

Council Substitute for House Bill No. 1365

An act relating to Tindall Hammock Irrigation and Soil Conservation District, Broward County; amending chapter 98-523, Laws of Florida; providing for the addition of certain lands into the district; providing for the deletion of certain lands from the district; providing the board with the power to own, acquire, construct, operate, and improve water systems and sewer systems within and without the district; amending the amount for which advertisement for bids is required for the procurement by the district of contractual services and purchase of goods, supplies, and materials to comply with general law; providing additional requirements for the procurement of goods and services and contracts for improvements to district facilities; providing for the election of supervisors; redesignating the office of president of the board to chair of the board; creating the office of vice chair of the board; providing for a designation of who shall preside at meetings of the board; providing for the election of officers of the board; providing for the calling of special meetings of the board; providing the maximum allowable interest rate on loans, notes, bonds, assessments, and other obligations of the district; revising the district's bond criteria and provisions; providing that the meeting place of the district shall be in Broward County; deleting obsolete provisions; revising inconsistent provisions; revising provisions relating to controlling, regulating, and maintaining water systems and sewer systems within and without the district; providing severability; providing an effective date.

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

Section 1. Section 1, subsections (2) and (3) of section 2, subsection (6) of section 3, sections 4, 7, and 8, subsection (1) of section 9, subsections (1) and (3) of section 10, section 11, subsection (1) of section 14, and section 18 of section 2 of chapter 98-523, Laws of Florida, are amended, and subsection (7) is added to section 3 of section 2 of that chapter, to read:

Section 1. For the purpose of draining, reclaiming, and conserving the lands hereinafter described;~~;~~ for controlling the water in the district and the water tables with respect to the lands therein;~~;~~ for agricultural and sanitary purposes;~~;~~ for owning, acquiring, constructing, operating, and improving water systems and sewer systems within or without the district;~~;~~ and for the public health, convenience, welfare, utility, and benefit;~~;~~ an irrigation, soil conservation, ~~and drainage, and special improvement~~ district is hereby established to be known as "Tindall Hammock Irrigation and Soil Conservation District," an independent special district, the territorial boundaries of which shall be as follows:

Begin at a point which point is the Northwest Corner of Tract One, Tier Thirty-seven of John W. Newman's Survey, according to the plat thereof as recorded in Plat Book Two, Page Twenty-Six of the Public Records of Dade County, Florida; Thence run Southerly along the West Line of Tier

