



CHAMBER ACTION

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The Committee on Local Government & Veterans' Affairs recommends the following:

Committee Substitute

Remove the entire bill and insert:

A bill to be entitled

An act relating to the Homosassa Special Water District in Citrus County; codifying, reenacting, amending, and repealing special acts related to the District; creating a District charter; creating an independent special district; providing a District boundary; providing powers, functions, and duties of the District; providing for amendment of the charter; providing for the District purpose; providing for financial disclosure, meeting notices, reporting, public records maintenance, and per diem expenses; providing District powers, functions, and duties; providing for a District governing board; providing for a chair and secretary-treasurer; providing for general obligation bonds; providing for revenue bonds; providing for refunding bonds; providing for levy of ad valorem taxes; providing for payment of bonds; providing for authority to levy and collect tax on real and personal property for administrative costs, expenditure generally;



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29 providing for construction costs; providing for special
 30 assessments for construction, reconstruction, repair, or
 31 maintenance of improvements; providing for exemption from
 32 taxes and assessments; providing for liberal construction;
 33 providing for severability; providing an effective date.
 34

35 Be It Enacted by the Legislature of the State of Florida:
 36

37 Section 1. Pursuant to section 189.429, Florida Statutes,
 38 this act constitutes the codification of all special acts
 39 relating to the Homosassa Special Water District, ("District").
 40 It is the intent of the Legislature in enacting this law to
 41 provide a single, comprehensive special act charter for the
 42 District, including all current legislative authority granted to
 43 the District by its several legislative enactments and any
 44 additional authority granted by this act and chapter 189,
 45 Florida Statutes, as the same may be amended from time to time.
 46 It is further the intent of this act to preserve all District
 47 authority.

48 Section 2. Chapters 24429 (1947), 25726 (1949), 59-1177,
 49 63-1222, 70-630, 73-431, 76-346, 76-347, 77-528, 79-440, 80-475,
 50 80-476, 81-360, 82-279, 83-386, 84-410, 85-399, 86-456, 88-463,
 51 88-484, 88-533, 89-436, 89-464, 89-499, 90-418, 90-419, 92-241,
 52 92-337, and 96-525, Laws of Florida, relating to the Homosassa
 53 Special Water District, are codified, reenacted, and repealed as
 54 provided in this act.

55 Section 3. The charter of the Homosassa Special Water
 56 District is re-created and reenacted to read:



57 Section 1. Creation, jurisdiction, and purpose.--
 58 (1) The District is hereby created and incorporated as an
 59 independent special district, pursuant to chapter 189, Florida
 60 Statutes, to be known as the Homosassa Special Water District,
 61 in Citrus County, which special district shall be a public body
 62 corporate and politic.
 63 (2) District boundaries shall embrace and include the
 64 territory consisting of the following:
 65 All of Sections 25, 26, 27, 28, 33, 34, 35 and 36 in
 66 Township 19 South, Range 16 East; all of Sections 15,
 67 20, 21, 22, 27, 28, 29, 30, 31, 32 and 33 in Township
 68 19 South, Range 17 East; all of Sections 2, 3, 4 and
 69 11 in Township 20 South, Range 16 East; and all of
 70 Sections 4, 5, 6, 7, 8 and 9 in Township 20 South,
 71 Range 17 East; LESS AND EXCEPT that certain
 72 subdivision known as Spring Gardens as recorded in
 73 Plat Book 11, Page 98, Public Records of Citrus
 74 County, Florida; AND Block 169, Unit No. 4 of
 75 Homosassa, as recorded in Plat Book 1, Page 46, Public
 76 Records of Citrus County, Florida; AND that part of
 77 the NW ¼ of the NW ¼ of Section 29, Township 19
 78 South, Range 18 East, that lies South of the Southerly
 79 right-of-way line of Grover Cleveland Boulevard, LESS
 80 AND EXCEPT those portions described in the following
 81 deeds: Warranty Deed dated August 29th, 1977, filed
 82 August 30, 1977, and recorded in O.R. Book 474, page
 83 285, public records of Citrus County, Florida;
 84 Warranty Deed dated April 27, 1979, filed May 1, 1979,



85 and recorded in O.R. Book 536, page 862, public
86 records of Citrus County, Florida; Warranty Deed dated
87 June 16, 1980, filed December 3, 1980, and recorded in
88 O.R. Book 567, page 1144, public records of Citrus
89 County, Florida; AND all that part of Unit No. 2, of
90 Homosassa, Florida, according to the map or plat
91 thereof recorded in Plat Book 1, Page 44, public
92 records of Citrus County, Florida, lying North and
93 West of State Road 490 and South of the County Road
94 known as Spring Cove Road, LESS AND EXCEPT the tract
95 of land as described in Deed from River Gulf Co.,
96 Inc., to A.R. Walker and Martha L. Walker, his wife,
97 dated July 3, 1967, and recorded in O.R. Book 217,
98 Page 367, public records of Citrus County, Florida;
99 AND a parcel of land described as: Begin at the S.W.
100 corner of Unit No. 2 of Homosassa, as recorded in Plat
101 Book 1, Page 44, public records of Citrus County,
102 Florida, thence N 0°22'53" W along the West line of
103 Unit No. 2 of Homosassa a distance of 599.89 ft. to
104 the South right-of-way line of a County Road known as
105 Spring Cove Road, thence N 88°08'19" E along the South
106 right-of-way line of Spring Cove Road a distance of
107 626.83 ft. to the N.W. corner of lands described in
108 O.R. Book 217, Page 367, public records of Citrus
109 County, Florida, thence S 30°08'46" W along the West
110 boundary of lands described in O.R. Book 217, Page
111 367, and a Southerly projection thereof a distance of
112 350 feet, thence N 88°08'46" E, a distance 200 feet to



