

CHAPTER 2013-256

House Bill No. 979

An act relating to Fort Pierce Farms Water Control District, St. Lucie County; codifying the district's charter pursuant to s. 189.429, Florida Statutes; providing legislative intent; amending, codifying, repealing, and reenacting all special acts relating to Fort Pierce Farms Water Control District as a single act; repealing chapters 9981 (1923), 10549 (1925), 12033 (1927), 16032 (1933), 25447 (1949), 65-1226, 78-609, 82-376, 87-448, and 2012-240, Laws of Florida, relating to the Fort Pierce Farms Water Control District; providing an effective date.

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

Section 1. Pursuant to s. 189.429, Florida Statutes, this act constitutes the codification of all special acts and court decrees relating to Fort Pierce Farms Water Control District. It is the intent of the Legislature in enacting this act 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 the further intent of the Legislature that this act preserve all district authority in addition to any authority contained in chapter 298, Florida Statutes, as amended from time to time.

Section 2. Chapters 9981 (1923), 10549 (1925), 12033 (1927), 16032 (1933), 25447 (1949), 65-1226, 78-609, 82-376, 87-448, and 2012-240, Laws of Florida, are amended, codified, reenacted, and repealed as herein provided.

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

Section 1. Status and boundaries of Fort Pierce Farms Water Control District.—The Fort Pierce Farms Water Control District is hereby declared to be an independent water control district and a public corporation of the state pursuant to chapters 189 and 298, Florida Statutes, and the lands lying within the area described as follows in St. Lucie County shall hereby constitute the Fort Pierce Farms Water Control District:

Beginning at the SE corner of Section 31, Township 34 South, Range 40 East, run North along the section line to the NE corner of the SE ¼ of Section 30, said Township and Range, thence West along the ¼ section line to the NW corner of the NE ¼ of the SE ¼ of said Section 30, thence North along the ¼ section line to the NE corner of the SW ¼ of the NE ¼ of said Section 30, thence West along the ¼ section line to the NW corner of the SW ¼ of the NE ¼ of said Section 30, thence North along the ¼ section line to the NE corner of the NW ¼ of said Section 30, thence West along the section line to the NW corner of said Section 30, thence North along the section line to the NE corner of the SE ¼ of the SE ¼ of Section

24, Township 34 South, Range 39 East, thence West along the ¼ section line to the NW corner of the SE ¼ of the SE ¼ of said Section 24, thence North along the ¼ section line through said Section 24, and through Section 13, said Township and Range to the NE corner of the SW ¼ of the NE ¼ of said Section 13, thence west along the ¼ section line through said Section 13, and Section 14, said Township and Range, to the NW corner of the SW ¼ of the NE ¼ of said Section 14, thence North along the ¼ Section line to the NE corner of the NW ¼ of said Section 14, thence West along the ¼ section line to the NW corner of the NE ¼ of the NW ¼ of said Section 14, thence North along the ¼ section line through Section 11, and through Section 2, said Township and Range, to the NW corner of the NE ¼ of the NW ¼ of said Section 2, thence West along the township line dividing Township 33 and 34, to the NW corner of Section 5, Township 34 South, Range 39 East, thence South along the West section line of Section 5, Section 8 and Section 17, to the SW corner of the NW ¼ of Section 17, said Township and Range, thence East along the ¼ section line to the NW corner of the NE ¼ of the SW ¼ of Section 16, said Township and Range, thence South along the ¼ section line to the SW corner of the NE ¼ of SW ¼ of said Section 16, thence East along the ¼ section line to the SE corner of the NE ¼ of the SW ¼ of said Section 16, thence South along the ¼ section line to the SW corner of the SE ¼ of said Section 16, thence East along the ¼ section line to the NW corner of the NE ¼ of the NE ¼ of Section 21, said Township and Range, thence South along the ¼ section line to the SW corner of the SE ¼ of the NE ¼ of said Section 21, thence East along the ¼ section line to the NW corner of the E ½ of the NW ¼ of the SW ¼ of Section 22, said Township and Range, and thence South to the SW corner of the E ½ of the NW ¼ of the SW ¼ of said Section 22, thence East along the ¼ section line to the NW corner of the E ½ of the W ½ of SE ¼ of SW ¼ of said Section 22, thence South to the SW corner of the E ½ of W ½ of SE ¼ of the SW ¼ of said Section 22, thence West to the NW corner of the NW ¼ of Section 27, said Township and Range, thence South to the NE corner of the SE ¼ of the NE ¼ of Section 28, said Township and Range, thence West to the NW corner of the SW ¼ of the NE ¼ of said Section 28, thence South along the ¼ section line to the center of said Section 28, thence East along the ¼ section line to the center of Section 27, said Township and Range, thence East along the ¼ section line to the NW corner of the E ½ of the NW ¼ of the SE ¼ of said Section 27, thence South to the SW corner of the E ½ of the NW ¼ of the SE ¼ of said Section 27, thence West along the ¼ section line to the NW corner of the SW ¼ of the SE ¼ of said Section 27, thence South along the ¼ section line to the SW corner of the SE ¼ of said Section 27, thence West along the section line to the NW corner of Section 34, said Township and Range, thence South along the section line to the SW corner of said Section 34, thence East along the township line dividing Township 34 and Township 35 to the point of beginning.