Thirty-seven to the Southwest corner of Tract Four, Tier Thirty-seven; Thence run Easterly along the South Lines of Tracts Four, of Tiers Thirty-seven, Thirty-five, Thirty-three and Thirty-one, and prolongations thereof, to the Southwest Corner of Tract Four, Tier Twenty-nine; Thence run Southerly along the West Line of Tier Twenty-nine to the Southwest Corner of Tract Eight, Tier Twenty-nine; Thence run Easterly along the South Lines of Tracts Eight, of Tiers Twenty-nine, Twenty-seven, Twenty-five, Twenty-three, and prolongations thereof, to the Southwest Corner of Tract Seven, Tier Twenty-one; Thence run Northerly along the West Line of Tier Twenty-one to the South line of the North 497.50 feet of Tract Five, Tier Twenty-one; Thence run Easterly along said South line to the East line of the West 245 feet of Tract Five, Tier Twenty-one; Thence run Northerly along the East line of the West 245 feet of said Tract Five to the South line of Tract Four, Tier Twenty-one; Thence run Easterly along the South Lines of Tracts Four, of Tiers Twenty-one, Nineteen, and Seventeen, and prolongations thereof, to the Southeast Corner of Tract Four, Tier Seventeen; Thence run Northerly along the East Line of Tier Seventeen to the Southwest Corner of Tract Three, Tier Fifteen; Thence run Easterly along the South Line of Tract Three, Tier Fifteen to the Southeast Corner of Tract Three, Tier Fifteen; Thence run Southerly along the East Line of Tier Fifteen to the Southeast Corner of Tract Four, Tier Fifteen; Thence run Easterly along the Easterly prolongation of the South Line of Tract Four, Tier Fifteen and the South Line of Tract Four, Tier Thirteen to the Southeast Corner of Tract Four, Tier Thirteen; Thence run Southerly along the East Line of Tier Thirteen to the Northeast Corner of Tract Six, Tier Thirteen; Thence run Westerly along the North Line of Tract Six, Tier Thirteen to the Northwest Corner of Tract Six, Tier Thirteen; Thence run Southerly along the West Line of Tier Thirteen to the Southwest Corner of Tract Seven, Tier Thirteen; Thence run Southerly to the Northwest Corner of Tract Eight, Section Twenty-five, Township Fifty South, Range Forty-one East; Thence run Southerly along the West Lines of Tract Eight, Section Twenty-five, Township Fifty South, Range Forty-one East and Tract Nine, Section Twenty-five, Township Fifty South, Range Forty-one East to the Southwest Corner of said Tract Nine; Thence run Easterly along the South Line of said Tract Nine to the Southeast Corner of said Tract Nine; Thence run Northerly along the East Line of said Tract Nine to the Northeast Corner of said Tract Nine; Thence run Easterly along the Easterly prolongation of the North Line of said Tract Nine and the South Line of Tract Seven, Section Twenty-five, Township Fifty South, Range Forty-one East to the Southeast Corner of said Tract Seven; Thence run Northerly along the East Line of Tract Seven and its Northerly prolongation to the South Line of Tract Six, Tier Nine; Thence run Easterly along the South Line of Tract Six, Tier Nine to the Southeast Corner of Tract Six, Tier Nine; Thence run Northerly along the East Line of Tier Nine to the Southwest Corner of Tract Four, Tier Seven; Thence run Easterly along the South Line of Tract Four, Tier Seven to the Southeast Corner of Tract Four, Tier Seven; Thence run Northerly along the East Line of Tract Four and Tract Three, Tier Seven to an intersection with the Easterly prolongation of the Northerly line of Parcel "C" of "THE FOUNDATION PLAT," according to the Plat thereof as recorded

in Plat Book 158, Page 36, Broward County Public Records; Thence run Westerly along said prolongation to the Northerly line of said Parcel "C"; Thence continue Westerly along the Northerly line of said Parcel "C" to an intersection with the North line of Tract Four, Tier Thirteen; thence Westerly along the north line of Tract Four, Tier Thirteen to the Northwest Corner of Tract Four, Tier Thirteen; Thence run Northerly along the West Line of Tier Thirteen to the Northwest Corner of Tract One, Tier Thirteen; Thence run Westerly along the Westerly prolongation of the North Line of said Tract One, Tier Thirteen and the North Lines of Tract One, Tier Fifteen and Tract One, Tier Seventeen to the Northwest Corner of Tract One, Tier Seventeen; Thence run Southerly along the West Line of Tier Seventeen to the Northwest Corner of Tract Three, Tier Seventeen; Thence run Westerly along the Westerly prolongation of the North Line of Tract Three, Tier Seventeen and along the North Line of Tract Three, Tier Nineteen to the Northeast Corner of Tract Three, Tier Twenty-one; Thence run Northerly along the East Line of Tier Twenty-one to the Northeast Corner of Tract One, Tier Twenty-one; Thence run in a Westerly direction along the North Lines of Tracts One, of Tiers Twenty-one, Twenty-three, Twenty-five, Twenty-seven, Twenty-nine, Thirty-one, Thirty-three, Thirty-five, and Thirty-seven, and prolongations thereof, to the point of beginning; All in John W. Newman's Survey thereof according to the Plat thereof recorded in Plat Book Two, at Page Twenty-six of the Public Records of Dade County, Florida; said lands situate, lying and being in Broward County, Florida.

