

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Local, Federal & Veterans
2 Affairs Subcommittee

3 Representative La Rosa offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. This act may be cited as the "Sunbridge
8 Stewardship District Act."

9 Section 2. Legislative findings and intent; definitions;
10 policy.-

11 (1) LEGISLATIVE INTENT AND PURPOSE OF THE DISTRICT.-

12 (a) The extensive lands located wholly within Osceola
13 County and covered by this act contain many opportunities for
14 thoughtful, comprehensive, responsible, and consistent
15 development over a long period.

Amendment No. 1

16 (b) There is a need to use a special and limited purpose
17 independent special district unit of local government for the
18 Sunbridge Stewardship District lands located within Osceola
19 County and covered by this act to provide for a more
20 comprehensive communities development approach, which will
21 facilitate an integral relationship between transportation, land
22 use and urban design to provide for a diverse mix of housing and
23 regional employment and economic development opportunities,
24 rather than fragmented development with underutilized
25 infrastructure generally associated with urban sprawl.

26 (c) The establishment of a special and limited purpose
27 independent special district for the Sunbridge Stewardship
28 District lands will allow for the responsible management of an
29 area containing three watersheds and the intersection of the two
30 largest water management districts in the state. The headwaters
31 of the Econlockhatchee, St. Johns, and Kissimmee Rivers converge
32 on the Sunbridge Stewardship District lands. The establishment
33 of the district will further contribute to the ability to tailor
34 water resource solutions to the needs of each water shed and
35 basin to ensure the protection of the natural systems and
36 achieve conservation goals while facilitating the highest and
37 best use for the real property within the Sunbridge Stewardship
38 District.

39 (d) There is a considerably long period of time during
40 which there is a significant burden to provide various systems,

Amendment No. 1

41 facilities, and services on the initial landowners of these
42 Sunbridge Stewardship District lands, such that there is a need
43 for flexible management, sequencing, timing, and financing of
44 the various systems, facilities, and services to be provided to
45 these lands, taking into consideration absorption rates,
46 commercial viability, and related factors.

47 (e) While chapter 190, Florida Statutes, provides an
48 opportunity for community development services and facilities to
49 be provided by the establishment of community development
50 districts in a manner that furthers the public interest, given
51 the size of the Sunbridge Stewardship District lands and the
52 duration of development and that the Sunbridge Stewardship
53 District lands are located within the headwaters of three major
54 river systems, establishing multiple community development
55 districts over these lands would result in an inefficient,
56 duplicative, and needless proliferation of local special purpose
57 government, contrary to the public interest and the
58 Legislature's findings in chapter 190, Florida Statutes.
59 Instead, it is in the public interest that the long-range
60 provision for, and management, financing, and long-term
61 maintenance, upkeep, and operation of, services and facilities
62 to be provided for ultimate development and conservation of the
63 lands covered by this act be under one coordinated entity. The
64 creation of a single district will assist in integrating the
65 management of state resources and allow for greater and more

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

66 coordinated stewardship of water, waste, energy, habitat and
67 natural system resources.

68 (f) Longer involvement of the initial landowner with
69 regard to the provision of systems, facilities, and services for
70 the Sunbridge Stewardship District lands, coupled with the
71 special and limited purpose of the district, is in the public
72 interest.

73 (g) The existence and use of such a special and limited
74 purpose local government for the Sunbridge Stewardship District
75 lands, subject to the Osceola County comprehensive plan, will
76 provide for a comprehensive and complete communities development
77 approach to promote a sustainable and efficient land use pattern
78 for the Sunbridge Stewardship District lands with long-term
79 planning for conservation, development, and agriculture and
80 silviculture on a large scale; provide opportunities for the
81 mitigation of impacts and development of infrastructure in an
82 orderly and timely manner; prevent the overburdening of the
83 local general purpose government and the taxpayers; and provide
84 an enhanced tax base and regional employment and economic
85 development opportunities.

86 (h) The creation and establishment of the special district
87 will encourage local government financial self-sufficiency in
88 providing public facilities and in identifying and implementing
89 physically sound, innovative, and cost-effective techniques to
90 provide and finance public facilities while encouraging

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

91 development, use, and coordination of capital improvement plans
92 by all levels of government, in accordance with the goals of
93 chapter 187, Florida Statutes.

94 (i) The creation and establishment of the special district
95 will encourage and enhance cooperation among communities that
96 have unique assets, irrespective of political boundaries, to
97 bring the private and public sectors together for establishing
98 an orderly and economically sound plan for current and future
99 needs and growth.

100 (j) The creation and establishment of the special district
101 is a legitimate supplemental and alternative method available to
102 manage, own, operate, construct, and finance capital
103 infrastructure systems, facilities, and services.

104 (k) In order to be responsive to the critical timing
105 required through the exercise of its special management
106 functions, an independent special district requires financing of
107 those functions, including bondable lienable and nonlienable
108 revenue, with full and continuing public disclosure and
109 accountability, funded by landowners, both present and future,
110 and funded also by users of the systems, facilities, and
111 services provided to the land area by the special district,
112 without unduly burdening the taxpayers, citizens, and ratepayers
113 of the state, Osceola County, any municipality therein, or the
114 Tohopekaliga Water Authority.

Amendment No. 1

115 (1) The special district created and established by this
116 act shall not have or exercise any comprehensive planning,
117 zoning, or development permitting power; the establishment of
118 the special district shall not be considered a development order
119 within the meaning of chapter 380, Florida Statutes; and all
120 applicable planning and permitting laws, rules, regulations, and
121 policies of Osceola County control the development of the land
122 to be serviced by the special district.

123 (m) The creation by this act of the Sunbridge Stewardship
124 District is not inconsistent with the Osceola County
125 comprehensive plan.

126 (n) It is the legislative intent and purpose that no debt
127 or obligation of the special district constitute a burden on any
128 local general-purpose government or the Tohopekaliga Water
129 Authority without its consent.

130 (2) DEFINITIONS.—As used in this act:

131 (a) "Ad valorem bonds" means bonds that are payable from
132 the proceeds of ad valorem taxes levied on real and tangible
133 personal property and that are generally referred to as general
134 obligation bonds.

135 (b) "Assessable improvements" means, without limitation,
136 any and all public improvements and community facilities that
137 the district is empowered to provide in accordance with this act
138 that provide a special benefit to property within the district.

Amendment No. 1

139 (c) "Assessment bonds" means special obligations of the
140 district which are payable solely from proceeds of the special
141 assessments or benefit special assessments levied for assessable
142 improvements, provided that, in lieu of issuing assessment bonds
143 to fund the costs of assessable improvements, the district may
144 issue revenue bonds for such purposes payable from assessments.

145 (d) "Assessments" means those nonmillage district
146 assessments which include special assessments, benefit special
147 assessments, and maintenance special assessments and a
148 nonmillage, non-ad valorem maintenance tax if authorized by
149 general law.

150 (e) "Sunbridge Stewardship District" means the unit of
151 special and limited purpose local government created and
152 chartered by this act, and limited to the performance of those
153 general and special powers authorized by its charter under this
154 act, the boundaries of which are set forth by the act, the
155 governing board of which is created and authorized to operate
156 with legal existence by this act, and the purpose of which is as
157 set forth in this act.

158 (f) "Benefit special assessments" are district assessments
159 imposed, levied, and collected pursuant to the provisions of
160 section 6(12)(b).

161 (g) "Board of supervisors" or "board" means the governing
162 body of the district or, if such board has been abolished, the
163 board, body, or commission assuming the principal functions

Amendment No. 1

164 thereof or to whom the powers given to the board by this act
165 have been given by law.

166 (h) "Bond" includes "certificate," and the provisions that
167 are applicable to bonds are equally applicable to certificates.
168 The term also includes any general obligation bond, assessment
169 bond, refunding bond, revenue bond, bond anticipation note, and
170 other such obligation in the nature of a bond as is provided for
171 in this act.

172 (i) "Cost" or "costs," when used with reference to any
173 project, includes, but is not limited to:

174 1. The expenses of determining the feasibility or
175 practicability of acquisition, construction, or reconstruction.

176 2. The cost of surveys, estimates, plans, and
177 specifications.

178 3. The cost of improvements.

179 4. Engineering, architectural, fiscal, and legal expenses
180 and charges.

181 5. The cost of all labor, materials, machinery, and
182 equipment.

183 6. The cost of all lands, properties, rights, easements,
184 and franchises acquired.

185 7. Financing charges.

186 8. The creation of initial reserve and debt service funds.

187 9. Working capital.

Amendment No. 1

188 10. Interest charges incurred or estimated to be incurred
189 on money borrowed prior to and during construction and
190 acquisition and for such reasonable period of time after
191 completion of construction or acquisition as the board may
192 determine.

193 11. The cost of issuance of bonds pursuant to this act,
194 including advertisements and printing.

195 12. The cost of any bond or tax referendum held pursuant
196 to this act and all other expenses of issuance of bonds.

197 13. The discount, if any, on the sale or exchange of
198 bonds.

199 14. Administrative expenses.

200 15. Such other expenses as may be necessary or incidental
201 to the acquisition, construction, or reconstruction of any
202 project, or to the financing thereof, or to the development of
203 any lands within the district.

204 16. Payments, contributions, dedications, and any other
205 exactions required as a condition of receiving any governmental
206 approval or permit necessary to accomplish any district purpose.

207 17. Any other expense or payment permitted by this act or
208 allowable by law.

209 (j) "District" means the Sunbridge Stewardship District.

210 (k) "District manager" means the manager of the district.

211 (l) "District roads" means highways, streets, roads,
212 alleys, intersection improvements, sidewalks, crossings,

Amendment No. 1

213 landscaping, irrigation, signage, signalization, storm drains,
214 bridges, multi-use trails, lighting, and thoroughfares of all
215 kinds.

216 (m) "General obligation bonds" means bonds which are
217 secured by, or provide for their payment by, the pledge of the
218 full faith and credit and taxing power of the district.

219 (n) "Governing board member" means any member of the board
220 of supervisors.

221 (o) "Land development regulations" means those regulations
222 of general purpose local government, adopted under the Florida
223 Local Government Comprehensive Planning and Land Development
224 Regulation Act, codified as part II of chapter 163, Florida
225 Statutes, to which the district is subject and as to which the
226 district may not do anything that is inconsistent therewith.
227 Land development regulations shall not mean specific management,
228 engineering, operations, or capital improvement planning, needed
229 in the daily management, implementation, and supplying by the
230 district of systems, facilities, services, works, improvements,
231 projects, or infrastructure, so long as they remain subject to
232 and are not inconsistent with the applicable county codes.

233 (p) "Landowner" means the owner of a freehold estate as it
234 appears on the deed record, including a trustee, a private
235 corporation, and an owner of a condominium unit. "Landowner"
236 does not include a reversioner, remainderman, mortgagee, or any
237 governmental entity which shall not be counted and need not be

Amendment No. 1

238 notified of proceedings under this act. "Landowner" also means
239 the owner of a ground lease from a governmental entity, which
240 leasehold interest has a remaining term, excluding all renewal
241 options, in excess of 50 years.

242 (q) "General-purpose local government" means a county,
243 municipality, or consolidated city-county government.

244 (r) "Maintenance special assessments" are assessments
245 imposed, levied, and collected pursuant to the provisions of
246 section 6(12)(d).

247 (s) "Non-ad valorem assessment" means only those
248 assessments which are not based upon millage and which can
249 become a lien against a homestead as permitted in s. 4, Art. X
250 of the State Constitution.

251 (t) "Powers" means powers used and exercised by the board
252 of supervisors to accomplish the special and limited purpose of
253 the district, including:

254 1. "General powers," which means those organizational and
255 administrative powers of the district as provided in its charter
256 in order to carry out its special and limited purpose as a local
257 government public corporate body politic.

258 2. "Special powers," which means those powers enumerated
259 by the district charter to implement its specialized systems,
260 facilities, services, projects, improvements, and infrastructure
261 and related functions in order to carry out its special and
262 limited purposes.

Amendment No. 1

263 3. Any other powers, authority, or functions set forth in
264 this act.

265 (u) "Project" means any development, improvement,
266 property, power, utility, facility, enterprise, service, system,
267 works, or infrastructure now existing or hereafter undertaken or
268 established under the provisions of this act.

269 (v) "Qualified elector" means any person at least 18 years
270 of age who is a citizen of the United States and a legal
271 resident of the state and of the district and who registers to
272 vote with the Supervisor of Elections in Osceola County and
273 resides in Osceola County.

274 (w) "Reclaimed water system" means any plant, system,
275 facility, or property, and any addition, extension, or
276 improvement thereto at any future time constructed or acquired
277 as part thereof, useful, necessary, or having the present
278 capacity for future use in connection with the development of
279 sources, treatment, purification or distribution of reclaimed
280 water defined as water that has received at least secondary
281 treatment and basic disinfection and is reused after flowing out
282 of a domestic wastewater treatment facility. Reclaimed water
283 system also means franchises of any nature relating to any such
284 system and necessary or convenient for the operation thereof.

285 (x) "Refunding bonds" means bonds issued to refinance
286 outstanding bonds of any type and the interest and redemption
287 premium thereon. Refunding bonds may be issuable and payable in

Amendment No. 1

288 the same manner as refinanced bonds, except that no approval by
289 the electorate shall be required unless required by the State
290 Constitution.

291 (y) "Revenue bonds" means obligations of the district that
292 are payable from revenues, including, but not limited to,
293 special assessments and benefit special assessments, derived
294 from sources other than ad valorem taxes on real or tangible
295 personal property and that do not pledge the property, credit,
296 or general tax revenue of the district.

297 (z) "Sewer system" means any plant, system, facility, or
298 property, and additions, extensions, and improvements thereto at
299 any future time constructed or acquired as part thereof, useful
300 or necessary or having the present capacity for future use in
301 connection with the collection, treatment, purification, or
302 disposal of sewage, including, but not limited to, industrial
303 wastes resulting from any process of industry, manufacture,
304 trade, or business or from the development of any natural
305 resource. The term also includes treatment plants, pumping
306 stations, lift stations, valves, force mains, intercepting
307 sewers, laterals, pressure lines, mains, and all necessary
308 appurtenances and equipment; all sewer mains, laterals, and
309 other devices for the reception and collection of sewage from
310 premises connected therewith; and all real and personal property
311 and any interest therein, and rights, easements, and franchises

Amendment No. 1

312 of any nature relating to any such system and necessary or
313 convenient for operation thereof.

314 (aa) "Special assessments" shall mean assessments as
315 imposed, levied, and collected by the district for the costs of
316 assessable improvements pursuant to the provisions of this act,
317 chapter 170, Florida Statutes, and the additional authority
318 under s. 197.3631, Florida Statutes, or other provisions of
319 general law, now or hereinafter enacted, which provide or
320 authorize a supplemental means to impose, levy, or collect
321 special assessments.

322 (bb) "Taxes" or "tax" means those levies and impositions
323 of the board of supervisors that support and pay for government
324 and the administration of law and that may be:

325 1. Ad valorem or property taxes based upon both the
326 appraised value of property and millage, at a rate uniform
327 within the jurisdiction; or

328 2. If and when authorized by general law, non-ad valorem
329 maintenance taxes not based on millage that are used to maintain
330 district systems, facilities, and services.

331 (cc) "Water system" means any plant, system, facility, or
332 property, and any addition, extension, or improvement thereto at
333 any future time constructed or acquired as a part thereof,
334 useful, necessary, or having the present capacity for future use
335 in connection with the development of sources, treatment,
336 purification, or distribution of water. The term also includes

Amendment No. 1

337 dams, reservoirs, storage tanks, mains, lines, valves, pumping
338 stations, laterals, and pipes for the purpose of carrying water
339 to the premises connected with such system, and all rights,
340 easements, and franchises of any nature relating to any such
341 system and necessary or convenient for the operation thereof.

