

1  
2 An act relating to Lee and Charlotte Counties;  
3 codifying chapters 96-507 and 97-319, Laws of  
4 Florida, relating to the Gasparilla Island  
5 Bridge Authority, a special taxing district;  
6 providing district boundaries; prescribing the  
7 purposes, powers, privileges, duties,  
8 liability, and officials; providing  
9 applicability of the provisions of chapter 189,  
10 F.S., to said district; providing definitions;  
11 providing for the appointment of the governing  
12 board and the election and appointment of its  
13 future members; defining terms of office;  
14 prescribing duties, powers, and qualifications,  
15 and fixing compensation; providing for the  
16 setting of bridge toll rates by the district;  
17 providing for the levy of ad valorem taxes upon  
18 the lands in said district under certain  
19 circumstances and for the collection and  
20 enforcement thereof; providing the authority  
21 for the district to issue bonds and the  
22 authority to pledge revenues for the repayment  
23 of those bonds; providing the power of eminent  
24 domain; providing provisions with respect to  
25 the tax exemption of bonds and tax delinquency  
26 enforcement and liens relating thereto;  
27 specifying authority decisions requiring a  
28 majority vote; providing for interlocal  
29 cooperation; providing for fees or costs for  
30 the offices of the county property appraisers  
31

1           and tax collectors; providing for severability;  
2           providing an effective date.

3  
4 Be It Enacted by the Legislature of the State of Florida:

5  
6           Section 1. Chapters 96-507 and 97-319, Laws of  
7 Florida, are codified, reenacted, amended, and repealed as  
8 herein provided.

9           Section 2. The Gasparilla Island Bridge Authority is  
10 re-created and the charter for such district is re-created and  
11 reenacted to read:

12           Section 1. LEGISLATIVE FINDINGS.--It is declared as a  
13 matter of legislative determination that the residents of  
14 Gasparilla Island and its neighboring islands have a vital  
15 interest in the operation and the continued maintenance and  
16 improvement of the bridge and causeway linking the islands to  
17 the mainland. The bridge and causeway were constructed in  
18 1952 by a private company. That company and its successors  
19 have operated the bridge and collected tolls since 1952 under  
20 a 50-year lease from the state which expires in May 2002. The  
21 residents of Gasparilla Island are the primary users of the  
22 bridge and pay the majority of tolls collected for its  
23 continued maintenance. It is the intent of the Legislature to  
24 create an independent special authority on Gasparilla Island  
25 and surrounding islands, in both Lee and Charlotte Counties,  
26 with overall responsibility for the ownership, operation,  
27 maintenance, repair, and reconstruction of the bridge and  
28 causeway connecting Gasparilla Island with the mainland in  
29 Charlotte County, thereby creating an organization to permit  
30 the continuing responsibility on the part of the residents of  
31 Gasparilla Island and surrounding islands for the operation,

1 maintenance, repair, and reconstruction of the bridge and  
2 causeway. This act shall be known as "The Gasparilla Island  
3 Bridge Authority Act."

4 Section 2. AUTHORITY CREATED.--There is hereby created  
5 and established a local governmental body, corporate and  
6 politic, to be known as the Gasparilla Island Bridge  
7 Authority. The boundaries of the authority shall include: all  
8 of Gasparilla Island, including Boca Grande Isles and  
9 Gasparilla Golf Course Island, Three Sisters Island, Hoagen's  
10 Key, Loomis Island, and Cole Island situated in Lee County and  
11 Charlotte County including all adjacent submerged lands, tidal  
12 lands, overflow lands, and tidal ponds hereinafter referred to  
13 as the "islands," and the following described lands located on  
14 or between the islands and the mainland of Charlotte County,  
15 Florida:

16  
17 Parcel I:

18  
19 That real property described in the Final  
20 Judgment entered in Condemnation Suit, Case  
21 #1048 entitled Florida Bridge Company,  
22 Plaintiff -vs- Sunset Realty Corporation,  
23 Defendant, Circuit Court, Charlotte County,  
24 Florida, said judgment being dated June 18,  
25 1958, recorded June 13, 1958, in O.R. Book 39  
26 at Page 178, et. seq., of the Public Records of  
27 Charlotte County, Florida, which property is  
28 more particularly described as follows:

29  
30 A parcel containing 3.4937 acres of land, lying  
31 and being in Charlotte County Florida, lying

1           15' on either side of the following described  
2           centerline:  
3  
4           Commencing at the intersection of Sections 26,  
5           27, 34 and 35, Township 42 South, Range 20  
6           East; thence North 89°47'36" West, 292.84 feet;  
7           thence North 22°39'51" West 147.19 feet; thence  
8           North 16°28'24" East, 1,105.2 feet to the South  
9           end of the South relief bridge as constructed  
10           by the Florida Bridge Corp. under its  
11           franchise, to point of beginning; thence from  
12           said point of beginning South 16°28'24" West  
13           286.85 feet to a point of curvature; thence  
14           Southeasterly along a curve whose radius is  
15           2,864.79 feet, an arc distance of 1,956.88 feet  
16           to a point; thence South 21°56'21" East 800  
17           feet to the center of the County road pavement  
18           as exists at present, crossing the 30' R/W line  
19           of said County road 157.6 feet North of the  
20           point as established in the center of said  
21           County road, all lying a being in Sections 26,  
22           27, 34 and 35, Township 42 South, Range 20  
23           East, Charlotte County, Florida.

24  
25           Parcel II:  
26  
27           The following described lands (herein Parcels  
28           A, B, C, and D, respectively) situated in  
29           Charlotte County, Florida:  
30  
31

1       Parcel A. Those lands described in instrument  
2       dated November 26, 1954, between Boca Grande  
3       Inn, Inc., a Florida corporation, and Florida  
4       Bridge Company, a Florida corporation, recorded  
5       April 11, 1958 in O.R. Book 36, Page 211 et.  
6       seq. Of the Public Records of Charlotte County,  
7       Florida, more particularly described as  
8       follows:

9  
10       A strip or parcel of land in Section 12,  
11       Township 42 South, Range 20 East, which strip  
12       or parcel is 33 feet on each side of, as  
13       measured at right angles to, the following  
14       described center line: From the intersection of  
15       the centerline of the Seaboard Air Line  
16       Railroad (Charlotte Harbor and Northern  
17       Railroad) with the center line of Florida State  
18       Road No. 775 in said Section 12, run North  
19       59°01'06" West, (being the same line as shown  
20       as having a bearing of North 58°59' West on the  
21       right-of-way map of said State Road) along the  
22       center line of said State Road No. 775 for  
23       1,260 feet to a point of curve of a curve to  
24       the right; thence continue along the tangent of  
25       said curve for 111.93 feet to a point; thence  
26       run South 01°00'54" West for 55.64 feet to a  
27       point on the South right-of-way line of State  
28       Road No. 775 and the point of beginning of the  
29       center line of the lands hereby conveyed; from  
30       said point of beginning continue South  
31       01°00'54" West for 1,049.49 feet to the point

1        of curve of a curve to the right having a  
2        radius of 2,864.79 feet; thence run Southerly  
3        to Southwesterly along the arc of said curve  
4        for 420 feet, more or less, to the mean high  
5        water mark of Gasparilla Sound. All bearings  
6        hereinabove mentioned are plane coordinate  
7        bearings for the Florida West Zone.