113 the Northwesterly right-of-way line of State Road 490,
 114 thence S 30°08'46" W along the Northwesterly right-of-
 115 way line of State Road 490 a distance of 488.90 feet
 116 to the South line of said Unit No. 2 of Homosassa,
 117 thence N 76°10'29" W along the South line of said Unit
 118 No. 2 of Homosassa a distance of 413.05 feet to the
 119 Point of Beginning; AND a parcel of land described as:
 120 Commence at the NW corner of the SW ¼ of Section 27,
 121 Township 19 South, Range 17 East, thence S 0°20'05" W
 122 along the West line of said SW ¼ a distance of 2.86
 123 feet, thence N 89°09'10" E 207.66 feet, thence N
 124 80°30'50" E 327.26 feet, thence N 54°04'10" E 351.97
 125 feet, thence N 63°15' E 330.22 feet, thence N
 126 88°37'10" E 896.99 feet to the Northwesterly right-of-
 127 way line of State Road 490, thence S 30°37'20" W along
 128 said right-of-way line a distance of 29.48 feet to the
 129 POINT OF BEGINNING, said point also being on the South
 130 right-of-way line of a proposed County Road, thence
 131 continue S 30°37'20" W along aforementioned
 132 Northwesterly right-of-way line of State Road 490, a
 133 distance of 200 feet, thence S 88°37'10" W parallel to
 134 the aforementioned South right-of-way line of a
 135 proposed County Road, a distance of 200 feet, thence N
 136 30°37'20" E 200 feet to said South right-of-way line
 137 of a proposed County Road, thence N 88°37'10" E along
 138 said South right-of-way line a distance of 200 feet to
 139 the point of beginning; AND the South 60 feet of
 140 Sections 23 and 24 of Township 19 South, Range 17



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141 East; AND the North 60 feet of Sections 25 and 26,
142 Township 19 South, Range 17 East; AND the South 60
143 feet of Sections 19, 20 and 21, Township 19 South,
144 Range 18 East, LESS AND EXCEPT that portion lying
145 easterly of the East right-of-way line of State Road
146 491; AND the North 60 feet of Sections 28, 29 and 30,
147 Township 19 South, Range 18 East, LESS AND EXCEPT that
148 portion lying easterly of the East right-of-way line
149 of State Road 491; AND Lots 1, 2 and 3 of Block E, of
150 GROVER CLEVELAND ESTATES, according to a plat thereof
151 as recorded in Plat Book 12, Page 2 of the Public
152 Records of Citrus County, Florida; AND Lots 1, 2, 3,
153 together with Lots 6 through 23, according to the
154 subdivision of HALLS RIVER ESTATES, as recorded in
155 Plat Book 3, Page 11, Public Records of Citrus County,
156 Florida; AND Lot 1, Block A, HAZELTON HILLS, legally
157 described as: Commence at the SW corner of NW ¼ of
158 Section 25, Township 19 South, Range 17 East, thence S
159 89°44'45" East along the South line of said NW ¼ of
160 the NW ¼ a distance of 320.59 feet, thence N 0°11'55"
161 East 996.92 feet to the Point of Beginning, thence
162 continue North 00°00'55" East 83.08 feet, thence S
163 89°44'45" East parallel to said South line a distance
164 of 150 feet, thence S 00°00'55" West 83.08 feet,
165 thence N 89°44'45" West parallel to South line a
166 distance of 150 feet to the Point of Beginning; AND
167 commence at the NW corner of Section 29, Township 19
168 South, Range 18 East, thence S 00°46'57" West along



169 | the West line of said Section 29, a distance of 31.68
 170 | feet to the South right-of-way line of a paved County
 171 | Road, thence S 88°59'06" East along said South right-
 172 | of-way line a distance of 521.49 feet to the Point of
 173 | Beginning, thence continue S 88°59'06" East along said
 174 | right-of-way line a distance of 487.14 feet, thence
 175 | leaving said South right-of-way line S 04°43'30" West
 176 | 537.91 feet, thence N 89°13'50" West 437.26 feet,
 177 | thence N 00°35'20" West 538.87 feet to the Point of
 178 | Beginning; AND commence at the NW corner of Section
 179 | 29, Township 19 South, Range 18 East, thence S
 180 | 00°46'57" West along the West line of said Section 29,
 181 | a distance of 31.68 feet to the South right-of-way
 182 | line of a County Road, thence along said right-of-way
 183 | line South 88°59'06" East a distance of 521.49 feet,
 184 | thence leaving said right-of-way line South 00°35'20"
 185 | East 538.87 feet to the Point of Beginning, thence S
 186 | 89°15'50" East 295.00 feet, thence S 00°46'57" West
 187 | 731.95 feet to the South line of said NW ¼ of the NW ¼
 188 | of Section 29, thence S 89°26'13" West 295.00 feet,
 189 | thence N 00°46'57" East 738.82 feet to the Point of
 190 | Beginning; AND begin at the SW corner of the SE ¼ of
 191 | the SE ¼ of Section 24, Township 19 South, Range 17
 192 | East, thence North along the West line of SE ¼ of SE ¼
 193 | 500 feet to the Point of Beginning, thence continue
 194 | North along the West line for 209 feet, thence East
 195 | 209 feet, thence South 209 feet, thence West 209 feet
 196 | to the Point of Beginning, together with an easement



