

By Senator Campbell

32-1885-05

See HB 1657

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

A bill to be entitled
An act relating to the Downtown Development
Authority of the City of Fort Lauderdale,
Broward County; codifying, amending,
reenacting, and repealing chapters 65-1541,
67-1385, 69-1056, 75-371, 80-501, 85-393,
87-507, 89-431, 92-247, 93-392, and 95-531,
Laws of Florida; providing severability;
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 the Downtown Development Authority of the City of Fort Lauderdale. It is the intent of the Legislature in enacting this law to provide a single, comprehensive special act charter for the authority, including all current legislative authority granted to the authority by its several legislative enactments and any additional authority granted by this act. It is further the intent of this act to preserve all authority of the authority.

Section 2. Chapters 65-1541, 67-1385, 69-1056, 75-371, 80-501, 85-393, 87-507, 89-431, 92-247, 93-392, and 95-531, Laws of Florida, are codified, reenacted, amended, and repealed as herein provided.

Section 3. The charter for the Downtown Development Authority of the City of Fort Lauderdale is reenacted and re-created to read:

Section 1. Definitions.--As used in this act, the following terms shall have the meaning ascribed to them in

1 this section unless the context shall clearly requires
2 otherwise:

3 (1) "Authority" means the Downtown Development
4 Authority of the City of Fort Lauderdale.

5 (2) "Board" means the governing body of the authority
6 selected as herein provided.

7 (3) "Director" means the chief executive officer of
8 the authority selected by the board as herein provided.

9 (4) "City" means the City of Fort Lauderdale.

10 (5)(a) "Downtown" means the lands described in section
11 2 not being used as a residence.

12 (b) "Not being used as a residence" means all
13 residential lands not being used as a residence or that
14 portion of nonresidential lands not being used as a
15 residence. The determination of when land is being used as a
16 residence shall be made and certified by the Executive
17 Director of the Downtown Development Authority at the time the
18 books close for a Downtown Development Authority election or,
19 if the Downtown Development Authority does not hold an
20 election in a particular year, as of January 1 of that year.

21 (c) "Residence" means a building in which one or more
22 natural persons live.

23 (d) "Residential" means lands zoned by the City of
24 Fort Lauderdale as R-1-A, R-1, R-1-P, R-2-A, R-2, R-3-A/RM-25,
25 R-3-9, RM-15, R-3/RM-30, R-3-C, R-4/RM-60, or R-4-C.

26 (6) "Planning board" means the city planning and
27 zoning board.

28 (7) "Bonds" means any bonds, including refunding
29 bonds, notes, interim certificates, certificates of
30 indebtedness, debentures, and other obligations.

31

1 (8) "Public facility" means any street, park, parking
2 lot, playground, right-of-way, structure, waterway, bridge,
3 lake, pond, canal, utility lines or pipes, and building,
4 including access routes to any of the foregoing, designed and
5 dedicated to use by the public generally, or used by any
6 public agency with or without charge, whether or not the same
7 is revenue producing.

8 (9) "Assessable improvements" includes, without
9 limitation, any and all land redevelopment and revitalization
10 works and facilities, sewer systems, storm sewers and drains,
11 water systems, streets, roads, or other products of the
12 authority, or that portion or portions thereof, local in
13 nature and of special benefit to the premises or lands served
14 thereby, and any and all modifications, improvements, and
15 enlargements thereof.

16 (10) "Cost," when used with reference to any project,
17 includes, but is not limited to, the expense of determining
18 the feasibility or practicability of acquisition,
19 construction, or reconstruction; the cost of surveys,
20 estimates, plans, designs, and specifications; the cost of
21 improvements and engineering, fiscal, and legal expenses and
22 charges; the cost of all labor, materials, machinery, and
23 equipment; the cost of all lands, properties, rights,
24 easements, and franchises acquired; federal, state, and local
25 taxes and assessments; financing charges; the creation of
26 initial reserve and debt service funds; working capital;
27 interest charges incurred or estimated to be incurred on money
28 borrowed prior to and during construction and acquisition and
29 for such period of time after completion of construction or
30 acquisition as the board may determine; the cost of issuance
31 of bonds pursuant to this act, including advertisements and

1 printing, the cost of any referendum held pursuant to this
2 act, and all other expenses of issuance of bonds; discount, if
3 any, on the sale or exchange of bonds; administrative
4 expenses; such other expenses as may be necessary or
5 incidental to the acquisition, construction, or reconstruction
6 of any project or to the financing thereof, or the development
7 of any lands within the authority; and reimbursement of any
8 public or private body, person, firm, or corporation for any
9 moneys advanced in connection with any of the foregoing items
10 of cost. Any obligation or expense incurred prior to the
11 issuance of bonds in connection with the acquisition,
12 construction, or reconstruction of any project or improvements
13 thereon, or in connection with any other development of land
14 that the board shall determine to be necessary or desirable in
15 carrying out the purposes of this act, may be treated as a
16 part of such cost.

17 (11) "Project" means any development, improvement,
18 property, utility, facility, works road, sidewalk, enterprise,
19 service, or convenience, including, without limitation, public
20 transportation facilities and services, now existing or
21 hereafter undertaken or established, that under the provisions
22 of this act the authority is authorized to construct, acquire,
23 undertake, or furnish for its own use or for the use of any
24 other person, firm, or corporation owning, leasing, or
25 otherwise using the same, for any profit or nonprofit purpose
26 or activity, and shall include, without limitation, such
27 repairs, replacements, additions, extensions, and betterments
28 of and to any project as may be deemed necessary or desirable
29 by the board to place or to maintain such project in proper
30 condition for the safe, efficient, and economic operation
31 thereof.

1 (12) "Public body" means the state or any
2 municipality, board, commission, authority, district,
3 department, or any other subdivision or public body of the
4 state.

5 (13) "Federal Government" means the United States of
6 America or any agency or instrumentality, corporation, or
7 otherwise of the United States of America.

8 (14) "Slum area" means an area in which there is a
9 predominance of buildings or improvements, whether residential
10 or nonresidential, which by reason of dilapidation,
11 deterioration, age, or obsolescence, inadequate provision for
12 ventilation, light, air, sanitation, or open spaces, high
13 density of population and overcrowding, or the existence of
14 conditions which endanger life or property by fire and other
15 causes or any combination of such factors is conducive to ill
16 health, transmission of disease, infant mortality, juvenile
17 delinquency, or crime, and is detrimental to the public
18 health, safety, morals, or welfare.

19 (15) "Blighted area" means an area which by reason of
20 the presence of a substantial number of slum, deteriorated, or
21 deteriorating structures, predominance of defective or
22 inadequate street layout, faulty lot layout in relation to
23 size, adequacy, accessibility, or usefulness, unsanitary or
24 unsafe conditions, deterioration of site or other
25 improvements, diversity of ownership, tax or special
26 assessment delinquency exceeding the fair value of the land,
27 defective or unusual conditions of title, or the existence of
28 conditions which endanger life or property by fire and other
29 causes, or any combination of such factors, substantially
30 impairs or arrests the sound growth of a community, retards
31 the provision of housing accommodations, or constitutes an

1 economic or social liability and is a menace to the public
2 health, safety, morals, or welfare in its present condition
3 and use.

4 (16) "Renewal project" means undertakings and
5 activities of the authority in a renewal area for the
6 elimination and prevention of the development or spread of
7 slums and blight, and may involve slum clearance and
8 redevelopment in a renewal area, or rehabilitation or
9 conservation in a renewal area, or any combination or part
10 thereof in accordance with a renewal plan. Such undertakings
11 and activities may include:

12 (a) Acquisition of a slum area or a blighted area or
13 portion thereof.

14 (b) Demolition and removal of buildings and
15 improvements.

16 (c) Installation, construction, or reconstruction of
17 streets, utilities, parks, playgrounds, and other improvements
18 necessary for carrying out in the renewal area the renewal
19 objectives of this act in accordance with the renewal plan.

20 (d) Disposition of any property acquired in the
21 renewal area, including sale, initial leasing, or retention by
22 the authority itself, at its fair value for uses in accordance
23 with the renewal plan.

24 (e) Carrying out plans for a program of voluntary or
25 compulsory repair and rehabilitation of buildings or other
26 improvements in accordance with the renewal plan.

27 (f) Acquisition of any other real property in the
28 renewal area where necessary to eliminate unhealthful,
29 unsanitary, or unsafe conditions, lessen density, eliminate
30 obsolete or other uses detrimental to the public welfare, or
31 otherwise to remove or prevent the spread of blight or

1 deterioration, or to provide land for needed public
2 facilities.

3 (17) "Renewal area" means a slum area or a blighted
4 area or a combination thereof which the authority designates
5 as appropriate for a renewal project.

6 (18) "Renewal plan" means a plan, as it exists from
7 time to time, for a renewal project, which plan:

8 (a) Shall conform to the general plan for the
9 municipality as a whole.

10 (b) Shall be sufficiently complete to indicate such
11 land acquisition, demolition, and removal of structures,
12 redevelopment, improvements, and rehabilitation as may be
13 proposed to be carried out in the renewal area; zoning and
14 planning changes, if any; land uses; maximum densities;
15 building requirements; and the plan's relationship to definite
16 local objectives respecting appropriate land uses, improved
17 traffic, public transportation, public utilities, recreational
18 and community facilities, and other public improvements.

19 (19) "Real property" shall include lands, including
20 improvements and fixtures thereon, and property of any nature
21 appurtenant thereto, or used in connection therewith, and
22 every estate, interest, right, and use, legal or equitable,
23 therein including terms for years and liens by way of
24 judgment, mortgage, or otherwise.

25 (20) "Obligee" shall include any bondholder, agents,
26 or trustees for any bondholders, or lessor demising to the
27 authority property used in connection with a renewal project,
28 or any assignee or assignees of such lessor's interest or any
29 part thereof, and the Federal Government when it is a party to
30 any contract with the municipality.

31

1 (21) "Person" means any individual, firm, partnership,
2 corporation, company, association, joint stock association, or
3 body politic, and shall include any trustee, receiver,
4 assignee, or other person acting in a similar representative
5 capacity.

6 (22) "Area of operation" means the downtown.

7 (23) "Public officer" means any officer who is in
8 charge of any department or branch of government relating to
9 health, fire, or building regulations, or to other activities
10 concerning dwellings in the area.

11 Section 2. The boundaries of the authority shall
12 include the following lands in the City of Fort Lauderdale,
13 Broward County:

14 1. All lands not being used as a
15 residence lying north of New River, east of
16 Southwest and Northwest Fourth Avenue, south of
17 Northwest and Northeast Second Street and west
18 of Northeast and Southeast Sixth Avenue;

19 2. All lands not being used as a
20 residence lying north of Northwest Second
21 Street, east of the Florida East Coast
22 Railroad, south of Northwest Fourth Street, and
23 west of North Andrews Avenue;

24 3. All lands not being used as a
25 residence lying within one hundred fifty feet
26 of and being in common ownership with any of
27 said boundary streets and avenues (excluding,
28 however, all lands lying east of Southeast
29 Sixth Avenue);

30 4. All lands not being used as a
31 residence lying south of Northeast Fourth

1 Street and within one hundred fifty feet of and
2 being in common ownership with Northeast Third
3 Avenue and Northeast Sixth Avenue. For the
4 purposes of definition, the words, "common
5 ownership" contained herein shall be contiguous
6 to and owned by the same entity; and

7 5. All lands not being used as a
8 residence lying north of Northeast Second
9 Street, east of Northeast Second Avenue, south
10 of Northeast Sixth Street, and west of Federal
11 Highway, together with all lands not being used
12 as a residence lying north of Southeast Seventh
13 Street, east of the F.E.C. Railroad Tracks,
14 south of Southeast Sixth Court, and west of
15 Federal Highway, as legally described as
16 follows:

17 PARCEL I

18 All of Blocks 1, 2, 4, 29 and 30, and portions
19 of Blocks 33 and 34, NORTH LAUDERDALE AMENDED,
20 according to the plat thereof recorded in Plat
21 Book 1, Page 182, of the public records of Dade
22 County, Florida; TOGETHER WITH all of the
23 Blocks 2, 31, and 32, NORTH LAUDERDALE AMENDED
24 RE-SUB, according to the plat thereof recorded
25 in Plat Book 5, Page 25, of the public records
26 of Broward County, Florida; ALSO TOGETHER
27 WITH portions of Blocks A and B, GEORGE M.
28 PHIPPENS SUB., according to the plat thereof
29 recorded in Plat Book B, Page 146, of the
30 public records of Dade County, Florida; ALSO
31 TOGETHER WITH portions of Blocks A and B, FORT

1 LAUDERDALE LAND AND DEVELOPMENT CO., SUB.,
2 according to the plat thereof recorded in Plat
3 Book 1, Page 56, of the public records of Dade
4 County, Florida; AND ALSO TOGETHER WITH
5 portions of Northeast 3rd Street, Northeast 4th
6 Street, Northeast 5th Street, Northeast 5th
7 Avenue, and Northeast 5th Terrace, lying
8 adjacent to said Blocks, and being all more
9 fully described as follows:
10 Beginning at the Northwest corner of Lot 26, of
11 said Block 4, thence due South, on the West
12 lines of said Blocks 4 and 29, and extensions
13 thereof, a distance of 1300.00 feet; thence due
14 East, on the North right-of-way line of said
15 Northeast 4th Street, a distance 83.99 feet;
16 thence due South, a distance of 50.00 feet;
17 thence due East, on the South right-of way line
18 of said Northeast 4th Street, a distance of 392
19 feet; thence South 00°01'00" West, on the West
20 lines of Lots 20 and 19, Block A, and the West
21 line of Lot 20, Block B, of said GEORGE M.
22 PHIPPENS SUB., and extensions thereof, a
23 distance of 495.00 feet; thence South 89°57'46"
24 East, on the South lines of Lots 20, 18, 16,
25 14, 12, 10, 8, 6, 4, and 2, Block B, of said
26 GEORGE M. PHIPPENS SUB., and the Easterly
27 extension thereof, a distance of 720.17 feet;
28 thence North 00°01'54" West, on the Southerly
29 extension of the East line of Lot 20, Block A,
30 of said FORT LAUDERDALE LAND AND DEVELOPMENT
31 CO., SUB. and the Northerly extension thereof,

1 a distance of 205.47 feet, thence due West, on
2 the North right-of-way line of said Northeast
3 3rd Street, a distance of 25.00 feet; thence
4 North 00°01'00" East, on the East lines of Lots
5 7 and 20, Block B, of said FORT LAUDERDALE LAND
6 AND DEVELOPMENT CO. SUB., and extensions
7 thereof, a distance of 289.15 feet; thence due
8 East, on the South right-of-way line of
9 Northeast 4th Street, a distance of 169.75
10 feet; thence North 00°17'27" East, on the West
11 right-of way line of U.S. Highway No. 1; a
12 distance of 1323.87 feet to the Point of
13 Beginning less the following described
14 land: Lots 20, 21, 22, 23, 24, 25 and 26,
15 Block "B", FORT LAUDERDALE LAND AND DEVELOPMENT
16 CO. Subdivision of Lots 1 and 2, Block 1, Fort
17 Lauderdale, according to the plat thereof,
18 recorded in Plat Book 1, Page 56, of the public
19 records of Dade County, Florida, and Lots 2 and
20 4, Block "A", GEORGE M. PHIPPEN'S SUBDIVISION
21 of Lots 3, 4, 5 and 6, Block 1, and Lots 3, 4,
22 5, 6, 7, 8, 9 and 10, Block 14, TOWN OF FORT
23 LAUDERDALE, according to the plat thereof,
24 recorded in Plat Book B, Page 146, of the
25 public records of Dade County, Florida.