8  
9        Parcel B. Those lands described in Grant of  
10       Right-of-Way from the Trustees of the Internal  
11       Improvement Trust Fund of the State of Florida  
12       to Florida Bridge Company, Inc. dated December  
13       30, 1954, bearing instrument no. 20840,  
14       recorded January 26, 1955, in O.R. Book 1, Page  
15       146 et. seq. of the Public Records of Charlotte  
16       County, Florida, as amended, more particularly  
17       described as follows:

18  
19                    CAUSEWAY RIGHT-OF-WAY

20  
21       Lands for highway right-of-way purposes across  
22       the submerged bottoms of Gasparilla Sound from  
23       the mean high water mark of said Sound on the  
24       mainland at the town of Placida to the mean  
25       high water mark on Gasparilla Island, said  
26       lands being 300 feet wide on each side of, as  
27       measured at right angles to, a center line,  
28       more particularly described as follows:

29  
30       Commence at the intersection of the center line  
31       of the S.A.L. R.R. and the center line of S.R.

1                   No. 775 in Section 12, Township 42 South, Range  
 2                   20 East, Charlotte County, Florida.

3  
 4                   Thence North 59°01'06" West along the center of  
 5                   said S.R. No. 775 1,260 feet the P.C. of a  
 6                   curve to the right;

7  
 8                   Thence continue along the tangent to said curve  
 9                   111.93 feet to a point;

10  
 11                   Thence South 01°01'09" West 900 feet, more or  
 12                   less, to the mean high water mark of Gasparilla  
 13                   Sound, said point being the point of beginning  
 14                   of the easement herein granted; From P.O.B.  
 15                   continue South 01°01'09" West 593.95 feet to a  
 16                   point in Gasparilla Sound, said point being 930  
 17                   feet from, as measured at right angles to, the  
 18                   center line of said S.A.L. R.R.;

19  
 20                   Thence South 16°28'24" West parallel to and 930  
 21                   feet from said center line 8,743 feet to the  
 22                   mean high water mark of Gasparilla Sound on  
 23                   Gasparilla Island, said high water mark being  
 24                   the terminus of this center line.

25  
 26                                           AND

27  
 28                   An area on the Northwesterly side of the  
 29                   causeway center line beginning 100 feet off  
 30                   shore from the Placida side of Gasparilla Sound  
 31                   and extending Southwesterly parallel to the

1           center line of said causeway for a distance of  
2           4,000 feet. The Northwesterly limits of said  
3           area shall be not more than 1,500 feet from  
4           said center line and the Southeasterly limits  
5           shall be not less than 1,000 feet from said  
6           causeway center line.

7

8

AND

9

10           An area on the Southeasterly side of the  
11           causeway center line beginning 100 feet off  
12           shore from the Placida side of Gasparilla Sound  
13           and extending Southwesterly parallel with  
14           center line of causeway for a distance of 9,000  
15           feet. The Southeasterly limits of said area  
16           shall be not more than 600 feet from said  
17           center line and the Northwesterly limits shall  
18           be the right-of-way for causeway.

19

20           LESS AND EXCEPT FROM PARCEL B THE FOLLOWING:

21

22           The lands conveyed by Robert L. King and  
23           Carroll C. Cozart, as personal representative  
24           of the estate of Robert T. Cozart, deceased, to  
25           Gasparilla Pass, Inc. by deed dated July 16,  
26           1981, recorded July 16, 1981 in O.R. Book 672  
27           at Page 1045 et. seq. of the Public Records of  
28           Charlotte County, Florida, more particularly  
29           described as follows:

30

31



1        A tract of parcel of land lying in Section 26,  
2        Township 42 South, Range 20 East, Charlotte  
3        County, Florida which tract or parcel is  
4        described as follows:  
5  
6        From the Southwest corner of said Section 26 on  
7        Gasparilla Island as shown on the plat of Gulf  
8        Shores North recorded in Plat Book 13 beginning  
9        at Page 9A, Charlotte County Records run North  
10       89°45'15" West along the South line of Section  
11       27 as shown on said plat for 82.13 feet to an  
12       intersection with the centerline of Gasparilla  
13       Road (50 feet wide); thence run Northerly along  
14       said centerline as shown on said plat along the  
15       arc of a curve to the right of radius 2,864.79  
16       feet (chord bearing North 05°14'34" East) for  
17       1,123.99 feet to a point of tangency; thence  
18       continue along said centerline North 16°28'45"  
19       East, parallel with and 930 feet Westerly from  
20       (as measured on a perpendicular) the centerline  
21       of the Seaboard Coast Line Railroad, for 527.77  
22       feet to the Northerly end of the South Relief  
23       Bridge on the Boca Grande Causeway; thence  
24       continue North 16°28'45" East along said  
25       centerline as described in instruments recorded  
26       in Official Records Book 1 at Page 145,  
27       Official Records Book 7 at Page 177, and  
28       Official Records Book 479 at Page 817 of said  
29       public records for 2,549.58 feet to the  
30       southerly end of the Center Relief Bridge and  
31       the Point of Beginning of lands described in

1        said instrument recorded in Official Record  
2        Book 479 at Page 817 and the Point of Beginning  
3        of the herein described parcel.  
4  
5        From said Point of Beginning run South  
6        79°31'15" East for 37 feet more or less to the  
7        approximate mean high tide line of Charlotte  
8        Harbor, thence run Southeasterly, Southerly,  
9        Southwesterly, Southerly, Southeasterly,  
10       Southerly, Southwesterly, Southerly,  
11       Southeasterly, Southerly, Southwesterly,  
12       Southerly, Southeasterly, Southerly,  
13       Southwesterly, Southerly, Southeasterly,  
14       Southerly, Southwesterly and Westerly along  
15       said approximate mean high tide line for 3,000  
16       feet more or less to a concrete seawall on the  
17       easterly line of the Florida Bridge company  
18       right-of-way (120 feet wide); thence run  
19       Southerly and Southwesterly along said seawall  
20       to an intersection with an easterly  
21       prolongation of the Northerly end of said South  
22       Relief Bridge; thence run North 73°31'15" West  
23       along said prolongation, said North line and a  
24       Westerly prolongation of said North line for 85  
25       feet more or less to the approximate mean high  
26       tide line of Gasparilla Pass; thence run-along  
27       said approximate mean high tide line  
28       Northwesterly, Northerly, Northeasterly and  
29       Northerly for 2,650 feet more or less to an  
30       intersection with the Westerly prolongation of  
31       said South line of said Center Relief Bridge;

1           thence run South 73°31'15" East along said  
2           prolongation and said South line for 45 feet  
3           more or less to the Point of Beginning.