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197 20 feet wide extending from the above parcel along the
198 West line of SE ¼ of SE ¼ of the County Road known as
199 Chicken Farm Road; AND Tract 45, HOMOSASSA HIGHLANDS,
200 as recorded in Plat Book 7, Page 33, Public Records of
201 Citrus County, Florida; AND a subdivision of that part
202 of the SW ¼ of Section 26, Township 19 South, Range 17
203 East, lying North of U.S. Highway #19 and South and
204 West of Green Acres Addition #6, Unit #3, as recorded
205 in Plat Book 8, Pages 94 through 100, Public Records
206 of Citrus County, Florida, being more particularly
207 described as follows: Commence at the NW corner of the
208 SW ¼ of Section 26, Township 19 South, Range 17 East,
209 thence S 0°31'51" East along the West line of said
210 Section 26 a distance of 587 feet to the Point of
211 Beginning, said point being on the South right-of-way
212 line of Chelsea Road, as shown on the plat of Green
213 Acres Addition #6, Unit #3, Plat Book 8, Pages 94
214 through 100, thence East along said right-of-way line
215 937.53 feet to a point on the West right-of-way line
216 of Morningside Drive as shown on said plat, thence
217 South along said right-of-way line 1818.72 feet to al
218 point on the North right-of-way line of Green Acres
219 Boulevard as shown on said plat, thence N 89°41'25"
220 West along said right-of-way line 645.32 feet, thence
221 S 44°57'05" West along said right-of-way line 256 feet
222 to the Northeasterly right-of-way line of U.S. Highway
223 #19, said point being 146 feet from, measured at a
224 right angle to the centerline of said U.S. Highway



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225 #19, thence N 45°02'55" West along said right-of-way
226 line 132.46 feet to a point on the West line of said
227 Section 26, thence N 0°31'51" West along said West
228 line a distance of 1927.89 feet to the Point of
229 Beginning, less and except Lots 3 to 17, inclusive;
230 AND Blocks 40, 52, 53 and 62, of Unit #1 of Homosassa,
231 as recorded in Plat Book 1, page 42 and 43, public
232 records of Citrus County, Florida, together with Block
233 132 and 133, of Unit #3 of Homosassa, as recorded in
234 Plat Book 1, Page 45, Public Records of Citrus County,
235 Florida, and Block 166 and 167, of Unit #4 of
236 Homosassa, as recorded in Plat Book 1, Page 46, Public
237 Records of Citrus County, Florida, more particularly
238 described as follows: Beginning at a point formed by
239 the intersection of the southerly right-of-way of
240 Grover Cleveland Blvd. with the westerly right-of-way
241 of Indiana Ave., thence easterly along the southerly
242 right-of-way of Grover Cleveland Blvd. a distance of
243 2810 feet to the centerline of Missouri Ave., thence
244 southerly along the centerline of Missouri Ave. a
245 distance of 570 feet to the northerly right-of-way of
246 Fourth St., thence westerly along the northerly right-
247 of-way of Fourth St., a distance of 1,060 feet to the
248 easterly right-of-way of Grand Parkway East, thence
249 northerly along said easterly right-of-way a distance
250 of 325 feet to the northerly right-of-way of Fifth
251 St., thence westerly along said northerly right-of-way
252 of Fifth St. 1,750 feet to the westerly right-of-way



253 | of Indiana Ave., thence northerly along said westerly
254 | right-of-way 245 feet to the southerly right-of-way
255 | line of Grover Cleveland Blvd., and the point or place
256 | of beginning; AND begin at the intersection of the
257 | Easterly right-of-way line of Marion Avenue and the
258 | northerly right-of-way line of Grand Parkway South as
259 | shown on the Plat of Villa Sites Addition to Homosassa
260 | as recorded in Plat Book 1, Pages 53 and 54,
261 | inclusive, Public Records of Citrus County, Florida,
262 | thence N 89°58'20" West along the Northerly right-of-
263 | way of said Grand Parkway South a distance of 30 feet
264 | to the West line of Section 34, Township 19 South,
265 | Range 17 East, thence S 0°01'40" West along said line
266 | a distance of 150 feet, thence S 89°58'20" East a
267 | distance of 30 feet to the intersection of said
268 | Easterly right-of-way line and said Southerly right-
269 | of-way line of Grand Parkway South, thence S 89°58'20"
270 | East along said South right-of-way of Grand Parkway
271 | South a distance of 990 ft., to the Southwesterly
272 | right-of-way line of Kenosha Avenue as shown on said
273 | Plat, thence S 44°58'20" East along said Southwesterly
274 | right-of-way line a distance of 197.97 feet, thence S
275 | 89°58'20" East a distance of 100 feet, thence N
276 | 45°01'40" East a distance of 28.28 feet, thence S
277 | 89°58'20" East a distance of 51.89 feet to a point on
278 | the East line of the NW ¼ of the NW ¼ of Section 34,
279 | Township 19 South, Range 17 East, as shown on said
280 | Plat, thence N 0°00'08" West along said East line a



281 distance of 378.73 feet to the NE corner of said NW ¼
 282 of the NW ¼, thence S 89°38'40" West along the North
 283 line of said NW ¼ of the NW ¼ a distance of 204.52
 284 feet to the most Easterly corner of Lot 1, Block 1 of
 285 said Plat of Villa Sites Addition, thence S 45°01'40"
 286 West along the Southeasterly boundary of said Lot 1, a
 287 distance of 151.87 feet, to the aforementioned
 288 Northerly right-of-way line of Grand Parkway South,
 289 thence N 89°58'30" West along said right-of-way line a
 290 distance of 990 feet to the Point of Beginning.

291
 292 (3) The powers, functions, and duties of the District
 293 regarding ad valorem taxation, bond issuance, other revenue-
 294 raising capabilities, budget preparation and approval, liens and
 295 foreclosure of liens, use of tax deeds and tax certificates as
 296 appropriate for non-ad valorem assessments, and contractual
 297 agreements shall be as set forth in this act and in chapters 189
 298 and 197, Florida Statutes, or any other applicable general or
 299 special law, as they may be amended from time to time.