26 PARCEL II

27 Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15,
28 16, 17, 18, 19, 20 and 21, HARCOURT, according
29 to the plat thereof, as recorded in Plat Book
30 2, Page 9, of the public records of Broward
31 County, Florida; AND the west one-half (W (1/2))

1 of Federal Highway (US No. 1), lying East of
2 and adjacent to said Lots 4, 5, 6, 7, 9, 9, 10,
3 11 and 12; AND the East one-half (E (1/2) of
4 S.E. 5th Terrace, lying West of and adjacent to
5 said Lots 14, 15, 16, 17, 18, 19, 20 and 21.
6 TOGETHER WITH:
7 Lots 4, 5, 6, 7, 8, 9, 10, 11 and 12, HENRY
8 SHACKELFORD AMENDED PLAT SUBDIVISION OF LOTS 2
9 & 3, BLOCK 57, TOWN OF FORT LAUDERDALE,
10 according to the plat thereof, as recorded in
11 Plat Book 3, Page 3, of the public records of
12 Dade County, Florida; AND the West one-half of
13 S.E. 5th Terrace, lying East of adjacent to and
14 referenced Lots; AND the East one-half of S.E.
15 5th Avenue, lying West of adjacent of above
16 referenced Lots.
17 TOGETHER WITH:
18 Lots 4, 5, 6, 7, 8, 9, 10, 11 and 12,
19 RE-AMENDED PLAT OF HENRY SHACKELFORD'S
20 SUBDIVISION OF LOTS 2 & 3, BLOCK 57, TOWN OF
21 FORT LAUDERDALE, according to the plat thereof,
22 as recorded in Plat Book 3, Page 3 of the
23 public records of Dade County, Florida; AND the
24 West one-half of S.E. 5th Avenue, lying East of
25 adjacent to and referenced Lots; AND the East
26 one-half of S.E. 4th Avenue, lying West of
27 adjacent to the above referenced Lots.
28 AND ALSO TOGETHER WITH:
29 Lots 2, 3, 4, 5, 6, 7, 8 and 9, MRS. DAISY
30 SHACKELFORD'S AMENDED NEW SUBDIVISION OF LOT 4,
31 BLOCK 57, TOWN OF FORT LAUDERDALE, according to

1 the plat thereof, as recorded in Plat Book 1,
2 Page 165, of the public records of Dade County,
3 Florida, AND 10.00 foot Alley adjacent to said
4 Lot 6 and Lots 7, 8 & 9; AND the West one-half
5 of (W (1/2) of S.E. 4th Avenue, lying East of
6 and adjacent to above referenced Lots.
7 AND ALSO TOGETHER WITH:
8 Lots 5, 6, 7, 8, 9, 10, 11 and 12, SOUTH
9 FLORIDA DREDGING COMPANY DIVISION OF LOT 5,
10 BLOCK 57, TOWN OF FORT LAUDERDALE, according to
11 the plat thereof, as recorded in Plat Book 3,
12 Page 27, of the public records of Broward
13 County, Florida; AND 10.00 foot Alley adjacent
14 to Lot 9 and Lots 10, 11 and 12; AND 5.50 foot
15 Alley lying East of and adjacent to above
16 referenced Lots; AND the East one-half (E (1/2
17) of S.E. 3rd Avenue, lying West of and
18 adjacent to said Lots.
19 AND ALSO TOGETHER WITH:
20 The South 80.00 feet of Lots 2, 4 and 6, Block
21 3, all of Blocks 4, 5 and 6, SUBDIVISION OF
22 BLOCK 56, TOWN OF FORT LAUDERDALE, according to
23 the plat thereof, as recorded in Plat Book 1,
24 Page 63, of the public records of Dade County,
25 Florida; AND the West one-half (W (1/2) of
26 S.E. 3rd Avenue, lying East of and adjacent to
27 above referenced South 80.00 feet of Lot 2 and
28 said Block 6; AND the East one-half (E (1/2)
29 of S.E. 1st Avenue, lying West of and adjacent
30 to above referenced Block 4; AND the North
31 one-half (N (1/2) of S.E. 6th Court, lying

1 South of and adjacent to said Lots 2, 4 and 6,
2 Block 3; AND the South one-half of S.E. 6th
3 Court, lying North of and adjacent to said
4 Blocks 4, 5 and 6.
5 AND ALSO TOGETHER WITH:
6 Lots 17, 18, 19, 20 and 21, Block 55, TOWN OF
7 FORT LAUDERDALE, according to the plat thereof,
8 as recorded in Plat Book "B", Page 40, of the
9 public records of Dade County, Florida, AND
10 Parcel "A"; AND the East one-half of Andrews
11 Avenue, lying West of and adjacent to said
12 Parcel "A"; AND all that certain 14.00 foot
13 Alley within said Block 55, lying North and
14 East of said Parcel "A"; AND all that certain
15 irregular Alley, lying North of said Parcel "A"
16 and South of said Lot 17.
17 AND ALSO TOGETHER WITH;
18 Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15,
19 16, 17, 18, 19, 20 and 21, Block 54, TOWN OF
20 FORT LAUDERDALE, according to the plat thereof,
21 as recorded in Plat Book "B", Page 40, of the
22 public records of Dade County, Florida; AND the
23 West one-half (W (1/2) of Andrews Avenue,
24 lying East of and adjacent to said Lots 13, 14,
25 15, 16, 17, 18, 19, 20 and 21; AND the East
26 one-half of S.W. 1st Avenue lying West of and
27 adjacent to said Lots 4, 5, 6, 7, 8, 9, 10, 11
28 and 12; AND all that certain 14.00 foot Alley
29 in said Block 54, lying adjacent to above
30 referenced Lots.
31 AND ALSO TOGETHER WITH:

1 Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15,
2 16, 17, 18, 19 and Lot 20, less the North 25.00
3 feet thereof, Block 53, TOWN OF FORT
4 LAUDERDALE, according to the plat thereof, as
5 recorded in Plat Book "B", Page 40, of the
6 public records of Dade County, Florida; AND the
7 West one-half of (W(1/2) of S.W. 1st Avenue,
8 lying East of and adjacent to said Lots 13, 14,
9 15, 16, 17, 18, 19 and Lot 20, less the North
10 25.00 feet thereof; AND all of S.W. Flagler
11 Avenue lying West of and adjacent to said Lots
12 4, 5, 6, 7, 8, 9, 10, 11 and 12; AND the East
13 one-half (E (1/2) of the Florida East Coast
14 Railroad Right-of-Way, lying West of said S.W.
15 Flagler Avenue and South of the Westerly
16 extension of the North line of said Lot 4 and
17 North of the Westerly extension of the
18 Northerly right of way line of S.W. 7th Street.
19 Said lands situate, lying and being in the City
20 of Fort Lauderdale, Broward County, Florida,
21 and containing 24.8679 Acres more or less.
22 6.(a) All lands not being used a residence
23 lying south of New River, east of the Florida
24 East Coast Railroad, north of Southeast Sixth
25 Street and Southwest Sixth Street, and west of
26 Southeast Sixth Avenue.
27 (b) All lands not being used a residence lying
28 south of Southeast and Southwest Sixth Streets,
29 east of the Florida East Coast Railroad, and
30 west of Southeast Sixth Avenue, which are
31 situated within one hundred fifty feet (150')

1 of and are in contiguous proprietorship with
2 Southeast or Southwest Sixth Street, upon
3 approval of the majority of those voting in a
4 referendum in which those participating are
5 limited to the electors of the downtown
6 (including also the lands added to the downtown
7 by this act) who at the time of the referendum
8 are owners of freeholds in the downtown (as
9 hereby expanded), not wholly exempt from
10 taxation, and who are then duly registered for
11 a Downtown Development Authority referendum,
12 according to law. For the purposes of such
13 referendum, the electors who register only as
14 owners of freeholds which are situated within
15 the lands authorized to be added to the
16 downtown by this act may be separately
17 registered and their votes cast in separate
18 ballot boxes or voting machines (as the case
19 may be) and separately tabulated, in case on or
20 more other questions are being voted upon at
21 such referendum, and such separate registrants
22 shall thus be permitted to vote upon such other
23 question or questions. If this law is approved
24 at such referendum, such separately registered
25 electors shall be incorporated into the
26 permanent registration of electors of the
27 Downtown Development Authority and their votes
28 then counted on any other question or questions
29 voted upon at such referendum.
30 7. All of lots 14, 15, 16, 17, 18, 19, 20, 21,
31 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33,

1 34, 35, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47
2 and 48, and portions of Lots 1, 2, 3, 4, 5, 6,
3 7, 8, 9, 10, 11, 12, 13, 36 and 37, Block 19,
4 BRYAN SUBDIVISION of Blocks 5, 8 and 19, of the
5 Town of Fort Lauderdale, as recorded in Plat
6 Book 1, Page 18, of the public records of Dade
7 County, Florida, together with portions of
8 those certain 10 foot alleys, lying within said
9 Block 19,
10 TOGETHER WITH all of Lots 2, 3, 4, 5, 6, 7, 8,
11 9, and 10, AND A PORTION OF Lot 1, Block 18,
12 TOWN OF FORT LAUDERDALE, as recorded in Plat
13 Book 8, Page 40, of the public records of Dade
14 County, Florida, together with that portion of
15 a 14-foot alley lying within said Block 18,
16 ALSO TOGETHER WITH all of Lots 1 and 2, T.M.
17 BRYAN SUBDIVISION of Lots 11 and 12, Block 18,
18 Town of Fort Lauderdale, as recorded in Plat
19 Book 3, Page 12, of the public records of Dade
20 County, Florida,
21 ALSO TOGETHER WITH all of Lots 6, 7, 8 and 9,
22 and portions of Lots 1, 2, 3, 4 and 5, Block 1,
23 all of Lots 6, 7, 8, 9, 10 and 11 and portions
24 of Lots 1, 2, 3, 4 and 5, Block 2 KELLY'S
25 RESUBDIVISION, as recorded in Plat Book 16,
26 Page 50, of the public records of Broward
27 County, Florida,
28 ALSO TOGETHER WITH all of Lots 1, 2, 3, 4, 5,
29 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18,
30 19, 20, 21, 22, 23, 24, A, B and C, HULDA S.
31 HOLMES SUBDIVISION of Block 23, Fort

1 Lauderdale, as recorded in Plat Book 7, Page
2 26, of the public records of Broward County,
3 Florida,
4 ALSO TOGETHER WITH Lots 1, 2, 3, and 4, and a
5 portion of Lot 5, Block 24, TOWN OF FORT
6 LAUDERDALE, as recorded in Plat Book 8, Page
7 40, of the public records of Dade County,
8 Florida,
9 ALSO TOGETHER WITH all of Lots 1, 2, 3, and 4,
10 F.H. BENTON'S SUBDIVISION in Block 24, Town of
11 Fort Lauderdale, as recorded in Plat Book 3,
12 Page 30, of the public records of Broward
13 County, Florida, together with all that
14 portion of a 10 foot driveway and cul-de-sac of
15 said F. H. BENTON'S SUBDIVISION,
16 ALSO TOGETHER WITH all of Lots 1 and 2, Canal 2
17 and Canal 3 and portions of Lots 6, 7, 8, 9,
18 10, 11 and 13 and Canal No. 1, L.H. BRYAN'S
19 SUBDIVISION of Block 32, of Fort Lauderdale,
20 Florida, as recorded in Plat Book 3, Page 78,
21 of the public records of Dade County, Florida,
22 AND ALSO TOGETHER WITH portions of S.W. Fifth
23 Avenue, S.W. Sixth Avenue, S.W. Second Street,
24 S.W. Second Court, Las Olas Boulevard, N.W.
25 River Drive and North River Street, lying
26 within or adjacent to the above said Blocks and
27 being all more fully described as follows:
28 Commencing at the Northwest corner of Lot 24 of
29 said Block 18, TOWN OF FORT LAUDERDALE, thence
30 South 0°07' 30" East, along the East line of
31 said alley within Block 18, a distance of 15.00

1 feet to the Point of Beginning; thence
2 continuing South 0°07'24" East, along the East
3 line of said alley a distance of 585.04 feet;
4 thence South 89°59'02" East, a distance of
5 40.97 feet, thence South 0°07'24" East, along
6 the Northerly extension of the East line of the
7 said F.H. BENTON'S SUBDIVISION, and along the
8 said East line, a distance of 316.49 feet to a
9 point on the existing bulkhead forming the
10 Northerly limits of New River; thence Westerly
11 and Southerly along the said existing bulkhead
12 and extensions thereof, the following 11
13 courses and distances: thence North 87°04'09"
14 West, a distance of 37.36 feet; thence South
15 86°43'52" West, a distance of 13.74 feet,
16 thence South 77°14'35" West, a distance of
17 50.12 feet, thence South 73°43'38" West, a
18 distance of 43.15 feet; thence South 54°27'01"
19 West a distance of 67.25 feet; thence South
20 45°58'48" East, a distance of 7.62 feet; thence
21 South 35°35'21" West, a distance of 175.30
22 feet; thence South 7°34'31" West, a distance of
23 51.26 feet; thence South 2°01'02" West, a
24 distance of 25.35 feet, thence South 7°22'59"
25 West, a distance of 205.31 feet, thence South
26 29°18'46" West, a distance of 92.94 feet to the
27 Point of Termination of the said 11 courses and
28 distances; thence North 89°59'37" West, along
29 the Easterly extension of the South line of
30 Canal No. 3 of L.H. BRYAN'S SUBDIVISION and
31 along the said South line and extensions