4  
5           Bearing hereinafter mentioned are Plan  
6           Coordinate for the Florida West Zone.

7  
8           ALSO LESS AND EXCEPT FROM PARCEL B THE  
9           FOLLOWING:

10  
11           The lands conveyed to A.E. Blackburn and his  
12           wife, Mary M. Blackburn, Robert S. Maynard and  
13           Mildred M. Maynard and Samuel Schuckman and  
14           Lucile Schuckman by deeds recorded in O.R. Book  
15           13, Page 360, O.R. Book 42, Page 502 and O.R.  
16           Book 43, Page 353 of the Public Records of  
17           Charlotte County Florida:

18  
19           From the meander corner between Section 22 and  
20           27, Township 42 South, Range 20 East, on Little  
21           Gasparilla Island, as established in 1908 by  
22           Charles M. Pidgeon, run East 618 feet to a  
23           point for point of beginning. Thence as  
24           follows:

25  
26           North 3°30' East, 420 feet,  
27           North 42°00' East, 290 feet,  
28           North 70°30' East, 660 feet,  
29           South 62°00' East, 930 feet,  
30           South 45°30' East, 380 feet,  
31           South 66°30' East, 660 feet,

1           South 5°00' East, 515 feet,  
2           South 76°00' West, 575 feet,  
3           South 62°00' West, 910 feet,  
4           North 76°30' West, 1180 feet,  
5           North 4°30' West, 935 feet,

6  
7           to a Point of Beginning containing 82.20 acres  
8           more or less;

9  
10           ALSO LESS AND EXCEPT FROM PARCEL B THE  
11           FOLLOWING:

12  
13           A portion of the lands described in warranty  
14           deed from Bert L. Cole and Helen Cole, husband  
15           and wife, to Brunswick Corporation dated  
16           January 2, 1973, recorded January 2, 1973 in  
17           O.R. Book 407, Page 766 and fee simple deed  
18           dated September 1, 1972 in O.R. Book 401, Page  
19           882 of the Public Records of Charlotte County,  
20           Florida, more particularly described as  
21           follows:

22  
23           Commence at the N.W. corner of Section 12,  
24           Township 42 South, Range 20 East, Charlotte  
25           County, Florida; thence South 0°11'00" West  
26           along the West line of said Section 12,  
27           2073.74' to a point on the Southeasterly  
28           right-of-way (100' right-of-way) of State Road  
29           No. 775; thence South 48°03'00" East along said  
30           right-of-way 941.68' for a point of beginning;  
31           thence continue South 48°03'00" East, 209.58'

1           to the Point of Curvature of a curve to the  
2           left, said curve having a central angle of  
3           10°56'00" and a radius of 1,960.08'; thence  
4           along the arc of said curve a distance of  
5           374.09' to the Point of Tangency; thence South  
6           0°11'00" West, 979.29' thence North 80°34'09"  
7           West, 948.20'; thence North 0°41'48" West,  
8           699.41'; thence North 45°16'45" East, 690.82'  
9           to the Point of Beginning.

10  
11           Less all that part of the above described lands  
12           lying East of the West boundary of the  
13           right-of-way of the Boca Grande Causeway.

14  
15           All lying and being in Section 12, Township 42  
16           South, Range 20 East, Charlotte County,  
17           Florida.

18  
19           ALSO LESS AND EXCEPT FROM PARCEL B THE  
20           FOLLOWING:

21  
22           A portion of the lands described in warranty  
23           deeds from Placida Sound Corporation to James  
24           O. Dixon, Jay D. Moser and Janice D. Parrish  
25           dated January 19, 1979, recorded January 22,  
26           1979, in O.R. Book 593, Page 1713 and deeds  
27           recorded in O.R. Book 671, Page 1915 and O.R.  
28           Book 671, Page 1914, Public Records of  
29           Charlotte County, Florida, more particularly  
30           described as follows: Commence at the Northwest  
31           corner of Section 12, Township 42 South, Range

1           20 East, Charlotte County, Florida; thence  
2           South 0°11'00" West, along West boundary of  
3           said Section 12, 2,952.87 feet; thence South  
4           41°59'07" East 317.87 feet; then South 0°41'48"  
5           East, 699.41 feet for a P.O.B.; thence continue  
6           South 0°41'48" East, 602.98 feet; thence South  
7           76°03'07" East 730.00 feet to a point on the  
8           Westerly R/W of Boca Grande Causeway (66'R/W)  
9           thence Northerly along said R/W 651.18 feet to  
10          a point that bears North 8°14'06" East from the  
11          previous course; thence North 80°34'09" West  
12          820.17 feet to the Point of Beginning. All  
13          lying and being in Section 12, Township 42  
14          South, Range 20 East, Charlotte County,  
15          Florida.

16  
17          Parcel C. Those lands described in  
18          Right-of-Way from A. E. Blackburn and Mary M.  
19          Blackburn, husband and wife, to Florida Bridge  
20          Company dated July 5, 1956, recorded in O.R.  
21          book 118, Page 675 of the Public Records of  
22          Charlotte County, Florida, more particularly  
23          described as follows:

24  
25          A strip of land 33 feet on each side of the  
26          center line of Florida Bridge Company causeway  
27          across the Easterly part of the following  
28          described property:

29  
30          From the meander corner between Section 22 and  
31          27, Township 42 South, Range 20 East, on Little

1           Gasparilla Island, as established in 1908 by  
2           Charles M. Pidgeon, run East 618 feet to a  
3           point for point of beginning,  
4  
5           Thence as follows:  
6           North 3°30' East, 420 feet,  
7           North 42°00' East, 290 feet,  
8           North 70°30' East, 660 feet,  
9           South 62°00' East, 930 feet,  
10           South 45°30' East, 380 feet,  
11           South 66°30' East, 660 feet,  
12           South 5°00' East, 515 feet,  
13           South 76°00' West, 575 feet,  
14           South 62°00' West, 910 feet,  
15           North 76°30' West, 1,180 feet,  
16           North 4°30' West, 935 feet,  
17  
18           to Point of Beginning containing 82.20 acres  
19           more or less;  
20  
21           Parcel D. Those lands described in instrument  
22           between G. M. Cole, joined by his wife, Addie  
23           Cole, and Florida Bridge Company, Inc. dated  
24           September 12, 1952, recorded December 1, 1955,  
25           in O.R. Book 7, Page 177 et. seq. of the Public  
26           Records of Charlotte County, Florida, more  
27           particularly described as follows:  
28  
29           A strip of land across Cole Island, extending  
30           from the Northerly to the Southerly end thereof  
31           and being 120 feet in width (60 feet on each

1           side of the center line of Florida Bridge  
2           Company causeway), such center line of said  
3           easement begin parallel to and 930 feet  
4           Westerly from the center line of the Seaboard  
5           Airline Railroad Company track.