(1) ~~Begin at a point which point is a point on the South Line of Tract One Tier Thirty eight, Fifty Feet East of the Southwest Corner of Tract One, Tier Thirty eight; Thence run Southerly parallel to the West Line of Tier Thirty-seven to a point which is Fifty Feet East of the West Line of Tier Thirty-seven and Fifty Feet North of the South Line of Tract Four, Tier Thirty-seven; Thence run Easterly parallel to the South Lines of Tract Four, Tier Thirty-seven, Tract Four, Tier Thirty-five, Tract Four, Tier Thirty-three, Tract Four, Tier Thirty-one to a point on the West Line of Tier Twenty-nine, Fifty Feet North of the Southwest Corner of Tract Four, Tier Twenty-nine; Thence run Southerly along the West Line of Tier Twenty-nine to the Southwest Corner of Tract Eight, Tier Twenty-nine; Thence run Easterly along the South Lines of Tract Eight, Tier Twenty-nine, Tract Eight, Tier Twenty-seven, Tract Eight, Tier Twenty-five, and Tract Eight, Tier Twenty-three to the Southeast Corner of Tract Eight, Tier Twenty-three; Thence run Northerly along the East Line of Tier Twenty-three to the Southeast Corner of Tract Four, Tier Twenty-three; Thence run Easterly along the South Lines of Tract Four, Tier Twenty-one, Tract Four, Tier Nineteen, and Tract Four, Tier Seventeen to the Southeast Corner of Tract Four, Tier Seventeen; Thence run Northerly along the East Line of Tier Seventeen to the Southwest Corner of Tract Three, Tier Fifteen; Thence run Easterly along the South Line of Tract Three, Tier Fifteen to the Southeast Corner of Tract Three, Tier Fifteen; Thence run Southerly along the East Line of Tier Fifteen to the Southeast Corner of Tract Four, Tier Fifteen; Thence run Easterly along the South Line of Tract Four, Tier Thirteen to the Southeast Corner of Tract Four, Tier Thirteen; Thence run Southerly along the East Line of Tier Thirteen to the Northeast Corner of Tract Six, Tier Thirteen; Thence~~

run Westerly along the North Line of Tract Six, Tier Thirteen to the Northwest Corner of Tract Six, Tier Thirteen; Thence run Southerly along the West Line of Tier Thirteen to the Southwest Corner of Tract Seven, Tier Thirteen; Thence run Southerly to the Northwest Corner of Tract Eight, Section Twenty-five, Township Fifty South, Range Forty-one East; Thence run Southerly along the West Lines of Tract Eight, Section Twenty-five, Township Fifty South, Range Forty-one East and Tract Nine, Section Twenty-five, Township Fifty South, Range Forty-one East to the Southwest Corner of said Tract Nine; Thence run Easterly along the South Line of said Tract Nine to the Southeast Corner of said Tract Nine; Thence run Northerly along the East Line of said Tract Nine to the Northeast Corner of said Tract Nine; Thence Easterly along the South Line of Tract Seven, Section Twenty-five, Township Fifty South, Range Forty-one East to the Southeast Corner of said Tract Seven; Thence run Northerly along the East Line of Tract Seven to the South Line of Tract Six, Tier Nine; Thence run Easterly along the South Line of Tract Six, Tier Nine to the Southeast Corner of Tract Six, Tier Nine; Thence run Northerly along the East Line of Tier Nine to the Southwest Corner of Tract Four, Tier Seven; Thence run Easterly along the South Line of Tract Four, Tier Seven to the Southeast Corner of Tract Four, Tier Seven; Thence run Northerly along the East Line of Tier Seven to the Northeast Corner of Tract Four, Tier Seven; Thence run Westerly along the North Lines of Tract Four, Tier Seven, Tract Four, Tier Nine, Tract Four, Tier Eleven and Tract Four, Tier Thirteen to the Northwest Corner of Tract Four, Tier Thirteen; Thence run Northerly along the West Line of Tier Thirteen to the Northwest Corner of Tract One, Tier Thirteen; Thence run Westerly along the North Lines of Tract One, Tier Fifteen and Tract One, Tier Seventeen to the Northwest Corner of Tract One, Tier Seventeen; Thence run Southerly along the West Line of Tier Seventeen to the Northwest Corner of Tract Three, Tier Seventeen; Thence run Westerly along the North Line of Tract Three, Tier Nineteen to the Northeast Corner of Tract Three, Tier Twenty-one; Thence run Northerly along the East Line of Tier Twenty-one to the Southeast Corner of Tract One, Tier Twenty-two; Thence run in a Westerly direction along the prolongation of the South Line of Tract One, Tier Twenty-two to the point of beginning; All in Newman's Survey thereof according to the Plat thereof recorded in Plat Book Two, at Page Twenty-six of the Public Records of Dade County, Florida; said lands situate, lying and being in Broward County, Florida.