300 (4) The District charter created by this act may be
 301 amended only by special act of the Legislature.

302 (5) The purpose of the District shall be to supply water
 303 within the District for public, domestic, industrial, and fire
 304 protection and to fix and collect rates and charges for the
 305 services and facilities furnished by the water supply and
 306 distribution system and to fix and collect charges for making
 307 connections with the system.



308 (6) District requirements for financial disclosure,
 309 meeting notices, reporting, public records maintenance, and per
 310 diem expenses for District Commissioners and employees shall be
 311 as set forth in chapters 112, 189, and 286, Florida Statutes, as
 312 they may be amended from time to time.

313 Section 2. District powers, functions, and duties.--

314 (1) In addition to any powers, functions, and duties set
 315 forth in this act, the District shall likewise exercise such
 316 powers, functions, and duties as may be set forth in chapter
 317 189, Florida Statutes, as the same may be amended from time to
 318 time.

319 (2) The District is hereby authorized and empowered:

320 (a) To levy ad valorem taxes and non-ad valorem
 321 assessments, as provided by this act and chapter 197, Florida
 322 Statutes, on all taxable property within the territorial
 323 boundaries of the District.

324 (b) To utilize the method provided in chapter 197, Florida
 325 Statutes, as the same may be amended from time to time, for
 326 collecting non-ad valorem assessments, fees, or service charges.

327 (c) To sue and be sued.

328 (d) To make and enter into contracts and agreements
 329 necessary or incidental to the performance of the duties imposed
 330 and the execution of the powers granted under this act.

331 (e) To adopt and use a common seal and to alter same.

332 (f) To acquire by grant, loan, purchase, gift, or devise
 333 or by the exercise of the right of eminent domain all property,
 334 real or personal, or any estate or interest therein necessary,
 335 desirable, or convenient for the purposes of this act and to



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336 sell, convey, lease, rent, or assign all or any part thereof and
337 to exercise all of its powers and authority with respect
338 thereto. The exercise of eminent domain shall be as provided for
339 by applicable general law.

340 (g) To appoint and employ a superintendent, an attorney,
341 and such other agents and employees as the District deems
342 advisable.

343 (h) To plan, develop, purchase or otherwise acquire,
344 construct, reconstruct, improve, extend, enlarge, equip, repair,
345 maintain, and operate a water supply and distribution system
346 within the territorial limits of the District.

347 (i) To fix and collect rates and charges for the services
348 and facilities furnished by its water supply and distribution
349 system and to fix and collect charges for making connections to
350 its system.

351 (j) To issue revenue bonds, pursuant to section 189.4085,
352 Florida Statutes, as the same may be amended from time to time,
353 and otherwise by this act and general law, to pay the cost of
354 purchasing or otherwise acquiring, constructing, reconstructing,
355 improving, extending, enlarging, or equipping its water supply
356 and distribution system.

357 (k) To issue refunding bonds, pursuant to section
358 189.4085, Florida Statutes, as the same may be amended from time
359 to time, or otherwise by general law, to refund any bonds then
360 outstanding which shall have been issued under the provisions of
361 this act.

362 (l) To do all acts or things necessary or convenient to
363 carry out the powers expressly granted in this act.



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364 Section 3. District governing board.--

365 (1) The governing body of the District shall be a board of
366 five Commissioners elected pursuant to chapter 189, Florida
367 Statutes, by the electors of the District in a nonpartisan
368 election held at the time and in the manner prescribed for
369 holding general elections. Each member of the board shall be
370 elected for a term of 4 years and shall serve until his or her
371 successor assumes office, except that the Commissioner who will
372 be elected in December of the year 2003 and the three
373 Commissioners who will be elected in December of the year 2005
374 will be elected for terms of 3 years in order to make District
375 elections consistent with the Florida General Elections.

376 (2) The office of each Commissioner is designated as a
377 seat on the board, distinguished from each of the other seats by
378 a numeral: 1, 2, 3, 4, or 5. Each candidate must designate, at
379 the time he or she qualifies, the seat on the board for which he
380 or she is qualifying. The name of each candidate who qualifies
381 shall be included on the ballot in a way that clearly indicates
382 the seat for which he or she is a candidate. The candidate for
383 each seat who receives the most votes shall be elected to the
384 board.

385 (3) Each member of the board must be a registered elector
386 of and reside within the District boundaries at the time he or
387 she qualifies for election and continually throughout his or her
388 term.

389 (4) In the event of a vacancy, due to any cause, on the
390 Board of Commissioners, the vacancy shall be filled for the
391 remainder of the term by special election within 30 days after



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392 the occurrence of the vacancy unless the vacancy occurs within
393 90 days after a regular election.

394 (5) The procedures for conducting District elections and
395 for qualification of electors shall be pursuant to section
396 189.405, Florida Statutes, and general law, as the same may be
397 amended from time to time. Commissioners shall assume their
398 respective duties on the 1st Tuesday after the 1st Monday in
399 January after the date of such election.

400 (6) Special elections may be held under the call of the
401 Chair at any time as directed by the Commissioners. Once called
402 by the Chair, the election will occur in all respects pursuant
403 to the provisions of the Florida Election Code.

404 (7) Commissioners shall receive compensation up to the
405 amount of \$200 per month. The compensation to be received from
406 District funds shall be set by resolution of the Commissioners
407 for performance of their duties but may not be increased to more
408 than \$200 per month per Commissioner without the prior approval
409 of a majority of the qualified electors of the District voting
410 in a referendum called for such purpose. Commissioners shall be
411 reimbursed by the District for any expenses incurred in the
412 performance of their duties pursuant to chapter 112, Florida
413 Statutes, as the same may be amended from time to time.