6  
7           Section 3. PURPOSES.--

8           (1) The authority is created for the purpose of  
9           acquiring, constructing, reconstructing, financing, owning,  
10           managing, providing, promoting, improving, expanding,  
11           maintaining, operating, regulating, franchising, and otherwise  
12           having complete authority, with respect to the Gasparilla  
13           Island bridge and causeway within the territorial limits of  
14           Charlotte County, and areas adjacent thereto. It is further  
15           the purpose of this act to repose in the authority all powers  
16           with respect to operating, maintaining, repairing, and  
17           improving the bridge and causeway, including the power to set  
18           bridge toll rates and collect bridge tolls, and such other  
19           additional powers as are hereafter designated by this act.

20           (2) The Legislature finds and declares that the  
21           creation of the authority and the carrying out of its purposes  
22           are in all respects for the benefit of the people of this  
23           state and the people of Lee and Charlotte Counties. The  
24           authority is performing an essential governmental function.  
25           All property of said authority is and shall in all respects be  
26           considered to be public property, and title to such property  
27           shall be held by the authority for the benefit of the public.  
28           The use of such property, until disposed of upon such terms as  
29           the authority may deem just, shall be for essential public and  
30           governmental purposes.

31



1           (3) It is the intent of this act to create the  
2 authority as an independent special district that meets all  
3 the requirements for independent special districts provided in  
4 chapter 189, Florida Statutes.

5           Section 4. DEFINITIONS.--As used in this act, the  
6 following words and terms shall have the following meanings,  
7 unless some other meaning is plainly intended:

8           (1) "Authority" means the Gasparilla Island Bridge  
9 Authority acting by and through its governing body as  
10 established under section 2.

11           (2) "Board" means the Board of Supervisors of the  
12 Gasparilla Island Bridge Authority.

13           (3) "Charlotte County Commission" means the Charlotte  
14 County Board of County Commissioners.

15           (4) "Lee County Commission" means the Charlotte County  
16 Board of County Commissioners.

17           (5) "Clerk" means the clerk of the circuit court and  
18 the ex officio Clerk of the Board of County Commissioners of  
19 Charlotte County or Lee County.

20           (6) "Cost" as applied to the acquisition,  
21 construction, extension, additions, or improvements to the  
22 bridge and causeway or to the establishment of the authority  
23 includes the cost of: construction or reconstruction;  
24 acquisition or purchase of real or personal property; expenses  
25 relating to the issuance of bonds; indemnity or surety bonds;  
26 premiums for insurance on real or personal property; expenses  
27 related to the establishment of the authority; labor,  
28 materials, machinery, supplies, and equipment; any interest in  
29 land including all property rights, easements, and franchises  
30 of any nature; finance charges; interest payments; payments  
31 for the creation of initial reserve or debt service reserve

1 funds; bond discount; architectural and engineering services;  
2 financial and banking services; legal and accounting services;  
3 all other expenses necessary or incidental for determining the  
4 feasibility of construction, reconstruction, or acquisition;  
5 all other expenses necessary or incidental to any financing  
6 authorized herein; reimbursement of any other person, firm, or  
7 corporation for any moneys or services advanced to the  
8 authority in connection with any of the foregoing items of  
9 cost.

10 (7) "Elector" means any registered voter within the  
11 boundaries of the authority.

12 (8) "Executive director" shall be the chief executive  
13 officer of the authority, who shall carry out the policies of  
14 the authority.

15 (9) "Gross receipts" means any income received from  
16 all tolls collected for the use of the bridge and causeway and  
17 other income received from all other sources, including income  
18 received from taxpayers from ad valorem tax assessments.

19 (10) "Taxpayer" means any natural or corporate person  
20 who owns real property within the boundaries of the authority.

21 (11) "Revenue bonds" or "bonds" means bonds or other  
22 obligations secured by and payable from the revenues derived  
23 from tolls, fees, or charges collected by the authority from  
24 users or future users of the facilities of the system, which  
25 may be additionally secured by a pledge of the proceeds of ad  
26 valorem taxes levied against property within the boundaries of  
27 the authority, all to the extent determined by resolution of  
28 the authority.

29 (12) "Bridge and causeway system" means and includes  
30 all bridges, causeways, roadways, toll facilities, or property  
31 and additions, extensions, and improvements thereto at any

1 future time constructed and acquired as part thereof, useful  
2 or necessary or having the present capacity for future use in  
3 connection with maintaining a bridge and roadway across  
4 Gasparilla Pass in Charlotte County.

5 Section 5. GOVERNING BODY.--

6 (1) The governing body of the authority shall consist  
7 of nine members acting as the Board of Supervisors. Five of  
8 these members shall be voting members with full power to  
9 conduct the business of the authority by majority vote of the  
10 voting members. The other four members shall serve as ex  
11 officio, nonvoting members who shall participate in board  
12 discussions as representatives of the taxpayers who are not  
13 qualified as electors of the authority. Each member shall  
14 serve terms of 4 years, provided that the initial members of  
15 the Board of Supervisors and their terms of office shall be as  
16 follows:

17 (a) Board Supervisor No. 1, Board Supervisor No. 3,  
18 Board Supervisor No. 5, Board Supervisor No. 7, and Board  
19 Supervisor No. 9 shall be appointed by the Lee County  
20 Commission and serve until November 15, 1996. These  
21 supervisor positions shall be first elected or appointed  
22 thereafter as herein described.

23 (b) Board Supervisor No. 2, Board Supervisor No. 4,  
24 Board Supervisor No. 6, and Board Supervisor No. 8 shall be  
25 appointed by the Charlotte County Commission and serve until  
26 November 15, 1996. These supervisor positions shall be  
27 elected or appointed thereafter as herein described.

28 (2) Board Supervisor No. 1, Board Supervisor No. 2,  
29 Board Supervisor No. 3, Board Supervisor No. 4, and Board  
30 Supervisor No. 5 shall be voting members of the Board of  
31 Supervisors who are qualified as electors within the

1 boundaries of the authority. Board Supervisor No. 6, Board  
2 Supervisor No. 7, Board Supervisor No. 8, and Board Supervisor  
3 No. 9 shall be ex officio, nonvoting members who are appointed  
4 by the board at its first meeting following the general  
5 election. The ex officio, nonvoting members must be either  
6 electors or taxpayers from within the boundaries of the  
7 district. No board member shall be elected or appointed for  
8 more than two consecutive 4-year terms except the chair, who  
9 may be elected to a maximum of three 4-year terms. The chair  
10 must be a voting member of the board.

11 (3) The voting members of the Board of Supervisors  
12 shall be elected by a majority of the electors of the  
13 authority voting in the general election in November of each  
14 even numbered year. Each elector may exercise one vote.  
15 Those members duly elected to serve will take office on  
16 November 15 following their election.

17 (a) Board Supervisor No. 1, Board Supervisor No. 3,  
18 Board Supervisor No. 5, Board Supervisor No. 6, and Board  
19 Supervisor No. 8 shall be first elected or appointed in the  
20 November 1996 election and every fourth year thereafter.

