shall be the superintendent of
1141 all the works and improvements, and shall, at least once each
1142 year and when required, make a full report to the board of all
1143 work done and improvements made, and make suggestions and
1144 recommendations to the board as he or she may deem proper.

1145 Section 34. Rules and regulations.—The board of
1146 commissioners is hereby authorized to adopt, promulgate, and
1147 enforce all rules and regulations necessary and appropriate for
1148 the administration and enforcement of this charter. No such
1149 action shall be taken by the board of commissioners until after
1150 the holding by this board of commissioners of a public hearing
1151 on the proposed rules and regulations. The provisions of chapter
1152 120, Florida Statutes (Administrative Procedure Act), shall
1153 apply to all such rules and regulations. As soon as practicable
1154 and as necessary, from time to time, the board of commissioners
1155 shall effect appropriate rules and regulations as deemed
1156 necessary, including, but not limited to, the following:

1157 a. Conditions precedent to be met for land to be platted in
1158 ~~on~~ the public records of the appropriate governmental authority
1159 to assure provisions for proper drainage and water management,
1160 the dedication of proper easements or rights-of-way to the

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1161 district, and the procedures to be followed in connection
1162 therewith including ~~cooperation with the county engineer, and~~
1163 the posting of such bonds in such amounts on such conditions as
1164 are deemed necessary in such plats to ensure the proper and
1165 timely completion of such drainage and water management
1166 provisions. No plat for the subdivision of any land within the
1167 district shall be entitled to be recorded ~~record~~ without the
1168 approval of the board of commissioners.

1169 b. Code of regulations, standards, and procedures, ~~general specifications~~
1170 ~~and procedures,~~ and design criteria for the obtainment of a
1171 permit and for hearings in connection therewith before the board
1172 of commissioners for approval of plans for all drainage
1173 improvements within the district, including structural
1174 improvements coming into, over, onto, or through any of the
1175 waterways of the district.

1176 c. Code of regulations, standards, procedures, and design
1177 criteria ~~specifications~~ as to content of discharge and effluents
1178 coming into the waterways of the district.

1179 Section 37. Eminent domain.—The district created hereby may
1180 acquire, by gift, purchase, exchange, donation, dedication, or
1181 condemnation, any lands within or without the said district for
1182 canal rights-of-way or easements, or for other general purposes
1183 of the said district, and, if acquired by condemnation, the
1184 procedure shall be as prescribed in chapter 73, Florida
1185 Statutes, Eminent Domain.

1186 Section 38. Obstructions, damage, and destruction
1187 prohibited; damages; penalties.—No person may willfully or
1188 otherwise obstruct any canal, drain, ditch, or watercourse or
1189 damage or destroy any drainage works constructed in the drainage

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1190 district.

1191 a. Any person who shall willfully obstruct any canal,
1192 drain, ditch, or other watercourse, or shall damage or destroy
1193 any drainage works constructed by the drainage district, shall
1194 be liable to any person injured thereby for the full amount of
1195 the injury occasioned to any land or crops or other property by
1196 such misconduct and shall be liable to the drainage district
1197 constructing the work for double the cost of removing such
1198 obstruction or repairing such damage. The costs shall include
1199 all labor, materials, equipment, and supplies necessary to
1200 effect such removal or repair, and all costs and expenses,
1201 including reasonable attorney's fees, necessary to make any
1202 person injured or the drainage district whole.

1203 b. Any person who willfully or otherwise obstructs any
1204 canal, drain, ditch, or watercourse, or impedes or obstructs the
1205 flow of water thereof, or damages or destroys any drainage works
1206 constructed by any drainage district is guilty of a misdemeanor
1207 of the first degree, punishable as provided by general law.

1208 c. If the board of commissioners finds and determines that
1209 any dike, culvert, bridge, crossing, or any other device in any
1210 canal, drain, ditch, or watercourse which is used for servicing
1211 any property or providing access thereto constitutes an
1212 obstruction or impediment to the free flow of water or drainage
1213 or access to maintenance of any district facility, whether the
1214 same has been so placed in or near any canal, drain, ditch, or
1215 watercourse under permit by the district or otherwise, the
1216 record owner of the property provided access or service shall be
1217 notified in writing of such obstruction with a demand therein
1218 that such owner cause the condition to be remedied. The notice