342 (3) POLICY.—Based upon its findings, ascertainments,
343 determinations, intent, purpose, and definitions, the
344 Legislature states its policy expressly:

345 (a) The district and the district charter, with its
346 general and special powers, as created in this act, are
347 essential and the best alternative for the residential,
348 commercial, office, hotel, industrial, and other community uses,
349 projects, or functions in the included portion of Osceola County
350 consistent with the effective comprehensive plan, and designed
351 to serve a lawful public purpose. Additionally, the District
352 and the District charter are not in conflict with and shall not
353 be interpreted in a manner that is inconsistent with the
354 Tohopekaliga Water Authority Act.

355 (b) The district, which is a local government and a
356 political subdivision, is limited to its special purpose as
357 expressed in this act, with the power to provide, plan,
358 implement, construct, maintain, and finance as a local
359 government management entity systems, facilities, services,
360 improvements, infrastructure, and projects, and possessing

Amendment No. 1

361 financing powers to fund its management power over the long term
362 and with sustained levels of high quality.

363 (c) The creation of the Sunbridge Stewardship District by
364 and pursuant to this act, and its exercise of its management and
365 related financing powers to implement its limited, single, and
366 special purpose, is not a development order and does not trigger
367 or invoke any provision within the meaning of chapter 380,
368 Florida Statutes, and all applicable governmental planning,
369 environmental, and land development laws, regulations, rules,
370 policies, and ordinances apply to all development of the land
371 within the jurisdiction of the district as created by this act.

372 (d) The district shall operate and function subject to,
373 and not inconsistent with, the applicable comprehensive plan of
374 Osceola County and any applicable development orders (e.g.
375 detailed specific area plan development orders), zoning
376 regulations, and other land development regulations.

377 (e) The special and single purpose Sunbridge Stewardship
378 District shall not have the power of a general-purpose local
379 government to adopt a comprehensive plan or related land
380 development regulation as those terms are defined in the
381 Community Planning Act.

382 (f) This act may be amended, in whole or in part, only by
383 special act of the Legislature. The board of supervisors of the
384 district shall not ask the Legislature to amend this act without
385 first obtaining a resolution or official statement from Osceola

Amendment No. 1

386 County as required by s. 189.031(2)(e)4., Florida Statutes, for
387 creation of an independent special district. The board of
388 supervisors of the District shall not ask the Legislature to
389 amend this act related to the delivery of potable and nonpotable
390 water and wastewater services in Osceola County without first
391 obtaining a resolution approving such amendment from the
392 Tohopekaliga Water Authority or its successors.

393 (g) Nothing in this act is intended to, or shall be
394 construed to conflict with the Tohopekaliga Water Authority Act.
395 Nothing in this act is intended to, or shall be construed to
396 limit the power of the Tohopekaliga Water Authority or its
397 successors.

398 Section 3. Minimum charter requirements; creation and
399 establishment; jurisdiction; construction; charter.-

400 (1) Pursuant to s. 189.031(3), Florida Statutes, the
401 Legislature sets forth that the minimum requirements in
402 paragraphs (a) through (o) have been met in the identified
403 provisions of this act as follows:

404 (a) The purpose of the district is stated in the act in
405 subsection (4) and in sections 2 and 3.

406 (b) The powers, functions, and duties of the district
407 regarding ad valorem taxation, bond issuance, other revenue-
408 raising capabilities, budget preparation and approval, liens and
409 foreclosure of liens, use of tax deeds and tax certificates as

Amendment No. 1

410 appropriate for non-ad valorem assessments, and contractual
411 agreements are set forth in section 6.

412 (c) The provisions for methods for establishing the
413 district are in this section.

414 (d) The methods for amending the charter of the district
415 are set forth in section 2.

416 (e) The provisions for the membership and organization of
417 the governing body and the establishment of a quorum are in
418 section 5.

419 (f) The provisions regarding maximum compensation of each
420 board member are in section 5.

421 (g) The provisions regarding the administrative duties of
422 the governing body are found in sections 5 and 6.

423 (h) The provisions applicable to financial disclosure,
424 noticing, and reporting requirements generally are set forth in
425 sections 5 and 6.

426 (i) The provisions regarding procedures and requirements
427 for issuing bonds are set forth in section 6.

428 (j) The provisions regarding elections or referenda and
429 the qualifications of an elector of the district are in sections
430 2 and 5.

431 (k) The provisions regarding methods for financing the
432 district are generally in section 6.

433 (l) Other than taxes levied for the payment of bonds and
434 taxes levied for periods not longer than 2 years when authorized

Amendment No. 1

435 by vote of the electors of the district, the provisions for the
436 authority to levy ad valorem tax and the authorized millage rate
437 are in section 6.

438 (m) The provisions for the method or methods of collecting
439 non-ad valorem assessments, fees, or service charges are in
440 section 6.

441 (n) The provisions for planning requirements are in this
442 section and section 6.

443 (o) The provisions for geographic boundary limitations of
444 the district are set forth in sections 4 and 6.

445 (2) The Sunbridge Stewardship District is created and
446 incorporated as a public body corporate and politic, an
447 independent special and limited purpose local government, an
448 independent special district, under s. 189.031, Florida
449 Statutes, as amended from time to time, and as defined in this
450 act and in s. 189.012(3), Florida Statutes, as amended from time
451 to time, in and for portions of Osceola County. Any amendments
452 to chapter 190, Florida Statutes, after January 1, 2017,
453 granting additional general powers, special powers, authorities,
454 or projects to a community development district by amendment to
455 its uniform charter, ss. 190.006-190.041, Florida Statutes,
456 which are not inconsistent with the provisions of this act,
457 shall constitute a general power, special power, authority, or
458 function of the Sunbridge Stewardship District. All notices for
459 the enactment by the Legislature of this special act have been

Amendment No. 1

460 provided pursuant to the State Constitution, the Laws of
461 Florida, and the Rules of the Florida House of Representatives
462 and of the Florida Senate. No referendum subsequent to the
463 effective date of this act is required as a condition of
464 establishing the district. Therefore, the district, as created
465 by this act, is established on the property described in this
466 act.

467 (3) The territorial boundary of the district shall embrace
468 and include all of that certain real property described in
469 section 4.

470 (4) The jurisdiction of this district, in the exercise of
471 its general and special powers, and in the carrying out of its
472 special and limited purposes, is both within the external
473 boundaries of the legal description of this district and
474 extraterritorially when limited to, and as authorized expressly
475 elsewhere in, the charter of the district as created in this act
476 or applicable general law. This special and limited purpose
477 district is created as a public body corporate and politic, and
478 local government authority and power is limited by its charter,
479 this act, and subject to the provisions of other general laws,
480 including chapter 189, Florida Statutes, except that an
481 inconsistent provision in this act shall control and the
482 district has jurisdiction to perform such acts and exercise such
483 authorities, functions, and powers as shall be necessary,
484 convenient, incidental, proper, or reasonable for the

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

485 implementation of its special and limited purpose regarding the
486 sound planning, provision, acquisition, development, operation,
487 maintenance, and related financing of those public systems,
488 facilities, services, improvements, projects, and infrastructure
489 works as authorized herein, including those necessary and
490 incidental thereto. The district shall exercise any of its
491 powers extraterritorially within Osceola County upon execution
492 of an interlocal agreement between the district and Osceola
493 County consenting to the district's exercise of any of such
494 powers within Osceola County or an applicable development order
495 issued by Osceola County. The District shall exercise its power
496 concerning the acquisition, development, operation, and
497 management of water system, reclaimed water system, and sewer
498 system within the boundaries or the service area of the
499 Tohopekaliga Water Authority upon execution of and in a manner
500 consistent with an interlocal or similar agreement between the
501 District and the Tohopekaliga Water Authority or an investor
502 owned utility regulated by the Florida Public Service
503 Commission.

504 (5) The exclusive charter of the "Sunbridge Stewardship
505 District" is this act and, except as otherwise provided in
506 subsection (2), may be amended only by special act of the
507 Legislature.

508 Section 4. Legal description of the Sunbridge Stewardship
509 District.-

Amendment No. 1

510 LEGAL DESCRIPTION. The metes and bounds legal description of
511 the district, within which there are no parcels of property
512 owned by those who do not wish their property to be included
513 within the district, is as follows:

514
515 Sections 1, 2, 11, 12, 13, 14, 23 and 24, Township 25 South,
516 Range 31 East, Osceola County, Florida. AND: The Northwest one-
517 quarter (NW $\frac{1}{4}$), The Northeast one-quarter (NE $\frac{1}{4}$) and all
518 unsurveyed properties in the Northeast one-quarter (NE $\frac{1}{4}$) of
519 Section 25, Township 25 South, Range 31 East, Osceola County,
520 Florida. AND: The Northeast one-quarter (NE $\frac{1}{4}$) of Section 27,
521 Township 25 South, Range 31 East, Osceola County, Florida. AND:
522 The West one-half (W $\frac{1}{2}$) of the Northwest one-quarter (NW $\frac{1}{4}$) of
523 Section 26, Township 25 South, Range 31 East, Osceola County,
524 Florida. AND: Sections 5, 6, 7, 8, 16 17, 18, 19, 20, 21, 28,
525 29, 30, 31, 32 and 33, Township 25 South, Range 32 East, Osceola
526 County, Florida. AND: All lands in Sections 4, 9, 10, 15, 22, 27
527 and 34, Township 25 South, Range 32 East, Osceola County,
528 Florida, lying West of the Easterly limits of the jurisdictional
529 wetlands comprising the Econlockhatchee River Swamp.

530
531 AND:

532
533 The South 1/2 of Section 36, Township 25 South, Range 31 East,
534 Osceola County, Florida.

Amendment No. 1

535
536 All of New Eden on the Lakes, Unit 8, as filed and recorded in
537 Plat Book 1, Page 336 of the Public Records of Osceola County,
538 Florida.

539
540 All of New Eden on the Lakes, Replat of Unit 9, as filed and
541 recorded in Plat Book 1, Page 341 of the Public Records of
542 Osceola County, Florida, together with: Beginning at the
543 Southeast corner of the NE 1/4 of the NW 1/4 of Section 36,
544 T25S, R31E, Osceola County, Florida, run N00°56'29"W, along the
545 East line of the NW 1/4 of said Section 36, 1196.59 ft. to the
546 South Right of Way line of State Road No. 532; run thence
547 S86°43'09"W, along said South Right of Way line, 100.57 ft. to
548 the Point of Curve of a 13596.54 ft. Radius Curve to the Left;
549 run thence along said Curve, 64.40 ft. (Chord bearing
550 S86°35'01"W, Chord = 64.40 ft.); run thence S03°13'22"E, 1191.61
551 ft. to the North line of New Eden on the Lakes, Replat of Unit
552 9, as filed and recorded in Plat Book 1, Page 341 of the Public
553 Records of Osceola County, Florida; run thence N88°35'24"E,
554 along said North line, 117.40 ft. to the Point of Beginning.
555 Said land also described as Lot 1 of the unrecorded plat of a
556 portion of the N 1/2 of the NW 1/4 of Section 36, T25S, R31E,
557 Osceola County, Florida, done by Johnston's Engineers, Inc.
558 under the date of March 29, 1966.

559

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

560 AND:

561

562 Lot 1, COUNTRY MEADOW NORTH, according to the plat thereof as
563 recorded in Plat Book 2, Page 233 of the Public Records of
564 Osceola County, Florida.

565

566 LESS AND EXCEPT: The West thirty (30) feet of the Northwest
567 quarter of the Southwest quarter (NW1/4 of SW1/4) of said
568 Section Fourteen (14), Township twenty-five (25) South, Range
569 thirty-one (31) East, Osceola County, Florida (Deed Book 95,
570 Page 353).

571

572 LESS AND EXCEPT: BEGIN at the Southwest corner of Section 23,
573 Township 25 South, Range 31 East, Osceola County, Florida,
574 thence run North 00°00'10" West along the West line of said
575 Section 23, a distance of 1,150.00 feet to a point; thence
576 departing said West line run North 89°52'31" East, a distance of
577 465.00 feet to a point; thence run South 00°00'10" East, a
578 distance of 600.00 feet to a point; thence run South 89°52'31"
579 West, a distance of 340.00 feet to a point; thence run South
580 00°00'10" East, a distance of 550.00 feet to a point on the
581 South line of said Section 23; thence run South 89°52'31" West
582 along said South line, a distance of 125.00 feet to the POINT OF
583 BEGINNING (Official Records Book 945, Page 2911).

584

Amendment No. 1

585 LESS AND EXCEPT: A Parcel of Land in that part of Section 1,
586 Township 25 South, Range 31 East, Osceola County, Florida, lying
587 within the right-of-way of Canal 30 as described in Official
588 Records Book 12, Page 143, Osceola County, Florida, public
589 records: said parcel of land being more specifically described
590 as follows: From a 5" x 5" concrete monument marking the
591 Northeast (NE) corner of the South one-half (S1/2) of said
592 Section 1, the coordinates of which are X = 448,239.56 and Y =
593 1,456,639.11, bear South 89°41'18" West, along the North line of
594 the South one-half (S1/2) of said Section 1, a distance of
595 4190.40 feet to the intersection thereof with the Easterly
596 right-of-way line of said Canal 30; Thence, South 0°05'45" East,
597 along said Easterly right-of-way line, a distance of 756.08 feet
598 to the point of beginning; Thence, continue South 0°05'45" East,
599 along said Easterly right-of-way line, a distance of 196.57
600 feet; Thence, South 89°54'15" West, a distance of 350.00 feet to
601 the intersection thereof with the Westerly right-of-way line of
602 said Canal 30; Thence, North 0°05'45" West, along said Westerly
603 right-of-way line, a distance of 196.57 feet; Thence, North
604 89°54'15" East, along said Westerly right-of-way line a distance
605 of 350.00 feet to the point of beginning. The bearings and
606 coordinates in the above description refer to the standard plane
607 rectangular coordinate system for the East Zone of Florida
608 (Official Records Book 169, Page 298).
609

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

610 LESS AND EXCEPT: Jones Road Right-of-Way as described in Deed
611 Book 155, Page 318 of the Public Records of Osceola County,
612 Florida.

613
614 LESS AND EXCEPT: County Road 532 (Nova Road) Right-of-Way as
615 described in Official Records Book 118, Page 4 of the Public
616 Records of Osceola County, Florida.

617
618 Being subject to any rights-of-way, restrictions and easements
619 of record.

620
621 Section 5. Board of supervisors; members and meetings;
622 organization; powers; duties; terms of office; related election
623 requirements.-

624 (1) The board of the district shall exercise the powers
625 granted to the district pursuant to this act. The board shall
626 consist of five members, each of whom shall hold office for a
627 term of 4 years, as provided in this section, except as
628 otherwise provided herein for initial board members, and until a
629 successor is chosen and qualified. The members of the board must
630 be residents of the state and citizens of the United States.