21 (b) Board Supervisor No. 2, Board Supervisor No. 4,  
22 Board Supervisor No. 7, and Board Supervisor No. 9 shall be  
23 first elected or appointed at the November 1996 election to a  
24 2-year term. They shall be appointed or stand for election to  
25 a full 4-year term commencing at the November 1998 election  
26 and shall be elected or appointed every fourth year  
27 thereafter.

28 (4) The authority is authorized to conduct its  
29 elections independently or through the Lee County or Charlotte  
30 County Supervisor of Elections. Should the authority elect to  
31 conduct its own elections, it shall make its election

- 1 procedures consistent with the Florida Election Code, chapters  
2 97 through 106, Florida Statutes, for the following:
- 3 (a) Qualifying periods, in accordance with section  
4 99.061, Florida Statutes;
- 5 (b) Petition format, in accordance with rules adopted  
6 by the Florida Division of Elections;
- 7 (c) Canvassing of returns, in accordance with sections  
8 101.5614 and 102.151, Florida Statutes;
- 9 (d) Noticing special district elections, in accordance  
10 with chapter 100, Florida Statutes;
- 11 (e) Polling hours, in accordance with section 100.011,  
12 Florida Statutes.
- 13 (5) Upon the occasion of a vacancy for any reason in  
14 the term of office of a voting member of the governing body of  
15 the authority, a successor shall be appointed by the Governor.  
16 Any person appointed to fill a vacancy shall be appointed to  
17 serve for the balance of the unexpired term or until the next  
18 election at which a successor may be duly elected to fill the  
19 balance of the unexpired term.
- 20 (6) Upon the occasion of a vacancy for any reason in  
21 the term of office of an ex officio nonvoting member, a  
22 successor shall be appointed by a majority of the voting  
23 members of the governing body of the authority.
- 24 (7) The Board of Supervisors shall elect a chair and  
25 vice chair from members of the authority, each of whom shall  
26 serve for 1 year or until his or her successor is chosen. The  
27 chair, or the vice chair in the chair's absence, shall preside  
28 at all meetings of the authority and shall perform such  
29 additional duties as prescribed by the members or contained in  
30 the bylaws of the authority. The authority shall hold regular  
31 meetings at least quarterly at such times and places as it may

1 designate and may hold more frequent special meetings. Three  
2 voting members constitute a quorum for the purpose of meeting  
3 and transacting business. Each voting member of the authority  
4 shall have one vote. The authority may adopt bylaws and may  
5 make all policies, procedures, rules, and regulations not  
6 inconsistent with this act which it may deem necessary  
7 respecting the conduct of its affairs. Such policies,  
8 procedures, rules, and regulations shall provide for notice of  
9 all public meetings in conformity with the requirements of  
10 section 189.417, Florida Statutes, and shall provide that an  
11 agenda shall be prepared by the authority in time to ensure  
12 that a copy of the agenda will be available at least 3 days  
13 prior to any regular meetings of the authority. After the  
14 agenda has been made available, items may be added for good  
15 cause, as determined by the chair or person designated to  
16 preside at the meeting. The reason for adding an item to the  
17 agenda shall be stated in the record. Special or emergency  
18 meetings may be called by the chair upon no less than 48  
19 hours' notice. The authority shall publish and thereafter  
20 codify and index all rules, regulations, and resolutions  
21 formulated, adopted, or used by authority in the discharge of  
22 its functions. Such rules, regulations, and resolutions shall  
23 be made available for public inspection and copying, at no  
24 more than cost. The authority shall not be deemed to be an  
25 agency within the meaning of chapter 120, Florida Statutes.  
26 The authority shall be deemed to be an agency within the  
27 meaning of chapter 119, Florida Statutes, and all records of  
28 the authority shall be open to the public. The authority  
29 shall be deemed an agency or authority of the county for  
30 purposes of section 286.011, Florida Statutes, the "Government  
31 in the Sunshine" law. Voting members of the Board of

1 Supervisors shall be deemed to be local officers for the  
2 purposes of section 112.3145(3), Florida Statutes, requiring  
3 disclosure of their financial interests. These statements of  
4 financial interests shall be filed with the Lee County  
5 Supervisor of Elections and available for public inspection.  
6 In addition to the foregoing, the authority shall comply with  
7 the requirements of section 189.417, Florida Statutes,  
8 regarding notice of meetings which shall be deemed to  
9 supersede any inconsistent provisions of this section in the  
10 event of conflict.

11 (8) The authority shall appoint an executive director  
12 who shall serve at the pleasure of the authority. In addition  
13 to the appointment of an executive director, the authority may  
14 contract for all or part of such services with any third  
15 party, including the clerk.

16 (9) Each member of the Board of Supervisors shall  
17 serve without compensation; however, supervisors shall receive  
18 travel and per diem expenses as set forth in section 112.061,  
19 Florida Statutes, when traveling on official business for the  
20 authority.

21 (10) A board member may be removed for cause by the  
22 Governor.

23 Section 6. POWERS AND DUTIES OF AUTHORITY.--The  
24 authority shall have the following powers and duties, in  
25 addition to and supplementing other powers granted in this act  
26 and powers granted to authorities by general law:

27 (1) To construct, install, erect, acquire, operate,  
28 maintain, improve, extend, enlarge, or reconstruct a bridge,  
29 causeway, and road system within the jurisdictional boundaries  
30 of the authority and the environs thereof and to have the  
31 exclusive control and jurisdiction thereof, to borrow money

1 and issue bonds to pay all or part of the costs of such  
2 construction, reconstruction, erection, acquisition, or  
3 installation of such bridge, causeway, or road system or to  
4 refund any indebtedness of the authority. All capital  
5 improvements shall be consistent with the comprehensive plan  
6 of the applicable local government within the meaning of part  
7 II of chapter 163, Florida Statutes.

8 (2) To regulate traffic and the use of the bridge and  
9 causeway system within the authority's boundaries. This  
10 traffic power shall be exercised concurrently with any power  
11 inherent in Lee County or Charlotte County. In the event of a  
12 conflict, the more stringent rule shall apply.

13 (3) To fix, modify, charge, and collect toll rates and  
14 user fees from persons for the use of the bridge and causeway  
15 system at such levels as the authority deems appropriate  
16 regardless of the costs associated with the bridge and  
17 causeway system; provided, however, in no event shall tolls  
18 for automobiles exceed \$5 per round trip for a period of 10  
19 years after the effective date of this special act. The  
20 authority shall be subject to the provisions of section  
21 338.165, Florida Statutes, authorizing the continuation of  
22 tolls except that the authority may use any remaining toll  
23 revenue after payments for debt service and the annual cost of  
24 operation, maintenance, and improvement of the bridge and  
25 causeway only for the purposes enumerated in this act.