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1219 shall be given by registered mail, addressed to the owner or
 1220 owners of the property described, as their names and addresses
 1221 are shown upon the records of the county property appraiser, and
 1222 shall be deemed complete and sufficient when so addressed and
 1223 deposited in the United States mail with proper postage prepaid.
 1224 In the event that such notice is returned by postal authorities,
 1225 the district shall cause a copy of the notice to be served by
 1226 any officers, commissioners, or agents of the district, an
 1227 affidavit of such service by such officer, commissioner, or
 1228 agent filed in the minutes of the district shall be proof of
 1229 service thereof, upon the occupant of the property or upon any
 1230 agent of the owner thereof. In the event that personal service
 1231 upon the occupant of the property or upon any agent of the owner
 1232 thereof cannot be performed after a reasonable search, the
 1233 notice shall be accomplished by physical posting on the
 1234 property. The notice shall be in substantially the following
 1235 form:

1236
 1237 Name of Owner:.....
 1238 Address of Owner:.....
 1239

1240 Our records indicate you are the owner(s) of the
 1241 following property located in the Central Broward
 1242 Water Control District, Broward County, Florida:

1243
 1244 (describe property)

1245
 1246 An inspection of this property and the abutting canal,
 1247 drain, ditch, or watercourse discloses, and the Board

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1248 of Commissioners of the Central Broward Water Control
 1249 District has found and determined, that an obstruction
 1250 in said canal, drain, ditch, or watercourse exists,
 1251 thereby impeding the free flow of water or ~~and~~
 1252 drainage or access to maintenance of a district
 1253 facility and constituting a hazard and danger to the
 1254 inhabitants within the Central Broward Water Control
 1255 District so as to constitute a violation of the
 1256 charter and regulations of the Central Broward Water
 1257 Control District in that:

1258
 1259 (describe the condition which places
 1260 the property in violation.)
 1261

1262 You are hereby notified that unless the condition
 1263 above described is remedied so as to make it
 1264 nonviolative of the charter and regulations of the
 1265 Central Broward Water Control District within 20 days
 1266 from the date hereof, the Central Broward Water
 1267 Control District will proceed to remedy this condition
 1268 and the cost of the work, including advertising costs
 1269 and all other expenses, will be imposed as lien on the
 1270 property if not otherwise paid within 30 days after
 1271 receipt of billing.
 1272

1273 Central Broward Water Control District
 1274 BY.....
 1275

1276 d. Within 20 days after the mailing of the notice to him or

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1277 her, the owner of the property may make written request to the
1278 board of commissioners for a hearing before that body to show
1279 that the condition alleged in the notice does not exist or that
1280 such condition does not constitute an obstruction or impediment
1281 to the drainage and free flow of water in any canal, ditch,
1282 drain, or watercourse of the district. At the hearing, the
1283 district and the property owner may introduce such evidence as
1284 is deemed necessary.

1285 e. If within 20 days after mailing of the notice no hearing
1286 has been requested and the condition described in the notice has
1287 not been remedied, the district shall cause the condition to be
1288 remedied by the district at the expense of the property owner.
1289 If a hearing has been held and has concluded adversely to the
1290 property owner, the district may cause the condition to be
1291 remedied at the expense of the property owner, by appropriate
1292 resolution, and may order the removal of the same, including any
1293 appurtenances thereto, and may provide for the payment of all or
1294 any part of the cost of any such removal by levying and
1295 collecting a special assessment on the property affected or
1296 afforded service by such bridge, culvert, etc.

1297 f. After causing the condition to be remedied, the
1298 secretary of the district shall certify to the board the
1299 expenses incurred in remedying the condition. Upon the receipt
1300 of such certificate, the board of commissioners shall review the
1301 same and determine the amount to be assessed against such
1302 property by resolution. Upon adoption of the resolution, the
1303 assessment shall constitute a lien on the respective lots or
1304 parcels of land or other real property upon which they are
1305 levied, superior to all other liens, except those for district

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1306 and county taxes.

1307 g. The board of commissioners shall cause to be recorded in
1308 the office of the clerk of the circuit court, in and for Broward
1309 County, a copy of the resolution within 10 days after the
1310 adoption thereof. The assessment shall be payable at the time
1311 and in the manner stipulated in the resolution and the
1312 assessment shall remain a lien coequal with the lien of other
1313 taxes, superior in dignity to all other liens, titles, and
1314 claims, until paid and shall bear interest at a rate not to
1315 exceed 18 percent per annum from the date of the resolution.