631 (2) (a) Within 90 days after the effective date of this
632 act, there shall be held a meeting of the landowners of the
633 district for the purpose of electing five supervisors for the
634 district. Notice of the landowners' meeting shall be published

Amendment No. 1

635 once a week for 2 consecutive weeks in a newspaper that is in
636 general circulation in the area of the district, the last day of
637 such publication to be not fewer than 14 days or more than 28
638 days before the date of the election. The landowners, when
639 assembled at such meeting, shall organize by electing a chair,
640 who shall conduct the meeting. The chair may be any person
641 present at the meeting. If the chair is a landowner or proxy
642 holder of a landowner, he or she may nominate candidates and
643 make and second motions. The landowners present at the meeting,
644 in person or by proxy, shall constitute a quorum. At any
645 landowners' meeting, 50 percent of the district acreage shall
646 not be required to constitute a quorum, and each governing board
647 member elected by landowners shall be elected by a majority of
648 the acreage represented either by owner or proxy present and
649 voting at said meeting.

650 (b) At such meeting, each landowner shall be entitled to
651 cast one vote per acre of land owned by him or her and located
652 within the district for each person to be elected. A landowner
653 may vote in person or by proxy in writing. Each proxy must be
654 signed by one of the legal owners of the property for which the
655 vote is cast and must contain the typed or printed name of the
656 individual who signed the proxy; the street address, legal
657 description of the property, or tax parcel identification
658 number; and the number of authorized votes. If the proxy
659 authorizes more than one vote, each property must be listed and

Amendment No. 1

660 the number of acres of each property must be included. The
661 signature on a proxy need not be notarized. A fraction of an
662 acre shall be treated as 1 acre, entitling the landowner to one
663 vote with respect thereto. The three candidates receiving the
664 highest number of votes shall each be elected for terms expiring
665 November 17, 2020, and the two candidates receiving the next
666 largest number of votes shall each be elected for terms expiring
667 November 20, 2018, with the term of office for each successful
668 candidate commencing upon election. The members of the first
669 board elected by landowners shall serve their respective terms;
670 however, the next election of board members shall be held on the
671 first Tuesday after the first Monday in November 2018.
672 Thereafter, there shall be an election by landowners for the
673 district every 2 years on the first Tuesday after the first
674 Monday in November, which shall be noticed pursuant to paragraph
675 (a). The second and subsequent landowners' election shall be
676 announced at a public meeting of the board at least 90 days
677 before the date of the landowners' meeting and shall also be
678 noticed pursuant to paragraph (a). Instructions on how all
679 landowners may participate in the election, along with sample
680 proxies, shall be provided during the board meeting that
681 announces the landowners' meeting. Each supervisor elected in or
682 after November 2018 shall serve a 4-year term.

683 (3) (a) 1. The board may not exercise the ad valorem taxing
684 power authorized by this act until such time as all members of

Amendment No. 1

685 the board are qualified electors who are elected by qualified
686 electors of the district.

687 2.a. Regardless of whether the district has proposed to
688 levy ad valorem taxes, board members shall begin being elected
689 by qualified electors of the district as the district becomes
690 populated with qualified electors. The transition shall occur
691 such that the composition of the board, after the first general
692 election following a trigger of the qualified elector population
693 thresholds set forth below, shall be as follows:

694 (I) Once 10,000 qualified electors reside within the
695 district, one governing board member shall be a person who is a
696 qualified elector of the district and who was elected by the
697 qualified electors, and four governing board members shall be
698 persons who were elected by the landowners.

699 (II) Once 20,000 qualified electors reside within the
700 district, two governing board members shall be persons who are
701 qualified electors of the district and who were elected by the
702 qualified electors, and three governing board members shall be
703 persons elected by the landowners.

704 (III) Once 30,000 qualified electors reside within the
705 district, three governing board members shall be persons who are
706 qualified electors of the district and who were elected by the
707 qualified electors and two governing board members shall be
708 persons who were elected by the landowners.

Amendment No. 1

709 (IV) Once 40,000 qualified electors reside within the
710 district, four governing board members shall be persons who are
711 qualified electors of the district and who were elected by the
712 qualified electors and one governing board member shall be a
713 person who was elected by the landowners.

714 (V) Once 45,000 qualified electors reside within the
715 district, all five governing board members shall be persons who
716 are qualified electors of the district and who were elected by
717 the qualified electors. In the event less than 45,000 qualified
718 electors reside within the district, but the development of the
719 district has completed the construction of 25,000 residential
720 units or more, all five governing board members shall be persons
721 who were elected by the qualified electors.

722
723 Nothing in this sub-subparagraph is intended to require an
724 election prior to the expiration of an existing board member's
725 term.

726 b. On or before June 1 of each election year, the board
727 shall determine the number of qualified electors in the district
728 as of the immediately preceding April 15. The board shall use
729 and rely upon the official records maintained by the supervisor
730 of elections and property appraiser or tax collector in Osceola
731 County in making this determination. Such determination shall be
732 made at a properly noticed meeting of the board and shall become
733 a part of the official minutes of the district.

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

734 c. All governing board members elected by qualified
735 electors shall be elected at large at an election occurring as
736 provided in subsection (2) and this subsection.

737 d. All governing board members elected by qualified
738 electors shall reside in the district.

739 e. Once the district qualifies to have any of its board
740 members elected by the qualified electors of the district, the
741 initial and all subsequent elections by the qualified electors
742 of the district shall be held at the general election in
743 November. The board shall adopt a resolution, if necessary, to
744 implement this requirement. The transition process described
745 herein is intended to be in lieu of the process set forth in s.
746 189.041, Florida Statutes.

747 (b) Elections of board members by qualified electors held
748 pursuant to this subsection shall be nonpartisan and shall be
749 conducted in the manner prescribed by law for holding general
750 elections. Board members shall assume the office on the second
751 Tuesday following their election.

752 (c) Candidates seeking election to office by qualified
753 electors under this subsection shall conduct their campaigns in
754 accordance with the provisions of chapter 106, Florida Statutes,
755 and shall file qualifying papers and qualify for individual
756 seats in accordance with s. 99.061, Florida Statutes. Candidates
757 shall pay a qualifying fee, which shall consist of a filing fee,
758 an election assessment, and party assessment, if levied, or, as

Amendment No. 1

759 an alternative, shall file a petition signed by not less than 1
760 percent of the registered voters of the district, and take the
761 oath required in s. 99.021, Florida Statutes, with the
762 Supervisor of Elections of Osceola County. The amount of the
763 filing fee is 3 percent of \$4,800; however, if the electors have
764 provided for compensation, the amount of the filing fee is 3
765 percent of the maximum annual compensation so provided. The
766 amount of the election assessment is 1 percent of \$4,800;
767 however, if the electors have provided for compensation, the
768 amount of the election assessment is 1 percent of the maximum
769 annual compensation so provided. The filing fee, election
770 assessment, and party assessment shall be distributed as
771 provided in s. 105.031(3), Florida Statutes.

772 (d) The supervisor of elections shall appoint the
773 inspectors and clerks of elections, prepare and furnish the
774 ballots, designate polling places, and canvass the returns of
775 the election of board members by qualified electors. The county
776 canvassing board shall declare and certify the results of the
777 election.

778 (4) Members of the board, regardless of how elected, shall
779 be public officers, shall be known as supervisors, and, upon
780 entering into office, shall take and subscribe to the oath of
781 office as prescribed by s. 876.05, Florida Statutes. Members of
782 the board shall be subject to ethics and conflict of interest
783 laws of the state that apply to all local public officers. They

Amendment No. 1

784 shall hold office for the terms for which they were elected or
785 appointed and until their successors are chosen and qualified.
786 If, during the term of office, a vacancy occurs, the remaining
787 members of the board shall fill each vacancy by an appointment
788 for the remainder of the unexpired term.

789 (5) Any elected member of the board of supervisors may be
790 removed by the Governor for malfeasance, misfeasance,
791 dishonesty, incompetency, or failure to perform the duties
792 imposed upon him or her by this act, and any vacancies that may
793 occur in such office for such reasons shall be filled by the
794 Governor as soon as practicable.

795 (6) A majority of the members of the board constitutes a
796 quorum for the purposes of conducting its business and
797 exercising its powers and for all other purposes. Action taken
798 by the district shall be upon a vote of a majority of the
799 members present unless general law or a rule of the district
800 requires a greater number.

801 (7) As soon as practicable after each election or
802 appointment, the board shall organize by electing one of its
803 members as chair and by electing a secretary, who need not be a
804 member of the board, and such other officers as the board may
805 deem necessary.

806 (8) The board shall keep a permanent record book entitled
807 "Record of Proceedings of Sunbridge Stewardship District," in
808 which shall be recorded minutes of all meetings, resolutions,

Amendment No. 1

809 proceedings, certificates, bonds given by all employees, and any
810 and all corporate acts. The record book and all other district
811 records shall at reasonable times be opened to inspection in the
812 same manner as state, county, and municipal records pursuant to
813 chapter 119, Florida Statutes. The record book shall be kept at
814 the office or other regular place of business maintained by the
815 board in a designated location in Osceola County.

816 (9) Each supervisor shall be entitled to receive for his
817 or her services an amount not to exceed \$200 per meeting of the
818 board of supervisors, not to exceed \$4,800 per year per
819 supervisor, or an amount established by the electors at
820 referendum. In addition, each supervisor shall receive travel
821 and per diem expenses as set forth in s. 112.061, Florida
822 Statutes.

823 (10) All meetings of the board shall be open to the public
824 and governed by the provisions of chapter 286, Florida Statutes.

825 Section 6. Board of supervisors; general duties.-

826 (1) DISTRICT MANAGER AND EMPLOYEES.-The board shall employ
827 and fix the compensation of a district manager, who shall have
828 charge and supervision of the works of the district and shall be
829 responsible for preserving and maintaining any improvement or
830 facility constructed or erected pursuant to the provisions of
831 this act, for maintaining and operating the equipment owned by
832 the district, and for performing such other duties as may be
833 prescribed by the board. It shall not be a conflict of interest

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

834 under chapter 112, Florida Statutes, for a board member, the
835 district manager, or another employee of the district to be a
836 stockholder, officer, or employee of a landowner. The district
837 manager may hire or otherwise employ and terminate the
838 employment of such other persons, including, without limitation,
839 professional, supervisory, and clerical employees, as may be
840 necessary and authorized by the board. The compensation and
841 other conditions of employment of the officers and employees of
842 the district shall be as provided by the board.

843 (2) TREASURER.—The board shall designate a person who is a
844 resident of the state as treasurer of the district, who shall
845 have charge of the funds of the district. Such funds shall be
846 disbursed only upon the order of or pursuant to a resolution of
847 the board by warrant or check countersigned by the treasurer and
848 by such other person as may be authorized by the board. The
849 board may give the treasurer such other or additional powers and
850 duties as the board may deem appropriate and may fix his or her
851 compensation. The board may require the treasurer to give a bond
852 in such amount, on such terms, and with such sureties as may be
853 deemed satisfactory to the board to secure the performance by
854 the treasurer of his or her powers and duties. The financial
855 records of the board shall be audited by an independent
856 certified public accountant at least once a year.

857 (3) PUBLIC DEPOSITORY.—The board is authorized to select
858 as a depository for its funds any qualified public depository as

Amendment No. 1

859 defined in s. 280.02, Florida Statutes, which meets all the
860 requirements of chapter 280, Florida Statutes, and has been
861 designated by the treasurer as a qualified public depository
862 upon such terms and conditions as to the payment of interest by
863 such depository upon the funds so deposited as the board may
864 deem just and reasonable.

865 (4) BUDGET; REPORTS AND REVIEWS.—

866 (a) The district shall provide financial reports in such
867 form and such manner as prescribed pursuant to this act and
868 chapter 218, Florida Statutes, as amended from time to time.

869 (b) On or before July 15 of each year, the district
870 manager shall prepare a proposed budget for the ensuing fiscal
871 year to be submitted to the board for board approval. The
872 proposed budget shall include at the direction of the board an
873 estimate of all necessary expenditures of the district for the
874 ensuing fiscal year and an estimate of income to the district
875 from the taxes and assessments provided in this act. The board
876 shall consider the proposed budget item by item and may either
877 approve the budget as proposed by the district manager or modify
878 the same in part or in whole. The board shall indicate its
879 approval of the budget by resolution, which resolution shall
880 provide for a hearing on the budget as approved. Notice of the
881 hearing on the budget shall be published in a newspaper of
882 general circulation in the area of the district once a week for
883 two consecutive weeks, except that the first publication shall

Amendment No. 1

884 be no fewer than 15 days prior to the date of the hearing. The
885 notice shall further contain a designation of the day, time, and
886 place of the public hearing. At the time and place designated in
887 the notice, the board shall hear all objections to the budget as
888 proposed and may make such changes as the board deems necessary.
889 At the conclusion of the budget hearing, the board shall, by
890 resolution, adopt the budget as finally approved by the board.
891 The budget shall be adopted prior to October 1 of each year.

892 (c) At least 60 days prior to adoption, the board of
893 supervisors of the district shall submit to the Board of County
894 Commissioners of Osceola County, for purposes of disclosure and
895 information only, the proposed annual budget for the ensuing
896 fiscal year, and the board of county commissioners may submit
897 written comments to the board of supervisors solely for the
898 assistance and information of the board of supervisors of the
899 district in adopting its annual district budget.

900 (d) The board of supervisors of the district shall submit
901 annually a public facilities report to the Board of County
902 Commissioners of Osceola County pursuant to Florida Statutes.
903 The board of county commissioners may use and rely on the
904 district's public facilities report in the preparation or
905 revision of the Osceola County comprehensive plan.

906 (5) DISCLOSURE OF PUBLIC INFORMATION; WEB-BASED PUBLIC
907 ACCESS.-The district shall take affirmative steps to provide for
908 the full disclosure of information relating to the public

Amendment No. 1

909 financing and maintenance of improvements to real property
910 undertaken by the district. Such information shall be made
911 available to all existing residents and all prospective
912 residents of the district. The district shall furnish each
913 developer of a residential development within the district with
914 sufficient copies of that information to provide each
915 prospective initial purchaser of property in that development
916 with a copy; and any developer of a residential development
917 within the district, when required by law to provide a public
918 offering statement, shall include a copy of such information
919 relating to the public financing and maintenance of improvements
920 in the public offering statement. The district shall file the
921 disclosure documents required by this subsection and any
922 amendments thereto in the property records of each county in
923 which the district is located. By the end of the first full
924 fiscal year of the district's creation, the district shall
925 maintain an official Internet website in accordance with s.
926 189.069, Florida Statutes.

927 (6) GENERAL POWERS.—The district shall have, and the board
928 may exercise, the following general powers:

929 (a) To sue and be sued in the name of the district; to
930 adopt and use a seal and authorize the use of a facsimile
931 thereof; to acquire, by purchase, gift, devise, or otherwise,
932 and to dispose of, real and personal property, or any estate

Amendment No. 1

933 therein; and to make and execute contracts and other instruments
934 necessary or convenient to the exercise of its powers.

935 (b) To apply for coverage of its employees under the
936 Florida Retirement System in the same manner as if such
937 employees were state employees.

938 (c) To contract for the services of consultants to perform
939 planning, engineering, legal, or other appropriate services of a
940 professional nature. Such contracts shall be subject to public
941 bidding or competitive negotiation requirements as set forth in
942 general law applicable to independent special districts.

943 (d) To borrow money and accept gifts; to apply for and use
944 grants or loans of money or other property from the United
945 States, the state, a unit of local government, or any person for
946 any district purposes and enter into agreements required in
947 connection therewith; and to hold, use, and dispose of such
948 moneys or property for any district purposes in accordance with
949 the terms of the gift, grant, loan, or agreement relating
950 thereto.