414 (8) Any Commissioner may resign voluntarily and also shall
415 be deemed to have resigned by ceasing to be a resident and
416 qualified elector within the District.

417 (9) The board shall hold meetings pursuant to sections
418 189.416 and 189.417, Florida Statutes, as the same may be
419 amended from time to time.



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420 (10) A majority of the members of the Board of
421 Commissioners shall constitute a quorum for the transaction of
422 the business of the District. The affirmative vote of a
423 majority of the governing board members present and voting shall
424 be necessary to transact business.

425 (11) The District shall prepare and submit reports,
426 budgets, and audits as provided in sections 189.415 and 189.418,
427 Florida Statutes, as the same may be amended from time to time.

428 Section 4. Chair, Secretary-Treasurer.--At the first
429 meeting of the Commissioners, and annually thereafter, they
430 shall organize and designate one of the Commissioners to act as
431 Chair and appoint a resident of the District, who need not be a
432 Commissioner, to act as Secretary-Treasurer. The Secretary-
433 Treasurer shall be custodian of the official proceedings,
434 records, and funds of the District and upon order of the Board
435 of Commissioners shall furnish bond for the performance of the
436 Secretary-Treasurer's duties and accounting for the funds of the
437 District. Disbursement of funds of the District shall be made
438 only upon orders authorized by the Board, signed by the Chair
439 and countersigned by the Secretary-Treasurer.

440 Section 5. General obligation bonds.--

441 (1) The District is hereby authorized to issue by
442 resolution general obligation bonds with an aggregate principal
443 amount not exceeding \$450,000, payable from rates, rentals,
444 fees, and charges provided for hereunder and, to the extent
445 necessary, ad valorem taxes levied as hereinafter provided, for
446 the purpose of paying the cost of purchasing or otherwise
447 acquiring, constructing, reconstructing, improving, extending,



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448 enlarging, or equipping its water supply and distribution
449 system, provided, however, that any such bonds shall have been
450 approved by the majority of the votes cast in an election in
451 which a majority of the freeholders who are qualified electors
452 residing in the District shall have participated. Any such
453 election shall be held and the result thereof determined and
454 declared in the manner provided by the election code of 1951 and
455 chapter 189, Florida Statutes, or as such may be amended from
456 time to time.

457 (2) The bonds of each issue authorized pursuant to this
458 act shall be dated, shall mature at such time not exceeding 50
459 years after their date or dates, and shall bear interest at such
460 rate or rates not exceeding 5 1/2 percent per annum. Such bonds
461 may be made redeemable before maturity at the option of the
462 District upon such terms and conditions as the District may fix
463 prior to their issuance. The District shall determine the form
464 of the bonds, including interest coupons to be attached thereto,
465 and the manner of execution thereof and shall fix the
466 denomination of the bonds and the place of payment of principal
467 and interest. This payment place may be at any bank or trust
468 company within or without the state. All bonds issued under the
469 provisions of this act shall be general obligations of the
470 District and shall have and are hereby declared to have all of
471 the qualities and incidents of negotiable instruments under the
472 negotiable instruments law of Florida. The District may sell
473 such bonds in such manner, at such time or times, and for such
474 price as it may determine to be in the best interests of the
475 District and, in the resolution providing for the issuance of



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476 such bonds, provisions may be made for the custody and
477 application of the proceeds therefrom as may be deemed necessary
478 or advantageous for safeguarding such proceeds.

479 Section 6. Revenue bonds.--

480 (1) The District is hereby authorized to provide by
481 resolution at one time, or from time to time, for the issuance
482 of District revenue bonds for the purpose of paying all or a
483 part of the cost of acquisition, construction, equipping,
484 repairing, extending, maintaining, and reconstructing a water
485 supply and distribution system. The revenue bonds of each issue
486 shall be dated, shall bear interest at such rate or rates not
487 exceeding 6 percent per annum, shall mature at such time or
488 times, not exceeding 40 years after their date or dates, as may
489 be determined by the District, and may be made redeemable before
490 maturity, at the option of the District, at such price or prices
491 and under such terms and conditions as may be fixed by the
492 District prior to the issuance of the revenue bonds. The
493 District shall determine the form of the revenue bonds,
494 including any interest coupons to be attached thereto, and the
495 manner of execution of the revenue bonds and coupons, and shall
496 fix the denomination or denominations of the revenue bonds and
497 the place or places of payment of principal and interest, which
498 may be at any bank or trust company within or without the state.
499 In case any officer whose signature or a facsimile of whose
500 signature shall appear on any revenue bonds or coupons shall
501 cease to be such officer before the delivery of such revenue
502 bonds, such signature or such facsimile shall nevertheless be
503 valid and sufficient for all purposes the same as if that



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504 officer had remained in office until such delivery. All revenue
505 bonds issued under the provisions of this section shall have and
506 are hereby declared to have all the qualities and incidents of
507 negotiable instruments under the negotiable instruments laws of
508 Florida. The revenue bonds may be issued in coupon or
509 registered form, or both, as the District may determine, and
510 provisions may be made for the registration of any coupon bonds
511 as to principal alone and also as to both principal and interest
512 and for the reconversion into coupon bonds of any bonds
513 registered as to both principal and interest. The issuance of
514 such revenue bonds shall not be subject to any limitations or
515 conditions contained in any other law, and the District may sell
516 such revenue bonds in such manner and for such price as it may
517 determine to be in the best interest of the District, but no
518 such sale shall be made at a net interest cost to the District
519 in excess of 6 percent per annum, excluding, however, from such
520 computations the amount of any premium to be paid on redemption
521 of any revenue bonds prior to maturity. Prior to the
522 preparation of definitive bonds, the District may, under like
523 restrictions, issue interim receipts or temporary bonds with or
524 without coupons, exchangeable for definitive bonds when such
525 revenue bonds have been executed and are available for delivery.
526 The District may also provide for the replacement of any bonds
527 that are be mutilated, destroyed, or lost.