1316 h. Upon the failure of any property owner to pay the
1317 assessment or any installment thereof or any part thereof as
1318 provided for in the resolution, the board of commissioners shall
1319 cause to be brought the necessary legal proceedings to enforce
1320 payment thereof with all the accrued interest and penalties,
1321 together with all legal costs incurred, including reasonable
1322 attorneys' fees, to be assessed as a part of the cost; and in
1323 the event of default in the payment of any installment of an
1324 assessment, or any accrued interest on said assessment, the
1325 whole assessment with the interest and penalties thereon shall
1326 immediately become due and payable and subject to foreclosure.
1327 In the foreclosure of any assessment, service of process against
1328 unknown or nonresident defendants may be had by publication, as
1329 provided by law. Foreclosure proceedings shall be prosecuted to
1330 the sale and conveyance of the property involved in said
1331 proceedings as provided by law in suits to foreclose mortgages;
1332 or, in the alternative, said proceedings may be instituted and
1333 prosecuted under chapter 173, Florida Statutes, Foreclosure of
1334 Municipal Tax and Special Assessment Liens.

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1335 i. The remedies provided in subsections c. through h. are
1336 in addition to and not in lieu of other remedies provided for in
1337 this charter or otherwise.

1338 Section 39. Extensions of boundaries.—The boundary line of
1339 the district as defined in this act may be extended to include
1340 additional adjacent land at any time in the discretion of the
1341 board of commissioners upon such conditions as the board of
1342 commissioners of the district may prescribe upon petition of the
1343 landowners ~~freeholders~~ owning 51 percent or more of the land in
1344 the area sought to be included in this district by such boundary
1345 extension. The petition of such landowners ~~freeholders~~ shall be
1346 directed to the board of commissioners of this district, and
1347 shall be in writing and duly signed and acknowledged by each of
1348 the landowners ~~freeholders~~ seeking to include such area in the
1349 extended boundaries of this district. The area included in this
1350 district shall be defined and the inclusion thereof shall be
1351 affirmed by an appropriate resolution of the board of
1352 commissioners of this district at a regular or special meeting
1353 called for that purpose, which resolution shall be preserved in
1354 the minutes of such meeting, and shall be recorded in the public
1355 records of Broward County, Florida. The board of commissioners
1356 of this district shall thereafter have jurisdiction and hold and
1357 be entitled to exercise all of the right, power, and authority
1358 for the drainage, water management services conducted pursuant
1359 to this section, and improvement of the land or area so included
1360 in this district as is granted such board of commissioners by
1361 this charter with respect to the lands within the boundaries of
1362 this district as hereinabove set forth, it being the intention
1363 of the Legislature to confer upon the board of commissioners for

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1364 the drainage and water control district hereby created the same
1365 rights, powers and authorities, duties, responsibilities, and
1366 obligations over the lands so included in this district as is by
1367 this charter conferred upon them with reference to the lands
1368 within the boundaries of this district as hereby created and
1369 established.

1370 Section 40. Subdivision regulation.—

1371 a. It is the intent and purpose of this charter to promote
1372 and provide for the public health, safety, comfort, convenience,
1373 and welfare necessary and required to promote the harmonious,
1374 orderly, and progressive development of land within the
1375 district. It is the further intent of this charter to secure the
1376 establishment of standards of subdivision designs, which will
1377 encourage the development of sound and economically stable
1378 communities, and the creation of healthful living environments.

1379 b. A subdivision for the purpose of this charter is hereby
1380 defined as: The division of a parcel of land, whether improved
1381 or unimproved, into three or more lots, or other divisions of
1382 land for the purpose, whether immediate or future, of transfer
1383 of ownership, or, if the establishment of any new street is
1384 involved, any division of such parcel; provided that the
1385 division of land into parcels of more than 5 acres not involving
1386 any changes in street lines or public easements shall not be
1387 deemed to be a subdivision within the meaning of this charter.
1388 The term includes a resubdivision and, when appropriate to
1389 context, shall relate to the process of subdivision or to land
1390 subdivided. The singular usage includes the plural and the
1391 plural the singular.

