

House Bill No. 1841

An act relating to Palm Beach County; providing for codification of special laws regarding independent special water control districts pursuant to s. 189.429, Florida Statutes, relating to the East Beach Water Control District, an independent special taxing water control district in Palm Beach County; providing legislative intent; codifying, reenacting, and amending chapters 75-469, 77-624, 80-568, and 91-365, Laws of Florida; providing status, purpose, and boundaries of the district; providing for amendment of the district charter; providing for a board of supervisors; providing for organization of the board of supervisors; providing powers and duties of the board; specifying methods for assessing and collecting non-ad valorem assessments, fees, and service charges; providing for district planning requirements; specifying requirements for financial disclosure, meeting notices, reporting, public records maintenance, and per diem expenses; providing severability; repealing chapters 75-469, 77-624, 80-568, and 91-365, Laws of Florida; providing an effective date.

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

Section 1. Intent.—Pursuant to s. 189.429, Florida Statutes, this act constitutes the codification of all special acts relating to East Beach Water Control District. It is the intent of the Legislature in enacting this law to provide a single, comprehensive special act charter for the district, including all current legislative authority granted to the district by its several legislative enactments and any additional authority granted by this act and chapters 189 and 298, Florida Statutes, as amended from time to time. It is further the intent of this act to preserve all district authority as set forth in this act and chapters 189 and 298, Florida Statutes, as amended from time to time.

Section 2. Codification.—Chapters 75-469, 77-624, 80-568, and 91-365, Laws of Florida, relating to East Beach Water Control District are codified, reenacted, amended, and repealed as herein provided.

Section 3. The East Beach Water Control District is re-created and the charter for said district is re-created and reenacted to read:

Section 1. District status; charter amendments; boundaries.—For the purpose of comprehensive water management and control pursuant to chapter 298, Florida Statutes, as it may be amended from time to time, the East Beach Water Control District, an independent water control district, is hereby declared to exist. The district is organized and exists for all purposes set forth in this act and chapters 189 and 298, Florida Statutes. The district was created by special act of the Legislature in 1945. Its charter may be amended only by special act of the Legislature. The boundaries of the district are declared to be as follows:

Beginning at a point on the east beach of Lake Okeechobee in Palm Beach County, Florida, where the section line dividing Section 4 and Section 9, Township 42 South, Range 37 East, intersects the (east right of way boundary line of the Federal Lake Okeechobee Levee).

Thence in a southwesterly direction along the east right of way boundary of said Federal Levee to a point where the said right of way boundary intersects the section line dividing Section 23 and Section 26, Township 42 South, Range 36 East, (and the Everglades Drainage District Levee).

Thence due east along (the Everglades Drainage District Levee) and the section lines dividing Sections 23 and 26 and Sections 24 and 25, Township 42 South, Range 36 East, to a point of intersection with the east shore of Pelican Bay (being a point of the Everglades Drainage District Levee).

Thence southerly along the said shore line of Pelican Bay (and the Everglades Drainage District Levee) to a point of intersection with the township line dividing Township 42 South and Township 43 South and (the East Shore Water Control District Levee).

Thence east along the said Township line (and Levee separating the East Shore Water Control District) to a point being the intersection with the section line dividing Section 32 and Section 33, Township 42 South, Range 37 East (and the Levee separating the East Unit of the Pahokee Water Control District).

Thence North along (the levee separating the East Unit of the Pahokee Water Control District and) the section lines dividing Sections 32 and 33, Sections 29 and 28 and Sections 20 and 21 of Township 42 South, Range 37 East to a point of being the Northeast corner of Section 20.

Thence East along (the said East Unit separation levee and) the section line dividing Section 16 and 21, same Township and Range, to a point being the Southeast corner of said Section 16.

Thence North along (the said East Unit separation levee and) the section line dividing Section 16 and 15, same Township and Range, to a point being the northeast corner of said Section 16.