(2) Also included within the territorial boundaries is the West 50 Feet of Tracts 1, 2, 3, and 4, Tier 37; and the South 50 Feet of Tract 4, Tier 31, of Tract 4, Tier 33, of Tract 4, Tier 35, and of Tract 4, Tier 37, of Newman's Survey thereof, according to the Plat thereof recorded in Plat Book 2, Page 26, Dade County Records, said lands situate, lying and being in Broward County, Florida.

Section 2.

(2) The persons who are members of the board of supervisors of the district in office when this act takes effect shall be Hamilton C. Forman, H. Collins Forman, Jr. and Charles R. Forman and said landowners are hereby

appointed as the Board of Supervisors of the Tindall Hammock Irrigation and Soil Conservation District and shall hold office until their successors are elected and shall have qualified.

(3) In the month of September 2008, or as soon thereafter as practicable, there shall be held a meeting of the landowners of the district for the purpose of holding an election to fill the seats of the three supervisors; and in the month of September, or as soon thereafter as practicable, of every other year thereafter, there shall be held such a meeting and election to fill the same three seats. Notice of all a landowners' meetings ~~meeting~~ shall be given by publishing the time and place of such meeting in a newspaper of general circulation of Broward County at least 15 days prior to the meeting, the meeting to be held in a public place in Broward County. The landowners, when assembled, shall organize by the election of a chair and secretary of the meeting, who shall conduct the election. At such election, each and every acre of land in the district, except as hereinafter provided, shall represent one share, and each owner shall be entitled to one vote in person or by proxy in writing, for each acre of land owned by him or her in the District. A fraction of an acre shall be voted as the same fraction of a vote. The three persons at each election who receive the highest number of votes for the office of supervisor shall be declared elected. At the first meeting of the board following the effective date of this act, and as soon as practicable following each election of supervisors thereafter, the board shall organize by electing from their members a chair and a vice chair of the board. At this meeting, the board shall also appoint a secretary and treasurer of the board, who may be the same person and who does not need to be a member of the board. The chair shall preside at all meetings. In the chair's absence, the vice chair shall preside over the meeting and have the same powers as the chair.

Section 3.

(6) The ~~board district~~ is hereby authorized, empowered, and directed to construct a water connection by channeling through or under State Road 84 and Interstate Highway I-595 to the North New River Canal for the purposes as provided herein. Said water connection shall be constructed in accordance with the regulations, requirements, and specifications of the Department of Transportation.

(7) The board shall have the power to own, acquire, construct, reconstruct, equip, operate, maintain, extend, and improve water systems and sewer systems or combined water and sewer systems; to regulate the use of sewers and the supply of water within and without the district and to prohibit or regulate the use and maintenance of outhouses, privies, septic tanks, or other sanitary structures or appliances within or without the district; to prescribe methods of pretreatment of wastes not amenable to treatment with domestic sewage before accepting such wastes for treatment, to refuse to accept such wastes when not sufficiently pretreated as may be prescribed, and to prescribe penalties for the refusal of any person or corporation to so pretreat such wastes; to sell or otherwise dispose of the effluent, sludge, or other byproducts as a result of sewage treatment; and to construct and operate connecting, intercepting, or outlet sewers, sewer mains, pipes and water mains, conduits, or pipelines in, along, or under any public

streets, alleys, highways, or other public places or ways within or without the district, when deemed necessary or desirable by the board. The plans for any water or sewer system shall be subject to the approval of the Department of Health.

Section 4. (1) The board may, in its discretion, let any part or all of the work to be performed within the district by contract, but no contract shall be let for the construction or maintenance of any improvements authorized by this act, nor shall any goods, supplies, or materials be purchased, for an amount in excess of the threshold amount provided in s. 287.017, Florida Statutes, for category four \$25,000 shall be let until notice thereof shall have been published in a newspaper of general circulation published in Broward County not less than once a week for 2 consecutive weeks before the date set for the letting of such contract. The work or purchase of goods, supplies, or materials so advertised shall be awarded to the lowest responsible bidder, as may be determined by the board; however, the board shall have the right to reject any and all bids and to re-advertise, as provided herein. The board shall have the right to require a bond with a surety to be approved by the board in such amount as the board may determine, conditioned that the contractor or vendor will well and truly carry out the contract in accordance with the terms thereof. Nothing in this section shall prevent the board of supervisors from undertaking and performing the work authorized under this act without a contract and by labor operating under the directions of the board, its engineer or employees.