1392 c. Any division of a parcel of land as a subdivision shall

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1393 be subject to such plat and subdivision regulations heretofore
1394 adopted or hereafter adopted, amended, or modified by the
1395 district under authority of law. Such regulations may provide
1396 for streets in the subdivision, to be of such width, grade, and
1397 location as to facilitate drainage; provide that adequate
1398 easements and rights-of-way be provided for drainage purposes
1399 and that the layout of the subdivision conform to the
1400 comprehensive plan for drainage for the area; and provide that
1401 ~~for~~ the Central Broward Water Control District's drainage
1402 requirements ~~to~~ be met. The district shall not approve any
1403 subdivision plats unless the land included within the
1404 subdivision is suitable or shall be made suitable to the various
1405 purposes for which it is intended to be used, and in particular,
1406 unless all land intended for building sites can be used safely
1407 for building purposes, without the danger from flood of other
1408 inundation, or from any such menace to health, safety, or public
1409 welfare. It shall be unlawful for anyone being an owner, or
1410 agent of an owner, of any land to transfer, sell, agree to sell,
1411 or negotiate to sell such land by reference to, or exhibition
1412 of, or by any other use of a plat or subdivision of such land,
1413 without having submitted a plat of such subdivision to the
1414 district and obtaining its approval as required by this charter.
1415 If such unlawful use be made of a plat before it is properly
1416 approved by the district, the owner, or the agent of the owner,
1417 of such land shall be guilty of a misdemeanor, punishable as
1418 provided by general law. The description by metes and bounds in
1419 the instrument of transfer or other documents used in the
1420 process of transferring shall not exempt the transaction from
1421 such penalties. It shall be unlawful to transfer lots or units

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1422 of lots by metes and bounds description in order to circumvent
1423 the provisions of this charter. The district, through its legal
1424 representatives, may enjoin such transfers or sales or
1425 agreements by injunction or other appropriate action.

1426 Section 42. Procurement of contractual services and
1427 purchase of goods, supplies, and materials.—The Board of
1428 Commissioners of the Central Broward Water Control District in
1429 Broward County may procure contractual services and purchase
1430 goods, supplies, and materials as provided in this section.

1431 a. All contracts let by the board of commissioners for
1432 professional architectural, engineering, landscape
1433 architectural, or land surveying services for any project
1434 authorized by this charter must comply with s. 287.055, Florida
1435 Statutes, Consultants Competitive Negotiation Act.

1436 b. Except as stated herein and as provided in subsections
1437 c., d., and e. and in s. 287.055, Florida Statutes, the board of
1438 commissioners may not enter into a contract for the construction
1439 or maintenance of any improvements authorized under this
1440 charter, and goods, supplies, or materials may not be purchased
1441 if the amount to be paid by the district under the contract or
1442 for the goods, supplies, or materials exceeds \$10,000, unless
1443 notice of bids is advertised ~~advertized~~ in a newspaper of
1444 general circulation in Broward County. The bid of the lowest
1445 responsible, acceptable bidder must be accepted, unless all bids
1446 are rejected. The board of commissioners may require the bidders
1447 to furnish a bond or letter of credit with responsible surety to
1448 be approved by the board of commissioners. This section does not
1449 prevent the board of commissioners from undertaking and
1450 performing the construction, operation, and maintenance of any

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1451 project, facility, or improvement authorized under this charter,
1452 by the employment of labor, material, and machinery.

1453 c. Notwithstanding subsection b., if the board of
1454 commissioners finds, by resolution, that the use of competitive
1455 bidding is not practicable, contractual services and purchases
1456 of goods, supplies, or materials may be procured by competitive
1457 sealed proposals. The request for proposals must include a
1458 statement of the services sought or the goods, supplies, or
1459 materials requested and all contractual terms and conditions
1460 applicable to the procurement of the contractual services or of
1461 the goods, supplies, or materials requested. The contract must
1462 be awarded to the responsive offeror whose proposal is
1463 determined to be the most advantageous to the district, taking
1464 into consideration price and other evaluation criteria set forth
1465 in the request for proposals.

1466 d. If the board of commissioners finds, by resolution, that
1467 an immediate danger to the public health, safety, or welfare or
1468 substantial loss to the district or property owners in the
1469 district requires emergency action, the board of commissioners
1470 may procure contractual services necessitated by the immediate
1471 danger or substantial loss without competition. However, such
1472 emergency procurement shall be made with such competition as is
1473 practicable under the circumstances.

1474 e. If competitive bids or proposals for contractual
1475 services or for purchases of goods, supplies, or materials are
1476 not received, the board of commissioners may negotiate and
1477 determine the best terms and conditions.

1478 Section 43. Severability.—In the event any section or
1479 provision of this act is determined to be invalid or

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1480 unenforceable, such determination shall not affect the validity
1481 or enforceability of each other section and provision of this
1482 act, and to this end the provisions of this act are declared
1483 severable.

1484 Section 2. This act shall take effect upon becoming a law.