

1 A bill to be entitled
 2 An act relating to Fort Pierce Farms Water Control
 3 District, St. Lucie County; reestablishing the independent
 4 special district; re-creating and reenacting a charter;
 5 codifying, amending, reenacting, and repealing chapters
 6 9981 (1923), 10549 (1925), 12033 (1927), 16032 (1933),
 7 25447 (1949), and 65-1226, Laws of Florida; providing
 8 district status and boundaries; providing for minimum
 9 charter requirements; providing for the continued
 10 existence of the district until a specified date;
 11 providing for applicability of certain provisions of
 12 chapters 189 and 298, Florida Statutes, and other general
 13 laws; ratifying prior acts and circuit court decrees;
 14 providing for inapplicability of inconsistent acts and
 15 decrees; providing for liberal construction; providing an
 16 effective date.

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

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 20 Section 1. (1) The reenactment of existing law in this
 21 act shall not be construed as a grant of additional authority to
 22 nor to supersede the authority of any entity pursuant to law.
 23 Exceptions to law contained in any special act that are
 24 reenacted pursuant to this act shall continue to apply.

25 (2) The reenactment of existing law in this act shall not
 26 be construed to modify, amend, or alter any covenants,
 27 contracts, or other obligations of the district with respect to
 28 bonded indebtedness. Nothing pertaining to the reenactment of

29 existing law in this act shall be construed to affect the
 30 ability of the district to levy and collect taxes, assessments,
 31 fees, or charges for the purpose of redeeming or servicing
 32 bonded indebtedness of the district.

33 Section 2. Chapters 9981 (1923), 10549 (1925), 12033
 34 (1927), 16032 (1933), 25447 (1949), and 65-1226, Laws of
 35 Florida, are codified, reenacted, amended, and repealed as
 36 herein provided.

37 Section 3. The Fort Pierce Farms Water Control District is
 38 re-created, and the charter for such district is re-created and
 39 reenacted to read:

40 Section 1. Status and boundaries of Fort Pierce Farms
 41 Water Control District.—The Fort Pierce Farms Water Control
 42 District is hereby declared to be an independent water control
 43 district and a public corporation of the state pursuant to
 44 chapter 298, Florida Statutes, and the lands lying within the
 45 area described as follows in St. Lucie County, shall hereby
 46 constitute the Fort Pierce Farms Water Control District:

47 Beginning at the SE corner of Section 31, Township 34
 48 South, Range 40 East, run North along the section line
 49 to the NE corner of the SE 1/4 of Section 30, said
 50 Township and Range, thence West along the 1/4 section
 51 line to the NW corner of the NE 1/4 of the SE 1/4 of
 52 said Section 30, thence North along the 1/4 section
 53 line to the NE corner of the SW 1/4 of the NE 1/4 of
 54 said Section 30, thence West along the 1/4 section
 55 line to the NW corner of the SW 1/4 of the NE 1/4 of
 56 said Section 30, thence North along the 1/4 section

57 | line to the NE corner of the NW 1/4 of said Section
58 | 30, thence West along the section line to the NW
59 | corner of said Section 30, thence North along the
60 | section line to the NE corner of the SE 1/4 of the SE
61 | 1/4 of Section 24, Township 34 South, Range 39 East,
62 | thence West along the 1/4 section line to the NW
63 | corner of the SE 1/4 of the SE 1/4 of said Section 24,
64 | thence North along the 1/4 section line through said
65 | Section 24, and through Section 13, said Township and
66 | Range to the NE corner of the SW 1/4 of the NE 1/4 of
67 | said Section 13, thence west along the 1/4 section line
68 | through said Section 13, and Section 14, said Township
69 | and Range, to the NW corner of the SW 1/4 of the NE
70 | 1/4 of said Section 14, thence North along the 1/4
71 | Section line to the NE corner of the NW 1/4 of said
72 | Section 14, thence West along the 1/4 section line to
73 | the NW corner of the NE 1/4 of the NW 1/4 of said
74 | Section 14, thence North along 1/4 the section line
75 | through Section 11, and through Section 2, said
76 | Township and Range, to the NW corner of the NE 1/4 of
77 | the NW 1/4 of said Section 2, thence West along the
78 | township line dividing Township 33 and 34, to the NW
79 | corner of Section 5, Township 34 South, Range 39 East,
80 | thence South along the West section line of Section 5,
81 | Section 8 and Section 17, to the SW corner of the NW
82 | 1/4 of Section 17, said Township and Range, thence
83 | East along the 1/4 section line to the NW corner of
84 | the NE 1/4 of the SW 1/4 of Section 16, said Township