1 thereof, a distance of 211.49 feet to a point
2 on the Easterly right-of-way line of S.W.
3 Seventh Avenue and a point on a curve; thence
4 Northwesterly along the said Easterly
5 right-of-way line and along a curve to the
6 right, whose tangent bears North 54°00'36"
7 West, with a radius of 630.35 feet and a
8 central angle of 18°52'41", an arc distance of
9 207.69 feet to a point of compound curve;
10 thence Northwesterly along the said Easterly
11 right-of-way line and along a curve to the
12 right, with a radius of 513.96 feet and a
13 central angle of 35°00'00", an arc distance of
14 313.96 feet to a point of tangency; thence
15 North 0°07'55" West, along the said Easterly
16 right-of-way line and along the line 20.00 feet
17 East of and parallel with the West line of said
18 Block 1 and 2 of said KELLY'S SUBDIVISION and
19 along the line of 20.00 feet East of and
20 parallel with the West line of said Block 19,
21 BRYAN SUBDIVISION of Blocks 5, 8 and 19, a
22 distance of 1008.08 feet to a point of curve;
23 thence Northeasterly along a curve to the
24 right, with a radius of 25.00 feet and a
25 central angle of 90°07'55", an arc distance of
26 39.33 feet to a point of tangency; thence due
27 East, along the South right-of-way line of
28 Broward Boulevard and along the line 15.00 feet
29 South of and parallel with the North line of
30 said Block 19, BRYAN SUBDIVISION of Blocks 5, 8
31 and 19 and said Block 18, TOWN OF FORT

1 LAUDERDALE, a distance of 898.88 feet to the
2 Point of Beginning.

3 All of the above said land situate, lying and
4 being in the City of Fort Lauderdale, Broward
5 County, Florida, and containing 22.8328 acres
6 more or less.

7
8 Section 3. (1) It is the policy of the state to make
9 it possible for the city to revitalize and preserve property
10 values and prevent deterioration in the downtown area by a
11 system of self-help to correct the blight of such
12 deterioration which has developed there. The authority hereby
13 created is intended to provide a vehicle whereby property
14 owners who will benefit directly from the results of such a
15 program will bear the substantial cost thereof and thereby
16 local problems may be solved on the local level through the
17 use of machinery provided by local government.

18 (2) The Legislature hereby finds and declares that the
19 downtown area is a blighted area and that portions therein are
20 slums. The area constitutes a serious and growing menace,
21 injurious to the public health and the safety, morals, and
22 welfare of the residents, occupants, workers, and property
23 owners of the area; the existence of such slum and blighted
24 conditions contributes substantially and increasingly to the
25 spread of disease and crime, constitutes an economic and
26 social liability imposing onerous municipal burdens which
27 decrease the tax base and reduce tax revenues, substantially
28 impair or arrest the sound growth of said area, retards the
29 provision of housing accommodations, aggravates traffic
30 problems, and substantially impairs or arrests the elimination
31 of traffic hazards and the improvement of traffic facilities;

1 and the prevention and elimination of such slums and blight is
2 a matter of public policy and concern in order that the said
3 area shall not continue to be endangered by being a focal
4 center of disease and juvenile delinquency and consume an
5 excessive proportion of the tax revenue of the city because of
6 the extra services required for police, fire, accident,
7 hospitalization, and other forms of public protection,
8 services, and facilities.

9 (3) It is further found and declared that certain
10 portions of the slums and blighted areas require acquisition,
11 clearance, and disposition subject to use restrictions, as
12 provided in this act, since the prevailing condition of
13 deterioration and obsolescence makes impracticable the
14 reclamation thereof by conservation or rehabilitation; that
15 other portions of the downtown may, through the means provided
16 in this act, be susceptible of conservation or rehabilitation
17 in such a manner and the conditions and evils hereinbefore
18 enumerated may be eliminated, remedied, or prevented; and that
19 salvable slum and blighted areas can be conserved and
20 rehabilitated through appropriate public action as herein
21 authorized, and the cooperation and voluntary action of the
22 owners and tenants of the property in such area.

23 (4) Among the many causes of such slums and blight are
24 the following: automobile traffic flow strangled by outmoded
25 street patterns, proliferation of uncoordinated uses and
26 parking areas, unsuitable topography, faulty lot layouts,
27 fragmentation of land uses and parking areas necessitating
28 frequent automobile movement, lack of separation of pedestrian
29 areas from auto traffic, low level access bridge, frequent
30 bridge openings, air pollution, and excessive noise levels
31 from strangled auto traffic. Voluntary cooperation for

1 coordinated development is impracticable because of
2 fragmentary ownership, distant absentee ownership, and unusual
3 conditions of title and other conditions.

4 (5) The public safety is endangered by the tendency of
5 the area to attract and be infested with vagrants, drunkards,
6 perverts, and roving gangs of vandals. The area has in recent
7 months narrowly averted involvement in ghetto riots and
8 disorders. In the nighttime the area is dangerous. The area
9 is a business ghetto plagued with vacant and deteriorating
10 buildings which are neglected and produce a depressing
11 atmosphere. Many businesses of all types have left the area
12 for new locations in suburban shopping centers and few
13 businesses have entered to take their places. The oldest
14 commercial structures in the city are in this area and are
15 obsolete, of inferior construction, and incompatible with
16 modern functional design as is featured in competitive
17 shopping centers.

18 (6) The area now has few residences and most of the
19 residences which do exist are undersized and of inferior
20 construction which would not be permitted for new construction
21 under the city's building code. Many former residents have
22 left the area and few suitable residence facilities
23 exist. The area is predominately commercial and is occupied
24 primarily by day workers who sleep in suburban homes outside
25 the downtown area. Market studies show that many of these day
26 workers and other people would prefer to reside in the
27 downtown area if blighting influences were removed and
28 suitable residence facilities provided. However, the total
29 environment of man is the determinant of the quality of life
30 and each segment of environment affects the public health,
31 safety, and morals. The problems of residential and

1 commercial slums and blight are one and the same problem and
2 the public health, morals, and welfare are no less concerned
3 with the commercial areas where the day workers spend most of
4 their daylight hours than with residential areas where the
5 same individuals spend their nighttime hours. It is therefore
6 a necessary and proper function of government to remove slums,
7 blight, and blighting influences from commercial areas. The
8 police power is inadequate to accomplish this purpose. The
9 only effective device for removal of the slums and blight of
10 the downtown area is the planning and implementation of
11 planning for appropriate land use, beautification, continuity
12 of planning and aesthetic and technical design concepts, the
13 removal of deteriorated and obsolescent structures, and the
14 reduction of fragmentary control of properties in the
15 area. To implement such plans requires the exercise of the
16 power of eminent domain so as to assemble land in pursuance of
17 a coordinated program for redevelopment, as authorized by this
18 act, all of which is declared to be a public purpose and for a
19 public use.

20 (7) The Legislature further finds and declares that
21 the provisions of this act and the powers afforded to the
22 governing board of the authority are essential to guide and
23 accomplish the coordinated, balanced, and harmonious
24 development of the downtown in accordance with existing and
25 future needs; to promote the health, safety, morals, and
26 general welfare of the area and its inhabitants, visitors,
27 property owners, and workers; to establish, maintain, and
28 preserve aesthetic values and preserve and foster the
29 development and display of attractiveness; to prevent
30 overcrowding and congestion; to regulate auto traffic and
31 provide pedestrian safety; to secure safety from fire, storm,

1 panic, riot, vandals, and other dangers; to conserve and
2 provide adequate light and air; and to provide a way of life
3 which combines the conveniences and amenities of modern living
4 with the traditions and pleasures of the past.

5 Section 4. There is hereby created and established the
6 Downtown Development Authority of the City of Fort Lauderdale,
7 which authority shall have all the powers herein provided, and
8 which shall be a body corporate as well as politic, with power
9 to sue and be sued in all the courts of this state, and with
10 power to adopt and use a corporate seal.

11 Section 5. The affairs of the authority shall be under
12 the direct supervision and control of a board of seven
13 members. Two members shall serve for terms expiring at the
14 end of each year during the period commencing 1976 and ending
15 1978. One member shall serve for a term expiring at the end
16 of 1975. Thereafter, members shall be appointed to serve for
17 regular terms of 4 years from the expiration of the terms of
18 their predecessors. The terms of incumbent members at the
19 time this law takes effect shall not be affected by this law.
20 A member's term shall automatically expire and his or her
21 office shall be deemed vacant for purposes of appointment of a
22 new member if, while in office, he or she shall cease to be
23 qualified for membership under section 6. Every board member
24 shall continue to hold office until his or her successor has
25 been appointed and has qualified. All appointments of the
26 board shall be made by the city commission. Appointments made
27 to fill a vacancy during a term of office shall be for the
28 unexpired term only.

29 Section 6. (1) Each member of the board shall reside
30 in or have his or her principal place of business in the
31 city. He or she shall be a landowner in the downtown, a

1 leasehold tenant required by the terms of his or her lease to
2 pay taxes currently on downtown lands, or an officer,
3 director, or managing agent of a corporation which owns
4 downtown lands or an interest in downtown lands or which
5 corporation is a leasehold tenant required by the terms of its
6 lease to pay taxes currently on downtown lands. No officer or
7 employee of the city shall be eligible to serve as a member of
8 the board while holding other offices in the city or while
9 employed by the city. Before assuming the duties of the
10 office, each member shall qualify by taking and subscribing to
11 the oath of office required of officials of the city and by
12 posting a bond in the penal sum of \$10,000 payable to the city
13 for use and benefit of the authority, to be approved by the
14 city commission and filed with the city clerk. The premium on
15 such bond shall be deemed an operating expense of the
16 authority, payable from funds available to it for expenses of
17 operation.

18 (2) The board shall adopt and promulgate rules
19 governing its procedures and shall hold regular meetings no
20 less often than one a month. Special meetings may be held
21 when called in the manner provided in the rules of the
22 board. All meetings of the board shall be open to the
23 public. Each member of the board shall be paid a salary of \$1
24 per year for services on the board, unless the city commission
25 shall otherwise designate such salary and provide from the
26 general funds of the city for such salary.

27 (3) Pursuant to notice and an opportunity to be heard,
28 an appointed member of the board may be removed for cause by
29 the city commission. Any such removal shall be subject to
30 review by the circuit court of the circuit having
31 jurisdiction.

1 Section 7. The board, subject to the provisions hereof
2 and subject to other applicable provisions of law, shall have
3 all powers customarily vested in the board of directors of a
4 corporation for profit. It shall exercise supervisory control
5 over the activities of the director and the staff of the
6 authority in carrying out the functions authorized hereby.

7 Section 8. The board shall have the power to:

8 (1) Employ engineers, contractors, consultants,
9 attorneys, auditors, agents, employees, and representatives as
10 the board may from time to time determine on such terms and
11 conditions as the board may approve and fix their
12 compensations and duties.

13 (2) Adopt bylaws, rules, resolutions, and orders
14 prescribing the powers, duties, and functions of the officers
15 of the authority, the conduct of the business of the
16 authority, the maintenance of the records, and the form of all
17 other documents and records of the authority. The board may
18 adopt administrative rules and regulations with respect to any
19 projects of the authority on such notice and public hearing,
20 if any, as the board may determine.

21 (3) Maintain an office at such place or places as it
22 may designate.

23 (4) Execute all contracts and other documents, adopt
24 all proceedings, and perform all acts determined by the board
25 to be necessary or desirable to carry out the purposes of this
26 act. The board may authorize one or more members of the board
27 to execute contracts and other documents on behalf of the
28 board.

29 (5) Establish and create such departments, boards, or
30 other agencies as from time to time the board may deem
31 necessary or advisable.

1 (6) Examine and authorize any officer or agent of the
2 authority to examine the county tax rolls with respect to the
3 assessed valuation of the real and personal property within
4 the downtown area.

5 (7) Appoint a director and other staff members who
6 shall be employed upon recommendation of the director,
7 prescribe their duties, and fix their compensation which shall
8 be paid from funds available to the authority in the same
9 manner as city employees are paid.

10 (8) Prepare analyses of economic changes taking place
11 upon the downtown area.

12 (9) Study and analyze the impact of metropolitan
13 growth upon the downtown area.

14 (10) Plan and propose within the downtown area
15 improvements of all kinds, including, among other things, the
16 renovation, repair, remodeling, reconstruction, or other
17 changes in existing buildings which may be necessary or
18 appropriate to the execution of any such plan which in the
19 opinion of the board will aid in the economic growth of the
20 downtown area.

21 (11) Implement any plan of development in the downtown
22 area as shall in its judgment be necessary to carry out its
23 functions, provided it is not inconsistent with the city's
24 general plan.

25 (12) Make and enter into all contracts necessary or
26 incidental to the exercise of its powers and the performance
27 of its duties.

28 (13) Establish, operate, lease, license, grant, or
29 convey in the downtown area such public facilities as shall in
30 its opinion be feasible and desirable in the implementation of
31 any plan conceived and executed by the board. Public

1 facilities shall also include pedestrian malls, historical
2 buildings or monuments, and cultural, educational, and
3 recreational facilities.

4 (14) Develop long-range plans designed to halt
5 deterioration of downtown property values.

6 (15) Borrow money at interest on a short-term basis to
7 pay expenses of operation and to issue evidences of
8 indebtedness for such loans.

9 (16) Retain and fix the compensation of general
10 counsel to advise the board in the proper performance of its
11 duties. The general counsel shall be a practicing attorney
12 with not less than 10 years' experience in the practice of law
13 in the state. He or she shall represent the authority in all
14 suits of actions brought by or against the authority involving
15 the jurisdiction, power, duties, functions, or activities of
16 the authority under the terms of this act. At the request of
17 the city, he or she may also represent the city in any such
18 matters in case the city becomes or desires to become a party
19 to such action.

20 (17) Incur all or part of the expense of any public
21 improvement made by the city, county, state, or Federal
22 Government, or any agency of them, in exercising powers
23 granted to the authority.