528 (2) Such revenue bonds may be payable from the revenues
529 derived from the operation of the system or of any combination
530 thereof and from any other funds legally available therefor,
531 including the proceeds from any special assessments levied by



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532 the District. The revenue bonds shall be entitled to such
533 priorities on such revenues as the District shall provide. The
534 issuance of such revenue bonds shall not directly, indirectly,
535 or contingently obligate the District to levy ad valorem taxes
536 for their payment and the District shall not convey or mortgage
537 such facilities or any part thereof as security for payment of
538 the revenue bonds.

539 (3) At the discretion of the District, each or any issue
540 of such revenue bonds may be secured by a trust agreement by and
541 between the District and a corporate trustee, which may be any
542 trust company or bank having the powers of a trust company
543 within or outside of the state. Such trust agreement may pledge
544 or assign the revenues to be received by the District. The
545 resolution providing for the issuance of revenue bonds or such
546 trust agreement may contain such provisions for protecting and
547 enforcing the rights and remedies of the bondholders as may be
548 reasonable, proper, and not in violation of law, including
549 covenants setting forth District duties in relation to the
550 acquisition, construction, improvement, maintenance, operation,
551 repair, and insurance of the system and the custody,
552 safeguarding, and application of all moneys. It shall be lawful
553 for any bank or trust company incorporated under the laws of
554 Florida to act as such depository and to furnish such
555 indemnifying bonds or to pledge such securities as may be
556 required by the District. Such resolution or such trust
557 agreement may restrict the individual rights of action by
558 bondholders as is customary in trust agreements securing bonds
559 or debentures of corporations. In addition to the foregoing,



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560 such resolution or such trust agreement may contain such other
561 provisions as the District may deem reasonable and proper for
562 the security of the bondholders. Except as otherwise provided
563 in this section, the District may provide, by resolution or by
564 trust agreement, for the payment of the bond proceeds or
565 revenues to such officer, board, or depository as determined by
566 the District. The District may also provide the method of
567 disbursement thereof, with such safeguards and restrictions as
568 it may determine. All expenses incurred in carrying out such
569 trust agreement may be treated as part of the cost of operation
570 of the system affected by such trust agreement.

571 (4) A resolution or trust agreement providing for the
572 issuance of the revenue bonds may also contain such limitations
573 upon the issuance of additional revenue bonds as the District
574 may deem proper, and such additional revenue bonds shall be
575 issued under such restrictions or limitations as may be
576 prescribed by such resolution or trust agreement.

577 (5) Revenue bonds may be issued under the provisions of
578 this act without obtaining the consent of any commission, board,
579 bureau, or agency of the state or county and without any other
580 proceeding or the happening of any condition or thing other than
581 those proceedings, conditions, or things which are specifically
582 required by act.

583 (6) The proceeds of the revenue bonds shall be used solely
584 for the payment of the cost of the project for which such
585 revenue bonds were issued and shall be disbursed in the manner
586 provided in the resolution or in the trust agreement authorizing
587 the bond issuance. If the proceeds of the revenue bonds of any



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588 issue shall exceed the amount required for the purpose for which
589 the same shall have been issued, the surplus shall be set aside
590 and used only for paying the principal of and interest on such
591 bonds.

592 (7) Any holder of revenue bonds issued under this act or
593 any of the coupons appertaining thereto and the trustee under
594 any trust agreement, except to the extent that the rights herein
595 given may be restricted by such trust agreement, may, either at
596 law or in equity, by suit, action, mandamus, or other
597 proceedings, protect and enforce any and all rights under the
598 laws of Florida or granted hereunder or under such trust
599 agreement or the resolution authorizing the issuance of such
600 bonds and may enforce and compel the performance of all duties
601 required by this section or by such trust agreement or
602 resolution to be performed by the District or by any officer
603 thereof.

604 Section 7. Refunding bonds.--The District is hereby
605 authorized to provide by resolution for the issuance of
606 refunding revenue bonds for the purpose of refunding any revenue
607 bonds then outstanding and issued under the provisions of this
608 act. The District is further authorized to provide by
609 resolution for the issuance of bonds for the combined purpose of
610 paying the cost of any acquisition, construction, repair,
611 extensions, additions, equipping, and reconstruction of any
612 system facilities and refunding revenue bonds of the District
613 which were previously issued under the provisions of this act
614 and which remain outstanding. The issuance of such obligations,
615 the maturities and other details thereof, the rights and



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616 remedies of the holders thereof, and the rights, powers,
 617 privileges, duties, and obligations of the District with respect
 618 to the same shall be governed by the foregoing provisions of
 619 this act.

620 Section 8. Levy of ad valorem taxes, payment of
 621 bonds.--The District is hereby authorized and required to levy
 622 annually a tax upon all taxable property within the District
 623 sufficient to pay the principal of and interest on all bonds
 624 issued under this act as the same shall respectively become due
 625 and payable and to create a sinking fund to pay the principal
 626 thereof at or before maturity; however, any yearly revenues
 627 received in excess of the amount required to pay the current
 628 expenses of administration, operation, maintenance, renewals,
 629 and replacements of said water supply and distribution system
 630 shall be applied to pay such interest and principal and only
 631 such portion or amount of the annual tax as would otherwise be
 632 required shall be actually so levied and collected. A certified
 633 copy of the resolution or resolutions making provisions for the
 634 levy of taxes as aforesaid shall be filed with both the Board of
 635 County Commissioners of Citrus County and the State Comptroller.