26 (4) To acquire in the name of the authority by  
27 purchase or gift such lands and rights and interest therein,  
28 including lands under water and riparian rights, and to  
29 acquire such personal property as it may deem necessary in  
30 connection with the construction, reconstruction, improvement,  
31 extension, installation, erection, or operation and



1 maintenance of the bridge, causeway, and road system and to  
2 hold and dispose of all real and personal property under its  
3 control.

4 (5) To exercise exclusive jurisdiction, control, and  
5 supervision over the bridge and causeway system, or any part  
6 thereof owned, operated, or maintained by the authority and to  
7 make and enforce such rules and regulations for the  
8 maintenance and operation of the system as may be, in the  
9 judgment of the authority, necessary or desirable for the  
10 efficient operation of the system or improvements in  
11 accomplishing the purposes of this law.

12 (6) To restrain, enjoin, or otherwise prevent the  
13 violation of this law or of any resolution, rule, or  
14 regulation adopted pursuant to the powers granted by this law.

15 (7) To join with any other districts, municipalities,  
16 towns, or other political subdivisions, public agencies, or  
17 authorities in the exercise of common powers.

18 (8) To contract with other private or public entities  
19 or persons to provide services to the authority and to receive  
20 and accept from any federal or state agency grants or loans  
21 for or in aid of the purposes of the authority.

22 (9) To enter into interlocal agreements with any  
23 municipality, county, district, or political subdivision for  
24 any corporate purpose of the authority, including, but not  
25 limited to, borrowing money for construction of improvements,  
26 additions, or extension to the system.

27 (10) To sue and be sued in the name of the authority,  
28 and to do all acts and things necessary or convenient for the  
29 conduct of its business and the general welfare of the  
30 authority in order to carry out the powers and duties provided  
31

1 in this act or provided in any other law applicable to  
2 counties.

3 (11) The executive director of the authority shall  
4 have the responsibility for carrying out the policies of the  
5 Board of Supervisors of the authority and keeping and  
6 maintaining the seal and the records of the authority and for  
7 collecting, disbursing, investing, and maintaining the funds  
8 of the authority and such other responsibilities as the board  
9 may instruct said executive director to perform, provided that  
10 the authority may contract all or part of such services with  
11 any third party.

12 (12) The authority shall comply with the provisions of  
13 sections 189.415, 189.4155, 189.416, 189.417, and 189.418,  
14 Florida Statutes, and other applicable provisions of general  
15 law prescribed duties and responsibilities of special  
16 districts. The authority shall not be an agency for the  
17 purposes of section 120.52(1), Florida Statutes.

18 (13) The authority may assess and impose upon lands in  
19 the district ad valorem taxes of no greater than 2 mills of  
20 assessed value per year, as provided by this act and chapter  
21 197, Florida Statutes. The authority may only impose ad  
22 valorem taxes if both of the following conditions are met:

23 (a) Following a referendum in which a majority of the  
24 electors of the district voting in the election approve of the  
25 levy of ad valorem tax.

26 (b) The authority determines that the bridge tolls  
27 being collected may be insufficient to repair, replace, or  
28 maintain the bridge and causeway.

29  
30 The authority may conduct a special election, if necessary, in  
31 order to seek voter approval of the ad valorem tax levy.

1           (14) The Board of Supervisors of the authority may  
2 seek from the Legislature amendments to this act from time to  
3 time as they deem necessary. In addition, the Board of  
4 Supervisors of the authority may petition the Legislature for  
5 dissolution and abolition of the authority if they feel  
6 another unit of government could more properly exercise the  
7 functions of the authority at that time.

8           (15) To establish reserves for debt service  
9 requirements and a reserve fund for replacement and repair of  
10 the causeway and other contingencies.

11           (16) To invest moneys in all investments which are  
12 lawful under the laws of the state.

13           (17) To do all acts necessary or convenient for the  
14 establishment of the authority, the conduct of its business,  
15 and the general welfare of the authority in order to carry out  
16 the powers granted herein.

17           (18) To pledge or otherwise encumber all or any part  
18 of its gross receipts as security for its bonds.

19           (19) To exercise the right and power of eminent  
20 domain, pursuant to the provisions of chapters 73 and 74,  
21 Florida Statutes, over any property within the boundaries of  
22 the authority, except municipal, county, state, federal, or  
23 other public property for the uses and purposes of the  
24 authority relating to the implementation of its powers as  
25 described herein; provided such right shall only be exercised  
26 over lands contiguous to or adjacent to the lands described as  
27 Parcel I or Parcel II in section 2 or such other lands that  
28 might be needed for the replacement or reconstruction of the  
29 bridge and causeway system.

30           (20) To impose and foreclose tax liens as provided by  
31 this act and chapter 197, Florida Statutes.

1           Section 7. BONDS.--

2           (1) The authority may, from time to time, issue bonds  
3 to pay the costs and expenses, other than operating expenses,  
4 incurred in carrying out the purposes of this act or to refund  
5 revenue bonds of the authority issued pursuant to this act.  
6 In anticipation of the sale of such bonds, the authority may  
7 issue bond anticipation notes and may renew the same from time  
8 to time. Such notes may be paid from the revenues derived by  
9 the authority from the proceeds of sale of the bonds of the  
10 authority in anticipation of which they were issued or from  
11 such other source as shall be determined by the authority.  
12 The notes shall be issued in the same manner as the bonds.  
13 Bonds and notes shall be, and shall be deemed to be, for all  
14 purposes, negotiable instruments, subject only to the  
15 provisions of the bonds and notes for registration.

16           (2) The bonds may be issued as serial bonds or as term  
17 bonds or the authority, in its discretion, may issue bonds of  
18 both types. The authority may issue capital appreciation  
19 bonds or variable rate bonds. The bonds shall be authorized  
20 by resolution of the authority and shall bear such date or  
21 dates, mature at such time or times, not exceeding 40 years  
22 from their respective dates, bear interest at such rate or  
23 rates, be payable at such time or times, be in such  
24 denomination, be in such form, carry such registration  
25 privileges, be executed in such manner, be payable from such  
26 sources and in such medium or payment and at such place or  
27 places, and be subject to such terms of redemption, including  
28 redemption prior to maturity, as such resolution or  
29 resolutions may provide. If any officer whose signature, or a  
30 facsimile of whose signature, appears on any bonds or coupons  
31 ceases to be such officer before the delivery of such bonds,

1 such signature or facsimile shall nevertheless be valid and  
2 sufficient for all purposes as if he or she had remained in  
3 office until the delivery. The bonds or notes may be sold at  
4 public or private sale for such price or prices as the  
5 authority shall determine. Pending preparation of the  
6 definitive bonds, the authority may issue interim receipts or  
7 certificates which shall be exchanged for such definitive  
8 bonds. The bonds may be secured by such form of credit  
9 enhancement, if any, as the authority deems appropriate. The  
10 bonds may be secured by an indenture of trust or trust  
11 agreement.