24 (18) Lend, grant, or contribute funds to the city,
25 county, or Federal Government, or any agency of them.

26 (19) Enter into agreements with the city, county,
27 state, or other public body respecting action to be taken in
28 the exercise of any of the powers granted to the authority or
29 in furtherance of the objectives of the authority.
30
31

1 Section 9. In addition to and not in limitation of the
2 other powers of the authority under law, the authority shall
3 have the following powers:

4 (1) OWNERSHIP AND DISPOSITION OF PROPERTY.--To acquire
5 property, real, personal, or mixed, within or without the
6 downtown, in fee simple or any lesser interest or estate, by
7 purchase, gift, devise, or lease, upon such terms and
8 conditions as the board may deem necessary or desirable, and
9 by condemnation, provided the board determines that the use or
10 ownership of such property is necessary in the furtherance of
11 a designated lawful purpose authorized under this law, to
12 acquire title to submerged lands and riparian rights and
13 easements or rights-of-way, with or without restrictions and
14 within or without the limits of the downtown; to make purchase
15 money mortgages and trust deeds and other forms of encumbrance
16 on any property acquired by the authority and to purchase
17 property subject to purchase money mortgages or other
18 encumbrances and to assume such other encumbrances; to
19 mortgage, hold, manage, control, lease, sell, dedicate, grant,
20 or otherwise dispose of the same and of any of the assets and
21 properties of the authority, or any interest therein,
22 including easements and licenses, with or without
23 consideration.

24 (2) LEASE OF FACILITIES.--Whenever deemed necessary or
25 desirable by the board, to lease as lessor or lessee to or
26 from any person, firm, corporation, association, or body,
27 public or private, any projects of the type that the authority
28 is authorized to undertake and facilities or property of any
29 nature for the use of the authority and to carry out any of
30 the purposes of the authority, subject to limitation of this
31 act.

1 (3) REVITALIZATION.--To adopt a plan for the
2 development, redevelopment, and revitalization of the
3 downtown, and to modify same, and to undertake and carry out
4 such plan, provided it is not inconsistent with the city's
5 general plan.

6 (4) AIRPORT FACILITIES.--To own, acquire, construct,
7 reconstruct, equip, operate, maintain, extend, and improve
8 airport facilities of all kinds, including, but not limited
9 to, land fields, hangars, shops, terminals, buildings, and all
10 other facilities necessary or desirable for the landing,
11 taking off, operating, servicing, repairing, and parking of
12 aircraft and helicopters, and the unloading and handling of
13 passengers, mail, express, and freight, together with all
14 necessary appurtenances and equipment and all properties,
15 rights, easements, and franchises relating thereto and deemed
16 necessary or convenient by the board in connection therewith.

17 (5) RECREATIONAL FACILITIES.--To own, acquire,
18 construct, reconstruct, equip, operate, maintain, extend, and
19 improve parks, playgrounds, picnic grounds, camping
20 facilities, golf courses, athletic fields, marinas, piers,
21 wharves, docks, harbors, boating and fishing facilities,
22 swimming pools, bathing beaches and other water recreational
23 facilities, stadiums, auditoriums, civic centers, aquariums,
24 libraries, museums, recreational centers, convention halls and
25 facilities, radio and television transmission and receiving
26 stations, community antenna television systems, and cultural,
27 recreational, and educational buildings, facilities, and
28 projects of all kinds and descriptions.

29 (6) PARKING FACILITIES.--To own, acquire, construct,
30 reconstruct, equip, operate, maintain, extend, and improve
31

1 parking facilities, including lots and parking garages, and to
2 install parking meters.

3 (7) ADVERTISING.--To undertake a program of
4 advertising to the public in promoting the business,
5 facilities, and attractions within the downtown and the
6 projects of the authority and to expend monies and undertake
7 such activities to carry out such advertising and promotional
8 programs as the board from time to time may determine.

9 (8) TRANSPORTATION.--To own, acquire, construct,
10 reconstruct, equip, operate, maintain, extend, and improve
11 common, private, or contract carriers, buses, vehicles,
12 railroads, monorails, airplanes, helicopters, boats, and other
13 transportation facilities whether now or hereafter invented or
14 developed, including, without limitation, novel and
15 experimental facilities such as moving platforms and sidewalks
16 as may be determined from time to time by the board to be
17 useful or appropriate to meet the transportation requirements
18 of the authority and activities conducted within the downtown
19 and to extend such transportation facilities to areas outside
20 the downtown in order to provide transportation to and from
21 the downtown.

22 (9) ISSUANCE OF BONDS.--To issue general obligation
23 bonds, revenue bonds, assessment bonds, or any other bonds or
24 obligations authorized by the provisions of this act or any
25 other law or any combination of the foregoing to pay all or
26 part of the cost of the acquisition, construction,
27 reconstruction, extension, repair, improvement, maintenance,
28 or operation of any project or combination of projects; to
29 provide for any facility, service, or other activity of the
30 authority; and to provide for the retirement or refunding of
31

1 any bonds or obligations of the authority or for any
2 combination of the foregoing purposes.

3 (10) OTHER POWERS.--In addition to the other powers
4 specifically provided in this act, the authority shall have
5 the power to own, acquire, construct, reconstruct, equip,
6 operate, maintain, extend, and improve such other projects as
7 the board may in its discretion find necessary or desirable to
8 accomplish the purposes of this act and to exercise all powers
9 necessary, convenient, or proper to carry out the purposes of
10 this act. In connection with any of the projects the
11 authority is authorized to undertake pursuant to the powers
12 and the authorities vested in it by this act, and in order to
13 promote the development and utilization of new concepts,
14 designs, and ideas, the authority shall have the power to
15 examine into, develop, and utilize new concepts, designs, and
16 ideas and to own, acquire, construct, reconstruct, equip,
17 operate, maintain, extend, and improve such experimental
18 public facilities and services.

19 (11) ROADS, BRIDGES, LIGHTING, AND RELATED OR SIMILAR
20 FACILITIES.--The authority shall have the right and power to
21 acquire, open, extend, construct, reconstruct, pave, operate,
22 improve, and maintain highways, streets, toll roads and
23 bridges, alleys, sidewalks, promenades, boardwalks, malls,
24 esplanades, bridges, tunnels, interchanges, underpasses,
25 overpasses, causeways, and public thoroughfares of all kinds
26 and descriptions (hereinafter collectively and severally
27 referred to as "public roads") and connections to and
28 extension of any and all existing public roads within the
29 downtown area, deemed necessary or convenient by the board to
30 provide access to and efficient development of the territory
31 within the downtown, and to construct and maintain sidewalks

1 and street lights along public roads in the downtown and toll
2 plaza signs and street signs, provided that nothing in this
3 law shall be construed to give the authority control over city
4 property.

5 (12) CITY COORDINATION.--No authority plan or project
6 shall be inconsistent with the city general plan or any other
7 city project, franchise, or facility. In any case of conflict
8 of jurisdiction, power, or function, the city charter shall
9 prevail over this law. Only the city shall have the right
10 under this law to object to any plan or project of the
11 authority upon the ground of said inconsistency.

12 Section 10. The board may employ and fix the
13 compensation of the following who, in addition to the general
14 counsel, shall serve at the pleasure of the board:

15 (1) A director, who shall be a person of good moral
16 character and possessed of a reputation for integrity,
17 responsibility, and business ability. No member of the board
18 shall be eligible to hold the position of director. Before
19 entering upon his or her duties of his or her office, the
20 director shall take and subscribe to the oath and furnish bond
21 as required of members of the board. He or she shall be the
22 chief executive officer of the authority and may be employed
23 on either a full-time or part-time basis, at the board's
24 discretion. He or she shall not engage in any other business
25 or profession while serving as director unless the board's
26 approval is obtained, but he or she may serve as a director or
27 officer of any civil organization or corporation which has
28 goals or purposes the same as, or similar to, those of the
29 authority. Subject to the approval of the board, and
30 direction by it when necessary, he or she shall have general
31 supervision over and be responsible for the preparation of

1 plans and the performance of the functions of the authority in
2 the manner authorized herein. He or she shall attend all
3 meetings of the board. In the absence of the director, the
4 board may designate a qualified person to perform the duties
5 of the office as acting director. The director shall furnish
6 the board with such information or reports governing the
7 operation of the authority as the board from time to time may
8 require.

9 (2) Upon recommendation of the director, such
10 clerical, technical, and professional assistance, including,
11 but not limited to, engineering, planning, economic research,
12 and other fields as shall in the opinion of the board be
13 necessary to provide for the efficient performance of the
14 functions of the board.

15 (3) A treasurer, who shall keep the financial records
16 of the authority and who, together with the director, shall
17 approve all vouchers for the expenditure of funds of the
18 authority. He or she shall perform such other duties as may
19 be delegated to him or her by the board.

20 (4) A secretary, who shall maintain custody of the
21 official seal and of all records, books, documents, or other
22 papers not required to be maintained by the treasurer. He or
23 she shall attend all meetings of the board and keep a record
24 of all its proceedings. He or she shall perform such other
25 duties as may be delegated to him or her by the board.

26 Section 11. The director shall prepare and submit for
27 the approval of the board a budget for the operation of the
28 authority for the next fiscal year. The budget shall conform
29 to the fiscal year of the city and shall contain the
30 information required of all city departments. After approval
31 by the board, a copy of the budget shall be delivered to the

1 city by the director with a statement of the millage required
2 therefor as determined by the board, which millage shall be
3 levied by the city commission not to exceed the limits fixed
4 by law. The operations of the authority shall be financed
5 from any lawful source, including the following sources:

6 (1) Moneys borrowed and to be repaid from other funds
7 received under the authority of this act.

8 (2) Donations and contributions to the authority for
9 the performance of its functions from any source, public or
10 private.

11 (3) Revenues from the rental, operation, or sale of
12 assets, facilities, and projects of the authority.

13 (4) Proceeds of special assessments and an ad valorem
14 tax of property in the downtown area.

15 Section 12. The city commission is authorized to levy
16 an ad valorem tax on all downtown real and personal property
17 not exceeding 1 mill on the dollar valuation (as such
18 valuations are assessed for the general ad valorem roll of the
19 city) of such property for the purpose of financing the
20 operation of the authority provided that no tax under this law
21 shall be levied upon property which is exempt from taxation by
22 general or constitutional law. The city tax collector shall
23 transmit funds so collected to the appropriate officer of the
24 city responsible for the handling of the public money who
25 shall deposit same in the city treasury to the credit of the
26 authority. Such money shall be used for no purpose other than
27 those purposes authorized herein and only upon approval of the
28 board, pursuant to vouchers signed by the director and the
29 treasurer of the authority. The funds of the authority shall
30 be secured as other public funds are secured. Other moneys
31 received by the authority shall forthwith be deposited in the

1 city treasury to the credit of the authority, subject to
2 disbursement as herein authorized.

3 Section 13. The city commission shall have the power
4 to assess against the funds of the authority, for the use and
5 benefit of the general fund of the city, a reasonable pro rata
6 share of such funds for the cost of handling and auditing,
7 which assessment when made shall be paid annually by the board
8 pursuant to an appropriate item in the budget.

9 Section 14. No board member nor any employee of the
10 board shall vote or otherwise participate in any matter in
11 which he or she has a financial interest, either direct or
12 indirect. Such indirect financial interest shall not,
13 however, be deemed to include that indirect financial interest
14 which would accrue to all members of the board solely by
15 virtue of being lessees or owners of property in the downtown
16 area, it being the intent hereof that the prohibition herein
17 shall apply in the event a specific indirect financial
18 interest accrues to one rather than to all members. When such
19 interest shall appear, it shall be the duty of the board
20 member or employee to make such interest known and he or she
21 shall thenceforth refrain from voting on or otherwise
22 participating in the particular transaction involving such
23 interest. Willful violation of the provisions hereof shall
24 constitute malfeasance on the part of the board and shall be
25 grounds for instant dismissal of any employee. The board may,
26 in its rules of procedure, provide for automatic forfeiture of
27 office by a board member for violation hereof. Any
28 transaction involving a conflict of interest, wherein a
29 violation of this section is involved, may be rendered void at
30 the option of the board.

31

1 Section 15. On December 31, 2030, this law shall
2 expire and all assets of the authority shall on or before that
3 date be transferred by the authority to the city. Any assets
4 remaining in the hands of the authority on December 31, 2030,
5 shall automatically devolve upon and become the property of
6 the city. In the event there shall be any indebtedness
7 outstanding against the authority, the city may continue to
8 levy whatever portion shall be necessary of the tax authorized
9 by this law to retire such indebtedness.

10 Section 16. Bonds.--The board is authorized and
11 empowered in order to provide for and carry out the work of
12 this act to raise funds by the issuance of bonds of the same
13 types and in the same manner with the same power and authority
14 and subject to the same limitations as is now provided by
15 statute for the issuance of bonds by the city, provided that
16 the board and its staff and agents shall perform all of the
17 governmental functions to be done with regard to the
18 bonds. The aggregate amount of the bonded indebtedness shall
19 at no time exceed 15 percent of the assessed valuation of the
20 taxable property in the downtown area at the time of
21 issuance. The term of the bonds may exceed beyond the life of
22 the authority if the city shall have agreed to service and pay
23 the bonds after the expiration of the authority. In that
24 event, after the authority expires, the city shall continue to
25 levy and collect the same special tax which is authorized by
26 this law to be levied and collected for the authority and use
27 the revenue therefrom for the retirement of the bonds and
28 expense necessary in connection with servicing the bonds until
29 the bonds are retired. Any excess revenue remaining after
30 retirement of the bonds shall be transferred to the general
31

1 revenue fund of the city and such special tax shall not be
2 levied in any subsequent year.

3 Section 17. Eminent domain.--The board shall have the
4 right to acquire by condemnation any interest in real
5 property, including a fee simple title thereto, which it may
6 deem necessary for the action of the authority or for the
7 performance of its lawful functions under this act. Said
8 authority may exercise the power of eminent domain in the
9 manner provided in chapters 73 and 74, Florida Statutes, and
10 acts amendatory thereof or supplementary thereto, or it may
11 exercise the power of eminent domain in the manner now or
12 which may be hereafter provided by any other statutory
13 provision for the exercise of the power of eminent
14 domain. Property already devoted to a public use may be
15 acquired in like manner. However, no real property belonging
16 to the state, or any political subdivision thereof, may be
17 acquired without consent.