951 (e) To adopt and enforce rules and orders pursuant to the
952 provisions of chapter 120, Florida Statutes, prescribing the
953 powers, duties, and functions of the officers of the district;
954 the conduct of the business of the district; the maintenance of
955 records; and the form of certificates evidencing tax liens and
956 all other documents and records of the district. The board may
957 also adopt and enforce administrative rules with respect to any

Amendment No. 1

958 of the projects of the district and define the area to be
959 included therein. The board may also adopt resolutions which may
960 be necessary for the conduct of district business.

961 (f) To maintain an office at such place or places as the
962 board of supervisors designates in Osceola County, and within
963 the district when facilities are available.

964 (g) To hold, control, and acquire by donation, purchase,
965 or condemnation, or dispose of, any public easements,
966 dedications to public use, platted reservations for public
967 purposes, or any reservations for those purposes authorized by
968 this act and to make use of such easements, dedications, or
969 reservations for the purposes authorized by this act.

970 (h) To lease as lessor or lessee to or from any person,
971 firm, corporation, association, or body, public or private, any
972 projects of the type that the district is authorized to
973 undertake and facilities or property of any nature for the use
974 of the district to carry out the purposes authorized by this
975 act.

976 (i) To borrow money and issue bonds, certificates,
977 warrants, notes, or other evidence of indebtedness as provided
978 herein; to levy such taxes and assessments as may be authorized;
979 and to charge, collect, and enforce fees and other user charges.

980 (j) To raise, by user charges or fees authorized by
981 resolution of the board, amounts of money which are necessary
982 for the conduct of district activities and services and to

Amendment No. 1

983 enforce their receipt and collection in the manner prescribed by
984 resolution not inconsistent with law.

985 (k) To exercise all powers of eminent domain now or
986 hereafter conferred on counties in this state provided, however,
987 that such power of eminent domain may not be exercised outside
988 the territorial limits of the district unless the district
989 receives prior approval by vote of a resolution of the governing
990 body of the county if the taking will occur in an unincorporated
991 area in that county, or the governing body of the city if the
992 taking will occur in an incorporated area. The district shall
993 not have the power to exercise eminent domain over municipal,
994 county, state, or federal property. The powers hereinabove
995 granted to the district shall be so construed to enable the
996 district to fulfill the objects and purposes of the district as
997 set forth in this act.

998 (l) To cooperate with, or contract with, other
999 governmental agencies as may be necessary, convenient,
1000 incidental, or proper in connection with any of the powers,
1001 duties, or purposes authorized by this act.

1002 (m) To assess and to impose upon lands in the district ad
1003 valorem taxes as provided by this act.

1004 (n) If and when authorized by general law, to determine,
1005 order, levy, impose, collect, and enforce maintenance taxes.

1006 (o) To determine, order, levy, impose, collect, and
1007 enforce assessments pursuant to this act and chapter 170,

Amendment No. 1

1008 Florida Statutes, as amended from time to time, pursuant to
1009 authority granted in s. 197.3631, Florida Statutes, or pursuant
1010 to other provisions of general law now or hereinafter enacted
1011 which provide or authorize a supplemental means to order, levy,
1012 impose, or collect special assessments. Such special
1013 assessments, in the discretion of the district, may be collected
1014 and enforced pursuant to the provisions of ss. 197.3632 and
1015 197.3635, Florida Statutes, and chapters 170 and 173, Florida
1016 Statutes, as they may be amended from time to time, or as
1017 provided by this act, or by other means authorized by general
1018 law now or hereinafter enacted. The district may levy such
1019 special assessments for the purposes enumerated in this act and
1020 to pay special assessments imposed by Osceola County on lands
1021 within the district.

1022 (p) To exercise such special powers and other express
1023 powers as may be authorized and granted by this act in the
1024 charter of the district, including powers as provided in any
1025 interlocal agreement entered into pursuant to chapter 163,
1026 Florida Statutes, or which shall be required or permitted to be
1027 undertaken by the district pursuant to any development order,
1028 including any detailed specific area plan development order, or
1029 any interlocal service agreement with Osceola County for fair-
1030 share capital construction funding for any certain capital
1031 facilities or systems required of a developer pursuant to any
1032 applicable development order or agreement.

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

1033 (q) To exercise all of the powers necessary, convenient,
1034 incidental, or proper in connection with any other powers or
1035 duties or the special and limited purpose of the district
1036 authorized by this act.

1037
1038 The provisions of this subsection shall be construed liberally
1039 in order to carry out effectively the special and limited
1040 purpose of this act.

1041 (7) SPECIAL POWERS.—The district shall have, and the board
1042 may exercise, the following special powers to implement its
1043 lawful and special purpose and to provide, pursuant to that
1044 purpose, systems, facilities, services, improvements, projects,
1045 works, and infrastructure, each of which constitutes a lawful
1046 public purpose when exercised pursuant to this charter, subject
1047 to, and not inconsistent with, the regulatory jurisdiction and
1048 permitting authority of all other applicable governmental
1049 bodies, agencies, and any special districts having authority
1050 with respect to any area included therein, and to plan,
1051 establish, acquire, construct or reconstruct, enlarge or extend,
1052 equip, operate, finance, fund, and maintain improvements,
1053 systems, facilities, services, works, projects, and
1054 infrastructure. Any or all of the following special powers are
1055 granted by this act in order to implement the special and
1056 limited purpose of the district:

Amendment No. 1

1057 (a) To provide water management and control for the lands
1058 within the district and to connect some or any of such
1059 facilities with roads and bridges. In the event that the board
1060 assumes the responsibility for providing water management and
1061 control for the district which is to be financed by benefit
1062 special assessments, the board shall adopt plans and assessments
1063 pursuant to law or may proceed to adopt water management and
1064 control plans, assess for benefits, and apportion and levy
1065 special assessments, as follows:

1066 1. The board shall cause to be made by the district's
1067 engineer, or such other engineer or engineers as the board may
1068 employ for that purpose, complete and comprehensive water
1069 management and control plans for the lands located within the
1070 district that will be improved in any part or in whole by any
1071 system of facilities that may be outlined and adopted, and the
1072 engineer shall make a report in writing to the board with maps
1073 and profiles of said surveys and an estimate of the cost of
1074 carrying out and completing the plans.

1075 2. Upon the completion of such plans, the board shall hold
1076 a hearing thereon to hear objections thereto, shall give notice
1077 of the time and place fixed for such hearing by publication once
1078 each week for 2 consecutive weeks in a newspaper of general
1079 circulation in the general area of the district, and shall
1080 permit the inspection of the plan at the office of the district
1081 by all persons interested. All objections to the plan shall be

Amendment No. 1

1082 filed at or before the time fixed in the notice for the hearing
1083 and shall be in writing.

1084 3. After the hearing, the board shall consider the
1085 proposed plan and any objections thereto and may modify, reject,
1086 or adopt the plan or continue the hearing until a day certain
1087 for further consideration of the proposed plan or modifications
1088 thereof.

1089 4. When the board approves a plan, a resolution shall be
1090 adopted and a certified copy thereof shall be filed in the
1091 office of the secretary and incorporated by him or her into the
1092 records of the district.

1093 5. The water management and control plan may be altered in
1094 detail from time to time until the engineer's report pursuant to
1095 s. 298.301, Florida Statutes, is filed but not in such manner as
1096 to affect materially the conditions of its adoption. After the
1097 engineer's report has been filed, no alteration of the plan
1098 shall be made, except as provided by this act.

1099 6. Within 20 days after the final adoption of the plan by
1100 the board, the board shall proceed pursuant to s. 298.301,
1101 Florida Statutes.

1102 (b) To provide water supply, sewer, wastewater and
1103 reclaimed water management, reclamation, and reuse, or any
1104 combination thereof, and any irrigation systems, facilities, and
1105 services and to construct and operate water systems, sewer
1106 systems and reclaimed water systems such as connecting

Amendment No. 1

1107 intercepting or outlet sewers and sewer mains and pipes and
1108 water mains, conduits, or pipelines in, along, and under any
1109 street, alley, highway, or other public place or ways, and to
1110 dispose of any effluent, residue, or other byproducts of such
1111 water system, sewer system or reclaimed water system and to
1112 enter into interlocal agreements and other agreements with
1113 public or private entities for the same. However, such
1114 authority shall be subordinate and subject to the existing
1115 powers of the Tohopekaliga Water Authority to provide water
1116 supply, sewer, wastewater and reclaimed water service within the
1117 Tohopekaliga Water Authority's service area; and such authority
1118 shall be subordinate and subject to the existing powers of East
1119 Central Florida Services, Inc., to provide water supply service
1120 within its service area as set forth in its certificate from the
1121 Florida Public Service Commission.

1122 (c) To provide bridges, culverts, wildlife corridors, or
1123 road crossings that may be needed across any drain, ditch,
1124 canal, floodway, holding basin, excavation, public highway,
1125 tract, grade, fill, or cut and roadways over levees and
1126 embankments, and to construct any and all of such works and
1127 improvements across, through, or over any public right-of way,
1128 highway, grade, fill, or cut.

1129 (d) To provide district roads equal to or exceeding the
1130 specifications of the county in which such district roads are
1131 located, and to provide street lights. This special power

Amendment No. 1

1132 includes, but is not limited to, roads, parkways, intersections,
1133 bridges, landscaping, hardscaping, irrigation, bicycle lanes,
1134 sidewalks, jogging paths, multiuse pathways and trails, street
1135 lighting, traffic signals, regulatory or informational signage,
1136 road striping, underground conduit, underground cable or fiber
1137 or wire installed pursuant to an agreement with or tariff of a
1138 retail provider of services, and all other customary elements of
1139 a functioning modern road system in general or as tied to the
1140 conditions of development approval for the area within the
1141 district, and parking facilities that are freestanding or that
1142 may be related to any innovative strategic intermodal system of
1143 transportation pursuant to applicable federal, state, and local
1144 law and ordinance.

1145 (e) To provide buses, trolleys, rail access, mass transit
1146 facilities, transit shelters, ridesharing facilities and
1147 services, parking improvements, and related signage.

1148 (f) To provide investigation and remediation costs
1149 associated with the cleanup of actual or perceived environmental
1150 contamination within the district under the supervision or
1151 direction of a competent governmental authority unless the
1152 covered costs benefit any person who is a landowner within the
1153 district and who caused or contributed to the contamination.

1154 (g) To provide observation areas, mitigation areas,
1155 wetland creation areas, and wildlife habitat, including the

Amendment No. 1

1156 maintenance of any plant or animal species, and any related
1157 interest in real or personal property.

1158 (h) Using its general and special powers as set forth in
1159 this act, to provide any other project within or without the
1160 boundaries of the district when the project is the subject of an
1161 agreement between the district and the Board of County
1162 Commissioners of Osceola County or with any other applicable
1163 public or private entity, and is not inconsistent with the
1164 effective local comprehensive plans.

1165 (i) To provide parks and facilities for indoor and outdoor
1166 recreational, cultural, and educational uses.

1167 (j) To provide school buildings and related structures,
1168 which may be leased, sold, or donated to the school district,
1169 for use in the educational system when authorized by the
1170 district school board.

1171 (k) To provide security, including electronic intrusion-
1172 detection systems and patrol cars, when authorized by proper
1173 governmental agencies, and may contract with the appropriate
1174 local general-purpose government agencies for an increased level
1175 of such services within the district boundaries.

1176 (l) To provide control and elimination of mosquitoes and
1177 other arthropods of public health importance.

1178 (m) To enter into impact fee, mobility fee, or other
1179 similar credit agreements with Osceola County or a landowner

Amendment No. 1

1180 developer and to sell or assign such credits, on such terms as
1181 the district deems appropriate.

1182 (n) To provide buildings and structures for district
1183 offices, maintenance facilities, meeting facilities, town
1184 centers, or any other project authorized or granted by this act.

1185 (o) To establish and create, at noticed meetings, such
1186 departments of the board of supervisors of the district, as well
1187 as committees, task forces, boards, or commissions, or other
1188 agencies under the supervision and control of the district, as
1189 from time to time the members of the board may deem necessary or
1190 desirable in the performance of the acts or other things
1191 necessary to exercise the board's general or special powers to
1192 implement an innovative project to carry out the special and
1193 limited purpose of the district as provided in this act and to
1194 delegate the exercise of its powers to such departments, boards,
1195 task forces, committees, or other agencies, and such
1196 administrative duties and other powers as the board may deem
1197 necessary or desirable, but only if there is a set of expressed
1198 limitations for accountability, notice, and periodic written
1199 reporting to the board that shall retain the powers of the
1200 board.

1201 (p) To provide electrical, sustainable, or green
1202 infrastructure improvements, facilities, and services,
1203 including, but not limited to, recycling of natural resources,
1204 reduction of energy demands, development and generation of

Amendment No. 1

1205 alternative or renewable energy sources and technologies,
1206 mitigation of urban heat islands, sequestration, capping or
1207 trading of carbon emissions or carbon emissions credits, LEED or
1208 Florida Green Building Coalition certification, and development
1209 of facilities and improvements for low-impact development and to
1210 enter into joint ventures, public-private partnerships, and
1211 other agreements and to grant such easements as may be necessary
1212 to accomplish the foregoing. Nothing herein shall authorize the
1213 district to provide electric service to retail customers or
1214 otherwise act to impair electric utility franchise agreements.

1215 (q) To provide for any facilities or improvements that may
1216 otherwise be provided for by any county or municipality,
1217 including, but not limited to, libraries, annexes, substations,
1218 and other buildings to house public officials, staff, and
1219 employees.

1220 (r) To provide waste collection and disposal, beginning
1221 not earlier than October 1, 2018.

1222 (s) To provide for the construction and operation of
1223 communications systems and related infrastructure for the
1224 carriage and distribution of communications services, and to
1225 enter into joint ventures, public-private partnerships, and
1226 other agreements and to grant such easements as may be necessary
1227 to accomplish the foregoing. Communications systems shall mean
1228 all facilities, buildings, equipment, items, and methods
1229 necessary or desirable in order to provide communications

Amendment No. 1

1230 services, including, without limitation, wires, cables,
1231 conduits, wireless cell sites, computers, modems, satellite
1232 antennae sites, transmission facilities, network facilities, and
1233 appurtenant devices necessary and appropriate to support the
1234 provision of communications services. Communications services
1235 includes, without limitation, internet, voice telephone or
1236 similar services provided by voice over internet protocol, cable
1237 television, data transmission services, electronic security
1238 monitoring services, and multi-channel video programming
1239 distribution services. Communications services provided by the
1240 district shall carry or include any governmental channel or
1241 other media content created or produced by Osceola County.

1242 (t) To provide health care facilities and to enter into
1243 public-private partnerships and agreements as may be necessary
1244 to accomplish the foregoing.

1245 (u) To coordinate, work with, and, as the board deems
1246 appropriate, enter into interlocal agreements with any public or
1247 private entity for the provision of an institution or
1248 institutions of higher education.

1249 (v) To coordinate, work with, and as the board deems
1250 appropriate, enter into public-private partnerships and
1251 agreements as may be necessary or useful to effectuate the
1252 purposes of this act.

1253

Amendment No. 1

1254 The enumeration of special powers herein shall not be deemed
1255 exclusive or restrictive but shall be deemed to incorporate all
1256 powers express or implied necessary or incident to carrying out
1257 such enumerated special powers, including also the general
1258 powers provided by this special act charter to the district to
1259 implement its purposes. The district shall not initiate any
1260 service during a fiscal year, if such service is then provided
1261 by Osceola County and funded by Osceola County from the proceeds
1262 of special assessments imposed within the district or from ad
1263 valorem taxes levied within a municipal service taxing unit that
1264 includes all or any portion of the district, unless notice is
1265 provided to Osceola County not later than April 1 of the fiscal
1266 year prior to initiating such service identifying such service
1267 and the geographic area of the district in which such service
1268 will be provided. Following the provision of such notice, the
1269 district and Osceola County shall enter into an interlocal
1270 agreement providing for a service transition that is revenue-
1271 neutral for Osceola County prior to initiation of any such
1272 service by the district. Further, the provisions of this
1273 subsection shall be construed liberally in order to carry out
1274 effectively the special and limited purpose of this district
1275 under this act.