636 Section 9. Authority to levy and collect tax on real and
 637 personal property for administrative costs, expenditure
 638 generally.--As provided in this act, the District is hereby
 639 authorized each year to levy and collect an annual tax on all
 640 taxable real and personal property in the District at a rate not
 641 exceeding 3 mills per annum, the proceeds of which shall be used
 642 and applied to the payment of the cost of administration of the
 643 District or may be expended for preliminary expenses in



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644 connection with the acquisition of such water supply and
645 distribution system and placing the same in operation and may
646 further be expended for the maintenance, improvement,
647 enhancement, repair, extension, enlargement, reconstruction,
648 ownership, operation, management, and control of said water
649 supply and distribution system.

650 Section 10. Construction contracts.--All work done by the
651 District in the construction, reconstruction, repair,
652 maintenance, improvement, or enlargement of such water supply
653 and distribution system involving the expenditure of more than
654 \$5,000 shall be done by contract entered into following
655 advertisement for bids received on a stated date pursuant to
656 notice for sealed bids published at least once each week for 2
657 consecutive weeks in a newspaper or journal of general
658 circulation among contractors in the State of Florida, and all
659 such contracts shall be secured by performance bonds in an
660 amount not less than 80 percent of the contract price, furnished
661 by a surety company or companies authorized to do business in
662 the State of Florida.

663 Section 11. Special assessments for construction,
664 reconstruction, repair, or maintenance of improvements.--

665 (1) The District may provide for the construction,
666 reconstruction, repair, and/or maintenance of improvements to
667 the system of a local nature and of special benefit to the
668 properties served thereby. Such special assessments shall be
669 levied upon the property to be benefited by such improvements at
670 a rate of assessment based on the special benefit accruing to
671 such property.



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672 (2) Special assessments against property deemed to be
673 benefited by improvements as provided for herein shall be
674 assessed upon the property specially benefited by the
675 improvement and proportioned by the benefits to be derived
676 therefrom, said special benefits to be determined and prorated
677 according to the front footage of the respective property
678 specially benefited by said improvement or by such other method
679 as the board may prescribe.

680 (3) When the District may determine to make any
681 improvement authorized herein, and to defray the whole or any
682 part of the expense thereof by special assessments, the District
683 shall so declare by resolution, stating the nature of the
684 proposed improvement, designating the areas to be so improved,
685 the location of the improvements, and the part or portion of the
686 expense thereof to be paid by special assessments, the manner in
687 which said assessments shall be made, when said assessments are
688 to be paid, what part, if any, shall be apportioned to be paid
689 from other funds designated by the District; and said resolution
690 shall designate the lands upon which the special assessment
691 shall be levied and in describing said lands, it shall be
692 sufficient to describe them as "all lots and lands adjoining and
693 contiguous to or bounding and abutting upon such improvements or
694 specially benefited thereby and further designated by the
695 assessment plan hereinafter provided for." Such resolution
696 shall also state the total estimated cost of the improvement.
697 Such estimated cost may include the cost of construction or
698 reconstruction, repair, and maintenance, the cost of all labor
699 and materials, the cost of all lands, property, rights,



700 easements, and franchises acquired, financing charges, interest
 701 prior to and during construction and for 1 year after completion
 702 of construction, cost of plans and specifications, surveys of
 703 estimates of costs and of revenues, cost of engineering and
 704 legal services, and all other expenses necessary or incident to
 705 determining the feasibility or practicability of such
 706 construction or reconstruction, repair, and maintenance,
 707 administrative expense, and such other expense as may be
 708 necessary or incident to the financing herein authorized.

709 (4) Upon adoption of the resolution provided for herein,
 710 the District shall cause the resolution to be published once a
 711 week for 2 consecutive weeks in a newspaper of general
 712 circulation published in Citrus County.

713 (5) Upon adoption of the resolution, the District shall
 714 cause to be made a preliminary assessment roll in accordance
 715 with the method of assessment provided for in the resolution.
 716 The assessment roll shall be completed as promptly as possible
 717 and shall show the lots and lands assessed and the amount of the
 718 benefit to and the assessment against each lot or parcel of land
 719 and, if said assessment is to be paid in installments, the
 720 number of annual installments in which the assessment is
 721 divided.

722 (6) Upon completion of the preliminary assessment roll,
 723 the District shall by resolution fix a time and place at which
 724 the owners of the property to be assessed, or any other persons
 725 interested therein, may appear before the District and be heard
 726 as to the propriety and advisability of making such
 727 improvements, as to the costs thereof, as to the manner of



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728 payment therefor, and as to the amount thereof to be assessed
729 against each property so improved. A written notice of such
730 public hearing shall be given to such property owners 10 days
731 prior to such hearing identifying the date, time, and place of
732 such hearing. The notice shall include the amount of the
733 assessment and shall be served by mail to each such property
734 owner at the owner's last known address. The District shall
735 ascertain the names and addresses of such property owners from
736 the Property Appraiser or from such other source as the District
737 deems reliable, proof of such mailing to be made by a District
738 affidavit, and such proof shall be filed with the Secretary-
739 Treasurer of the board, provided that failure to mail said
740 notice or notices shall not invalidate any of the proceedings
741 hereunder. The District shall also provide notice of the time
742 and place of such hearing by publications placed in a newspaper
743 of general circulation in Citrus County at least two times, at
744 least 1 week apart, provided that the last publication shall be
745 at least 1 week prior to the date of the hearing. The notice
746 shall describe the areas to be improved and shall advise all
747 persons interested that the description of each property to be
748 assessed and the amount to be assessed to each piece or parcel
749 of property may be ascertained at the District offices and are
750 open to public inspection. Such service of publication shall be
751 verified by proof of publication and filed with the Secretary-
752 Treasurer of the District.