18 Section 18. (1) CALLING REFERENDA.--Whenever by law
19 or for the convenience of administration of the authority a
20 referendum of electors is needed for the authority, the board
21 shall pass a resolution calling and providing for a referendum
22 to be held in the downtown within 3 months after the date of
23 the resolution. The resolution shall provide for one or more
24 polling or voting places. The board shall cause notice of
25 said referendum to be given by publishing said notice for 2
26 consecutive weeks in a newspaper published in the city which
27 is of general circulation in the downtown area. The first
28 publication shall occur not more than 42 and not less than 21
29 days prior to the date of the referendum. Said notice shall
30 designate the polling place or places for said
31 referendum. The board shall make all necessary arrangements

1 for holding the referendum and shall declare the result
2 thereof. The board shall appoint such inspectors and clerks
3 for each polling place as it deems necessary. Form of the
4 ballot at such referendum shall be determined by the board.

5 (2) CANVAS OF RETURNS; CERTIFICATES OF
6 REFERENDUM.--The result of the voting of each polling place
7 when ascertained shall be certified by return in duplicate,
8 signed by the clerk and by the majority of inspectors of
9 referendum and transmitted to the board at a meeting to be
10 held on a day following the referendum. At said meeting, the
11 board shall canvas the returns and the result as shown by such
12 returns shall be by the board declared to be the result of the
13 referendum. One copy of the board's declaration, including a
14 copy of the returns of each polling place, shall be promptly
15 filed with the city clerk, together with a copy of proof of
16 publication of the notice of the referendum.

17 (3) LEGISLATIVE FINDINGS.--The Legislature finds that
18 the activities and functions of the authority are essentially
19 public works and are not concerned with political or
20 governmental purposes. For these reasons the authority is
21 denied police powers. The right to participate in referenda
22 of the authority is more of a private or property right than a
23 public or political right. It is the purpose of the
24 Legislature to grant to those who will have to pay the costs
25 of the improvements a voice commensurate with that cost.

26 (4) ELECTORS OF DOWNTOWN, VOTING.--The referendum
27 shall be conducted with written ballots unless the board by
28 resolution prescribes the use of voting machines. At the
29 referendum, the duly registered owner of each freehold within
30 the downtown shall represent one share and the owner of each
31 share shall be entitled to one vote for each \$10,000 or

1 fraction thereof of the nonexempt assessed valuation of the
2 freehold within the downtown, according to the last certified
3 tax assessment roll of Broward County at the time of the
4 referendum. In case record title to land is in a trustee, the
5 trustee shall be deemed the owner for the purposes of this
6 law. Ownership shall not include reversions, remaindermen,
7 trustees other than persons owning a freehold estate as of
8 deed of record, or mortgagees, but they shall be represented
9 by the owner of the freehold estate. In case of undivided
10 multiple ownership of any sort, a majority (in value) of the
11 registered owner may, by written proxy, designate one person
12 to serve as elector for that share and unless an elector be so
13 designated by the majority, the vote of that share shall not
14 be accepted. In case of ownership by a corporation, the
15 corporation may, by proxy, designate an elector to vote the
16 ownership of the corporation. Electors may vote by proxy in
17 writing. An executed copy of each proxy shall be filed with
18 the clerk by the elector at time of voting under that proxy.

19 (5) REGISTRATION OF ELECTORS.--The director shall be
20 the registration officer for the authority and shall register
21 all persons (including corporations) applying to him or her
22 who are qualified as full or part owners of a freehold in the
23 downtown area which is not wholly exempt from taxation. At
24 the time of registration the applicant shall exhibit to the
25 director evidence of ownership satisfactory to the director,
26 including, in addition, an accurate reference to the official
27 record book and page or other precise place in the public
28 records of Broward County, which the evidence of ownership
29 shall have been duly recorded. No application for
30 registration shall be accepted whose evidence of ownership is
31 not recorded in the public records (including court records)

1 of Broward County. The board may designate one or more
2 deputies to be the registration officer in the absence or
3 illness of the director. In case of application for
4 registration for a share or partial undivided interest in a
5 share already registered in the name of another, the
6 registration officer, upon being satisfied by the evidence
7 exhibited that the ownership has been duly transferred to the
8 new applicant, shall mail a notice of cancellation of
9 registration to the existing registrant at the address shown
10 on the official registration record as the address of the
11 registrant's place of residence (or corporation's principal
12 place of business) notifying the registrant that the
13 registration will be canceled unless, within 10 days after the
14 mailing of such notice, the registrant shall appear in person
15 or by representative in person before the registration officer
16 and show by evidence satisfactory to the registration officer
17 that the registrant still owns all or a part of the share in
18 question. If no objection in person is received by the
19 registration officer within such 10-day period, he or she
20 shall promptly so notify the new applicant by mail whose
21 registration will be accepted upon renewal of the application
22 within 10 days after the mailing of such notice. In case
23 timely objection is duly made by the existing registrant, the
24 registration officer shall determine the true ownership on the
25 basis of the evidence reasonably available to him or her and
26 reject or accept the applicant as the circumstances warrant,
27 promptly notifying the existing registrant of the
28 decision. No application for change of registration for any
29 share shall be accepted within 15 days of the referendum
30 unless accompanied by written consent of the existing
31 registrant, duly acknowledged in the manner required by law

1 for instruments recorded in the public records of the county,
2 and unless applied for before the day of the referendum. If
3 it shall be made known to the director that an existing
4 registrant has died or he or she has parted with his or her
5 title to the downtown, the director shall issue a notice of
6 cancellation in the same manner as is provided in the case of
7 a new applicant for an existing registrant and the
8 registration shall be canceled in the same manner in the
9 absence of objection, except that the time for objection in
10 such case shall be 30 days.

11 (6) EMPLOYMENT OF OUTSIDE AGENCIES.--The board may pay
12 reasonable compensation to the Broward County Supervisor of
13 Elections and the Broward County Property Appraiser for
14 services rendered to the authority in connection with
15 registration for and conduct of a referendum. The board may
16 also employ the services of an abstract or title company for
17 assistance in ascertaining the identity of ownership.

18 Section 19. The authority may provide for the
19 construction or reconstruction of assessable improvements and
20 for the levying of special assessments upon benefited property
21 for the payment thereof under the provisions of this section.

22 (1) The initial proceeding under this section shall be
23 the passage by the board of a resolution ordering the
24 construction or reconstruction of such assessable improvements
25 indicating the location by terminal points, routes, or
26 otherwise, and either giving a description of the improvements
27 by their material, nature, character, and size or giving two
28 or more descriptions with the directions that the material,
29 nature, character, and size shall be subsequently determined
30 in conformity with one of such descriptions. Assessable
31 improvements need not be continuous and may be in more than

1 one locality or street. The resolution ordering any such
2 improvement may give any short and convenient designation to
3 each improvement ordered thereby, and the property against
4 which assessments are to be made for the cost of such
5 improvement may be designated as an assessment district,
6 followed by a letter or number or name to distinguish it from
7 the other assessment districts, after which it shall be
8 sufficient to refer to such improvement and property by such
9 designation in all proceedings and assessments, except in the
10 notices required by this section.

11 (2) As soon as possible after the passage of such
12 resolution, the director shall prepare or cause to be prepared
13 in duplicate plans and specifications for each improvement
14 ordered thereby and an estimate of the cost thereof. Such
15 cost shall include, in addition to the items of cost as
16 defined in this act, the cost of relaying streets, sidewalks,
17 and other public facilities or conveniences necessarily torn
18 up or damaged and the following items of incidental expenses:

19 (a) Printing and publishing notices and proceedings.

20 (b) Costs of abstracts of title.

21 (c) Any other expense necessary or proper in
22 conducting the proceedings and work provided for in this
23 section, including the estimated amount of discount, if any,
24 upon the sale of assessment bonds or any other obligations
25 issued hereunder for which such special assessments are to be
26 pledged. If the resolution shall provide alternative
27 descriptions of material, nature, character, and size, such
28 estimate shall include an estimate of the cost of the
29 improvement of each such description.

30
31

1 The director shall also prepare or cause to be prepared in
2 duplicate a tentative apportionment of the estimated total
3 cost of the improvement as between the district and each lot
4 or parcel of land subject to special assessment under the
5 resolution, such apportionment to be made in accordance with
6 the provisions of the resolution and in relation to
7 apportionment of cost provided herein for the preliminary
8 assessment roll. Such tentative apportionment of total
9 estimated cost shall not be held to limit or restrict the
10 duties of the director in the preparation of such preliminary
11 assessment roll. One of the duplicates of such plans,
12 specifications, and estimates and such tentative apportionment
13 shall be filed with the board and the other duplicate shall be
14 retained by the director in his or her files, all thereof to
15 remain open to public inspection. In performing the duties of
16 assessment and apportionment of costs, the director may employ
17 and utilize such technical consultants as may be necessary,
18 including, but not limited, to engineers, architects,
19 planners, economists, and appraisers.

20 (3) The board upon the filing with it of such plans,
21 specifications, estimates, and tentative apportionment of cost
22 shall publish once in a newspaper or newspapers published or
23 of general circulation in the downtown a notice stating that
24 at a meeting of the board on a certain day and hour, not
25 earlier than 15 days from such publication, the board will
26 hear objections of all interested persons to the confirmation
27 of such resolution, which notice shall state in brief and
28 general terms a description of the proposed assessable
29 improvements with the location thereof, and shall also state
30 that plans, specifications, estimates, and tentative
31 apportionment of cost thereof are on file with the board. The

1 board shall keep a record in which shall be inscribed, at the
2 request of any person, firm, or corporation having or claiming
3 to have any interest in any lot or parcel of land or property,
4 the name and post office address of such person, firm, or
5 corporation, together with a brief description or designation
6 of such lot or parcel, and it shall be the duty of the board
7 to mail a copy of such notice to such person, firm, or
8 corporation at such address at least 10 days before the time
9 for the hearing as stated in such notice, but the failure of
10 the board to keep such record or so to inscribe any name or
11 address or to mail any such notice shall not constitute a
12 valid objection to holding the hearing as provided in this
13 section or to any other action taken under the authority of
14 this section.

15 (4) At the time named in such notice, or to which an
16 adjournment may be taken by the board, the board shall receive
17 any objections of interested persons and may then or
18 thereafter repeal or confirm such resolution with such
19 amendments, if any, as may be desired by the board and which
20 do not cause any additional property to be specially assessed.

21 (5) All objections to any such resolution on the
22 ground that it contains items which cannot be properly
23 assessed against property, or that it is, for any default or
24 defect in the passage or character of the resolution or the
25 plans or specifications or estimates, void or voidable in
26 whole or in part, or that it exceeds the power of the board,
27 shall be made in writing in person or by attorney, and filed
28 with the board at or before the time or adjourned time of such
29 hearing. Any objections against the making of any assessable
30 improvements not so made shall be considered waived, and if
31 any objection shall be made and overruled or shall not be

1 sustained, the confirmation of the resolution shall be the
2 final adjudication of the issues presented unless proper steps
3 shall be taken in the Circuit Court for the Seventeenth
4 Circuit to secure relief within 20 days.

5 (6) Whenever any resolution providing for the
6 construction or reconstruction of assessable improvements and
7 for the levying of special assessments upon benefited property
8 for the payment thereof shall have been confirmed, as
9 hereinabove provided, or at any time thereafter, the board may
10 issue assessment bonds payable out of such assessments when
11 collected. Said bonds shall mature not later than 2 years
12 after the last installment in which said special assessments
13 may be paid, as provided in subsection (10), and may bear
14 interest. Such assessment bonds shall be executed, shall have
15 such provisions for redemption prior to maturity, shall be
16 sold in the manner and be subject to all of the applicable
17 provisions contained in this act for revenue bonds, except as
18 the same are inconsistent with the provisions of this
19 section. The amount of such assessment bonds for any
20 assessable improvement, after the confirmation of the initial
21 resolution, shall not exceed 80 percent of the estimated
22 amount of the cost of such assessable improvements which are
23 to be specially assessed against the land or property to be
24 specially benefited thereby, as shown in the estimates of the
25 director of the authority referred to in subsection (2). The
26 amount of such assessment bonds for any assessable improvement
27 to be issued, after the confirmation of the preliminary
28 assessment roll provided for in subsection (9), including any
29 assessment bonds theretofore issued, shall not exceed the
30 amount of special assessments actually confirmed and levied by
31 the board as provided in subsection (9). Such assessment bonds

1 shall be payable from the proceeds of the special assessments
2 levied for the assessable improvement for which such
3 assessment bonds are issued, provided, however, that the
4 director may pledge the full faith and credit of the authority
5 for the payment of the principal of and interest on such
6 assessment bonds if the issuance of such assessment bonds
7 shall be approved in the manner provided by law.

8 (7) After the passage of the resolution authorizing
9 the construction or reconstruction of assessable improvements
10 has been confirmed as provided in subsection (4), the
11 authority may proceed with the construction or reconstruction
12 work in accordance with the provisions of this act. Promptly
13 after the completion of the work, the director for the
14 authority, who is hereby designated as the official of the
15 authority to make preliminary assessment of benefits from
16 assessable improvements shall prepare a preliminary assessment
17 roll and file the same with the board, which roll shall
18 contain the following:

19 (a) A description of the lots and parcels of land or
20 property within the authority which will benefit from such
21 assessable improvements and the amount of such benefits to
22 each such lot or parcel of land or property, and the
23 preliminary assessment. Such lots and parcels shall include
24 the property of the county or counties and any school district
25 or other political subdivision within the authority. There
26 shall also be given the name of the owner of record of each
27 lot or parcel where practicable, and a statement of the method
28 of assessment used by the director.

29 (b) The total cost of the improvement and the amount
30 of incidental expense.
31

1 In making such preliminary assessments, the director may use
2 any method of determining the amount of special benefits
3 accruing to each lot or parcel of land or property from such
4 assessable improvements as shall be approved by the
5 board. Such special benefits may be based on an area
6 assessment where benefits from such assessable improvements
7 are equal or nearly equal for lands of property in a
8 particular area, front footage, square footage of structures,
9 cubic measurement of structures, potential uses, or any other
10 factors which the board deems fair and equitable as between
11 the different lots or parcels of land or property
12 benefited. It shall be the duty of the director in making
13 such preliminary assessment roll to view all lots or parcels
14 of land or property to be assessed, and to determine, for the
15 preliminary assessment roll, the amount of benefit which each
16 lot or parcel of land or property will receive from such
17 assessable improvements, under the method or methods
18 prescribed by the board, or any combination thereof.

