

HB 741

2011

1 A bill to be entitled
2 An act relating to the Lake Worth Drainage District, Palm
3 Beach County; amending chapter 2009-258, Laws of Florida;
4 authorizing the district to develop and operate water
5 supply sources and facilities and to enter into interlocal
6 agreements with local governments and public and private
7 utilities for such purpose; providing for issuance of
8 notes and bonds; prohibiting the district from engaging in
9 retail water sales; providing an effective date.

10
11 Be It Enacted by the Legislature of the State of Florida:

12
13 Section 1. Section 3 of section 3 of chapter 2009-258,
14 Laws of Florida, is amended to read:

15 Section 3. Powers of district.—

16 (1) The district shall have the power to sue and be sued
17 by its name in any court of law or in equity; to make contracts;
18 to adopt and use a corporate seal and to alter the same at
19 pleasure; to acquire by purchase, gift, or condemnation real and
20 personal property, either or both, within or without the
21 district, and to convey and dispose of such real and personal
22 property, either or both, as may be necessary or convenient to
23 carry out the purposes, or any of the purposes, of this act and
24 chapter 298, Florida Statutes; to construct, operate, renovate,
25 and maintain canals, ditches, drains, levees, and other works
26 for drainage and irrigation purposes; to acquire, purchase,
27 operate, and maintain pumps, plants, and pumping systems for
28 drainage and irrigation purposes; to construct, operate, and

HB 741

2011

29 maintain all types of irrigation works, machinery, and plants;
30 to construct, improve, and maintain roadways and roads necessary
31 and convenient for the exercise of the powers and duties, or any
32 of the powers or duties, of the district or the supervisors
33 thereof; to borrow money and issue negotiable or other bonds of
34 the district as hereinafter provided; to borrow money from time
35 to time and issue negotiable or other notes of the district
36 therefor, bearing interest at a rate not exceeding the maximum
37 rate allowed by general law for public bodies, agencies, and
38 political subdivisions as provided in section 215.84, Florida
39 Statutes, in anticipation of collection of taxes, levies, and
40 assessments or revenues of the district, and to pledge or
41 hypothecate such taxes, levies, assessments, and revenues to
42 secure such bonds, notes, or obligations, and to sell, discount,
43 negotiate, and dispose of the same; and to exercise all other
44 powers necessary, convenient, or proper in connection with any
45 of the powers or duties of the district stated in this act. The
46 powers and duties of the district shall be exercised by and
47 through a board of supervisors, which shall have the authority
48 to employ engineers, attorneys, agents, employees, and
49 representatives as the board may from time to time determine,
50 and to fix their compensation and duties.

51 (2) The district is further authorized and empowered to
52 develop, acquire, construct, operate, maintain, and finance
53 water supply sources and facilities, including, but not limited
54 to, sources defined pursuant to section 373.019(1), Florida
55 Statutes, subject to all applicable federal, state, and local
56 laws and regulations. The district may also enter into any

HB 741

2011

57 contract or interlocal agreement with a local government or a
58 public or private utility related to the aforementioned power.

59 (3) The district may borrow money and issue notes and
60 bonds for the development, acquisition, construction, operation,
61 finance, or maintenance of water supply sources or facilities.
62 However, any notes or bonds shall be secured pursuant to the
63 terms of any water supply or finance agreement with public or
64 private entities. Such notes or bonds shall not be payable from
65 any district revenue. All costs of the development, acquisition,
66 construction, operation, finance, or maintenance of water supply
67 sources or facilities shall be the obligation of the signatories
68 to any water supply or finance agreements other than the
69 district.

70 (4) The district may not engage in retail sales of public
71 water supplies or otherwise act as a water utility.

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