A bill to be entitled 1 2 An act relating to the Rainbow Lakes Estates 3 Municipal Service District, an independent 4 special district of the State of Florida in 5 Marion and Levy Counties; codifying the district's charter, chapter 69-1298, Laws of 6 7 Florida, as amended, pursuant to section 8 189.429, Florida Statutes; providing 9 legislative intent; amending, codifying, and reenacting all special acts relating to the 10 11 Rainbow Lakes Estates Municipal Service 12 District as a single act; repealing all prior 13 special acts related to the Rainbow Lakes 14 Estates Municipal Service District; providing 15 an effective date.

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

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Section 1. Pursuant to section 189.429, Florida

Statutes, this act constitutes the codification of all special acts relating to the Rainbow Lakes Estates Municipal Service

Taxing District. It is the intent of the Legislature in enacting this law to provide a single comprehensive special act charter for the district, including all current legislative authority granted to the district by its several legislative enactments and any additional authority granted by this act. It is further the intent of this act to preserve all district authority.

Section 2. Chapter 69-1298, Laws of Florida, as amended by chapter 97-375, Laws of Florida, creating the

1 Rainbow Lakes Estates Municipal Service District, is codified, 2 reenacted, amended, and repealed as herein provided. 3 Section 3. The charter for the Rainbow Lakes Estates 4 Municipal Service District is re-created and reenacted to 5 read: 6 Section 1. Creation and boundaries. -- The creation of 7 the Rainbow Lakes Estates Municipal Service District as an 8 independent special district pursuant to chapter 69-1298, Laws 9 of Florida, as amended, is ratified and confirmed and the 10 lands lying within the area described as follows in Marion and Levy Counties, State of Florida, shall hereby constitute the 11 12 Rainbow Lakes Estates Municipal Service District: 13 14 All those certain lands lying and being situate 15 in the Counties of Marion and Levy, State of 16 Florida, lying in Sections 13, 14, 23 and 24, 17 Township 15 South, Range 17 East, in Sections 6, 7, 8, 17, 18, 19, 20, 21, 22, 25, 26, 27, 18 28, 29, 30, 31, 32, 33, 34, 35 and 36, Township 19 20 15 South, Range 18 East and Sections 5 and 6, Township 16 South, Range 18 East and being more 21 22 fully and particularly described as follows: 23 24 BEGINNING at the Northwest corner of Section 6, Township 15 South, Range 18 east and run thence 25 26 along and with the North boundary of said 27 Section 6, N. 89 degrees 24'38" E. a distance 28 of 2556.10 feet to the North 1/4 corner of said 29 Section 6; thence along and with the East boundary of the West half of said Section 6, S. 30

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1 to the South 1/4 section corner of said Section 2 6; thence along and with the East boundary of 3 the West half of Section 7, Township 15 South, 4 Range 18 East, S. 00 degrees 11'51" W. a distance of 2647.61 feet to the Southwest 5 corner of the NE 1/4 of said Section 7; thence 6 7 along and with the North boundary of Section 7, 8 N. 89 degrees 21's59" E. a distance of 2591.91 9 feet to the Northeast corner of SE 1/4 of Section 7; thence along and with the North 10 11 boundary of the SW 1/4 of Section 8, Township 12 15 South, Range 18 East, S. 89 degrees 55'14" 13 E. a distance of 2639.33 feet to the Northeast 14 corner of the SW 1/4 of said Section 8; thence 15 along and with the East boundary of said SW 16 1/4; S. 00 degrees 10'51" W. a distance of 17 2643.28 feet to the S 1/4 section corner of said Section 8; thence along and with the South 18 19 boundary of said Section 8, S. 89 degrees 20 52'09" E. a distance of 2658.52 feet to the Southeast corner of said Section 8; thence 21 22 along and with the East boundary of Section 17, Township 15 South, Range 18 East, S 00 degrees 23 24 00'15" W. a distance of 5280.36 feet to the 25 Southeast corner of said Section 17; thence 26 along and with the North corner of said Section 27 17; thence along and with the North boundary of 28 Section 21, Township 15 South, Range 18 East, S. 89 degrees 48'37" E. a distance of 2689.11 29 feet to the Northeast corner of the NW 1/4 of 30 31 said Section 21; thence along and with the East