19 (8) The preliminary roll shall be advisory only and
20 shall be subject to the action of the board as hereinafter
21 provided. Upon the filing with the board of the preliminary
22 assessment roll, the board shall publish at least once in a
23 newspaper or newspapers published or of general circulation
24 within the downtown, a notice stating that at a meeting of the
25 board to be held on a certain day and hour, not less than 15
26 days from the date of such publication, which meeting may be a
27 regular, adjourned, or special meeting, all interested persons
28 may appear and file written objections to the confirmation of
29 such roll. Such notice shall state the class of the
30 assessable improvements and the location thereof by terminal
31 points, route, or otherwise. The board shall also mail a copy

1 of such notice to the persons, firms, or corporations referred
2 to in subsection (3) at least 10 days before the time for the
3 meeting as stated in such notice, but the failure of the board
4 to mail any such notice shall not constitute a valid objection
5 to holding such meeting or to any other action taken under the
6 authority of this section.

7 (9) At the time and place stated in such notice, the
8 board shall meet and receive the objections in writing of all
9 interested persons as stated in such notice. The board may
10 adjourn the hearing from time to time. After the completion
11 thereof the board shall either annul or sustain or modify in
12 whole or in part the preliminary assessment as indicated on
13 such roll, either by confirming the preliminary assessment
14 against any or all lots or parcels described therein or by
15 canceling, increasing, or reducing the same, according to the
16 special benefits which the board decides each such lot or
17 parcel has received or will receive on account of such
18 improvement. If any property which may be chargeable under
19 this section shall have been omitted from the preliminary
20 roll, or if the preliminary assessment shall not have been
21 made against it, the board may place on such roll an
22 apportionment to such property. The board shall not confirm
23 any assessment in excess of the special benefits to the
24 property assessed, and the assessments so confirmed shall be
25 in proportion to the special benefits. The assessment so made
26 shall be final and conclusive as to each lot or parcel
27 assessed unless proper steps be taken within 30 days in the
28 Circuit Court for the Seventeenth Circuit to secure
29 relief. If the assessment against any property shall be
30 sustained or reduced or abated by the court, the board shall
31 note that fact on the assessment roll opposite the description

1 of the property affected thereby. The amount of the special
2 assessment against any lot or parcel which may be reduced or
3 abated by the court, unless the assessment upon the entire
4 authority be reduced or abated, or the amount by which such
5 assessment is so reduced or abated, may by resolution of the
6 board be made chargeable against the authority at large; or,
7 at the discretion of the board, a new assessment roll may be
8 prepared and confirmed in the manner hereinbefore provided for
9 the preparation and confirmation of the original assessment
10 roll.

11 (10) Any assessment may be paid at the office of the
12 board within 60 days after the confirmation thereof, without
13 interest. Thereafter all assessments shall be payable at such
14 times, over such period of years not exceeding 20 years, and
15 in such annual or other installments with interest at such
16 rate not exceeding 8 percent per annum on the principal amount
17 of such assessments from the expiration of said 60 days, as
18 the board shall determine by resolution. The board may
19 provide that any assessment may be paid at any time before due
20 together with interest accrued thereon to the date of
21 prepayment, if such prior payment shall be permitted by the
22 proceedings authorizing any assessment bonds or other
23 obligations for the payment of which such special assessments
24 have been pledged.

25 (11) All such special assessments shall be collected
26 by the city tax collector, or by such other officer or agent
27 as the board may designate, at such time or times as the board
28 shall specify in the proceedings authorizing or confirming the
29 special assessments, and if no other time is specified then at
30 the same time as general city taxes are collected in the city.
31

1 (12) All assessments shall constitute a lien upon the
2 property so assessed from the date of confirmation of the
3 resolution ordering the improvement, of the same nature and to
4 the same extent as the lien for general city taxes falling due
5 in the same year or years in which such assessment or
6 installments thereof fall due, and any assessment or
7 installment not paid when due shall be collectible with such
8 interest and with a reasonable attorney's fee and costs, but
9 without penalties, by the authority by proceedings in the
10 Circuit Court for the Seventeenth Circuit to foreclose the
11 lien of assessments, as a lien for mortgages is or may be
12 foreclosed under the laws of the state, provided that any such
13 proceedings to foreclose shall embrace all installments of
14 principal remaining unpaid with accrued interest thereon,
15 which installments shall, by virtue of the institution of such
16 proceedings, immediately become due and
17 payable. Nevertheless, if prior to any sale of the property
18 under decree of foreclosure in such proceedings, payment be
19 made of the installment or installments which are shown to be
20 due under the provisions of the resolution passed pursuant to
21 subsections (9) and (10), and all costs including interest and
22 attorney's fees, such payment shall have the effect of
23 restoring the remaining installments to their original
24 maturities, and the proceedings shall be dismissed. It shall
25 be the duty of the authority to enforce the prompt collection
26 of assessments by the means herein provided, and such duty may
27 be enforced at the suit of any holder of bonds issued under
28 this act in the Circuit Court for the Seventeenth Circuit by
29 mandamus or other appropriate proceedings or action. Not
30 later than 30 days after any installments are due and payable,
31 it shall be the duty of the board to direct the attorney or

1 attorneys whom the board shall then designate to institute
2 action within 2 months after such direction to enforce the
3 collection of all special assessments for assessable
4 improvements made under this section and remaining due and
5 unpaid at the time of such direction. Such action shall be
6 prosecuted in a manner and under the conditions in and under
7 which mortgages are foreclosed under the laws of the
8 state. It shall be lawful to join in one action the
9 collection of assessments against any or all property assessed
10 by virtue of the same assessment roll unless the court shall
11 deem such joinder prejudicial to the interests of any
12 defendant. The court shall allow a reasonable attorney's fee
13 for the attorney or attorneys of the authority, and the same
14 shall be collectible as a part of or in addition to the costs
15 of the action. At the sale pursuant to decree in any such
16 action, the authority may be a purchaser to the same extent as
17 an individual person or corporation, except that the part of
18 the purchase price represented by the assessments sued upon
19 and the interest thereon need not be paid in cash. Property
20 so acquired by the authority may be sold or otherwise disposed
21 of, the proceeds of such disposition to be placed in the fund
22 provided by subsection (13) of this section, provided,
23 however, that no sale or other disposition thereof shall be
24 made unless the notice calling for bids therefor to be
25 received at a stated time and place shall have been published
26 at least once in a newspaper or newspapers published or of
27 general circulation in the downtown.

28 (13) All assessments and charges made under the
29 provisions of this section for the payment of all or any part
30 of the cost of any assessable improvements for which
31 assessment bonds shall have been issued under the provisions

1 of this law, or which have been pledged as additional security
2 for any other bonds or obligations issued under this act,
3 shall be maintained in a special fund or funds and be used
4 only for the payment of principal or interest on such
5 assessment bonds or other bonds or obligations.

6 (14) Subject to the terms of any bonds or other
7 obligation payable from or secured by the assessments provided
8 for herein, the board may at any time and from time to time
9 modify, in whole or in part, or revoke any plan or
10 specification for any assessable improvement. In connection
11 with the revision of any such plan or specification, benefits
12 may be reassessed or additional assessments made in accordance
13 with the provisions and procedures of this section. The board
14 may at any time approve and make effective technical changes
15 and modifications of any plan for any improvement not
16 affecting the determination of assessed benefits or the
17 security of bond owners.

18 Section 20. Encouragement of private enterprise.--The
19 authority, to the greatest extent it determines to be feasible
20 in carrying out the provisions of this act, shall afford
21 maximum opportunity, consistent with the sound needs of said
22 authority as a whole, to the rehabilitation or redevelopment
23 of the renewal area by private enterprise. The authority
24 shall give consideration to this objective in exercising its
25 powers under this act, including the approval of renewal plans
26 (consistent with the general plan of the city), the
27 enforcement of restrictions, regulations, and agreements
28 relating to the use of land and the use and occupancy of
29 buildings and improvements, the disposition of any property
30 acquired, and the provision of necessary public improvements.
31

1 Section 21. Workable program.--The authority for the
2 purposes of this act may cooperate with the city, or with
3 Broward County, in the formulation of a workable program for
4 community improvements, utilizing appropriate private and
5 public resources to eliminate and prevent the development or
6 spread of slums and urban blight, to encourage needed urban
7 rehabilitation, to provide for the redevelopment of slum and
8 blighted areas, or to undertake such of the aforesaid
9 activities or other feasible municipal activities as may be
10 suitably employed to achieve the objectives of such workable
11 program. Such workable program may include, without
12 limitation, provisions for: the prevention of the spread of
13 blight into areas of the authority which are free from blight
14 through diligent enforcement of housing, zoning, and occupancy
15 controls and standards; the rehabilitation or conservation of
16 slum and blighted areas or portions thereof by replanning,
17 removing congestion, providing parks, playgrounds, and other
18 public improvements, by encouraging voluntary rehabilitation,
19 and by compelling the repair and rehabilitation of
20 deteriorated or deteriorating structures; and the clearance
21 and redevelopment of slum and blighted areas or portions
22 thereof.

23 Section 22. Renewal projects and plans.--

24 (1) The authority shall not approve a renewal project
25 for a renewal area unless the board has, by resolution,
26 determined such area to be a slum area or a blighted area or a
27 combination thereof and designated such area as appropriate
28 for a renewal project. Said board shall not approve a renewal
29 plan until a general plan for the downtown has been
30 prepared. For this purpose and other authority purposes,
31 authority is hereby vested in said authority to prepare, to

1 adopt, and to revise from time to time a general plan for the
2 physical development of the downtown as a whole (giving due
3 regard to the environs and metropolitan surroundings),
4 provided, however, that the Legislature finds that all of the
5 requirements of a general plan for the physical development of
6 the downtown have been fulfilled by the Plans and Proposals of
7 either Concepts A or B of the 1967 Fort Lauderdale Central
8 Area Study prepared for the authority by Victor Gruen,
9 Architect, F.A.I.A. The authority may revise said general
10 plan from time to time and may adopt another general plan.

11 (2) The authority may prepare or cause to be prepared
12 a renewal plan, or any person or agency, public or private,
13 may submit such a plan to said authority. Prior to its
14 approval of a renewal project, the board shall submit such
15 plan to the planning board of the city for review and
16 recommendations as to its conformity with the general plan for
17 the development of the city as a whole. The planning board
18 shall submit its written recommendations with respect to the
19 proposed renewal plan to the authority within 30 days after
20 receipt of the plan for review. Upon receipt of the
21 recommendations of the planning board, or, if no
22 recommendations are received within said 30 days, then without
23 such recommendations, said authority may proceed with the
24 hearing on the proposed renewal project prescribed herein. No
25 person other than the city shall be entitled to raise the
26 question of inconsistency of any plan with the general plan of
27 the city.

28 (3) The authority shall hold a public hearing on a
29 renewal project, after public notice thereof by publication in
30 a newspaper having a general circulation in the area of
31 operation of the authority. The notice shall describe the

1 time, date, place, and purpose of the hearing, shall generally
2 identify the renewal area covered by the plan, and shall
3 outline the general scope of the renewal project under
4 consideration.

5 (4) Following such hearing, the authority may approve
6 a renewal project if it finds that:

7 (a) A feasible method exists for the location of
8 families who will be displaced from the renewal area in
9 decent, safe, and sanitary dwelling accommodations within
10 their means and without undue hardship to such families.

11 (b) The renewal plan conforms to the general plan of
12 the municipality as a whole.

13 (c) The renewal plan will afford maximum opportunity,
14 consistent with the sound needs of the municipality as a
15 whole, for the rehabilitation or redevelopment of the renewal
16 area by private enterprise.

17 (5) A renewal plan may be modified at any time,
18 provided that if modified after the lease or sale by the
19 authority of real property in the renewal project area, such
20 modification may be conditioned upon such approval of the
21 owner, lessee, or successor in interest as the authority may
22 deem advisable and in any event shall be subject to such
23 rights at law or in equity as a lessee or purchaser, or his or
24 her successor or successors in interest, may be entitled to
25 assert.

26 (6) Upon the approval by the authority of a renewal
27 plan or of any modification thereof, such plan or modification
28 shall be deemed to be in full force and effect for the
29 respective renewal area and the authority may then cause such
30 plan or modification to be carried out in accordance with its
31 terms.

1 (7) Notwithstanding any other provisions of this act,
2 where the authority certifies that an area is in need of
3 redevelopment or rehabilitation as a result of a flood, fire,
4 hurricane, earthquake, storm, or other catastrophe respecting
5 which the Governor has certified the need for disaster
6 assistance under Public Law 875, Eighty-first Congress, or
7 other federal law, the board may approve a renewal plan and a
8 renewal project with respect to such area without regard to
9 the provisions of subsection (4) of this section and the
10 provisions of this section requiring a general plan for the
11 city and the public hearing on the renewal project.

12 Section 23. Powers.--The authority shall have all the
13 powers necessary or convenient to carry out and effectuate the
14 purposes and provisions of this act, including the following
15 powers in addition to others herein granted:

16 (1) To undertake and carry out renewal projects within
17 its area of operation; to make and execute contracts and other
18 instruments necessary or convenient to the exercise of its
19 powers under this act; and to disseminate slum clearance and
20 renewal information.

21 (2) To provide or to arrange or contract for the
22 furnishing or repair by any person or agency, public or
23 private, of services, privileges, works, streets, roads,
24 public utilities, or other facilities for or in connection
25 with a renewal project; to install, construct, and reconstruct
26 streets, utilities, parks, playgrounds, and other public
27 improvements; and to agree to any conditions that it may deem
28 reasonable and appropriate attached to federal financial
29 assistance and imposed pursuant to federal law relating to the
30 determination of prevailing salaries or wages or compliance
31 with labor standards, in the undertaking or carrying out of a

1 renewal project, and to include in any contract let in
2 connection with such a project provisions to fulfill such of
3 said conditions as it may deem reasonable and appropriate.