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

(1) The district is organized and exists for all purposes set forth in this act and chapter 298, Florida Statutes.

(2) The district’s charter may be amended only by special act of the Legislature.

(3) In accordance with chapter 189, Florida Statutes, this act, and ss. 298.11 and 298.12, Florida Statutes, the governing board of the district shall be designated the “Board of Supervisors of the Fort Pierce Farms Water Control District” and shall be composed of three persons, who shall be qualified to hold such office if they are landowners within the district, residents of the state, and citizens of the United States, elected on a 1-acre, one-vote basis by the landowners in the district; however, landowners owning less than 1 acre in the aggregate shall be entitled to one vote. Landowners with more than 1 acre shall be entitled to one additional vote for any fraction of an acre greater than ½ acre owned when a landowner’s acreage has been aggregated for purposes of voting. The membership and organization of the governing board shall be as set forth in this charter and chapter 298, Florida Statutes, provided this charter controls with respect to any inconsistency.

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

(5) The administrative duties of the governing board shall be as set forth in this act and chapters 189 and 298, Florida Statutes.

(6) Requirements for financial disclosure, meeting notices, reporting, public records maintenance, and per diem expenses for district officers and employees shall be as set forth in chapters 112, 189, 190, 286, and 298, Florida Statutes, and all other applicable general laws of the state.

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

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

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

(10) The district is authorized to assess and levy a maintenance tax that shall be equal and uniform in amount upon each acre of land assessed, and

upon any tract or parcel less than 1 acre in size, and shall not exceed \$25 per acre in any one year.

(11) 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 of the state.

(12) The district’s planning requirements shall be as set forth in chapters 189 and 298, Florida Statutes.

(13) The district’s geographic boundary shall be as set forth in this act.

Section 3. Existence.—The district shall exist until December 31, 2111.

Section 4. Provisions of chapter 298, Florida Statutes, made applicable. The Fort Pierce Farms Water Control District hereby created shall be an independent water control district and a public corporation of this state. The provisions of state law applicable to water control districts or subdistricts which are embodied in chapter 298, Florida Statutes, so far as not inconsistent with this act, are hereby declared to be applicable to the Fort Pierce Farms Water Control District. The Fort Pierce Farms Water Control District shall have all of the powers and authorities conferred in this act and chapter 298, Florida Statutes.

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

Section 4. Chapters 9981 (1923), 10549 (1925), 12033 (1927), 16032 (1933), 25447 (1949), 65-1226, 78-609, 82-376, 87-448, and 2012-240, Laws of Florida, are repealed.

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

Approved by the Governor June 28, 2013.

Filed in Office Secretary of State June 28, 2013.