1276 (8) ISSUANCE OF BOND ANTICIPATION NOTES.-In addition to
1277 the other powers provided for in this act, and not in limitation
1278 thereof, the district shall have the power, at any time and from

Amendment No. 1

1279 time to time after the issuance of any bonds of the district
1280 shall have been authorized, to borrow money for the purposes for
1281 which such bonds are to be issued in anticipation of the receipt
1282 of the proceeds of the sale of such bonds and to issue bond
1283 anticipation notes in a principal sum not in excess of the
1284 authorized maximum amount of such bond issue. Such notes shall
1285 be in such denomination or denominations, bear interest at such
1286 rate as the board may determine not to exceed the maximum rate
1287 allowed by general law, mature at such time or times not later
1288 than 5 years from the date of issuance, and be in such form and
1289 executed in such manner as the board shall prescribe. Such notes
1290 may be sold at either public or private sale or, if such notes
1291 shall be renewal notes, may be exchanged for notes then
1292 outstanding on such terms as the board shall determine. Such
1293 notes shall be paid from the proceeds of such bonds when issued.
1294 The board may, in its discretion, in lieu of retiring the notes
1295 by means of bonds, retire them by means of current revenues or
1296 from any taxes or assessments levied for the payment of such
1297 bonds, but, in such event, a like amount of the bonds authorized
1298 shall not be issued.

1299 (9) BORROWING.—The district at any time may obtain loans,
1300 in such amount and on such terms and conditions as the board may
1301 approve, for the purpose of paying any of the expenses of the
1302 district or any costs incurred or that may be incurred in
1303 connection with any of the projects of the district, which loans

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

1304 shall bear interest as the board determines, not to exceed the
1305 maximum rate allowed by general law, and may be payable from and
1306 secured by a pledge of such funds, revenues, taxes, and
1307 assessments as the board may determine, subject, however, to the
1308 provisions contained in any proceeding under which bonds were
1309 theretofore issued and are then outstanding. For the purpose of
1310 defraying such costs and expenses, the district may issue
1311 negotiable notes, warrants, or other evidences of debt to be
1312 payable at such times and to bear such interest as the board may
1313 determine, not to exceed the maximum rate allowed by general
1314 law, and to be sold or discounted at such price or prices not
1315 less than 95 percent of par value and on such terms as the board
1316 may deem advisable. The board shall have the right to provide
1317 for the payment thereof by pledging the whole or any part of the
1318 funds, revenues, taxes, and assessments of the district or by
1319 covenanting to budget and appropriate from such funds. The
1320 approval of the electors residing in the district shall not be
1321 necessary except when required by the State Constitution.

1322 (10) BONDS.—

1323 (a) Sale of bonds.—Bonds may be sold in blocks or
1324 installments at different times, or an entire issue or series
1325 may be sold at one time. Bonds may be sold at public or private
1326 sale after such advertisement, if any, as the board may deem
1327 advisable, but not in any event at less than 90 percent of the
1328 par value thereof, together with accrued interest thereon. Bonds

Amendment No. 1

1329 may be sold or exchanged for refunding bonds. Special assessment
1330 and revenue bonds may be delivered by the district as payment of
1331 the purchase price of any project or part thereof, or a
1332 combination of projects or parts thereof, or as the purchase
1333 price or exchange for any property, real, personal, or mixed,
1334 including franchises or services rendered by any contractor,
1335 engineer, or other person, all at one time or in blocks from
1336 time to time, in such manner and upon such terms as the board in
1337 its discretion shall determine. The price or prices for any
1338 bonds sold, exchanged, or delivered may be:

- 1339 1. The money paid for the bonds.
1340 2. The principal amount, plus accrued interest to the date
1341 of redemption or exchange, or outstanding obligations exchanged
1342 for refunding bonds.
1343 3. In the case of special assessment or revenue bonds, the
1344 amount of any indebtedness to contractors or other persons paid
1345 with such bonds, or the fair value of any properties exchanged
1346 for the bonds, as determined by the board.

1347 (b) Authorization and form of bonds.—Any general
1348 obligation bonds, special assessment bonds, or revenue bonds may
1349 be authorized by resolution or resolutions of the board which
1350 shall be adopted by a majority of all the members thereof then
1351 in office. Such resolution or resolutions may be adopted at the
1352 same meeting at which they are introduced and need not be
1353 published or posted. The board may, by resolution, authorize the

Amendment No. 1

1354 issuance of bonds and fix the aggregate amount of bonds to be
1355 issued; the purpose or purposes for which the moneys derived
1356 therefrom shall be expended, including, but not limited to,
1357 payment of costs as defined in section 2(2)(i); the rate or
1358 rates of interest, not to exceed the maximum rate allowed by
1359 general law; the denomination of the bonds; whether or not the
1360 bonds are to be issued in one or more series; the date or dates
1361 of maturity, which shall not exceed 40 years from their
1362 respective dates of issuance; the medium of payment; the place
1363 or places within or without the state at which payment shall be
1364 made; registration privileges; redemption terms and privileges,
1365 whether with or without premium; the manner of execution; the
1366 form of the bonds, including any interest coupons to be attached
1367 thereto; the manner of execution of bonds and coupons; and any
1368 and all other terms, covenants, and conditions thereof and the
1369 establishment of revenue or other funds. Such authorizing
1370 resolution or resolutions may further provide for the contracts
1371 authorized by s. 159.825(1)(f) and (g), Florida Statutes,
1372 regardless of the tax treatment of such bonds being authorized,
1373 subject to the finding by the board of a net saving to the
1374 district resulting by reason thereof. Such authorizing
1375 resolution may further provide that such bonds may be executed
1376 in accordance with the Registered Public Obligations Act, except
1377 that bonds not issued in registered form shall be valid if
1378 manually countersigned by an officer designated by appropriate

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

1379 resolution of the board. The seal of the district may be
1380 affixed, lithographed, engraved, or otherwise reproduced in
1381 facsimile on such bonds. In case any officer whose signature
1382 shall appear on any bonds or coupons shall cease to be such
1383 officer before the delivery of such bonds, such signature or
1384 facsimile shall nevertheless be valid and sufficient for all
1385 purposes the same as if he or she had remained in office until
1386 such delivery.

1387 (c) Interim certificates; replacement certificates.-
1388 Pending the preparation of definitive bonds, the board may issue
1389 interim certificates or receipts or temporary bonds, in such
1390 form and with such provisions as the board may determine,
1391 exchangeable for definitive bonds when such bonds have been
1392 executed and are available for delivery. The board may also
1393 provide for the replacement of any bonds which become mutilated,
1394 lost, or destroyed.

1395 (d) Negotiability of bonds.-Any bond issued under this act
1396 or any temporary bond, in the absence of an express recital on
1397 the face thereof that it is nonnegotiable, shall be fully
1398 negotiable and shall be and constitute a negotiable instrument
1399 within the meaning and for all purposes of the law merchant and
1400 the laws of the state.

1401 (e) Defeasance.-The board may make such provision with
1402 respect to the defeasance of the right, title, and interest of
1403 the holders of any of the bonds and obligations of the district

Amendment No. 1

1404 in any revenues, funds, or other properties by which such bonds
1405 are secured as the board deems appropriate and, without
1406 limitation on the foregoing, may provide that when such bonds or
1407 obligations become due and payable or shall have been called for
1408 redemption and the whole amount of the principal and interest
1409 and premium, if any, due and payable upon the bonds or
1410 obligations then outstanding shall be held in trust for such
1411 purpose, and provision shall also be made for paying all other
1412 sums payable in connection with such bonds or other obligations,
1413 then and in such event the right, title, and interest of the
1414 holders of the bonds in any revenues, funds, or other properties
1415 by which such bonds are secured shall thereupon cease,
1416 terminate, and become void; and the board may apply any surplus
1417 in any sinking fund established in connection with such bonds or
1418 obligations and all balances remaining in all other funds or
1419 accounts other than moneys held for the redemption or payment of
1420 the bonds or other obligations to any lawful purpose of the
1421 district as the board shall determine.

1422 (f) Issuance of additional bonds.—If the proceeds of any
1423 bonds are less than the cost of completing the project in
1424 connection with which such bonds were issued, the board may
1425 authorize the issuance of additional bonds, upon such terms and
1426 conditions as the board may provide in the resolution
1427 authorizing the issuance thereof, but only in compliance with

Amendment No. 1

1428 the resolution or other proceedings authorizing the issuance of
1429 the original bonds.

1430 (g) Refunding bonds.—The district shall have the power to
1431 issue bonds to provide for the retirement or refunding of any
1432 bonds or obligations of the district that at the time of such
1433 issuance are or subsequent thereto become due and payable, or
1434 that at the time of issuance have been called or are, or will
1435 be, subject to call for redemption within 10 years thereafter,
1436 or the surrender of which can be procured from the holders
1437 thereof at prices satisfactory to the board. Refunding bonds may
1438 be issued at any time that in the judgment of the board such
1439 issuance will be advantageous to the district. No approval of
1440 the qualified electors residing in the district shall be
1441 required for the issuance of refunding bonds except in cases in
1442 which such approval is required by the State Constitution. The
1443 board may by resolution confer upon the holders of such
1444 refunding bonds all rights, powers, and remedies to which the
1445 holders would be entitled if they continued to be the owners and
1446 had possession of the bonds for the refinancing of which such
1447 refunding bonds are issued, including, but not limited to, the
1448 preservation of the lien of such bonds on the revenues of any
1449 project or on pledged funds, without extinguishment, impairment,
1450 or diminution thereof. The provisions of this act pertaining to
1451 bonds of the district shall, unless the context otherwise
1452 requires, govern the issuance of refunding bonds, the form and

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

1453 other details thereof, the rights of the holders thereof, and
1454 the duties of the board with respect to them.

1455 (h) Revenue bonds.—

1456 1. The district shall have the power to issue revenue
1457 bonds from time to time without limitation as to amount. Such
1458 revenue bonds may be secured by, or payable from, the gross or
1459 net pledge of the revenues to be derived from any project or
1460 combination of projects; from the rates, fees, or other charges
1461 to be collected from the users of any project or projects; from
1462 any revenue-producing undertaking or activity of the district;
1463 from special assessments; or from benefit special assessments;
1464 or from any other source or pledged security. Such bonds shall
1465 not constitute an indebtedness of the district, and the approval
1466 of the qualified electors shall not be required unless such
1467 bonds are additionally secured by the full faith and credit and
1468 taxing power of the district.

1469 2. Any two or more projects may be combined and
1470 consolidated into a single project and may hereafter be operated
1471 and maintained as a single project. The revenue bonds authorized
1472 herein may be issued to finance any one or more of such
1473 projects, regardless of whether or not such projects have been
1474 combined and consolidated into a single project. If the board
1475 deems it advisable, the proceedings authorizing such revenue
1476 bonds may provide that the district may thereafter combine the
1477 projects then being financed or theretofore financed with other

Amendment No. 1

1478 projects to be subsequently financed by the district and that
1479 revenue bonds to be thereafter issued by the district shall be
1480 on parity with the revenue bonds then being issued, all on such
1481 terms, conditions, and limitations as shall have been provided
1482 in the proceeding which authorized the original bonds.

1483 (i) General obligation bonds.-

1484 1. Subject to the limitations of this charter, the
1485 district shall have the power from time to time to issue general
1486 obligation bonds to finance or refinance capital projects or to
1487 refund outstanding bonds in an aggregate principal amount of
1488 bonds outstanding at any one time not in excess of 35 percent of
1489 the assessed value of the taxable property within the district
1490 as shown on the pertinent tax records at the time of the
1491 authorization of the general obligation bonds for which the full
1492 faith and credit of the district is pledged. Except for
1493 refunding bonds, no general obligation bonds shall be issued
1494 unless the bonds are issued to finance or refinance a capital
1495 project and the issuance has been approved at an election held
1496 in accordance with the requirements for such election as
1497 prescribed by the State Constitution. Such elections shall be
1498 called to be held in the district by the Board of County
1499 Commissioners of Osceola County upon the request of the board of
1500 the district. The expenses of calling and holding an election
1501 shall be at the expense of the district and the district shall

Amendment No. 1

1502 reimburse the county for any expenses incurred in calling or
1503 holding such election.

1504 2. The district may pledge its full faith and credit for
1505 the payment of the principal and interest on such general
1506 obligation bonds and for any reserve funds provided therefor and
1507 may unconditionally and irrevocably pledge itself to levy ad
1508 valorem taxes on all taxable property in the district, to the
1509 extent necessary for the payment thereof, without limitation as
1510 to rate or amount.

1511 3. If the board determines to issue general obligation
1512 bonds for more than one capital project, the approval of the
1513 issuance of the bonds for each and all such projects may be
1514 submitted to the electors on one and the same ballot. The
1515 failure of the electors to approve the issuance of bonds for any
1516 one or more capital projects shall not defeat the approval of
1517 bonds for any capital project which has been approved by the
1518 electors.

1519 4. In arriving at the amount of general obligation bonds
1520 permitted to be outstanding at any one time pursuant to
1521 subparagraph 1., there shall not be included any general
1522 obligation bonds that are additionally secured by the pledge of:

1523 a. Any assessments levied in an amount sufficient to pay
1524 the principal and interest on the general obligation bonds so
1525 additionally secured, which assessments have been equalized and

Amendment No. 1

1526 confirmed by resolution of the board pursuant to this act or s.
1527 170.08, Florida Statutes.

1528 b. Water revenues, sewer revenues, or water and sewer
1529 revenues of the district to be derived from user fees in an
1530 amount sufficient to pay the principal and interest on the
1531 general obligation bonds so additionally secured.

1532 c. Any combination of assessments and revenues described
1533 in sub-subparagraphs a. and b.

1534 (j) Bonds as legal investment or security.-

1535 1. Notwithstanding any provisions of any other law to the
1536 contrary, all bonds issued under the provisions of this act
1537 shall constitute legal investments for savings banks, banks,
1538 trust companies, insurance companies, executors, administrators,
1539 trustees, guardians, and other fiduciaries and for any board,
1540 body, agency, instrumentality, county, municipality, or other
1541 political subdivision of the state and shall be and constitute
1542 security which may be deposited by banks or trust companies as
1543 security for deposits of state, county, municipal, or other
1544 public funds or by insurance companies as required or voluntary
1545 statutory deposits.

1546 2. Any bonds issued by the district shall be incontestable
1547 in the hands of bona fide purchasers or holders for value and
1548 shall not be invalid because of any irregularity or defect in
1549 the proceedings for the issue and sale thereof.