4 (3) Within its area of operation, to enter into any
5 building or property in any renewal area in order to make
6 inspections, surveys, appraisals, soundings, or test borings,
7 and to obtain an order for this purpose from a court of
8 competent jurisdiction in the event entry is denied or
9 resisted; to acquire by purchase, lease, option, gift, grant,
10 bequest, devise, eminent domain, or otherwise any real
11 property (or personal property for its administrative
12 purposes) together with any improvements thereon; to hold,
13 improve, clear, or prepare for redevelopment any such
14 property; to dispose of any real property; to insure or
15 provide for the insurance of any real or personal property or
16 operation of the authority against any risks or hazards,
17 including the power to pay premiums on any such insurance; and
18 to enter into any contracts necessary to effectuate the
19 purposes of this act provided, however, that no statutory
20 provision with respect to the acquisition, clearance, or
21 disposition of property by public bodies shall restrict the
22 authority in the exercise of such functions with respect to a
23 renewal project, unless the Legislature shall specifically so
24 state.

25 (4) To invest any renewal project funds held in
26 reserves or sinking funds or any such funds not required for
27 immediate disbursement, in property or securities in which
28 banks may legally invest funds subject to their control, and
29 to redeem such bonds as have been issued pursuant to this act
30 at the redemption price established therein or to purchase
31

1 such bonds at less than redemption price, all such bonds so
2 redeemed or purchased to be canceled.

3 (5) To borrow money and to apply for and accept
4 advances, loans, grants, contributions, and any other form of
5 financial assistance from the Federal Government, the state,
6 county, city, or other public body, or from any sources,
7 public or private, for the purposes of this act, and to give
8 such security as may lawfully be required and to enter into
9 and carry out contracts in connection therewith. The
10 authority may include in any contract for financial assistance
11 with the Federal Government for a renewal project such
12 conditions imposed pursuant to federal laws as the authority
13 may deem reasonable and appropriate and which are not
14 inconsistent with the purposes of this act.

15 (6) Within its area of operation, to make or have made
16 all surveys and plans necessary to the carrying out of the
17 purposes of this act and to contract with any person, public
18 or private, in making and carrying out such plans and to adopt
19 or approve, modify and amend such plans. Such plans may
20 include, without limitation:

21 (a) A general plan for the locality as a whole.

22 (b) Renewal plans.

23 (c) Preliminary plans outlining renewal activities for
24 neighborhoods to embrace two or more renewal areas.

25 (d) Plans for carrying out a program of voluntary or
26 compulsory repair and rehabilitation of buildings and
27 improvements.

28 (e) Plans for the enforcement of state and local laws,
29 codes, and regulations relating to the use of land and the use
30 and occupancy of buildings and improvements and to the
31

1 compulsory repair, rehabilitation, demolition, or removal of
2 buildings and improvements.

3 (f) Appraisals, title searches, surveys, studies, and
4 other plans and work necessary to prepare for the undertaking
5 of renewal projects. The authority is authorized to develop,
6 test, and report methods and techniques, and carry out
7 demonstrations and other activities, for the prevention and
8 the elimination of slums and blight and to apply for, accept,
9 and utilize grants of funds from the Federal Government for
10 such purposes.

11 (7) To prepare plans for the relocation of persons,
12 including families, business concerns, and others, displaced
13 by a renewal project, and to make relocation payments to or
14 with respect to such persons for moving expenses and losses of
15 property for which reimbursement or compensation is not
16 otherwise made, including the making of such payments financed
17 by the Federal Government.

18 (8) To appropriate such funds and make such
19 expenditures as may be necessary to carry out the purposes of
20 this act, and to levy taxes and assessments for such purposes,
21 subject to millage limitations of this act and the State
22 Constitution.

23 (9) To plan or replan streets, roads, sidewalks, ways,
24 or other places and to plan or replan any part of the
25 downtown.

26 (10) Within its area of operation, to organize,
27 coordinate, and direct the administration of the provisions of
28 this act as they apply to such authority in order that the
29 objective of remedying slum and blighted areas and preventing
30 the causes thereof within such authority may be most
31 effectively promoted and achieved, and to establish such new

1 office or offices of the authority or to reorganize existing
2 offices in order to carry out such purpose most effectively.

3 (11) To exercise all or any part or combination of
4 powers herein granted.

5 Section 24. Disposal of property in renewal area.--

6 (1) The authority may sell, lease, or otherwise
7 transfer real property or any interest therein acquired by it,
8 and may enter into contracts with respect thereto, in a
9 renewal area for residential, recreational, commercial,
10 industrial, or other uses or for public use, or may retain
11 such property or interest for public use, in accordance with
12 the renewal plan, subject to such covenants, conditions, and
13 restrictions, including covenants running with the land, as
14 may be deemed to be necessary or desirable to assist in
15 preventing the development or spread of future slums or
16 blighted areas or to otherwise carry out the purposes of this
17 act, provided that such sale, lease, other transfer, or
18 retention, and any agreement relating thereto, may be made
19 only after the approval of the renewal plan by the board. The
20 purchasers or lessees and their successors and assigns shall
21 be obligated to devote such real property only to the uses
22 specified in the renewal plan, and may be obligated to comply
23 with such other requirements as the authority may determine to
24 be in the renewal plan, and may be obligated to comply with
25 such other requirements as the authority may determine to be
26 in the public interest, including the obligation to begin
27 within a reasonable time any improvements on such real
28 property required by the renewal plan. Such real property or
29 interest shall be sold, leased, otherwise transferred, or
30 retained at not less than its fair value for uses in
31 accordance with the renewal plan. In determining the fair

1 value of real property for uses in accordance with the renewal
2 plan, the authority shall take into account and give
3 consideration to the uses provided in such plan; the
4 restrictions upon, and the covenants, conditions, and
5 obligations assumed by, the purchaser or lessee or by the
6 authority retaining the property; and the objectives of such
7 plan for the prevention of the recurrence of a slum or
8 blighted areas. The authority in any instrument of conveyance
9 to a private purchaser or lessee may provide that such
10 purchaser or lessee, shall be without power to sell, lease, or
11 otherwise transfer the real property without the prior written
12 consent of the authority until he or she has obligated himself
13 or herself to construct thereon. Real property acquired by
14 the authority which, in accordance with the provisions of the
15 renewal plan, is to be transferred shall be transferred as
16 rapidly as feasible in the public interest consistent with the
17 carrying out of the provisions of the renewal plan. Any
18 contract for such transfer and the renewal plan (or such part
19 or parts of such contract or plan as the authority may
20 determine) may be recorded in the office of the Clerk of the
21 Circuit Court of Broward County.

22 (2) The authority may dispose of real property in a
23 renewal area to private persons only under such reasonable
24 competitive bidding procedures as it shall prescribe or as
25 hereinafter provided in this subsection. The authority may,
26 by public notice by publication in a newspaper having a
27 general circulation in the community (30 days prior to the
28 execution of any contract to sell, lease, or otherwise
29 transfer real property and prior to the delivery of any
30 instrument of conveyance with respect thereto under the
31 provisions of this section) invite proposals from and make

1 available all pertinent information to private redevelopers or
2 any persons interested in undertaking to redevelop or
3 rehabilitate a renewal area, or any part thereof. Such notice
4 shall identify the area, or portion thereof, and shall state
5 that proposals shall be made by those interested within 30
6 days after the date of publication of said notice, and that
7 such further information as is available may be obtained at
8 such office as shall be designated in said notice. The
9 authority shall consider all such redevelopment or
10 rehabilitation proposals and the financial and legal ability
11 of the persons making such proposals to carry them out, and
12 may negotiate with any persons for proposals for the purchase,
13 lease, or other transfer of any real property acquired by the
14 authority in the renewal area. The authority may accept such
15 proposal as it deems to be in the public interest and in
16 furtherance of the purposes of this act, provided that a
17 notification of intention to accept such proposal shall be
18 filed with the board not less than 30 days prior to such
19 acceptance. Thereafter, the authority may execute such
20 contract in accordance with the provisions of subsection (1)
21 and deliver deeds, leases, and other instruments and take all
22 steps necessary to effectuate such contract.

23 (3) The authority may temporarily operate and maintain
24 real property acquired in a renewal area pending the
25 disposition of the property as authorized in this act, without
26 regard to the provisions of subsection (1), for such uses and
27 purposes as may be deemed desirable even though not in
28 conformity with the renewal plan.

29 Section 25. Issuance of bonds.--

30 (1) The authority shall have the power to issue bonds
31 from time to time in its discretion to finance the undertaking

1 of any renewal project under this act, including without
2 limiting the generality thereof, the payment of principal and
3 interest upon any advances for surveys and plans, and shall
4 also have power to issue refunding bonds for the payment or
5 retirement of such bonds previously issued by it. Such bonds
6 may be made payable as to bond principal and interest, from
7 the income, proceeds, revenues, and funds of the authority
8 derived from or held in connection with its undertaking and
9 carrying out of renewal projects under this act, provided,
10 however, that payment of such bonds, both as to principal and
11 interest, may be further secured by a pledge of any loan,
12 grant, or contribution from the Federal Government or other
13 source, in aid of any renewal projects of the authority under
14 this act.

15 (2) Bonds issued under this section shall not
16 constitute an indebtedness within the meaning of any
17 constitutional or statutory debt limitation or restriction,
18 and shall not be subject to the provisions of any other law or
19 charter relating to the authorization, issuance, or sale of
20 bonds. Bonds issued under the provisions of this act are
21 declared to be issued for an essential public and governmental
22 purpose and, together with interest thereon and income
23 therefrom, shall be exempted from all taxes.

24 (3) Bonds issued under this section shall be
25 authorized by resolution or ordinance of the board and may be
26 issued in one or more series and shall bear such date or
27 dates, be payable upon demand or mature at such time or times,
28 bear such interest, be in such denomination or denominations,
29 be in such form either coupon or registered, carry such
30 conversion or registration privileges, have such rank or
31 priority, be executed in such manner, be payable in such

1 medium of payment, at such place or places, and be subject to
2 such terms of redemption (with or without premium), be secured
3 in such manner, and have such other characteristics as may be
4 provided by such resolution or trust indenture or mortgage
5 issued pursuant thereto.

6 (4) Such bonds may be sold at not less than par at
7 public sales held after notice published prior to such sale in
8 a newspaper having a general circulation in the area of
9 operation and in such other medium of publications as the
10 authority may determine or may be exchanged for other bonds on
11 the basis of par, provided that such bonds may be sold to the
12 Federal Government at private sale at not less than par and,
13 in the event less than all of the authorized principal amount
14 of such bonds is sold to the Federal Government, the balance
15 may be sold at private sale at not less than par at an
16 interest cost to the authority not to exceed the interest cost
17 to the authority of the portion of the bonds sold to the
18 Federal Government.

19 (5) In case any of the public officials of the
20 authority whose signatures appear on any bonds or coupons
21 issued under this act shall cease to be such officials before
22 the delivery of such bonds, such signatures shall,
23 nevertheless, be valid and sufficient for all purposes, the
24 same as if such officials had remained in office until such
25 delivery. Any provisions of any law to the contrary
26 notwithstanding, any bonds issued pursuant to this act shall
27 be fully negotiable.

28 (6) In any suit, action, or proceeding involving the
29 validity or enforceability of any bond issued under this act
30 or the security therefor, any such bond reciting in substance
31 that it has been issued by the authority in connection with a

1 renewal project, as herein defined, shall be conclusively
2 deemed to have been issued for such purpose and such project
3 shall be conclusively deemed to have been planned, located,
4 and carried out in accordance with the provisions of this act.

5 Section 26. Bonds as legal investments.--All banks,
6 trust companies, bankers, savings banks and institutions,
7 building and loan associations, savings and loan associations,
8 investment companies, and all other persons carrying on a
9 banking or investment business; all insurance companies,
10 insurance associations, and other persons carrying on an
11 insurance business; and all executors, administrators,
12 curators, trustees, and other fiduciaries may legally invest
13 any sinking funds, moneys, or other funds belonging to them or
14 within their control in any bonds or other obligations issued
15 by the authority pursuant to this act, provided that such
16 bonds and other obligations shall be secured by an agreement
17 between the issuer and the Federal Government in which the
18 issuer agrees to borrow from the Federal Government and the
19 Federal Government agrees to lend to the issuer, prior to the
20 maturity of such bonds or other obligations, moneys in an
21 amount which (together with any other moneys irrevocably
22 committed to the payment of interest on such bonds or other
23 obligations) will suffice to pay the principal of such bonds
24 or other obligations with interest to maturity thereon, which
25 moneys under the terms of said agreement are required to be
26 used for the purpose of paying the principal of and the
27 interest on such bonds or other obligations at their
28 maturity. Such bonds and other obligations shall be
29 authorized security for all public deposits. It is the
30 purpose of this section to authorize any persons, political
31 subdivisions, and officers, public or private, to use any

1 funds owned or controlled by them for the purpose of any such
2 bonds or other obligations. Nothing contained in this section
3 with regard to legal investments shall be construed as
4 relieving any person of any duty of exercising reasonable care
5 in selecting securities.

6 Section 27. Property tax exemption.--

7 (1) All property of the authority, including funds,
8 owned or held by it for the purposes of this act shall be
9 exempt from levy and sale by virtue of an execution, and no
10 execution or other judicial process shall issue against the
11 same, nor shall judgment against the authority be a charge or
12 lien upon such property, provided, however, that the
13 provisions of this section shall not apply to or limit the
14 right of obligees to pursue any remedies for the enforcement
15 of any pledge or lien given pursuant to this act by the
16 authority on its rents, fees, grants, or revenues from renewal
17 projects.

18 (2) The property of the authority, acquired or held
19 for the purposes of this act, is declared to be public
20 property used for essential public and governmental purposes
21 and such property shall be exempt from all taxes of the
22 municipality, the county, the state, or any political
23 subdivision thereof, provided that such tax exemption shall
24 terminate when the authority sells, leases, or otherwise
25 disposes of such property in a renewal area to a purchaser or
26 lessee which is not a public body entitled to tax exemption
27 with respect to such property.

28 Section 28. Cooperation by public bodies.--

29 (1) For the purpose of aiding in the planning,
30 undertaking, or carrying out of a renewal project located
31 within the area in which it is authorized to act, any public

1 body may, upon such terms, with or without consideration, as
2 it may determine:

3 (a) Dedicate, sell, convey, or lease any of its
4 interest in any property or grant easements, licenses, or
5 other rights or privileges therein to the authority.

6 (b) Incur the entire expense of any public
7 improvements made by such public body in exercising the powers
8 granted in this section.