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boundary of said NW 1/4, S. 00 degrees 21'50" w. a distance of 2595.69 feet to the Southeast corner of said NW 1/4; thence along and with the North Boundary of the SE 1/4 of said Section 21, S. 89 degrees 50'46" E. a distance of 2651.46 feet to the West 1/4 Section corner of Section 22, Township 15 South, Range 18 East; thence along and with the West Boundary of said Section 22, N. 00 degrees 08'20" E. a distance of 2599.69 feet to the Northwest corner of said Section 22; thence along and with the North boundary of the NW 1/4 of said Section 22, N. 89 degrees 52'38" E. a distance of 1328.60 feet to the Northeast corner of the West 1/2 of said NW 1/4; thence along and with the East boundary of said W 1/2 of the NW 1/4, S. 00 degrees 12'32" W. a distance of 2606.04 feet to the Southeast corner of said W 1/2 of the NW 1/4; thence along and with the North boundary of the SW 1/4 of said Section 22, S. 89 degrees 50'56" E. a distance of 1325.37 feet to the Northeast corner of said SW 1/4; thence along and with the East boundary of said SW 1/4 S. 00 degrees 16'45" W. a distance of 2647.64 feet to the S 1/4 Section corner of said Section 22; thence along and with the South boundary of said Section 22, N. 88 degrees 48'37" W. a distance of 1322.36 feet to the Northeast corner of the W 1/4 of Section 27, Township 15 South, Range 18 East; thence along and with the East boundary of the W 1/4

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30 31 of said Section 27, S. 00 degrees 07'07" W. a distance of 3970.74 feet, thence South 89 degrees 39'48" East 3983.94 feet to the Northeast corner of the S 1/4 of said Section 27; thence along and with the North boundary of the South half of the SW 1/4 of Section 26, Township 15 South, Range 18 East, S. 89 degrees 58'12" E. a distance of 2645.64 feet to the Northeast corner of said South half of SW 1/4; thence along and with the East boundary of said South half of the SW 1/4, S. 00 degrees 10'28" E. 1321.12 feet to the N 1/4 section corner of Section 35, Township 15 South, Range 18 East; thence along and with the North boundary of said Section 35, S. 89 degrees 36'30" E. a distance of 2628.61 feet to the Northeast corner of said Section 35; thence along and with the West boundary of the South half of the SW 1/4 of Section 25, Township 15 South, Range 18 East, N. 00 degrees 01'20" W. a distance of 1329.32 feet to the Northwest corner of the South half of the SW 1/4 of said Section 25; thence along and with the North boundary of said South half of the SW 1/4, N. 89 degrees 50'57" E. a distance of 2660.96 feet to the Northeast corner of the South half of the SW 1/4 of said Section 25; thence along and with the East boundary of said South half of the SW 1/4, S. 00 degrees 19'30" W. a distance of 1336.36 feet to the South 1/4 section corner of said Section 35; thence S. 00 degrees 32'00" E.