Amendment No. 1

1550 (k) Covenants.—Any resolution authorizing the issuance of
1551 bonds may contain such covenants as the board may deem
1552 advisable, and all such covenants shall constitute valid and
1553 legally binding and enforceable contracts between the district
1554 and the bondholders, regardless of the time of issuance thereof.
1555 Such covenants may include, without limitation, covenants
1556 concerning the disposition of the bond proceeds; the use and
1557 disposition of project revenues; the pledging of revenues,
1558 taxes, and assessments; the obligations of the district with
1559 respect to the operation of the project and the maintenance of
1560 adequate project revenues; the issuance of additional bonds; the
1561 appointment, powers, and duties of trustees and receivers; the
1562 acquisition of outstanding bonds and obligations; restrictions
1563 on the establishing of competing projects or facilities;
1564 restrictions on the sale or disposal of the assets and property
1565 of the district; the priority of assessment liens; the priority
1566 of claims by bondholders on the taxing power of the district;
1567 the maintenance of deposits to ensure the payment of revenues by
1568 users of district facilities and services; the discontinuance of
1569 district services by reason of delinquent payments; acceleration
1570 upon default; the execution of necessary instruments; the
1571 procedure for amending or abrogating covenants with the
1572 bondholders; and such other covenants as may be deemed necessary
1573 or desirable for the security of the bondholders.

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

1574 (l) Validation proceedings.—The power of the district to
1575 issue bonds under the provisions of this act may be determined,
1576 and any of the bonds of the district maturing over a period of
1577 more than 5 years shall be validated and confirmed, by court
1578 decree, under the provisions of chapter 75, Florida Statutes,
1579 and laws amendatory thereof or supplementary thereto.

1580 (m) Tax exemption.—To the extent allowed by general law,
1581 all bonds issued hereunder and interest paid thereon and all
1582 fees, charges, and other revenues derived by the district from
1583 the projects provided by this act are exempt from all taxes by
1584 the state or by any political subdivision, agency, or
1585 instrumentality thereof; however, any interest, income, or
1586 profits on debt obligations issued hereunder are not exempt from
1587 the tax imposed by chapter 220, Florida Statutes. Further, the
1588 district is not exempt from the provisions of chapter 212,
1589 Florida Statutes.

1590 (n) Application of s. 189.051, Florida Statutes.—Bonds
1591 issued by the district shall meet the criteria set forth in s.
1592 189.051, Florida Statutes.

1593 (o) Act furnishes full authority for issuance of bonds.—
1594 This act constitutes full and complete authority for the
1595 issuance of bonds and the exercise of the powers of the district
1596 provided herein. No procedures or proceedings, publications,
1597 notices, consents, approvals, orders, acts, or things by the
1598 board, or any board, officer, commission, department, agency, or

Amendment No. 1

1599 instrumentality of the district, other than those required by
1600 this act, shall be required to perform anything under this act,
1601 except that the issuance or sale of bonds pursuant to the
1602 provisions of this act shall comply with the general law
1603 requirements applicable to the issuance or sale of bonds by the
1604 district. Nothing in this act shall be construed to authorize
1605 the district to utilize bond proceeds to fund the ongoing
1606 operations of the district.

1607 (p) Pledge by the state to the bondholders of the
1608 district.—The state pledges to the holders of any bonds issued
1609 under this act that it will not limit or alter the rights of the
1610 district to own, acquire, construct, reconstruct, improve,
1611 maintain, operate, or furnish the projects or to levy and
1612 collect the taxes, assessments, rentals, rates, fees, and other
1613 charges provided for herein and to fulfill the terms of any
1614 agreement made with the holders of such bonds or other
1615 obligations and that it will not in any way impair the rights or
1616 remedies of such holders.

1617 (q) Default.—A default on the bonds or obligations of a
1618 district shall not constitute a debt or obligation of the state
1619 or any general-purpose local government or the state. In the
1620 event of a default or dissolution of the district, no local
1621 general-purpose government shall be required to assume the
1622 property of the district, the debts of the district, or the
1623 district's obligations to complete any infrastructure

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

1624 improvements or provide any services to the district. The
1625 provisions of s. 189.076(2), Florida Statutes, shall not apply
1626 to the district.

1627 (11) TRUST AGREEMENTS.—Any issue of bonds shall be secured
1628 by a trust agreement or resolution by and between the district
1629 and a corporate trustee or trustees, which may be any trust
1630 company or bank having the powers of a trust company within or
1631 without the state. The resolution authorizing the issuance of
1632 the bonds or such trust agreement may pledge the revenues to be
1633 received from any projects of the district and may contain such
1634 provisions for protecting and enforcing the rights and remedies
1635 of the bondholders as the board may approve, including, without
1636 limitation, covenants setting forth the duties of the district
1637 in relation to: the acquisition, construction, reconstruction,
1638 improvement, maintenance, repair, operation, and insurance of
1639 any projects; the fixing and revising of the rates, fees, and
1640 charges; and the custody, safeguarding, and application of all
1641 moneys and for the employment of consulting engineers in
1642 connection with such acquisition, construction, reconstruction,
1643 improvement, maintenance, repair, or operation. It shall be
1644 lawful for any bank or trust company within or without the state
1645 which may act as a depository of the proceeds of bonds or of
1646 revenues to furnish such indemnifying bonds or to pledge such
1647 securities as may be required by the district. Such resolution
1648 or trust agreement may set forth the rights and remedies of the

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

1649 bondholders and of the trustee, if any, and may restrict the
1650 individual right of action by bondholders. The board may provide
1651 for the payment of proceeds of the sale of the bonds and the
1652 revenues of any project to such officer, board, or depository as
1653 it may designate for the custody thereof and may provide for the
1654 method of disbursement thereof with such safeguards and
1655 restrictions as it may determine. All expenses incurred in
1656 carrying out the provisions of such resolution or trust
1657 agreement may be treated as part of the cost of operation of the
1658 project to which such trust agreement pertains.

1659 (12) AD VALOREM TAXES; ASSESSMENTS, BENEFIT SPECIAL
1660 ASSESSMENTS, MAINTENANCE SPECIAL ASSESSMENTS, AND SPECIAL
1661 ASSESSMENTS; MAINTENANCE TAXES.-

1662 (a) Ad valorem taxes.-At such time as all members of the
1663 board are qualified electors who are elected by qualified
1664 electors of the district, the board shall have the power to levy
1665 and assess an ad valorem tax on all the taxable property in the
1666 district to construct, operate, and maintain assessable
1667 improvements; to pay the principal of, and interest on, any
1668 general obligation bonds of the district; and to provide for any
1669 sinking or other funds established in connection with any such
1670 bonds. An ad valorem tax levied by the board for operating
1671 purposes, exclusive of debt service on bonds, shall not exceed 3
1672 mills. The ad valorem tax provided for herein shall be in
1673 addition to county and all other ad valorem taxes provided for

Amendment No. 1

1674 by law. Such tax shall be assessed, levied, and collected in the
1675 same manner and at the same time as county taxes. The levy of ad
1676 valorem taxes must be approved by referendum as required by
1677 Section 9 of Article VII of the State Constitution.

1678 (b) Benefit special assessments.—The board annually shall
1679 determine, order, and levy the annual installment of the total
1680 benefit special assessments for bonds issued and related
1681 expenses to finance assessable improvements. These assessments
1682 may be due and collected during each year county taxes are due
1683 and collected, in which case such annual installment and levy
1684 shall be evidenced to and certified to the property appraiser by
1685 the board not later than August 31 of each year. Such assessment
1686 shall be entered by the property appraiser on the county tax
1687 rolls and shall be collected and enforced by the tax collector
1688 in the same manner and at the same time as county taxes, and the
1689 proceeds thereof shall be paid to the district. However, this
1690 subsection shall not prohibit the district in its discretion
1691 from using the method prescribed in either s. 197.3632 or
1692 chapter 173, Florida Statutes, as each may be amended from time
1693 to time, for collecting and enforcing these assessments. Each
1694 annual installment of benefit special assessments shall be a
1695 lien on the property against which assessed until paid and shall
1696 be enforceable in like manner as county taxes. The amount of the
1697 assessment for the exercise of the district's powers under
1698 subsections (6) and (7) shall be determined by the board based

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

1699 upon a report of the district's engineer and assessed by the
1700 board upon such lands, which may be part or all of the lands
1701 within the district benefited by the improvement, apportioned
1702 between benefited lands in proportion to the benefits received
1703 by each tract of land. The board may, if it determines it is in
1704 the best interests of the district, set forth in the proceedings
1705 initially levying such benefit special assessments or in
1706 subsequent proceedings a formula for the determination of an
1707 amount, which when paid by a taxpayer with respect to any tax
1708 parcel, shall constitute a prepayment of all future annual
1709 installments of such benefit special assessments and that the
1710 payment of which amount with respect to such tax parcel shall
1711 relieve and discharge such tax parcel of the lien of such
1712 benefit special assessments and any subsequent annual
1713 installment thereof. The board may provide further that upon
1714 delinquency in the payment of any annual installment of benefit
1715 special assessments, the prepayment amount of all future annual
1716 installments of benefit special assessments as determined in the
1717 preceding sentence shall be and become immediately due and
1718 payable together with such delinquent annual installment.

1719 (c) Non-ad valorem maintenance taxes.-If and when
1720 authorized by general law, to maintain and to preserve the
1721 physical facilities and services constituting the works,
1722 improvements, or infrastructure owned by the district pursuant
1723 to this act, to repair and restore any one or more of them, when

Amendment No. 1

1724 needed, and to defray the current expenses of the district,
1725 including any sum which may be required to pay state and county
1726 ad valorem taxes on any lands which may have been purchased and
1727 which are held by the district under the provisions of this act,
1728 the board of supervisors may, upon the completion of said
1729 systems, facilities, services, works, improvements, or
1730 infrastructure, in whole or in part, as may be certified to the
1731 board by the engineer of the board, levy annually a non-ad
1732 valorem and nonmillage tax upon each tract or parcel of land
1733 within the district, to be known as a "maintenance tax." This
1734 non-ad valorem maintenance tax shall be apportioned upon the
1735 basis of the net assessments of benefits assessed as accruing
1736 from the original construction and shall be evidenced to and
1737 certified by the board of supervisors of the district not later
1738 than June 1 of each year to the Osceola County tax collector and
1739 shall be extended on the tax rolls and collected by the tax
1740 collector on the merged collection roll of the tax collector in
1741 the same manner and at the same time as county ad valorem taxes,
1742 and the proceeds therefrom shall be paid to the district. This
1743 non-ad valorem maintenance tax shall be a lien until paid on the
1744 property against which assessed and enforceable in like manner
1745 and of the same dignity as county ad valorem taxes.

1746 (d) Maintenance special assessments.-To maintain and
1747 preserve the facilities and projects of the district, the board
1748 may levy a maintenance special assessment. This assessment may

Amendment No. 1

1749 be evidenced to and certified to the tax collector by the board
1750 of supervisors not later than August 31 of each year and shall
1751 be entered by the property appraiser on the county tax rolls and
1752 shall be collected and enforced by the tax collector in the same
1753 manner and at the same time as county taxes, and the proceeds
1754 therefrom shall be paid to the district. However, this
1755 subsection shall not prohibit the district in its discretion
1756 from using the method prescribed in s. 197.363, s. 197.3631, or
1757 s. 197.3632, Florida Statutes, for collecting and enforcing
1758 these assessments. These maintenance special assessments shall
1759 be a lien on the property against which assessed until paid and
1760 shall be enforceable in like manner as county taxes. The amount
1761 of the maintenance special assessment for the exercise of the
1762 district's powers under this section shall be determined by the
1763 board based upon a report of the district's engineer and
1764 assessed by the board upon such lands, which may be all of the
1765 lands within the district benefited by the maintenance thereof,
1766 apportioned between the benefited lands in proportion to the
1767 benefits received by each tract of land.

1768 (e) Special assessments.—The board may levy and impose any
1769 special assessments pursuant to this subsection.

1770 (f) Enforcement of taxes.—The collection and enforcement
1771 of all taxes levied by the district shall be at the same time
1772 and in like manner as county taxes, and the provisions of the
1773 laws of Florida relating to the sale of lands for unpaid and

Amendment No. 1

1774 delinquent county taxes; the issuance, sale, and delivery of tax
1775 certificates for such unpaid and delinquent county taxes; the
1776 redemption thereof; the issuance to individuals of tax deeds
1777 based thereon; and all other procedures in connection therewith
1778 shall be applicable to the district to the same extent as if
1779 such statutory provisions were expressly set forth herein. All
1780 taxes shall be subject to the same discounts as county taxes.

1781 (g) When unpaid tax is delinquent; penalty.—All taxes
1782 provided for in this act shall become delinquent and bear
1783 penalties on the amount of such taxes in the same manner as
1784 county taxes.

1785 (h) Status of assessments.—Benefit special assessments,
1786 maintenance special assessments, and special assessments are
1787 hereby found and determined to be non-ad valorem assessments as
1788 defined by s. 197.3632, Florida Statutes. Maintenance taxes are
1789 non-ad valorem taxes and are not special assessments.

1790 (i) Assessments constitute liens; collection.—Any and all
1791 assessments, including special assessments, benefit special
1792 assessments, and maintenance special assessments authorized by
1793 this section, and including special assessments as defined by
1794 section 2(2)(z) and granted and authorized by this subsection,
1795 and including maintenance taxes if authorized by general law,
1796 shall constitute a lien on the property against which assessed
1797 from the date of levy and imposition thereof until paid, coequal
1798 with the lien of state, county, municipal, and school board

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

1799 taxes. These assessments may be collected, at the district's
1800 discretion, under authority of s. 197.3631, Florida Statutes, as
1801 amended from time to time, by the tax collector pursuant to the
1802 provisions of ss. 197.3632 and 197.3635, Florida Statutes, as
1803 amended from time to time, or in accordance with other
1804 collection measures provided by law. In addition to, and not in
1805 limitation of, any powers otherwise set forth herein or in
1806 general law, these assessments may also be enforced pursuant to
1807 the provisions of chapter 173, Florida Statutes, as amended from
1808 time to time.

1809 (j) Land owned by governmental entity.—Except as otherwise
1810 provided by law, no levy of ad valorem taxes or non-ad valorem
1811 assessments under this act or chapter 170 or chapter 197,
1812 Florida Statutes, as each may be amended from time to time, or
1813 otherwise, by a board of the district, on property of a
1814 governmental entity that is subject to a ground lease as
1815 described in s. 190.003(14), Florida Statutes, shall constitute
1816 a lien or encumbrance on the underlying fee interest of such
1817 governmental entity.

1818 (13) SPECIAL ASSESSMENTS.—

1819 (a) As an alternative method to the levy and imposition of
1820 special assessments pursuant to chapter 170, Florida Statutes,
1821 pursuant to the authority of s. 197.3631, Florida Statutes, or
1822 pursuant to other provisions of general law, now or hereafter
1823 enacted, which provide a supplemental means or authority to

Amendment No. 1

1824 impose, levy, and collect special assessments as otherwise
1825 authorized under this act, the board may levy and impose special
1826 assessments to finance the exercise of any of its powers
1827 permitted under this act using the following uniform procedures:
1828 1. At a noticed meeting, the board of supervisors of the
1829 district may consider and review an engineer's report on the
1830 costs of the systems, facilities, and services to be provided, a
1831 preliminary special assessment methodology, and a preliminary
1832 roll based on acreage or platted lands, depending upon whether
1833 platting has occurred.
1834 a. The special assessment methodology shall address and
1835 discuss and the board shall consider whether the systems,
1836 facilities, and services being contemplated will result in
1837 special benefits peculiar to the property, different in kind and
1838 degree than general benefits, as a logical connection between
1839 the systems, facilities, and services themselves and the
1840 property, and whether the duty to pay the special assessments by
1841 the property owners is apportioned in a manner that is fair and
1842 equitable and not in excess of the special benefit received. It
1843 shall be fair and equitable to designate a fixed proportion of
1844 the annual debt service, together with interest thereon, on the
1845 aggregate principal amount of bonds issued to finance such
1846 systems, facilities, and services which give rise to unique,
1847 special, and peculiar benefits to property of the same or
1848 similar characteristics under the special assessment methodology

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

1849 so long as such fixed proportion does not exceed the unique,
1850 special, and peculiar benefits enjoyed by such property from
1851 such systems, facilities, and services.