12 (3) The bonds may be validated, at the direction of  
13 the authority, pursuant to chapter 75, Florida Statutes.  
14 Section 75.04(2), Florida Statutes, shall not apply to a  
15 complaint for validation brought by the authority.

16 Section 8. PLEDGE OF REVENUES.--The proceeds of all  
17 bonds or other obligations issued under this law and all  
18 revenues derived from other operation of the system which have  
19 been pledged for the payment of any bonds or other obligations  
20 authorized by this law shall be applied only in accordance  
21 with the proceedings authorizing the issuance of any such  
22 bonds or other obligations. The authority may provide that  
23 the moneys or the funds and accounts established by the  
24 proceedings authorizing issuance of any revenue bonds shall be  
25 subject to the lien of the pledge established by the  
26 proceedings without any physical delivery thereof and the lien  
27 of the pledge shall be valid and binding as against all  
28 parties bringing claims of any kind in tort, contract, or  
29 otherwise against the authority.

30 Section 9. COVENANTS OF AUTHORITY WITH  
31 BONDHOLDERS.--In addition to other provisions and requirements

1 of this law, any resolution authorizing the issuance of bonds  
2 or any other obligations issued hereunder may contain  
3 provisions and the authority is authorized to provide and may  
4 covenant and agree with the several holders of such bonds or  
5 other obligations as to:

6 (1) Limitations on the powers of the authority to  
7 construct, acquire, or operate or permit the construction,  
8 acquisition, or operation of any structures, facilities, or  
9 properties which may compete or tend to compete with the  
10 system.

11 (2) Subject to this law, the manner and order of  
12 priority of the disposition of revenues or redemption of any  
13 bonds or other obligations.

14 (3) Terms and conditions for modification or amendment  
15 of the resolution authorizing the issuance of bonds or other  
16 obligations.

17 (4) Provisions as to the appointment of a receiver of  
18 the system on default of principal or interest on any such  
19 bonds or other obligations or the breach of any covenant or  
20 condition of the resolution authorizing such bonds or other  
21 obligations.

22 (5) Provisions as to the maintenance of the system and  
23 reasonable insurance thereof.

24 (6) Any other matters necessary to secure the bonds  
25 and the payment of the principal and interest thereof.

26 (7) All such provisions of the resolution shall  
27 constitute valid and legally binding contracts between the  
28 authority and several holders of any such bonds and shall be  
29 enforceable by any such holder or holders by mandamus or other  
30 appropriate action, suit, or proceeding in law or in equity in  
31 any court of competent jurisdiction.

1           Section 10. PUBLICATION OF NOTICE OF ISSUANCE OF  
2 BONDS.--Prior to the issuance of bonds or other obligations,  
3 the authority may, in its discretion, publish a notice at  
4 least once in a newspaper or newspapers published and  
5 circulated in Charlotte and Lee Counties stating the date of  
6 adoption of the resolution authorizing such obligations, and  
7 the amount, maximum rate of interest, and maturity of such  
8 obligations and the purpose in general terms for which such  
9 obligations are to be issued.

10           Section 11. BOND; QUALITIES OR NEGOTIABLE INSTRUMENTS;  
11 RIGHTS OF HOLDERS.--All bonds issued hereunder shall not be  
12 invalid for any irregularity or defect in the proceedings for  
13 the issuance and sale thereof and shall be incontestable in  
14 the hands of a bona fide purchaser for value. No proceedings  
15 in respect to the issuance of such bonds shall be necessary  
16 except such as are required by this act, by section 189.4085,  
17 Florida Statutes, and by section 189.408, Florida Statutes.  
18 The provisions of this act shall constitute an irrevocable  
19 contract between the authority and the holders of any such  
20 bonds or coupons thereof issued pursuant to the provisions  
21 hereof. Any holder of such bonds may either at law or in  
22 equity, by suit, action, or mandamus, enforce and compel the  
23 performance of the duties required by this act or of any of  
24 the officers or persons herein mentioned in relation to said  
25 bonds, or the levy, collection, and enforcement and  
26 application of the revenues, or other funds pledged for the  
27 payment of the principal and interest thereof.

28           Section 12. BUDGET; REPORTS AND REVIEW.--

29           (1) The authority shall provide financial reports in  
30 such form and in such manner as prescribed pursuant to this  
31

1 act, chapter 218, and sections 189.418 and 11.45, Florida  
2 Statutes.

3 (2) The fiscal year for the authority shall commence  
4 on July 1 of each calendar year and shall conclude on June 30  
5 of each calendar year. On or before June 1, the executive  
6 director shall prepare a proposed budget for the ensuing  
7 fiscal year to be submitted to the board for board approval.  
8 The proposed budget shall include, at the direction of the  
9 board, an estimate of all necessary expenditures of the  
10 authority for the ensuing fiscal year and an estimate of  
11 income to the authority from all sources of revenue provided  
12 in this act. The board shall consider the proposed budget and  
13 may either approve the budget as proposed by the manager or  
14 modify the same in part or in whole.

15 (3) The board shall cause to be made at least once a  
16 year a comprehensive report of its system, including all  
17 matters relating to expansions, acquisitions, rates, revenues,  
18 expenses of maintenance, repair, and operation of the renewals  
19 and capital replacements, principal and interest requirements,  
20 and the status of all funds and accounts. Copies of such  
21 reports shall be filed with the clerk and shall be open to  
22 public inspection. The report shall be known as the annual  
23 audit report and shall be issued by a certified public  
24 accountant appointed by the board. The annual audit report  
25 may be included as a part of any other report required by law  
26 or may be issued separately.

27 Section 13. AUTHORITY BONDS AS INVESTMENTS FOR PUBLIC  
28 BODIES.--All bonds issued pursuant to this act shall be and  
29 constitute legal investments for state, county, municipal, and  
30 all other public funds and for banks, savings banks, insurance  
31 companies, executors, administrators, trustees, and all other



1 fiduciaries and shall also be and constitute securities  
2 eligible as collateral security for all state, county,  
3 municipal, or other public funds, subject to the restrictions  
4 and limitations of chapters 18, 136, 237, 518, 655, 657, 658,  
5 and 660 through 665, Florida Statutes.

6 Section 14. BONDS AS PAYMENT FOR SERVICES.--The  
7 authority is authorized to enter into agreements for the  
8 delivery of any bonds at one time or from time to time, as  
9 full or partial payment for the services of any engineer or  
10 work done by any contractor who may have been retained or  
11 hired or been awarded a contract for the construction of all  
12 or any part of the system. However, any such bonds so  
13 delivered for payment of such services or work performed shall  
14 have been authorized and issued in the manner provided in this  
15 act and shall otherwise conform to the provisions hereof.