85 and Range, thence South along the 1/4 section line to
 86 the SW corner of the NE 1/4 of SW 1/4 of said Section
 87 16, thence East along the 1/4 section line to the SE
 88 corner of the NE 1/4 of the SW 1/4 of said Section 16,
 89 thence South along the 1/4 section line to the SW
 90 corner of the SE 1/4 of said Section 16, thence East
 91 along the 1/4 section line to the NW corner of the NE
 92 1/4 of the NE 1/4 of Section 21, said Township and
 93 Range, thence South along the 1/4 section line to the
 94 SW corner of the SE 1/4 of the NE 1/4 of said Section
 95 21, thence East along the 1/4 section line to the NW
 96 corner of the E 1/2 of the NW 1/4 of the SW 1/4 of
 97 Section 22, said Township and Range, and thence South
 98 to the SW corner of the E 1/2 of the NW 1/4 of the SW
 99 1/4 of said Section 22, the East along the 1/4 section
 100 line to the NW corner of the E 1/2 of the W 1/2 of SE
 101 1/4 of SW 1/4 of said Section 22, thence South to the
 102 SW corner of the E 1/2 of W 1/2 of SE 1/4 of the SW
 103 1/4 of said Section 22, thence West to the NW corner
 104 of the NW 1/4 of Section 27, said Township and Range,
 105 thence South to the NE corner of the SE 1/4 of the NE¹/₄
 106 of Section 28, said Township and Range, thence West to
 107 the NW corner of the SW 1/4 of the NE 1/4 of said
 108 Section 28, thence South along the 1/4 section line to
 109 the center of said Section 28, thence East along the
 110 1/4 section line to the center of Section 27, said
 111 Township and Range, thence East along the 1/4 section
 112 line to the NW corner of the E 1/2 of the NW 1/4 of

113 the SE 1/4 of said Section 27, thence South to the SW
 114 corner of the E 1/2 of the NW 1/4 of the SE 1/4 of
 115 said Section 27, thence West along the 1/4 section
 116 line to the NW corner of the SW 1/4 of the SE 1/4 of
 117 said Section 27, thence South along the 1/4 section
 118 line to the SW corner of the SE 1/4 of said Section
 119 27, thence West along the section line to the NW
 120 corner of Section 34, said Township and Range, thence
 121 South along the section line to the SW corner of said
 122 Section 34, thence East along the township line
 123 dividing Township 34 and Township 35 to the Point of
 124 Beginning.

125 Section 2. Minimum charter requirements.—In accordance
 126 with section 189.404(3), Florida Statutes, the following are the
 127 minimum requirements for the charter of the Fort Pierce Farms
 128 Water Control District:

129 (1) The district is organized and exists for all purposes
 130 set forth in this act and chapter 298, Florida Statutes, except
 131 as otherwise provided herein.

132 (2) The district shall have all the powers and authorities
 133 identified in and conferred by this act and chapter 298, Florida
 134 Statutes, which powers may be exercised as therein authorized.
 135 With the consent of the county as outlined in a written
 136 interlocal agreement between the parties, the district may
 137 assist the county in the implementation of water quality,
 138 quantity, management, and related components of the flow way, as
 139 described in the goals, objectives, and policies of the towns,

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140 villages, and countryside element (TVC) of the St. Lucie County
141 comprehensive land use plan.

142 (3) The powers, functions, and duties of the district
143 regarding non-ad valorem assessments, bond issuance, and other
144 revenue-raising capabilities, budget preparation and approval,
145 liens and foreclosure of liens, use of tax deeds and tax
146 certificates as appropriate for non-ad valorem assessments, and
147 contractual agreements shall be as set forth in chapters 189,
148 197, and 298, Florida Statutes, or any other applicable general
149 or special law.

150 (4) The district was initially created in 1919 by decree
151 of the Fifteenth Judicial Circuit in and for St. Lucie County,
152 pursuant to the provisions of chapter 6458, Laws of Florida
153 (1913).

154 (5) The district's charter may be amended only by special
155 act of the Legislature.