1852 b. The engineer's cost report shall identify the nature of
1853 the proposed systems, facilities, and services, their location,
1854 a cost breakdown plus a total estimated cost, including cost of
1855 construction or reconstruction, labor, and materials, lands,
1856 property, rights, easements, franchises, or systems, facilities,
1857 and services to be acquired, cost of plans and specifications,
1858 surveys of estimates of costs and revenues, costs of
1859 engineering, legal, and other professional consultation
1860 services, and other expenses or costs necessary or incident to
1861 determining the feasibility or practicability of such
1862 construction, reconstruction, or acquisition, administrative
1863 expenses, relationship to the authority and power of the
1864 district in its charter, and such other expenses or costs as may
1865 be necessary or incident to the financing to be authorized by
1866 the board of supervisors.

1867 c. The preliminary special assessment roll will be in
1868 accordance with the assessment methodology as may be adopted by
1869 the board of supervisors; the special assessment roll shall be
1870 completed as promptly as possible and shall show the acreage,
1871 lots, lands, or plats assessed and the amount of the fairly and
1872 reasonably apportioned assessment based on special and peculiar
1873 benefit to the property, lot, parcel, or acreage of land; and,

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

1874 if the special assessment against such lot, parcel, acreage, or
1875 portion of land is to be paid in installments, the number of
1876 annual installments in which the special assessment is divided
1877 shall be entered into and shown upon the special assessment
1878 roll.

1879 2. The board of supervisors of the district may determine
1880 and declare by an initial special assessment resolution to levy
1881 and assess the special assessments with respect to assessable
1882 improvements stating the nature of the systems, facilities, and
1883 services, improvements, projects, or infrastructure constituting
1884 such assessable improvements, the information in the engineer's
1885 cost report, the information in the special assessment
1886 methodology as determined by the board at the noticed meeting
1887 and referencing and incorporating as part of the resolution the
1888 engineer's cost report, the preliminary special assessment
1889 methodology, and the preliminary special assessment roll as
1890 referenced exhibits to the resolution by reference. If the board
1891 determines to declare and levy the special assessments by the
1892 initial special assessment resolution, the board shall also
1893 adopt and declare a notice resolution which shall provide and
1894 cause the initial special assessment resolution to be published
1895 once a week for a period of 2 weeks in newspapers of general
1896 circulation published in Osceola County and said board shall by
1897 the same resolution fix a time and place at which the owner or
1898 owners of the property to be assessed or any other persons

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

1899 interested therein may appear before said board and be heard as
1900 to the propriety and advisability of making such improvements,
1901 as to the costs thereof, as to the manner of payment therefor,
1902 and as to the amount thereof to be assessed against each
1903 property so improved. Thirty days' notice in writing of such
1904 time and place shall be given to such property owners. The
1905 notice shall include the amount of the special assessment and
1906 shall be served by mailing a copy to each assessed property
1907 owner at his or her last known address, the names and addresses
1908 of such property owners to be obtained from the record of the
1909 property appraiser of the county political subdivision in which
1910 the land is located or from such other sources as the district
1911 manager or engineer deems reliable, and proof of such mailing
1912 shall be made by the affidavit of the manager of the district or
1913 by the engineer, said proof to be filed with the district
1914 manager, provided that failure to mail said notice or notices
1915 shall not invalidate any of the proceedings hereunder. It is
1916 provided further that the last publication shall be at least 1
1917 week prior to the date of the hearing on the final special
1918 assessment resolution. Said notice shall describe the general
1919 areas to be improved and advise all persons interested that the
1920 description of each property to be assessed and the amount to be
1921 assessed to each piece, parcel, lot, or acre of property may be
1922 ascertained at the office of the manager of the district. Such
1923 service by publication shall be verified by the affidavit of the

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

1924 publisher and filed with the manager of the district. Moreover,
1925 the initial special assessment resolution with its attached,
1926 referenced, and incorporated engineer's cost report, preliminary
1927 special assessment methodology, and preliminary special
1928 assessment roll, along with the notice resolution, shall be
1929 available for public inspection at the office of the manager and
1930 the office of the engineer or any other office designated by the
1931 board of supervisors in the notice resolution. Notwithstanding
1932 the foregoing, the landowners of all of the property which is
1933 proposed to be assessed may give the district written notice of
1934 waiver of any notice and publication provided for in this
1935 subparagraph and such notice and publication shall not be
1936 required, provided, however, that any meeting of the board of
1937 supervisors to consider such resolution shall be a publicly
1938 noticed meeting.

1939 3. At the time and place named in the noticed resolution
1940 as provided for in subparagraph 2., the board of supervisors of
1941 the district shall meet and hear testimony from affected
1942 property owners as to the propriety and advisability of making
1943 the systems, facilities, services, projects, works,
1944 improvements, or infrastructure and funding them with
1945 assessments referenced in the initial special assessment
1946 resolution on the property. Following the testimony and
1947 questions from the members of the board or any professional
1948 advisors to the district of the preparers of the engineer's cost

Amendment No. 1

1949 report, the special assessment methodology, and the special
1950 assessment roll, the board of supervisors shall make a final
1951 decision on whether to levy and assess the particular special
1952 assessments. Thereafter, the board of supervisors shall meet as
1953 an equalizing board to hear and to consider any and all
1954 complaints as to the particular special assessments and shall
1955 adjust and equalize the special assessments to ensure proper
1956 assessment based on the benefit conferred on the property.

1957 4. When so equalized and approved by resolution or
1958 ordinance by the board of supervisors, to be called the final
1959 special assessment resolution, a final special assessment roll
1960 shall be filed with the clerk of the board and such special
1961 assessment shall stand confirmed and remain legal, valid, and
1962 binding first liens on the property against which such special
1963 assessments are made until paid, equal in dignity to the first
1964 liens of ad valorem taxation of county and municipal governments
1965 and school boards. However, upon completion of the systems,
1966 facilities, service, project, improvement, works, or
1967 infrastructure, the district shall credit to each of the
1968 assessments the difference in the special assessment as
1969 originally made, approved, levied, assessed, and confirmed and
1970 the proportionate part of the actual cost of the improvement to
1971 be paid by the particular special assessments as finally
1972 determined upon the completion of the improvement; but in no
1973 event shall the final special assessment exceed the amount of

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

1974 the special and peculiar benefits as apportioned fairly and
1975 reasonably to the property from the system, facility, or service
1976 being provided as originally assessed. Promptly after such
1977 confirmation, the special assessment shall be recorded by the
1978 clerk of the district in the minutes of the proceedings of the
1979 district, and the record of the lien in this set of minutes
1980 shall constitute prima facie evidence of its validity. The board
1981 of supervisors, in its sole discretion, may, by resolution grant
1982 a discount equal to all or a part of the payee's proportionate
1983 share of the cost of the project consisting of bond financing
1984 cost, such as capitalized interest, funded reserves, and bond
1985 discounts included in the estimated cost of the project, upon
1986 payment in full of any special assessments during such period
1987 prior to the time such financing costs are incurred as may be
1988 specified by the board of supervisors in such resolution.

1989 5. District special assessments may be made payable in
1990 installments over no more than 40 years from the date of the
1991 payment of the first installment thereof and may bear interest
1992 at fixed or variable rates.

1993 (b) Notwithstanding any provision of this act or chapter
1994 170, Florida Statutes, that portion of s. 170.09, Florida
1995 Statutes, that provides that special assessments may be paid
1996 without interest at any time within 30 days after the
1997 improvement is completed and a resolution accepting the same has
1998 been adopted by the governing authority shall not be applicable

Amendment No. 1

1999 to any district special assessments, whether imposed, levied,
2000 and collected pursuant to the provisions of this act or other
2001 provisions of Florida law, including, but not limited to,
2002 chapter 170, Florida Statutes.

2003 (c) In addition, the district is authorized expressly in
2004 the exercise of its rulemaking power to adopt a rule or rules
2005 which provides or provide for notice, levy, imposition,
2006 equalization, and collection of assessments.

2007 (14) ISSUANCE OF CERTIFICATES OF INDEBTEDNESS BASED ON
2008 ASSESSMENTS FOR ASSESSABLE IMPROVEMENTS; ASSESSMENT BONDS.-

2009 (a) The board may, after any special assessments or
2010 benefit special assessments for assessable improvements are
2011 made, determined, and confirmed as provided in this act, issue
2012 certificates of indebtedness for the amount so assessed against
2013 the abutting property or property otherwise benefited, as the
2014 case may be, and separate certificates shall be issued against
2015 each part or parcel of land or property assessed, which
2016 certificates shall state the general nature of the improvement
2017 for which the assessment is made. The certificates shall be
2018 payable in annual installments in accordance with the
2019 installments of the special assessment for which they are
2020 issued. The board may determine the interest to be borne by such
2021 certificates, not to exceed the maximum rate allowed by general
2022 law, and may sell such certificates at either private or public
2023 sale and determine the form, manner of execution, and other

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

2024 details of such certificates. The certificates shall recite that
2025 they are payable only from the special assessments levied and
2026 collected from the part or parcel of land or property against
2027 which they are issued. The proceeds of such certificates may be
2028 pledged for the payment of principal of and interest on any
2029 revenue bonds or general obligation bonds issued to finance in
2030 whole or in part such assessable improvement, or, if not so
2031 pledged, may be used to pay the cost or part of the cost of such
2032 assessable improvements.

2033 (b) The district may also issue assessment bonds, revenue
2034 bonds, or other obligations payable from a special fund into
2035 which such certificates of indebtedness referred to in paragraph
2036 (a) may be deposited or, if such certificates of indebtedness
2037 have not been issued, the district may assign to such special
2038 fund for the benefit of the holders of such assessment bonds or
2039 other obligations, or to a trustee for such bondholders, the
2040 assessment liens provided for in this act unless such
2041 certificates of indebtedness or assessment liens have been
2042 theretofore pledged for any bonds or other obligations
2043 authorized hereunder. In the event of the creation of such
2044 special fund and the issuance of such assessment bonds or other
2045 obligations, the proceeds of such certificates of indebtedness
2046 or assessment liens deposited therein shall be used only for the
2047 payment of the assessment bonds or other obligations issued as
2048 provided in this section. The district is authorized to covenant

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

2049 with the holders of such assessment bonds, revenue bonds, or
2050 other obligations that it will diligently and faithfully enforce
2051 and collect all the special assessments, and interest and
2052 penalties thereon, for which such certificates of indebtedness
2053 or assessment liens have been deposited in or assigned to such
2054 fund; to foreclose such assessment liens so assigned to such
2055 special fund or represented by the certificates of indebtedness
2056 deposited in the special fund, after such assessment liens have
2057 become delinquent, and deposit the proceeds derived from such
2058 foreclosure, including interest and penalties, in such special
2059 fund; and to make any other covenants deemed necessary or
2060 advisable in order to properly secure the holders of such
2061 assessment bonds or other obligations.

2062 (c) The assessment bonds, revenue bonds, or other
2063 obligations issued pursuant to this section shall have such
2064 dates of issue and maturity as shall be deemed advisable by the
2065 board; however, the maturities of such assessment bonds or other
2066 obligations shall not be more than 2 years after the due date of
2067 the last installment which will be payable on any of the special
2068 assessments for which such assessment liens, or the certificates
2069 of indebtedness representing such assessment liens, are assigned
2070 to or deposited in such special fund.

2071 (d) Such assessment bonds, revenue bonds, or other
2072 obligations issued under this section shall bear such interest
2073 as the board may determine, not to exceed the maximum rate

Amendment No. 1

2074 allowed by general law, and shall be executed, shall have such
2075 provisions for redemption prior to maturity, shall be sold in
2076 the manner, and shall be subject to all of the applicable
2077 provisions contained in this act for revenue bonds, except as
2078 the same may be inconsistent with the provisions of this
2079 section.

2080 (e) All assessment bonds, revenue bonds, or other
2081 obligations issued under the provisions of this section shall
2082 be, shall constitute, and shall have all the qualities and
2083 incidents of negotiable instruments under the law merchant and
2084 the laws of the state.

2085 (15) TAX LIENS.-All taxes of the district provided for in
2086 this act, together with all penalties for default in the payment
2087 of the same and all costs in collecting the same, including a
2088 reasonable attorney fee fixed by the court and taxed as a cost
2089 in the action brought to enforce payment, shall, from January 1
2090 for each year the property is liable to assessment and until
2091 paid, constitute a lien of equal dignity with the liens for
2092 state and county taxes and other taxes of equal dignity with
2093 state and county taxes upon all the lands against which such
2094 taxes shall be levied. A sale of any of the real property within
2095 the district for state and county or other taxes shall not
2096 operate to relieve or release the property so sold from the lien
2097 for subsequent district taxes or installments of district taxes,
2098 which lien may be enforced against such property as though no

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

2099 such sale thereof had been made. In addition to, and not in
2100 limitation of, the preceding sentence, for purposes of s.
2101 197.552, Florida Statutes, the lien of all special assessments
2102 levied by the district shall constitute a lien of record held by
2103 a municipal or county governmental unit. The provisions of ss.
2104 194.171, 197.122, 197.333, and 197.432, Florida Statutes, shall
2105 be applicable to district taxes with the same force and effect
2106 as if such provisions were expressly set forth in this act.

2107 (16) PAYMENT OF TAXES AND REDEMPTION OF TAX LIENS BY THE
2108 DISTRICT; SHARING IN PROCEEDS OF TAX SALE.-

2109 (a) The district shall have the power and right to:

2110 1. Pay any delinquent state, county, district, municipal,
2111 or other tax or assessment upon lands located wholly or
2112 partially within the boundaries of the district.

2113 2. Redeem or purchase any tax sales certificates issued or
2114 sold on account of any state, county, district, municipal, or
2115 other taxes or assessments upon lands located wholly or
2116 partially within the boundaries of the district.

2117 (b) Delinquent taxes paid, or tax sales certificates
2118 redeemed or purchased, by the district, together with all
2119 penalties for the default in payment of the same and all costs
2120 in collecting the same and a reasonable attorney fee, shall
2121 constitute a lien in favor of the district of equal dignity with
2122 the liens of state and county taxes and other taxes of equal
2123 dignity with state and county taxes upon all the real property

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

2124 against which the taxes were levied. The lien of the district
2125 may be foreclosed in the manner provided in this act.

2126 (c) In any sale of land pursuant to s. 197.542, Florida
2127 Statutes, as may be amended from time to time, the district may
2128 certify to the clerk of the circuit court of the county holding
2129 such sale the amount of taxes due to the district upon the lands
2130 sought to be sold, and the district shall share in the
2131 disbursement of the sales proceeds in accordance with the
2132 provisions of this act and under the laws of the state.

2133 (17) FORECLOSURE OF LIENS.—Any lien in favor of the
2134 district arising under this act may be foreclosed by the
2135 district by foreclosure proceedings in the name of the district
2136 in a court of competent jurisdiction as provided by general law
2137 in like manner as is provided in chapter 170 or chapter 173,
2138 Florida Statutes, and amendments thereto and the provisions of
2139 those chapters shall be applicable to such proceedings with the
2140 same force and effect as if those provisions were expressly set
2141 forth in this act. Any act required or authorized to be done by
2142 or on behalf of a municipality in foreclosure proceedings under
2143 chapter 170 or chapter 173, Florida Statutes, may be performed
2144 by such officer or agent of the district as the board of
2145 supervisors may designate. Such foreclosure proceedings may be
2146 brought at any time after the expiration of 1 year from the date
2147 any tax, or installment thereof, becomes delinquent; however, no
2148 lien shall be foreclosed against any political subdivision or

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

2149 agency of the state. Other legal remedies shall remain
2150 available.

