

House Bill No. 869

An act relating to Cow Slough Water Control District, a special tax district of the State of Florida in Hendry and Collier Counties; codifying the District's charter, chapter 89-426, Laws of Florida, pursuant to section 189.429, Florida Statutes; providing legislative intent; amending, codifying, and reenacting all special acts relating to Cow Slough Water Control District as a single act; repealing all prior special acts related to Cow Slough Water Control District; providing an effective date.

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

Section 1. Pursuant to section 189.429, Florida Statutes, this act constitutes the codification of all special acts relating to Cow Slough 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. It is further the intent of this act to preserve all District authority in addition to any authority contained in chapter 298, Florida Statutes, as amended from time to time.

Section 2. Chapter 89-426, Laws of Florida, creating the Cow Slough Water Control District, is amended, codified, reenacted, and repealed as herein provided.

Section 3. The Cow Slough Water Control District is re-created and the charter for such District is re-created and reenacted to read:

Section 1. District creation; boundaries.—For the purposes of comprehensive water management and control and developing the lands hereinafter described and managing said lands and water by means of the construction and maintenance of canals, ditches, levees, dikes, pumping plants, and other water control works and improvements, and for the purpose of making the lands within said district available and habitable for settlement and agriculture, and for the public convenience, welfare, utility, and benefit, and for the other purposes stated in this act and chapter 298, Florida Statutes, a water control district is hereby created and established in Hendry and Collier Counties, Florida, to be known as the Cow Slough Water Control District, the territorial boundaries of which shall be as follows, to wit:

Hendry County:

(1) In Township 45 South, Range 28 East: All of section 13, 14 and 24; and Section 25 less the following described parcel: Commencing at the southwest corner of said Section 25; thence N. 0-32-29 W. along the west boundary line of said Section 25 a distance of 665.19 feet to the Point-of-Beginning of this description; thence continuing N. 0-32-29 W. along said west boundary line of Section 25 a distance of 4656.88 feet to the northwest corner of said Section 25; thence S. 87-56-46 E. along the north

boundary line of said Section 25 a distance of 1950.00 feet; thence S. 0-27-54 E. a distance of 1176.05 feet; thence S. 0-53-38 E. a distance of 2450.41 feet; thence S. 0-34-26 E. a distance of 1025.07 feet; thence N. 88-07-20 W. a distance of 1963.85 feet to the said Point-of-Beginning of this description.

(2) In Township 45 South, Range 29 East: All of Sections 18 and 19; that portion of the South $\frac{1}{2}$, west of State Road 29 and the South $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 20; all Section 29 West of State Road 29; all of Sections 30 and 31; and all of Section 32 west of State Road 29.

Collier County:

In Township 46 South, Range 29 East: All of Section 5 west of State road 29; all of Section 6; that portion of Section 7 north of State Road 82; all of Section 8 West of State Road 29; and, that portion of the North $\frac{1}{2}$ of Section 17 west of State Road 29.

It is hereby determined, declared, and enacted that said lands in their present condition require comprehensive water control and management for proper use and development, and that water control for the purpose of irrigation, reclamation, and flood protection of said lands and the creation of the district with the power vested in it by this act and chapter 298, Florida Statutes, as they may be amended from time to time, is in the interest of and conducive to public welfare, health, and convenience.

Section 2. Provisions of other laws made applicable.—The Cow Slough Water Control District hereby created shall be an independent water control district and a public corporation of this state. The provisions of Florida law applicable to water control districts or subdistricts which are embodied in chapter 298, Florida Statutes, as it may be amended from time to time, so far as not inconsistent with this act, are hereby declared to be applicable to the Cow Slough Water Control District. The Cow Slough Water Control District shall have all of the powers and authorities conferred in this act and chapter 298, Florida Statutes, as they may be amended from time to time.

Section 3. Minimum charter requirements.—In accordance with section 189.404(3), Florida Statutes, the following subsections shall constitute the charter of the Cow Slough Water Control District:

(1) The District is organized and exists for all purposes set forth in this act and chapter 298, Florida Statutes, as they may be amended from time to time.

(2) The powers, functions, and duties of the District, 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, shall be as set forth in chapters 189, 197, and 298, Florida Statutes, or any other applicable general or special law, as they may be amended from time to time.

(3) The District was created by special act of the Florida Legislature by chapter 89-426, Laws of Florida, in accordance with chapter 298, Florida Statutes.

(4) The District's charter may be amended only by special act of the Legislature.

(5) In accordance with chapter 189, Florida Statutes, this act, and section 298.11, Florida Statutes, the District is governed by a three-member board, elected on a one-acre, one-vote basis by the landowners in the District. The membership and organization of the board shall be as set forth in this act and chapter 298, Florida Statutes, as they may be amended from time to time.

(6) The compensation of board members shall be governed by this act and chapter 298, Florida Statutes, as they may be amended from time to time.

(7) The administrative duties of the Board of Supervisors shall be as set forth in this act and chapter 298, Florida Statutes, as they may be amended from time to time.

(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 they may be amended from time to time.

(9) The procedures and requirements governing the issuance of bonds, notes, and other evidence of indebtedness by the District shall be as set forth in chapter 298, Florida Statutes, and applicable general laws, as they may be amended from time to time.

(10) The procedures for conducting District elections and for qualification of electors shall be pursuant to this act and chapters 189 and 298, Florida Statutes, as they may be amended from time to time.

(11) The District may be financed by any method established in this act, chapter 298, Florida Statutes, and applicable general laws, as they may be amended from time to time.

(12) The methods for collecting non-ad valorem assessments, fees, or service charges shall be as set forth in chapters 197 and 298, Florida Statutes, and other applicable general laws, as they may be amended from time to time.

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

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

Section 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Section 5. 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 6. This act shall be construed as a remedial act and shall be liberally construed to promote the purpose for which it is intended.

Section 7. Chapter 89-426, Laws of Florida, is repealed.

Section 8. This act shall take effect upon becoming a law.

Approved by the Governor May 22, 2000.

Filed in Office Secretary of State May 22, 2000.