16 Section 15. CONTRACTS FOR CONSTRUCTION OF  
17 IMPROVEMENTS; SEALED BIDS.--All contracts let, awarded, or  
18 entered into by the authority for the construction,  
19 reconstruction, or improvements to the system or any part  
20 thereof, if the amount thereof shall exceed \$20,000, except  
21 for emergency repairs, shall be awarded only after public  
22 advertisement and call for sealed bids therefor, in a  
23 newspaper published and circulated in Lee and Charlotte  
24 Counties, such advertisement to be published at least once at  
25 least 3 weeks before the date set for the receipt of such  
26 bids. Such advertisements for bids, in addition to the other  
27 necessary and pertinent matters, shall state in general terms,  
28 the nature and description of the improvement or improvements  
29 to be undertaken and shall state that detailed plans and  
30 specifications for such work are on file for inspection in the  
31 office of the authority and copies thereof shall be furnished

1 to any interested party upon payment of reasonable charges to  
2 reimburse the authority for its expenses in providing such  
3 copies. The award shall be made to the responsible and  
4 competent bidder or bidders who shall offer to undertake the  
5 improvements at the lowest costs to the authority and such  
6 bidder or bidders shall be required to file bond for the full  
7 and faithful performance of such work and the execution of any  
8 such contract in such amount as the authority shall determine,  
9 and in all other respects the letting of such construction  
10 contracts shall comply with applicable provisions of the  
11 general laws relating to the letting of public contracts. All  
12 purchases or expenditures of supplies, materials, and  
13 equipment in excess of \$10,000 shall be made from the best of  
14 bids which are timely submitted. Nothing in this section  
15 shall be deemed to prevent the authority from hiring or  
16 retaining such engineers, attorneys, financial experts, or  
17 other technicians as it shall determine, in its discretion, or  
18 from undertaking any construction work with its own resources,  
19 without any such public advertisement.

20 Section 16. CONVEYANCE OF PROPERTY WITHOUT  
21 CONSIDERATION.--Any municipality, political subdivision,  
22 agency, or authority shall be authorized to sell, lease,  
23 grant, or convey any real or personal property to the  
24 authority and any such sale, grant, lease, or conveyance may  
25 be made without formal consideration.

26 Section 17. PRIVILEGES, IMMUNITIES, AND  
27 EXEMPTIONS.--The authority shall have all privileges,  
28 immunities, and exemptions accorded political subdivisions of  
29 this state under the provisions of the constitution and laws  
30 of the state. Neither the members of the authority nor any  
31 person executing any contract or obligation on its behalf

1 shall be personally liable or accountable thereon or by reason  
2 thereof.

3 Section 18. EXEMPTION FROM SPECIAL ASSESSMENTS.--The  
4 accomplishment of the authorized purposes of the authority  
5 created hereunder is, shall, and will be in all respects for  
6 the benefit of the people of the state for the increase of  
7 their commerce and prosperity and for the improvement of their  
8 health and living conditions. Since the authority will  
9 perform essential governmental functions in accomplishing such  
10 purpose, the authority shall not be required to pay any taxes  
11 or assessments of any kind or nature whatsoever upon any  
12 property acquired or used by it for such purposes or upon any  
13 revenues at any time received by it.

14 Section 19. TAX DELINQUENCY, PENALTIES, AND  
15 ENFORCEMENT OF TAXES.--All taxes provided for in this act  
16 shall be and become delinquent and bear penalties on the  
17 amount of said taxes in the same manner as county taxes. Said  
18 tax shall be a lien until paid on the property against which  
19 assessed and enforceable in like manner as county taxes. The  
20 collection and enforcement of all taxes levied by the  
21 authority shall be at the same time and in like manner as  
22 county taxes and the provisions of the Florida Statutes  
23 relating to the sale of lands for unpaid and delinquent county  
24 taxes, the issuance, sale, and delivery of tax certificates  
25 for such unpaid and delinquent county taxes, the redemption  
26 thereof, the issuance to individuals of tax deeds based  
27 thereon, and all other procedures connected therewith, shall  
28 be applicable to the authority and the delinquent and unpaid  
29 taxes of the district to the same extent as if said statutory  
30 provisions were expressly set forth in this act. All taxes  
31 shall be subject to the same discounts as county taxes.

1           Section 20. LIENS.--All taxes provided for in this  
2 act, together with all penalties for default in payment of the  
3 same and all costs in collecting the same, shall, from the  
4 date of assessment thereof until paid, constitute a lien of  
5 equal dignity with the liens for county taxes, and other taxes  
6 of equal dignity with county taxes, upon all the lands against  
7 which such assessments shall be levied, assessed, and  
8 collected.

9           Section 21. AUTHORITY DECISIONS REQUIRING MAJORITY  
10 VOTE.--Notwithstanding any other provisions of this act,  
11 decisions of the authority dealing with the following matters  
12 may only be made if approved by at least three voting members  
13 of the authority:

14           (1) Changes to toll structure.

15           (2) Entering into financing arrangements involving a  
16 pledge of assets, toll revenues, or any ad valorem tax  
17 revenues.

18           (3) Utilization of eminent domain provisions.

19           (4) Approval of a plan to hold an ad valorem taxing  
20 authorization referendum.

21           (5) Approval of any plan to seek legislative changes  
22 to this act.

23           Section 22. INTERLOCAL COOPERATION.--For purposes of  
24 implementing the powers and authority of the authority and  
25 assuring adequate funding for the construction, maintenance,  
26 and operation of infrastructure, and to ensure the security  
27 for any bonds issued by the authority remains unimpaired, said  
28 authority is empowered to enter into interlocal agreements  
29 pursuant to chapter 163, Florida Statutes, to exercise jointly  
30 with any other public agency of the state or Federal  
31

1 Government any power, privilege, or authority which such  
2 agencies or the district might exercise jointly.

3 Section 23. PROPERTY APPRAISER, TAX COLLECTOR, FEES,  
4 OR COMMISSIONS.--The offices of the Lee County or Charlotte  
5 County Property Appraiser and Tax Collector shall be entitled  
6 to applicable fees and costs for the levy and collection of ad  
7 valorem taxes and non-ad valorem assessments pursuant to ss.  
8 197.3632 and 192.091, Florida Statutes.

9 Section 3. Chapters 96-507 and 97-319, Laws of  
10 Florida, are repealed.

11 Section 4. The provisions of this act shall be  
12 liberally construed to effect its purposes and shall be deemed  
13 cumulative, supplemental, and alternative authority for the  
14 exercise of the powers provided herein. The exercise of  
15 powers provided in this law and the issuance of bonds or other  
16 obligations hereunder shall be subject to the limitations or  
17 provisions of any other applicable general law.

18 Section 5. If any section, sentence, clause, phrase,  
19 or word of this act is for any reason held or declared to be  
20 unconstitutional, inoperative, or void, such holding or  
21 invalidity shall not affect the remaining portions of this  
22 act, and it shall be construed to have been the legislative  
23 intent to pass this act without such unconstitutional,  
24 invalid, or inoperative part herein, and the remainder of this  
25 act, after the exclusion of such part or parts, shall be  
26 deemed and held to be valid as if such parts had not been  
27 included herein.

28 Section 6. This act shall take effect upon becoming a  
29 law.

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