156 (6) In accordance with chapter 189, Florida Statutes, this
157 act, and sections 298.11 and 298.12, Florida Statutes, the
158 governing board of the district shall be designated the "Board
159 of Supervisors of the Fort Pierce Farms Water Control District"
160 and shall be composed of three persons, who shall be qualified
161 to hold such office if they are landowners within the district,
162 residents of the state, and citizens of the United States,
163 elected on a one-acre, one-vote basis by the landowners in the
164 district; however, landowners owning less than one acre in the
165 aggregate shall be entitled to one vote. Landowners with more
166 than one acre shall be entitled to one additional vote for any
167 fraction of an acre greater than one-half acre owned, when a

168 landowner's acreage has been aggregated for purposes of voting.
169 The Board of County Commissioners of St. Lucie County shall have
170 the option to appoint one of the members of the board of county
171 commissioners to serve as an ex officio representative of the
172 district governing board. The membership and organization of the
173 governing board shall be as set forth in this charter and
174 chapter 298, Florida Statutes, provided this charter controls
175 with respect to any inconsistency.

176 (7) The compensation of the governing board members shall
177 be governed by this act and chapter 298, Florida Statutes.

178 (8) The administrative duties of the governing board shall
179 be as set forth in this act and chapter 298, Florida Statutes.

180 (9) Requirements for financial disclosure, meeting
181 notices, reporting, public records maintenance, and per diem
182 expenses for district officers and employees shall be as set
183 forth in chapters 112, 189, 286, and 298, Florida Statutes, and
184 all other applicable general laws of the state.

185 (10) The procedures and requirements governing the
186 issuance of bonds, notes, and other evidence of indebtedness by
187 the district shall be as set forth in chapters 189 and 298,
188 Florida Statutes, and applicable general laws.

189 (11) The procedures for conducting district elections or
190 referenda and for qualification of electors shall be pursuant to
191 chapters 189 and 298, Florida Statutes; however, a quorum for
192 purposes of holding the annual meeting or any special meetings
193 shall consist of those landowners present in person or
194 represented by proxy at said meeting.

195 (12) The district may be financed by any method
 196 established in this act, chapter 298, Florida Statutes, and
 197 other applicable general laws of the state.

198 (13) The methods for collecting non-ad valorem
 199 assessments, fees, or service charges shall be as set forth in
 200 chapters 197 and 298, Florida Statutes, and other applicable
 201 general laws of the state.

202 (14) The district's planning requirements shall be as set
 203 forth in chapters 189 and 298, Florida Statutes.

204 (15) The district's geographic boundary shall be as set
 205 forth in this act.

206 Section 3. Existence.—The district shall exist until
 207 December 31, 2050.

208 Section 4. Applicability of certain provisions of chapters
 209 189 and 298, Florida Statutes; inconsistent laws inapplicable.—
 210 The provisions of chapters 189 and 298, Florida Statutes, and
 211 all amendments thereto, now existing or hereafter enacted, shall
 212 be applicable to the district insofar as not inconsistent with
 213 the provisions of this act or any subsequent special acts
 214 relating to the district.

215 Section 5. Ratification of prior acts and circuit court
 216 decrees; inconsistent acts and court decrees inapplicable.—All
 217 the acts and circuit court decrees taken by, for, and on behalf
 218 of the district since its creation, and all of the acts and
 219 proceedings of the board of supervisors, commissioners, and all
 220 other officers and agents of the district acting for and on
 221 behalf of the district, and any and all tax levies and
 222 assessments which have been made by the governing board for and

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223 on behalf of the district, are each and every one of them, and
224 each and every part thereof, hereby ratified, validated, and
225 confirmed; however, in the event of a conflict of the provisions
226 of this act with the provisions of any other act or circuit
227 court decree, the provisions of this act shall control to the
228 extent of such conflict.

229 Section 6. Liberal construction.—It is intended that the
230 provisions of this act shall be liberally construed for
231 accomplishing the work authorized and provided for or intended
232 to be provided for by this act, and where strict construction
233 would permit or assist in the accomplishment of any part of the
234 work authorized by this act, the liberal construction shall be
235 chosen.

236 Section 4. Chapters 9981 (1923), 10549 (1925), 12033
237 (1927), 16032 (1933), 25447 (1949), and 65-1226, Laws of
238 Florida, are repealed.

239 Section 5. This act shall take effect upon becoming a law.