Thence go East along the South line of the District C-4 canal levee as now laid out and in use across Sections 10, 11 and 12, Township 42 South, Range 37 East, to the Southwesterly right of way line of the West Palm Beach Canal; Thence go Northwesterly along the Southwesterly right of way line of the West Palm Beach Canal to the North line of the District C-4 canal levee as now laid out and in use; Thence go West along the North line of the District C-4 canal levee as now laid out and in use across Sections 12, 11, and 10, Township 42 South, Range 37 East to point of intersection with the Northeasterly line of the District levee as now laid out and in use running along the East line of State Lot 1, Section 10, Township 42 South, Range 37 East, of the Plat of the Trustees of the Internal Improvement Fund Subdivision of that Part of Pelican Lake Bottom Lying East of the Florida East Coast Railway as approved on November 9, 1932, a copy of which is attached to a deed recorded in the Public Records of Palm Beach County, Florida, in Deed Book 821,

Page 369; Thence go Northwesterly along the said North line of said levee and being the East line of said State Lot 1, Section 10 to a point of intersection with the East line of Section 9, Township 42 South, Range 37 East.

Thence North along (the levee separating the Pelican Lake Water Control District and) the section line dividing Section 9 and 10, same Township and Range, to a point being the Northeast corner of said Section 9.

Thence West along (the said Pelican Lake separation levee and the section line dividing Section 4 and Section 9, Township 42 South, Range 37 East, to a point of beginning.

Section 2. Minimum charter requirements; Board of Supervisors; General Manager; powers and duties.—

(1) The governing body of East Beach Water Control District shall be known as the Board of Supervisors of East Beach Water Control District, with the powers, duties, privileges, and functions as set forth in this act and chapters 189 and 298, Florida Statutes, and shall consist of three (3) members who are residents of the State of Florida and citizens of the United States. Each Supervisor shall be entitled to receive compensation pursuant to chapter 298, Florida Statutes, and per diem in accordance with general law for public officials.

(2) The Board of Supervisors shall have the power to employ a person to be designated General Manager of the District and to vest in him or her such authority and to delegate to him or her the performance of such duties and to provide such compensation as may be determined by the Board of Supervisors. The Board may require the General Manager to furnish bond with good and sufficient surety in such amount as the Board may by resolution determine. The Board may provide by resolution that the General Manager and the Secretary may be one and the same person.

(3) The district shall have and the board may exercise all the powers and duties set forth in this act and chapter 298, Florida Statutes, as they may be amended from time to time.

(4) The district shall also hold all powers, functions, and duties set forth in this act and chapters 189, 197, and 298, Florida Statutes, as amended from time to time, including, but not limited to, ad valorem taxation, bond issuance, other revenue-raising capabilities, budget preparation and approval, liens and foreclosure of liens, use of tax deeds and tax certificates as appropriate for non-ad valorem assessments, and contractual agreements.

(5) The methods for assessing and collecting non-ad valorem assessments, fees, or service charges shall be as set forth in chapters 189, 197, or 298, Florida Statutes, as amended from time to time.

(6) The District's planning requirements shall be as set forth in this act and chapters 189 and 298, Florida Statutes, as amended from time to time.

(7) The District's geographic boundary limitations shall be as set forth in this act.

(8) Requirements for financial disclosure, meeting notices, reporting, public records maintenance, and per diem expenses for officers and employees shall be as set forth in chapters 112, 119, 189, 286, and 298, Florida Statutes, as amended from time to time.

Section 4. Chapters 75-469, 77-624, 80-568, and 91-365, Laws of Florida, are repealed.

Section 5. In case any one or more of the sections or provisions of this act or the application of such sections or provisions to any situation, circumstance, or person shall for any reason be held to be unconstitutional, such unconstitutionality shall not affect any other sections or provisions of this act or the application of such sections or provisions to any other situation, circumstance, or person, and it is intended that this law shall be construed and applied as if such section or provision had not been included herein for any unconstitutional application.

Section 6. Effect of conflict.—In the event of a conflict between the provisions of this act and the provisions of any other act, the provisions of this act shall control to the extent of such conflict.

Section 7. This act shall take effect upon becoming a law.

Approved by the Governor June 14, 2000.

Filed in Office Secretary of State June 14, 2000.