1 a distance of 360.91 feet; thence S. 89 degrees 2 59'00" E. a distance of 558.83 feet to a point 3 on the West right of way line of Florida State 4 Road No. 45 (U.S. Highway No. 41); thence along 5 and with said right of way line, S. 09 degrees 17'00" W. a distance of 926.57 feet; thence 6 7 departing from said right of way line, S. 89 8 degrees 58'00" W. a distance of 400.85 feet to 9 the Southeast corner of the North half of the NW 1/4 of Section 36, Township 15 South, Range 10 11 18 East; thence along and with the South boundary of said North half of the NW 1/4, S. 12 13 89 degrees 50'42" W. a distance of 2661.90 feet 14 to the Southwest corner of said North half of 15 NW 1/4 of Section 36; thence along the East 16 boundary of Section 35, Township 15 South, 17 Range 18 East, S. 00 degrees 08'00" E. a distance of 1302.61 feet to the East quarter 18 19 section corner of said Section 35; thence along 20 and with the East-West 1/4 section line of said Section 35, S. 89 degrees 47'40" W. a distance 21 22 of 5280.35 feet to the West 1/4 section corner of said Section 35; thence along and with the 23 24 East boundary of Section 34, Township 15 South, Range 18 East, S. 00 degrees 03'00" E. a 25 distance of 3134.16 feet to the southeast 26 27 corner of said Section 34; thence along and 28 with the South boundary of said Section 34, N. 89 degrees 02'07" W. a distance of 2650.44 feet 29 to the south 1/4 section corner of said Section 30 31 34; thence N. 89 degrees 01'48" W. a distance

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of 2649.32 feet to the Southwest corner of said Section 34; thence along and with the South boundary of Section 33; Township 15 South, Range 18 East, N. 89 degrees 26'31" W. a distance of 2657.52 feet to the S 1/4 section corner of said Section 33; thence along and with said South boundary, N. 89 degrees 24'58" W. a distance of 2658.28 feet to the Southwest corner of said Section 33; thence along and with the South boundary of Section 32, Township 15 South, Range 18 East, N. 89 degrees 45'12" W. a distance of 2650.30 feet to the South 1/4 section corner of said Section 32; thence continuing along said South boundary, N. 89 degrees 44'44" W. a distance of 2343.81 feet to a point in said South boundary; thence departing from said South boundary and entering Section 5, Township 16 South, Range 18 East run due South a distance of 455.00 feet; thence N. 89 degrees 44'44" W. a distance of 306.89 feet to a point in the East boundary of Section 6, Township 16 South, Range 18 East; thence entering said Section 6 run S. 89 degrees 44'07" W. a distance of 760.11 feet; thence due North a distance of 455.00 feet to a point in the South boundary of Section 31, Township 15 South, Range 18 East; thence along the South boundary of said Section 31, S. 89 degrees 44'07" W, a distance of 1885.56 feet to the South 1/4 section corner of said Section 31; thence along and with the West boundary of the

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30 31 East half of said Section 31, N. 00 degrees 17'06" W. a distance of 5611.32 feet to the North 1/4 section corner of said Section 31; thence along and with the West boundary of the SW 1/4 of the SE 1/4 of Section 30, Township 15 South, Range 18 East, N. 00 degrees 58'34" E. a distance of 1298.40 feet to the Northwest corner of said SW 1/4 of the SE 1/4; thence along and with the North boundary of said SW 1/4 of SE 1/4, N. 89 degrees 31'42" E. a distance of 1304.26 feet to the Northeast corner of said SW 1/4 of SE 1/4; thence along and with the West boundary of the East 1/4 of said Section 30, N. 00 degrees 32'15" E. a distance of 2618.29 feet to the Southeast corner of the NW 1/4 of NE 1/4 of said Section 30; thence along and with the South boundary of the NW 1/4 of said Section 30; thence along the South boundary of the NE 1/4 of NW 1/4 of said Section 30, s. 88 degrees 25'58" W. a distance of 1284.91 feet to the Southeast corner of the NE 1/4 of NW 1/4 of said Section 30; thence along the South boundary of the NE 1/4 of NW 1/4 of said Section 30, s. 89 degrees 39'23" W. a distance of 1324.84 feet to the Northeast corner of the SW 1/4 of the NW 1/4 of said Section 30; thence along and with the East boundary of the SW 1/4 of the NW 1/4, S. 00 degrees 48'47" W. a distance of 1310.37 feet to the Southeast corner of said SW 1/4 of NW 1/4; thence along and with the South boundary of