(2) The provisions of the Consultants' Competitive Negotiation Act as provided in s. 287.055, Florida Statutes, shall apply to contracts for engineering, architecture, landscape architecture, or registered surveying and mapping services let by the board.

(3) Notwithstanding the bidding procedure prescribed in this subsection, if the board determines, by resolution, that the use of competitive bidding is not practicable, contractual services and purchases of goods, supplies, or materials may be procured by competitive sealed proposals. The request for proposals shall include a statement of the services sought or the goods, supplies, or materials requested and all contractual terms and conditions applicable to the procurement of the contractual services or the goods, supplies, or materials requested. The contract shall be awarded to the responsive offeror whose proposal is determined to be the most advantageous to the district, taking into consideration price and other evaluation criteria set forth in the request for proposals.

(4) If the board determines, by resolution, that an immediate danger to the public health or safety or other substantial loss to the district requires emergency action, the board may proceed with the procurement of contractual services necessitated by the immediate danger without competition. However, such emergency procurement shall be made with such competition as is practicable under the circumstances.

(5) If no competitive bids or proposals for contractual services or for the purchase of goods, supplies, or materials are received, the board may negotiate the best terms and conditions available as determined by the board.

(6) The district may apply to the Department of Management Services, or an entity succeeding to the duties of such department, to purchase commodities or contractual services from purchasing agreements established and state term contracts procured pursuant to s. 287.057, Florida Statutes, by such department, as provided in s. 287.056, Florida Statutes.

Section 7. The Board of Supervisors of Tindall Hammock Irrigation and Soil Conservation District is authorized and empowered to borrow money on temporary or permanent loans and to issue promissory notes, bonds, or other obligations (“bonds”) ~~and to incur obligations~~ from time to time upon such terms and at such rates of interest, not exceeding the maximum rate authorized by general law, ~~or, if no rate is authorized by general law, at a rate not exceeding 12 percent per year~~ as the board may determine for the purpose of raising funds to purchase, install, construct, and prosecute to final completion the water systems, sewer systems, drainage works, and improvements herein authorized, and for the purpose of paying all expenses incident to such work and all expenses necessary or needful in carrying out the purpose of the act, including, without limiting the generality of the foregoing, cost of rights-of-way. To enable the board to borrow and obtain money necessary to carry out and perform the purposes aforesaid, the board is authorized and empowered to issue in the corporate name of the district negotiable ~~coupon~~ bonds, the aggregate amount of all bonds issued hereunder to be an amount as may be determined by the board not to exceed \$450,000.

Section 8. (1) The bonds to be issued pursuant to the provisions of this act shall be in denominations of ~~\$1,000~~ \$100, or any multiple thereof, shall bear interest at a rate not to exceed that authorized by general law, shall be payable at such times as determined by the board, semiannually, and shall mature at intervals within 50 years from the date of their issuance, the ~~at~~ first maturity to be not more than 10 years from the date thereof, and both principal and interest of such bonds shall be payable at a place or places determined by the board and designated in the bonds. All bonds ~~and coupons~~ not paid at a maturity shall bear interest at a rate not to exceed that authorized by general law from maturity until paid.

(2) The bonds shall show on their face the purposes for which they are issued and shall be payable solely out of the acreage and/or millage taxes levied by or for the district, pursuant to the provisions of this act. The bonds shall be signed by the ~~chair or, in his or her absence, the vice chair~~ president of the board of supervisors and, attested by the secretary under the seal of the district. ~~Interest payments shall be evidenced by coupons bearing a facsimile of the signature of the president of the board of supervisors, or secretary of the district.~~ Such bonds ~~and coupons~~ shall be considered as having been validly executed if signed by the proper officers in the office at the time of such signing. Said bonds may contain such provisions for registration, including a book entry only provision for registration, either as to principal, or principal and interest, as the board may prescribe, and in the discretion of the board it may be provided that, at any time after such dates as shall be fixed by the board, the bonds may be redeemed at the option of the board or upon mandatory redemption, in a manner and at ~~prices a price~~

to be specified in the resolution pursuant to ~~in pursuance of~~ which said bonds are issued.