9 (c) Do any and all things necessary to aid or
10 cooperate in the planning or carrying out of a renewal plan.

11 (d) Lend, grant, or contribute funds to said
12 authority.

13 (e) Enter into agreements (which may extend over any
14 period, notwithstanding any provision or rule of law to the
15 contrary) with said authority or other public body respecting
16 action to be taken pursuant to any of the powers granted by
17 this act, including the furnishing of funds or other
18 assistance in connection with a renewal project.

19 (f) Cause public buildings and public facilities,
20 including parks and playgrounds, recreational, community,
21 educational, water, sewer, or drainage facilities, or any
22 other works which it is otherwise empowered to undertake or to
23 be furnished, furnish, dedicate, close, vacate, pave, install,
24 grade, regrade, plan, or replan streets, roads, sidewalks,
25 ways, or other places; plan or replan or zone or rezone any
26 part of the public body or make exceptions from building
27 regulations; and cause administrative and other services to be
28 furnished to the authority.

29
30 If at any time title to or possession of any renewal project
31 is held by any public body or governmental agency, other than

1 the authority, which is authorized by law to engage in the
2 undertaking, carrying out, or administration of renewal
3 projects (including any agency or instrumentality of the
4 United States of America), the provisions of the agreements
5 referred to in this section shall inure to the benefit of, any
6 may be enforced by, such public body or governmental agency.

7 (2) Any sale, conveyance, lease, or agreement provided
8 for in this section may be made by a public body without
9 appraisal, public notice, advertisement, or public bidding.

10 (3) For the purpose of aiding in the planning,
11 undertaking, or carrying out of a renewal project of the
12 authority hereunder, the city may (in addition to its other
13 powers and upon such terms, with or without consideration, as
14 it may determine) do and perform any or all of the actions or
15 things which, by the provisions of subsection (1), a public
16 body is authorized to do or perform, including the furnishing
17 of financial and other assistance.

18 (4) For the purposes of this section, or for the
19 purpose of aiding in the planning, undertaking, or carrying
20 out of a renewal project of the authority, said authority may
21 in addition to any other authority to issue bonds pursuant to
22 this act issue and sell its general obligation bonds. Any
23 bonds issued by the authority pursuant to this section shall
24 be issued in the manner and within the limitations prescribed
25 by the laws of this state for the issuance and authorization
26 of bonds by such authority for public purposes generally,
27 except as to constitutional requirements.

28 Section 29. Title of purchaser.--Any instrument
29 executed by the authority and purporting to convey any right,
30 title, or interest in any property under this act shall be
31 conclusively presumed to have been executed in compliance with

1 the provisions of this act insofar as title or other interest
2 of any bona fide purchaser, lessee, or transferee of such
3 property is concerned.

4 Section 30. Maximum millage.--The maximum millage of
5 the ad valorem tax authorized to be levied to finance the
6 operation of the authority may be increased by the board so as
7 to be any rate not exceeding 10 mills which shall have been
8 approved by vote of the majority of those voting in a
9 referendum in which those participating are limited to the
10 electors of the downtown who at the time of the referendum are
11 owners of freeholds in the downtown not wholly exempt from
12 taxation and who are then duly registered for an authority
13 referendum as authorized by this act.

14 Section 31. Severability.--If any section, clause,
15 sentence, or provision of this act or the application of such
16 section, clause, sentence, or provision to any person or
17 bodies or under any circumstances shall be held to be
18 inoperative, invalid, or unconstitutional, the invalidity of
19 such section, clause, sentence, or provision shall not be
20 deemed, held, or taken to affect the validity or
21 constitutionality of any of the remaining parts of this act,
22 or the application of any of the provisions of this act to
23 persons, bodies, or in circumstances other than those as to
24 which it or any part thereof shall have been inoperative,
25 invalid, or unconstitutional, and it is intended that this act
26 shall be construed and applied as if any section, clause,
27 sentence, or provision held inoperative, invalid, or
28 unconstitutional had not been included in this act.

29 Section 32. Liberal construction.--The provisions of
30 this act shall be liberally construed to effect its purposes
31

1 and shall be deemed cumulative, supplemental and alternative
2 authority for the exercise of the powers provided herein.

3 Section 33. This act shall be known and may be cited
4 as the "Fort Lauderdale Downtown Development Authority Law."

5 Section 34. (1) TRUST FUND; CREATION, DURATION, USE,
6 AND TERMINATION.--

7 (a) There is established a fund to be known as the
8 Redevelopment Trust Fund of the Downtown Development Authority
9 of the City of Fort Lauderdale. In addition to any other
10 funds available to the authority, funds allocated to and
11 deposited into said redevelopment trust fund may be used by
12 the authority, subject to prior approval by the board of
13 trustees and pursuant to the provisions of this act, to
14 finance or refinance all or part of the cost of construction
15 or acquisition of any project now or hereafter undertaken by
16 the authority individually or with or by any other
17 governmental entity.

18 (b) Anything to the contrary notwithstanding, the
19 redevelopment trust fund shall not come into existence until
20 this act has been approved by an ordinance adopted by the
21 Board of County Commissioners of Broward County and by an
22 ordinance adopted by the City Commission of the City of Fort
23 Lauderdale. Upon the final adoption and passage of such
24 ordinance by the Board of County Commissioners of Broward
25 County and the City Commission of the City of Fort Lauderdale,
26 the redevelopment trust fund shall thereafter continue in full
27 force and effect in accordance with all of the terms and
28 provisions this act.

29 (c) If the Downtown Development Authority of the City
30 of Fort Lauderdale ceases to exist, the redevelopment trust
31 fund shall be dissolved, and all funds previously deposited

1 therein by a taxing authority together with a pro rata share
2 of any interest having accrued thereon shall be returned to
3 such taxing authority, after the indebtedness outstanding
4 against the authority is retired and any expenses incurred in
5 servicing the indebtedness is paid, provided, however, that in
6 no event shall the redevelopment trust fund continue to exist
7 after the payment in full of such indebtedness and expenses
8 incurred in servicing the indebtedness.

9 (d) The term of bonds issued in accordance with
10 section 16 of this act, for which the development trust fund
11 has been pledged, may extend beyond the life of the
12 redevelopment trust fund if the City of Fort Lauderdale and
13 Broward County have agreed to service and pay such bonds after
14 the expiration of the fund. In such an event, after the
15 redevelopment trust fund expires, the county shall continue to
16 levy and collect the tax authorized by this law and use the
17 revenue therefrom to retire the bonds and to pay any expenses
18 necessary for servicing the bonds until the bonds are
19 retired. Any excess revenue remaining after the bonds are
20 retired, together with a pro rata share of any interest having
21 accrued thereon, shall be returned to the taxing authorities.

22 (2) FUNDING.--The funding of the redevelopment trust
23 fund shall take place annually commencing with the ad valorem
24 taxes levied and assessed for the year 1980, or the year in
25 which the ordinances provided for in paragraph (b) of
26 subsection (2) are adopted by the County Commission of Broward
27 County and the City Commission of the City of Fort Lauderdale,
28 whichever shall occur last. The funding of the redevelopment
29 trust fund shall not exceed that amount equal to the
30 difference between:

31

1 (a) The amount of ad valorem taxes levied each year by
2 or for all taxing authorities, except school districts and the
3 authority, on its buildings, fixtures, and other improvements
4 upon taxable real property contained within the geographic
5 boundaries of the renewal area; and

6 (b) The amount of ad valorem taxes which would have
7 been produced at the rate upon which the ad valorem taxes are
8 levied each year or for all taxing authorities, except school
9 districts and the authority, upon the total of the assessed
10 value of all building fixtures, and other improvements upon
11 taxable real property in the renewal area, which building,
12 fixtures, and improvements appeared and were listed upon the
13 most recent tax assessment roll used by each taxing authority,
14 except school districts and the authority, prior to the
15 effective date of this act. Taxes levied and assessed on the
16 real property upon which such buildings, fixtures, and
17 improvements are located shall not be included in the annual
18 funding calculation of the redevelopment trust fund.

19 (3) ANNUAL APPROPRIATION.--

20 (a) For the first 5 years during which the
21 redevelopment trust fund is in existence, each taxing
22 authority, except school districts and the authority, shall
23 annually appropriate from any available funds a sum which is
24 not less in amount than the increment of ad valorem tax
25 revenues, as defined and determined in subsection (3) accruing
26 to said taxing authority.

27 (b) During each year subsequent to the fifth year of
28 the existence of the redevelopment trust fund, each taxing
29 authority, except school districts and the authority, shall,
30 on a pro rata basis, appropriate to said fund a sum which is
31 no less than the amount determined by the board to be

1 necessary during the next fiscal year in order to provide for
2 payment of any bonds, loans, advances, undertakings, or
3 indebtedness, plus interest accruing thereon, or any other
4 financial obligation approved by the board and to the payment
5 of which redevelopment trust funds have been pledged or
6 committed. The redevelopment trust fund budget for each fiscal
7 year shall be prepared and approved by the board and trustees
8 and a copy thereof shall be furnished to each taxing
9 authority, except school districts, at least 30 days prior to
10 the first day of such fiscal year. The ad valorem tax
11 revenues as defined and determined in subsection (3) accruing
12 to such authorities.

13 (c) The obligation of the taxing authorities, except
14 school districts and the authority, to make annual
15 appropriations to the fund shall continue so long as the
16 authority exists, or until all bonds, loans, advances, and
17 indebtedness, or interest thereof, incurred by the authority
18 under this act, and for which redevelopment trust funds have
19 been pledged have been paid, provided that such obligation
20 shall be imposed on the annual tax increment calculated in
21 accordance with subsection (3) is greater than zero.

22 (4) BOARD OF TRUSTEES.--

23 (a) The redevelopment Trust Fund of the Downtown
24 Development Authority of the City of Fort Lauderdale shall be
25 subject to the jurisdiction, administration, and control of a
26 board of trustees consisting of five members.

27 (b) Within 30 days after the board of County
28 Commissioners of Broward County adopts the ordinance approving
29 the act, the board of County Commissioners of Broward County
30 shall appoint two of its members to the board of trustees, the
31 City Commission of the City of Fort Lauderdale shall appoint

1 two members of its commission to the board of trustees, and
2 the Downtown Development Authority of the City of Fort
3 Lauderdale, shall appoint one member of the board of
4 trustees. All appointments shall be by resolution. The terms
5 of office of a member of the board of trustees shall be 1 year
6 from the date of appointment. A vacancy occurring during a
7 term shall be filled for the unexpired portion of the terms by
8 the governing body which made the original appointment. A
9 member of the board of trustees shall continue to serve until
10 his or her successor has been appointed. Decisions of the
11 board of trustees shall be made on the affirmative vote of a
12 majority of its members.

13 (c) The board of trustees shall control, operate, and
14 administer the Redevelopment Trust Fund of the Downtown
15 Development Authority of the City of Fort Lauderdale as
16 provided in this section. No project for which redevelopment
17 trust funds are to be used shall be undertaken unless first
18 approved by a resolution of the board of trustees. Any such
19 project shall be acquired, constructed, and operated in
20 accordance with the provisions of such resolution and shall
21 not be conveyed by the authority to any person unless such
22 conveyance is first approved by a resolution of the board of
23 trustees. The board of trustees may attach such conditions to
24 the approval of such project as the board of trustees deems
25 necessary. The authority shall not pledge funds in the
26 redevelopment trust fund for the payment of any bond, loan,
27 advance, or indebtedness, unless the authority has, by a
28 resolution, pledged said funds for the time during which any
29 such bond, loan, advance, or indebtedness, or any interest
30 thereon, remains unpaid.

31 (5) REVENUE BONDS AND NOTES.--

1 (a) Revenue bonds and notes of every issue under this
2 section shall be payable solely out of revenues deposited in
3 the authority's development trust fund. The lien created by
4 such revenue bonds and notes shall not attach until the
5 revenues referred to herein are deposited in the authority's
6 redevelopment trust fund at the times and to the extent that
7 such revenues accrue. The holders of such revenue bonds and
8 notes shall have no right to require or compel the imposition
9 of any tax or the establishment of any rate of taxation for
10 which to provide for the payment of such revenue bonds and
11 notes.

12 (b) Revenue bonds and notes issued under the
13 provisions of this section shall not constitute a debt,
14 liability, or obligation of the authority, Broward County, the
15 City of Fort Lauderdale, or the state or any political
16 subdivision thereof, or a pledge of the faith or credit of
17 Broward County, the City of Fort Lauderdale, or the state or
18 any political subdivision thereof, but shall be payable solely
19 from the redevelopment trust fund as provided for in this
20 section. All such revenue bonds and notes shall contain on
21 the face thereof a statement to the effect that the authority
22 shall not be obligated to pay the same or the interest thereon
23 except from the redevelopment trust fund of the authority held
24 for that purpose and that neither the faith nor credit nor the
25 taxing power of the authority, Broward County, the City of
26 Fort Lauderdale, or the state or any political subdivision
27 thereof is pledged to the payment of principal or interest on
28 such revenue bonds and notes.

29 (c) Revenue bonds and notes issued under the
30 provisions of this section shall not be included in the
31 computation of any limitation or the amount of bonded

1 indebtedness which the authority may incur under other
2 sections of this act.

3 (6) REVENUE BONDS, PLEDGE OF REDEVELOPMENT TRUST FUNDS
4 AND BONDS AS LEGAL INVESTMENTS.--Bonds issued under this
5 section shall be authorized by resolution of the board of
6 trustees. They may be issued in one or more series and shall
7 bear such date or dates, be payable upon demand or mature at
8 such time or times, bear interest at such rate or rates, be in
9 such denomination or denominations, be either with or without
10 coupon or registered, carry such conversion or registration
11 privileges, have such rank or priority, be executed in such
12 manner, be payable in such medium of payment at such place or
13 places, be subject to such terms of redemption (with or
14 without premium), be secured in such manner, and have such
15 other characteristics as may be provided by such resolution or
16 trust indenture or mortgage issued pursuant thereto. Bonds
17 issued under this section may be sold in such manner, either
18 at public or private sale, and for such price as the board of
19 trustees may determine will effectuate the purpose of this
20 section.

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

27 Section 5. Chapters 65-1541, 67-1385, 69-1056, 75-371,
28 80-501, 85-393, 87-507, 89-431, 92-247, 93-392, and 95-531,
29 Laws of Florida, are repealed.

30 Section 6. This act shall take effect upon becoming a
31 law.