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said SW 1/4 of NW 1/4, S. 89 degrees 01'07" W. a distance of 1321.41 feet to the W 1/4 section corner of said Section 30; thence along and with the West boundary of said Section 30, N. 00 degrees 39'00" E. a distance of 2650.09 feet to the Northwest corner of said Section 30; thence along and with the West boundary of Section 19, Township 15 South, Range 18 East, N. 00 degrees 16'24" E. a distance of 1324.20 feet to the Southeast corner of the NE 1/4 of the S 1/4 of Section 24, Township 15 South, Range 17 East; thence along and with the South boundary of the North 3/4 of Section 24, Township 15 South, Range 17 East, N. 89 degrees 46'40" W. a distance of 5322.30 feet to the Southwest corner of said North 3/4; thence along and with the West boundary of said Section 24, N. 00 degrees 00'56" W. a distance of 1326.27 feet to the East 1/4 section corner of Section 23, Township 15 South, Range 17 East; thence along and with the south boundary of N 1/2 of said Section 23, S. 89 degrees 09'25" W. a distance of 2636.62 feet to a point in the East right of way line of a Levy County road; thence along and with said right of way line, N. 37 degrees 12'29" W. a distance of 2149.11 feet; thence continuing along said right of way line, N. 33 degrees 03'06" W. a distance of 94.83 feet; thence departing from said right of way line and running along with the West boundary of the East 3/4 of the N 1/2

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of said Section 23, N. 01 degrees 09'53" E. a distance of 953.69 feet to the Northwest corner of the NE 1/4 of the NW 1/4 of said Section 23; thence along and with the North boundary of said Section 23, S. 89 degrees 18'53" E. a distance of 1322.54 feet to the South 1/4section corner of Section 14, Township 15 South, Range 17 East; thence along and with the West boundary of the East 1/2 of said Section 14, N. 00 degrees 02'17" E. a distance of 5325.47 feet to the North 1/4 section corner of said Section 14; thence along and with the North boundary of said Section 14, S. 89 degrees 41'00" E. a distance of 2642.57 feet to the Northeast corner of said Section 14; thence along the East boundary of said Section 14, S. 00 degrees 00'42" W. a distance of 2671.40 feet to the Northwest corner of the West 3/4 of the S 1/2 of Section 13, Township 15 South, Range 17 East; thence along and with the North boundary of said West 3/4 of S 1/2 of Section 13, S. 89 degrees 23'29" E. a distance of 4020.70 feet to the Northeast corner of the West 3/4 of the South 1/2 of Section 13; thence along and with the East boundary of said West 3/4 of the S 1/2, S. 00 degrees 12'36" W. a distance of 2655.48 feet to the Southeast corner of said West 3/4 of the 1/2; thence along and with the South boundary of said Section 13, S. 89 degrees 36'43" E. a distance of 1337.12 feet to the Northeast corner of

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Section 24, Township 15 South, Range 17 East; thence along and with the West boundary of Section 18, Township 15 South, Range 18 East, N. 00 degrees 17'26" E. a distance of 5299.43 feet to the Southwest corner of Section 7, Township 15 South, Range 18 East; thence along and with the West boundary of said Section 7, N. 00 degrees 17'26" E. a distance of 2649.16 feet to the West 1/4 section corner of said Section 7; thence continue along and with said West boundary, N. 00 degrees 22'30" E. a distance of 2650.95 feet to the Southwest corner of Section 6, Township 15 South, Range 18 East; thence along and with the West boundary of said Section 6, N. 00 degrees 22'30" E. a distance of 2653.72 feet to the West 1/4 section corner of said Section 6; thence continuing along and with the said West boundary, N. 00 degrees 02'30" E. a distance of 2654.32 feet to the Point of Beginning. Section 2. The Board of County Commissioners of Marion County, Florida, shall constitute the district board of said municipal service district and shall constitute the governing 24 board of said district. Such district shall be a body corporate and politic, exercising essential governmental functions, and shall have the power to sue and be sued; to contract; to adopt and use a common seal and alter the same at pleasure; to purchase, hold, lease, or otherwise acquire and convey such real property and personal property and interest therein as may be necessary or proper to carry out the purposes of this law. The Clerk of the Circuit Court of Marion

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County, Florida, shall be the ex officio clerk and treasurer of the district.