(3) The board may retain trustees, paying agents, bond registrars, or authentication agents in connection with the issuance of its bonds, upon such terms as it deems appropriate. ~~The board of supervisors is authorized to provide in the resolution authorizing the issuance of bonds and in the said bonds that one-half of the acreage and/or millage tax will be devoted to, so far as necessary, the payment of the principal of and interest on said bonds; that the holders of such bonds shall have a first lien upon one-half of the acreage and/or millage tax; and that no further charge shall be placed upon the proceeds of such tax or obligation incurred payable therefrom unless such charge or obligation be junior and subordinate to the lien upon such proceeds for the payment of the principal and interest on the bonds.~~

(4) All bonds issued under the provisions of this act may be validated in the manner now or hereafter provided for the validation of bonds of independent drainage districts.

Section 9. (1) This act shall, without reference to any other act of the Legislature, be full authority for the issuance and sale of bonds of Tindall Hammock Irrigation and Soil Conservation District as authorized in this act, which bonds shall have all the qualities of negotiable paper under the law merchant, and shall not be invalid for any irregularity or defect in the proceedings for the sale and issue thereof and shall be incontestable in the hands of bona fide purchasers or holders thereof for value. No proceedings in respect to the issuance of any such bonds shall be necessary except such as are required by this act, except that the issuance or sale of bonds pursuant to the provisions of this act shall comply with the general law requirements applicable to the issuance or sale of bonds by the district. ~~The provisions of this act shall constitute an irrevocable contract between the district and the holders of any bonds and coupons attached thereto issued pursuant to the provisions hereof. Any holder of any bonds or coupons may either at law or in equity, by suit or mandamus, enforce and compel the performance of the duties required by this act of any of the officers or persons mentioned in this act in relation to the bonds or to the collection, enforcement, and application of the taxes for the payment thereof.~~

Section 10. (1) Upon the adoption by the board of supervisors of a resolution providing for the issuance of bonds, ~~a certified copy of such resolution shall be forwarded to the Board of County Commissioners of Broward County. At the first meeting of the board of county commissioners after the receipt of the certified copy of the resolution,~~ the board of supervisors ~~county commissioners~~ shall order that an election be held in the ~~portion of the district lying within the county~~ at a time and a place designated by the board of supervisors ~~county commissioners~~ to determine whether or not the bonds authorized by such resolution shall be issued, and in such election only the landowners who are qualified electors owning land in the district shall be entitled to vote. Prior to the time of the holding of the election, the board of supervisors ~~county commissioners~~ shall cause to be published, once a week for 4 consecutive weeks, in a newspaper of general circulation published in the county, a notice of the holding of the election which shall specify the time

and place or places of the holding thereof. The board of supervisors county commissioners shall appoint a clerk or clerks and inspectors for such election, who need not be qualified electors residing in Tindall Hammock Irrigation and Soil Conservation District.

(3) After the closing of the registration books, 5 days prior to the date of holding of such election, the board of supervisors County Commissioners of Broward County shall cause to be prepared and certified by the registration officer of the county, a list of the names of all qualified electors appearing on the county registration books who are determined to be landowners of Tindall Hammock Irrigation and Soil Conservation District, and ~~who are also determined to be qualified to vote in the election.~~ In each county, A certified copy of such lists of qualified electors who are landowners of Tindall Hammock Irrigation and Soil Conservation District who are entitled to participate in the election, shall be furnished to the inspectors and clerks of the election at every voting place where election in the county is to be held, and such lists shall be deemed taken and held to be prima facie evidence of the total number of qualified electors who are landowners of the Tindall Hammock Irrigation and Soil Conservation District who are qualified to vote in such election, and no person shall be permitted to vote in any election whose name does not appear upon such list. In making up the list of qualified voters, as herein provided, such investigation shall be made as will warrant the conclusion that all names appearing on the list are qualified to vote in the bond election and that said list is a complete list of all voters residing in Broward County who are qualified to vote in such election. After the Broward County Supervisor of Elections county registration officer certifies the list of voters, who are qualified electors and ~~who are~~ landowners of the Tindall Hammock Irrigation and Soil Conservation District, the list shall be filed and preserved among the records of the Board of Supervisors of Tindall Hammock Irrigation and Soil Conservation District.