2151 (18) MANDATORY USE OF CERTAIN DISTRICT SYSTEMS,
2152 FACILITIES, AND SERVICES.—To the full extent permitted by law,
2153 the district shall require all lands, buildings, premises,
2154 persons, firms, and corporations within the district to use the
2155 facilities of the district.

2156 (19) COMPETITIVE PROCUREMENT; BIDS; NEGOTIATIONS; RELATED
2157 PROVISIONS REQUIRED.—

2158 (a) No contract shall be let by the board for any goods,
2159 supplies, or materials to be purchased when the amount thereof
2160 to be paid by the district shall exceed the amount provided in
2161 s. 287.017, Florida Statutes, as amended from time to time, for
2162 category four, unless notice of bids shall be advertised once in
2163 a newspaper in general circulation in Osceola County. Any board
2164 seeking to construct or improve a public building, structure, or
2165 other public works shall comply with the bidding procedures of
2166 s. 255.20, Florida Statutes, as amended from time to time, and
2167 other applicable general law. In each case, the bid of the
2168 lowest responsive and responsible bidder shall be accepted
2169 unless all bids are rejected because the bids are too high or
2170 the board determines it is in the best interests of the district
2171 to reject all bids. The board may require the bidders to furnish
2172 bond with a responsible surety to be approved by the board.
2173 Nothing in this subsection shall prevent the board from

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

2174 undertaking and performing the construction, operation, and
2175 maintenance of any project or facility authorized by this act by
2176 the employment of labor, material, and machinery.

2177 (b) The provisions of the Consultants' Competitive
2178 Negotiation Act, s. 287.055, Florida Statutes, apply to
2179 contracts for engineering, architecture, landscape architecture,
2180 or registered surveying and mapping services let by the board.

2181 (c) Contracts for maintenance services for any district
2182 facility or project shall be subject to competitive bidding
2183 requirements when the amount thereof to be paid by the district
2184 exceeds the amount provided in s. 287.017, Florida Statutes, as
2185 amended from time to time, for category four. The district shall
2186 adopt rules, policies, or procedures establishing competitive
2187 bidding procedures for maintenance services. Contracts for other
2188 services shall not be subject to competitive bidding unless the
2189 district adopts a rule, policy, or procedure applying
2190 competitive bidding procedures to said contracts. Nothing herein
2191 shall preclude the use of requests for proposal instead of
2192 invitations to bid as determined by the district to be in its
2193 best interest.

2194 (20) FEES, RENTALS, AND CHARGES; PROCEDURE FOR ADOPTION
2195 AND MODIFICATIONS; MINIMUM REVENUE REQUIREMENTS.—

2196 (a) The district is authorized to prescribe, fix,
2197 establish, and collect rates, fees, rentals, or other charges,
2198 hereinafter sometimes referred to as "revenues," and to revise

Amendment No. 1

2199 the same from time to time, for the systems, facilities, and
2200 services furnished by the district, within the limits of the
2201 district, including, but not limited to, recreational
2202 facilities, water management and control facilities, and water
2203 and sewer systems; to recover the costs of making connection
2204 with any district service, facility, or system; and to provide
2205 for reasonable penalties against any user or property for any
2206 such rates, fees, rentals, or other charges that are delinquent.

2207 (b) No such rates, fees, rentals, or other charges for any
2208 of the facilities or services of the district shall be fixed
2209 until after a public hearing at which all the users of the
2210 proposed facility or services or owners, tenants, or occupants
2211 served or to be served thereby and all other interested persons
2212 shall have an opportunity to be heard concerning the proposed
2213 rates, fees, rentals, or other charges. Rates, fees, rentals,
2214 and other charges shall be adopted under the administrative
2215 rulemaking authority of the district, but shall not apply to
2216 district leases. Notice of such public hearing setting forth the
2217 proposed schedule or schedules of rates, fees, rentals, and
2218 other charges shall have been published in a newspaper of
2219 general circulation in Osceola County at least once and at least
2220 10 days prior to such public hearing. The rulemaking hearing may
2221 be adjourned from time to time. After such hearing, such
2222 schedule or schedules, either as initially proposed or as
2223 modified or amended, may be finally adopted. A copy of the

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

2224 schedule or schedules of such rates, fees, rentals, or charges
2225 as finally adopted shall be kept on file in an office designated
2226 by the board and shall be open at all reasonable times to public
2227 inspection. The rates, fees, rentals, or charges so fixed for
2228 any class of users or property served shall be extended to cover
2229 any additional users or properties thereafter served which shall
2230 fall in the same class, without the necessity of any notice or
2231 hearing.

2232 (c) Such rates, fees, rentals, and charges shall be just
2233 and equitable and uniform for users of the same class, and when
2234 appropriate may be based or computed either upon the amount of
2235 service furnished, upon the average number of persons residing
2236 or working in or otherwise occupying the premises served, or
2237 upon any other factor affecting the use of the facilities
2238 furnished, or upon any combination of the foregoing factors, as
2239 may be determined by the board on an equitable basis.

2240 (d) The rates, fees, rentals, or other charges prescribed
2241 shall be such as will produce revenues, together with any other
2242 assessments, taxes, revenues, or funds available or pledged for
2243 such purpose, at least sufficient to provide for the items
2244 hereinafter listed, but not necessarily in the order stated:

2245 1. To provide for all expenses of operation and
2246 maintenance of such facility or service.

Amendment No. 1

2247 2. To pay when due all bonds and interest thereon for the
2248 payment of which such revenues are, or shall have been, pledged
2249 or encumbered, including reserves for such purpose.

2250 3. To provide for any other funds which may be required
2251 under the resolution or resolutions authorizing the issuance of
2252 bonds pursuant to this act.

2253 (e) The board shall have the power to enter into contracts
2254 for the use of the projects of the district and with respect to
2255 the services, systems, and facilities furnished or to be
2256 furnished by the district.

2257 (21) RECOVERY OF DELINQUENT CHARGES.-In the event that any
2258 rates, fees, rentals, charges, or delinquent penalties shall not
2259 be paid as and when due and shall be in default for 60 days or
2260 more, the unpaid balance thereof and all interest accrued
2261 thereon, together with reasonable attorney fees and costs, may
2262 be recovered by the district in a civil action.

2263 (22) DISCONTINUANCE OF SERVICE.-In the event the fees,
2264 rentals, or other charges for district services or facilities
2265 are not paid when due, the board shall have the power, under
2266 such reasonable rules and regulations as the board may adopt, to
2267 discontinue and shut off such services until such fees, rentals,
2268 or other charges, including interest, penalties, and charges for
2269 the shutting off and discontinuance and the restoration of such
2270 services, are fully paid; and, for such purposes, the board may
2271 enter on any lands, waters, or premises of any person, firm,

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

2272 corporation, or body, public or private, within the district
2273 limits. Such delinquent fees, rentals, or other charges,
2274 together with interest, penalties, and charges for the shutting
2275 off and discontinuance and the restoration of such services and
2276 facilities and reasonable attorney fees and other expenses, may
2277 be recovered by the district, which may also enforce payment of
2278 such delinquent fees, rentals, or other charges by any other
2279 lawful method of enforcement.

2280 (23) ENFORCEMENT AND PENALTIES.—The board or any aggrieved
2281 person may have recourse to such remedies in law and at equity
2282 as may be necessary to ensure compliance with the provisions of
2283 this act, including injunctive relief to enjoin or restrain any
2284 person violating the provisions of this act or any bylaws,
2285 resolutions, regulations, rules, codes, or orders adopted under
2286 this act. In case any building or structure is erected,
2287 constructed, reconstructed, altered, repaired, converted, or
2288 maintained, or any building, structure, land, or water is used,
2289 in violation of this act or of any code, order, resolution, or
2290 other regulation made under authority conferred by this act or
2291 under law, the board or any citizen residing in the district may
2292 institute any appropriate action or proceeding to prevent such
2293 unlawful erection, construction, reconstruction, alteration,
2294 repair, conversion, maintenance, or use; to restrain, correct,
2295 or avoid such violation; to prevent the occupancy of such
2296 building, structure, land, or water; and to prevent any illegal

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

2297 act, conduct, business, or use in or about such premises, land,
2298 or water.

2299 (24) SUITS AGAINST THE DISTRICT.—Any suit or action
2300 brought or maintained against the district for damages arising
2301 out of tort, including, without limitation, any claim arising
2302 upon account of an act causing an injury or loss of property,
2303 personal injury, or death, shall be subject to the limitations
2304 provided in s. 768.28, Florida Statutes.

2305 (25) EXEMPTION OF DISTRICT PROPERTY FROM EXECUTION.—All
2306 district property shall be exempt from levy and sale by virtue
2307 of an execution, and no execution or other judicial process
2308 shall issue against such property, nor shall any judgment
2309 against the district be a charge or lien on its property or
2310 revenues; however, nothing contained herein shall apply to or
2311 limit the rights of bondholders to pursue any remedy for the
2312 enforcement of any lien or pledge given by the district in
2313 connection with any of the bonds or obligations of the district.

2314 (26) TERMINATION, CONTRACTION, OR EXPANSION OF DISTRICT.--

2315 (a) The board of supervisors of the district shall not ask
2316 the Legislature to repeal or amend this act to expand or to
2317 contract the boundaries of the district or otherwise cause the
2318 merger or termination of the district without first obtaining a
2319 resolution or official statement from the Tohopekaliga Water
2320 Authority and Osceola County as required by s. 189.031(2)(e)4.,

Amendment No. 1

2321 Florida Statutes, for creation of an independent special
2322 district.

2323 (b) The district shall remain in existence until:

2324 1. The district is terminated and dissolved pursuant to
2325 amendment to this act by the Legislature.

2326 2. The district has become inactive pursuant to s.
2327 189.062, Florida Statutes.

2328 (27) INCLUSION OF TERRITORY.—

2329 (a) The inclusion of any or all territory of the district
2330 within a municipality does not change, alter, or affect the
2331 boundary, territory, existence, or jurisdiction of the district.

2332 (b) The creation and establishment of the district shall
2333 not impair or alter the authority, power, obligations, or
2334 purpose of the Tohopekaliga Water Authority or its successors in
2335 providing water or wastewater services and facilities under the
2336 Tohopekaliga Water Authority Act.

2337 (c) The creation and establishment of the district shall
2338 not impair or alter the authority, power, obligations, or
2339 purpose of East Central Florida Services, Inc., to provide water
2340 services or facilities pursuant to its Florida Public Service
2341 Commission issued certificate of service.

2342 (28) SALE OF REAL ESTATE WITHIN THE DISTRICT; REQUIRED
2343 DISCLOSURE TO PURCHASER.—Subsequent to the creation of this
2344 district under this act, each contract for the initial sale of a
2345 parcel of real property and each contract for the initial sale

Amendment No. 1

2346 of a residential unit within the district shall include,
2347 immediately prior to the space reserved in the contract for the
2348 signature of the purchaser, the following disclosure statement
2349 in boldfaced and conspicuous type which is larger than the type
2350 in the remaining text of the contract: "THE SUNBRIDGE
2351 STEWARDSHIP DISTRICT MAY IMPOSE AND LEVY TAXES OR ASSESSMENTS,
2352 OR BOTH TAXES AND ASSESSMENTS, ON THIS PROPERTY. THESE TAXES AND
2353 ASSESSMENTS PAY FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE
2354 COSTS OF CERTAIN PUBLIC SYSTEMS, FACILITIES, AND SERVICES OF THE
2355 DISTRICT AND ARE SET ANNUALLY BY THE GOVERNING BOARD OF THE
2356 DISTRICT. THESE TAXES AND ASSESSMENTS ARE IN ADDITION TO COUNTY
2357 AND OTHER LOCAL GOVERNMENTAL TAXES AND ASSESSMENTS AND ALL OTHER
2358 TAXES AND ASSESSMENTS PROVIDED FOR BY LAW."

2359 (29) NOTICE OF CREATION AND ESTABLISHMENT.—Within 30 days
2360 after the election of the first board of supervisors creating
2361 this district, the district shall cause to be recorded in the
2362 grantor-grantee index of the property records in Osceola County
2363 a "Notice of Creation and Establishment of the Sunbridge
2364 Stewardship District." The notice shall, at a minimum, include
2365 the legal description of the property covered by this act.

2366 (30) DISTRICT PROPERTY PUBLIC; FEES.—Any system, facility,
2367 service, works, improvement, project, or other infrastructure
2368 owned by the district, or funded by federal tax exempt bonding
2369 issued by the district, is public; and the district by rule may
2370 regulate, and may impose reasonable charges or fees for, the use

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

2371 thereof, but not to the extent that such regulation or
2372 imposition of such charges or fees constitutes denial of
2373 reasonable access.

2374 Section 7. This act being for the purpose of developing
2375 and promoting the public good and welfare of Osceola County, the
2376 territory included in the district, and the service area
2377 authorized to be served by the Tohopekaliga Water Authority, and
2378 the citizens, inhabitants, ratepayers, and taxpayers residing
2379 therein, shall be liberally construed to effect the purposes of
2380 the act as consistent with, cumulative and supplemental to the
2381 powers of the County and the Tohopekaliga Water Authority.

2382 Section 8. If any provision of this act is determined
2383 unconstitutional or otherwise determined invalid by a court of
2384 law, all the rest and remainder of the act shall remain in full
2385 force and effect as the law of this state.

2386 Section 9. This act shall take effect upon becoming a law
2387 except that the provisions of this act which authorize the levy
2388 of ad valorem taxation shall take effect only upon express
2389 approval by a majority vote of those qualified electors of the
2390 Sunbridge Stewardship District, as required by Section 9 of
2391 Article VII of the State Constitution, voting in a referendum
2392 election held at such time as all members of the board are
2393 qualified electors who are elected by qualified electors of the
2394 district as provided in this act.

2395

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

Amendment No. 1

T I T L E A M E N D M E N T

Remove everything before the enacting clause and insert:

An act relating to Osceola County; creating the Sunbridge Stewardship District; providing a short title; providing legislative findings and intent; providing definitions; stating legislative policy regarding creation of the district; establishing compliance with minimum requirements in s. 189.031(3), F.S., for creation of an independent special district; providing for creation and establishment of the district; establishing the legal boundaries of the district; providing for the jurisdiction and charter of the district; providing for a governing board and establishing membership criteria and election procedures; providing for board members' terms of office; providing for board meetings; providing for administrative duties of the board; providing a method for transition of the board from landowner control to control by the resident electors of the district; providing for a district manager and district personnel; providing for a district treasurer, selection of a public depository, and district budgets and financial reports; providing for the general powers of the district; providing for the special powers of the district to plan, finance, and provide community infrastructure and services within the district; providing for bonds; providing for borrowing; providing for future ad valorem taxation;

282725 - 1333 Amendment 1.docx

Published On: 3/20/2017 7:01:41 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1333 (2017)

Amendment No. 1

2421 providing for special assessments; providing for issuance of
2422 certificates of indebtedness; providing for tax liens; providing
2423 for competitive procurement; providing for fees and charges;
2424 providing for amendment to charter; providing for required
2425 notices to purchasers of residential units within the district;
2426 defining district public property; providing for construction;
2427 providing severability; providing for a referendum; providing an
2428 effective date.