Section 3. The district board of said district is authorized and empowered:

- (a) To make rules and regulations for its own government and proceedings and to adopt an official seal for the district.
- (b) To employ engineers, attorneys, accountants, financial or other experts, and such other agents and employees as said district board may require or deem necessary to effectuate the purposes of this law, or to contract for any of such services.
- $\underline{\mbox{(c)}}$ To provide the following municipal services within said district:
 - (1) Road maintenance and lighting.
- (2) Maintenance and operation of all public lands and all public civic and recreational facilities.
 - (3) Law enforcement.
 - (4) Fire protection.
- (d) To exercise zoning powers consistent with and for the enforcement of existing deed restrictions and covenants contained in or incorporated in conveyances of lots in the subdivision of Rainbow Lakes Estates.
- (e) To provide for and regulate and control the furnishing of water, gas, electric, telephone, and other public utility services within said district, including the franchising and taxing of such services.
- 28 (f) To acquire in the name of the district by
 29 purchase, gift, or the exercise of the right of eminent domain
 30 such lands and right and interest therein, including lands
 31 under water and riparian rights, and to acquire such personal

property as it may deem necessary in connection with the furnishing of services authorized by this law and to hold and dispose of all real and personal property under its control; however, nothing herein contained shall authorize the power of eminent domain to be exercised beyond the limits of the district.

- (g) To restrain, enjoin, or otherwise prevent the violation of this law or of any resolution, rule, or regulation adopted pursuant to the powers granted by this law.
- (h) To join with any other district or districts, cities, towns, counties, or other political subdivisions, public agencies, or authorities in the exercise of common powers.
- (i) To levy a special ad valorem maintenance tax upon all taxable real and personal property within said district not to exceed 3 mills during any one year. Such special maintenance tax shall be levied and collected in the manner provided for the levy and collection of county ad valorem taxes. The district board shall certify each year to the tax collectors of Marion County and Levy County, respectively, the millage levied as such special maintenance tax and said tax assessors shall be ex officio tax assessors for the district, and such taxes shall be levied and collected in the same manner as other general county taxes. Taxes collected shall be remitted by said tax assessors to the Clerk of the Circuit Court for Marion County, Florida, as ex officio clerk and treasurer of said district.
- (j) To levy and assess special assessments to fund municipal services within said district. The district board shall certify each year to the tax collectors of Marion County and Levy County, respectively, a non-ad valorem assessment

roll, and said tax collectors for the district, and such 1 2 special assessments shall be levied and collected pursuant to 3 general law. Special assessments collected shall be remitted by said tax collectors to the Clerk of the Circuit Court for 4 Marion County as ex officio clerk and treasurer of said 5 6 district. 7 (k) To borrow money and issue bonds, certificates, 8 warrants, notes, or other evidences of indebtedness. 9 Section 4. The annual fiscal year for the operation of said district shall run from October 1 of each year to 10 11 September 30 of the following year. The district board on or 12 before July 1 of each year shall hold a public hearing and 13 adopt a budget setting forth the amounts necessary for the costs and expenses of furnishing the municipal services 14 authorized by this law, including the maintenance and upkeep 15 16 of the roads and facilities as authorized by this law, which 17 budget shall serve as a basis for the annual levying of the special ad valorem tax herein provided for. All funds received 18 19 from said special ad valorem taxes and from all other sources 20 shall be deposited in a special fund by the treasurer of the district and shall only be expended pursuant to said budget 21 and pursuant to the laws of Florida regulating county budgets 22 and the expenditure of county funds. 23 24 Section 5. The Board of County Commissioners of Levy County, Florida, is hereby authorized and empowered by 25 26 resolution to delegate to and contract with the Board of County Commissioners of Marion County, Florida, for the 27 28 administration of this law and the furnishing of the municipal

district board to the area of said district lying within the

services provided for in this law by the district and the

boundaries of Levy County, Florida.