Section 11. (1) At the bond election, ballot boxes may be used, notwithstanding the fact that at the time of ~~the~~ holding the election, voting machines may be in general use in Broward County. The ballots to be used in such election shall have printed thereon the description of the issuance of bonds to be voted on as the board of supervisors of the district may prescribe. Direction to the voter to express his or her choice by making an "X" mark in the space opposite the words "For Bonds" or "Against Bonds" shall be stated on the ballot. The clerks and inspectors of the elections shall make returns to the board of supervisors county commissioners which appointed them immediately after the elections and the board of supervisors county commissioners shall hold special meetings as soon thereafter as practicable for the purpose of canvassing the election returns and shall determine and certify to the result thereof ~~for the county.~~ The certificates shall each show the number of qualified electors in the county who are landowners of Tindall Hammock Irrigation and Soil Conservation District, and shall show the total number of votes cast "For Bonds" and "Against Bonds." ~~The certificates shall be forwarded immediately to the Board of Supervisors of the Tindall Hammock Irrigation and Soil Conservation District, by the board of county commissioners.~~ The certificates of declaration of result of such elections shall be recorded in the minutes of the board of supervisors of the district.

(2) If it shall appear from the certificates of the board of supervisors ~~county commissioners~~ as a result of the elections that a majority of the landowners who are qualified electors of Tindall Hammock Irrigation and Soil Conservation District participated in the bond elections, and that a majority of the votes cast in such elections are in favor of the issuance of such bonds, then the same shall be deemed to have been authorized in accordance with s. 12, Art. VII of the State Constitution, as amended.

(3) Whenever any election shall be called and held, under the provisions of this act, and the votes cast thereat returned, tallied, and canvassed by the board of supervisors ~~county commissioners~~, and the findings of the board certified to the Board of Supervisors of Tindall Hammock Irrigation and Soil Conservation District, as herein provided, and recorded on the minutes of the board of supervisors, a duly certified copy of such certificates shall be admissible as evidence in all courts of the state, and shall be deemed prima facie evidence of the truth of the facts recited and shown thereby, including the regularity of the call, conduct, and holding of such election at the time and place specified.

Section 14. (1) Two members of the board of supervisors shall constitute a quorum. The board of supervisors shall, ~~by resolution,~~ fix the time and the place for holding regular meetings, but special meetings may be called by the chair or vice chair ~~president or any two members~~ of the board of supervisors, at any time or place. The meeting place of the board shall ~~may~~ be in Broward County ~~either within or without the district~~.

Section 18. The purpose of forming the Tindall Hammock Irrigation and Soil Conservation District is to create an independent improvement irrigation ~~irrigation~~ district for the purpose of controlling, regulating, and maintaining water systems and sewer systems within and without the district and for the purpose of controlling, regulating, and maintaining the water levels in all the ditches and canals lying within the boundaries of the district separate and apart from drainage purposes. To accomplish this purpose it is necessary for the irrigation district board of supervisors to have full, complete, and exclusive control over all water levels within the Tindall Hammock Irrigation and Soil Conservation District. In order to carry out the purpose and intent of this act, the Board of Supervisors of the Tindall Hammock Irrigation and Soil Conservation District is authorized and empowered to have the exclusive right and power, in their discretion, to regulate, maintain, and control water systems and sewer systems within and without the district and to regulate, maintain, and control the water levels in all the canals and ditches lying within the boundaries of the said Tindall Hammock Irrigation and Soil Conservation District.

Section 2. A certified copy of this act shall be recorded in the Broward County Public Records by the Tindall Hammock Irrigation and Soil Conservation District.

Section 3. 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 this 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 4. This act shall take effect upon becoming a law.

Approved by the Governor June 30, 2008.

Filed in Office Secretary of State June 30, 2008.