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Section 6. The district board of said district shall appoint an advisory committee consisting of seven registered electors residing within said district, six of whom shall be residents of Marion County, Florida, and one of whom shall be a resident of Levy County, Florida, to serve for a term of 4 years or until their successors be appointed. Vacancies in said committee due to death, disability, or removal of residence from the district shall be filled by the district board for the balance of the unexpired term of any member dying, becoming disabled, or removing his or her residence from the district.

Section 7. In accordance with section 189.404(3),

Florida Statutes, the following subsections shall constitute
the minimum charter requirements of the Rainbow Lakes Estates

Municipal Service District:

- (a) The district is organized and exists for the purposes set forth in this act and for the purpose of providing municipal services within the boundaries of the district as may be authorized by general law.
- (b) The powers, functions, and duties of the district regarding ad valorem taxation, bond issuance, other revenue-raising capabilities, budget preparation and approval, liens and foreclosure of liens, use of tax deeds and tax certificates as appropriate for non-ad valorem assessments, and contractual agreements shall be as set forth in chapters 170, 189, 197, and 298, Florida Statutes, or any other applicable general or special law, as they may be amended from time to time.
- (c) The district was created by a majority of the electors of the district voting in a special election held in November 1969, pursuant to chapter 69-1298, Laws of Florida.

- $\underline{\mbox{(d)}}$ The district's charter may be amended only by special act of the Legislature.
- (e) The Marion County Board of County Commissioners is the governing board of the district. The membership and organization of the governing board shall be as set forth in this act and applicable general laws.
- (f) The compensation of board members shall be as provided in this act and applicable general law.
- (g) The administrative duties of the board shall be as set forth in this act and applicable general law.
- (h) Requirements for financial disclosure, noticing, and reporting shall be as set forth in this act and applicable general law.
- (i) The procedures and requirements governing the issuance of bonds, notes, and other evidences of indebtedness shall be as set forth in chapter 189, Florida Statutes, and applicable general law.
- (j) District elections or referenda shall be conducted as set forth in this act and applicable general law.
- (k) The district may be financed by any method set forth in this act or applicable general law.
- (1) The district is authorized to levy ad valorem taxes at a rate not to exceed 3 mills during any one year.
- (m) The method for collecting non-ad valorem assessments, fees, or service charges shall be as set forth in this act and applicable general law.
- (n) The district's planning requirements shall be as set forth in chapter 189, Florida Statutes, and applicable general law.
- 30 (o) The geographic boundaries of the district shall be 31 as set forth in section 1 of this charter.

1 Section 4. The provisions of this act shall be 2 liberally construed in order to effectively carry out the 3 purposes of this act in the interest of the public health, 4 welfare, and safety of the citizens served by the district. 5 Section 5. If any section, subsection, sentence, 6 clause, or phrase of this act is held to be unconstitutional, 7 such holding shall not affect the validity of the remaining 8 portions of the act, the Legislature hereby declaring that it 9 would have passed this act and each section, subsection, sentence, clause, and phrase thereof, irrespective of any 10 other separate section, subsection, sentence, clause, or 11 12 phrase thereof, and irrespective of the fact that any one or 13 more other sections, subsections, sentences, clauses, or 14 phrases thereof may be declared unconstitutional. 15 Section 6. Chapters 69-1298 and 97-375, Laws of 16 Florida, are repealed. 17 Section 7. This act shall take effect upon becoming a 18 law. 19 20 21 22 23 24 25 26 27 28 29 30 31