753 (7) At the time and place named in the notice provided for
754 above, the Board of Commissioners shall meet and hear testimony
755 from affected property owners as to the propriety and



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756 advisability of making the improvements and funding them with
757 special assessments on property. Following the testimony, the
758 board shall make a final decision on whether to levy the special
759 assessments. Thereafter, the board shall meet as an equalizing
760 board to hear and consider any and all complaints as to the
761 special assessments and shall adjust and equalize the
762 assessments based on equity and fairness. When so equalized and
763 approved by resolution of the board, a final assessment roll
764 shall be filed with the office of the Clerk of the Circuit Court
765 of Citrus County, and such assessment shall stand confirmed and
766 remain legal, valid, and binding first liens upon the property
767 against which such assessments are made until paid. However,
768 upon completion of the improvement, the District shall credit to
769 each of the assessments the difference in the assessment as
770 originally made, approved, and confirmed and the proportionate
771 part of the actual cost of the improvement to be paid by special
772 assessments as finally determined upon the completion of the
773 improvement, but in no event shall the final assessments exceed
774 the amount of benefits originally assessed. Promptly after such
775 confirmation, the assessment shall be recorded by the Clerk of
776 the Circuit Court in Citrus County. From the date of such
777 recording, the assessments shall constitute liens upon the
778 properties assessed, coequal with the lien of general county and
779 district taxes, including ad valorem taxes, and shall be
780 superior in rank and priority to all of the liens, titles, and
781 claims. The assessment shall be collectible and shall be
782 entitled to sale and forfeiture in the same manner and with the
783 same attorney's fee, interest, and penalties for default in



784 payments as general county taxes. Collection may also be
 785 effected by foreclosure in a court of equity, according to the
 786 laws then existing for the foreclosure of mortgages, and it
 787 shall be lawful to join in any such bill or complaint for
 788 foreclosure on any one or more lots or parcels of land, by
 789 whomsoever owned, if assessed for the same improvement made
 790 under the provisions of this section. Failure to pay any
 791 installment of principal or interest of any assessment when due
 792 shall, without notice of other proceedings, cause all
 793 installments of principal remaining unpaid to be forthwith due
 794 and payable with interest due thereon at date of default.

795 (8) Citrus County, the District, and each school district,
 796 municipality, or other political subdivision owning property
 797 abutting upon the improvement for which special assessments are
 798 made shall possess the same power and be subject to the same
 799 duties and liabilities with respect to the assessments under
 800 this section affecting the real estate of such county, district,
 801 municipality, or political subdivision which private owners of
 802 real estate possess or are subject to hereunder. Such real
 803 estate shall be subject to the liens of assessments in all cases
 804 to the same extent as if it had, at the time the lien attached,
 805 been owned by a private owner.

806 (9) All such assessment liens shall be due and payable at
 807 the office of the Tax Collector of Citrus County 30 days after
 808 the date of the recording of the assessment roll. All
 809 assessment liens not paid within said period shall become
 810 payable in not more than 10 equal annual installments, the
 811 number to be determined by the District at the time of the



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812 confirmation and approval of the assessment roll with interest
813 at not more than 10 percent per annum from the date due; but any
814 assessment lien becoming so payable in installments may be paid
815 in full at any time, together with interest accrued thereon to
816 the last day of the calendar quarter in which such payment is
817 made.

818 (10) After the equalization, approval, and confirmation of
819 the special assessments levied for the proposed improvements,
820 the District may utilize any method allowable by law for the
821 funding of the special assessments. These methods may include
822 third-party financing with any reputable lender, the issuance of
823 special assessment bonds of the District for the payment of such
824 portion of the cost assessed against the properties specifically
825 benefited thereby and for the reimbursement of any fund of the
826 District from which any part of such cost has previously been
827 paid. The amount of such bonds authorized to be issued
828 hereunder shall not exceed in the aggregate the total amount of
829 the assessment liens pledged for their payment and shall mature
830 at such time or times not later than 6 months after the last
831 installment of the special assessment liens pledged to the
832 payment thereof, as may be determined by the District.

833 (11) The bonds issued under this section shall be payable
834 solely from the special assessments, the installments thereof,
835 and interest and penalties thereof which have been pledged to
836 their payment and shall not be deemed to constitute a general
837 obligation of the District for the payment of which the full
838 faith, credit, and taxing powers thereof are pledged. The
839 issuance of such bonds shall not directly, indirectly, or



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840 contingently obligate the District to levy or pledge any form of
841 ad valorem taxation.

842 (12) All collections of assessments contained in any one
843 assessment roll and the interest and penalties thereon shall be
844 deposited in a separate fund properly designated, and such fund
845 shall be pledged to, and used solely for, the payment of the
846 cost of the improvements or for the payment of the principal of
847 and interest on any revenue bonds or special assessment bonds
848 issued under this section for the construction of the
849 improvements for which said assessments were made until all of
850 said bonds and the interest thereon shall have been fully paid.
851 If bonds are issued for more than one improvement, all
852 assessments collected for all such improvements may by District
853 resolution be placed in one fund, which shall be maintained,
854 pledged, and applied for the payment of the principal of and
855 interest on said bonds.

856 (13) If any special assessment made under the provisions
857 of this act shall be either in whole or in part annulled,
858 vacated, or set aside by the judgment of any court, or if the
859 District shall be satisfied that any such assessment is so
860 irregular or defective that the same cannot be enforced or
861 collected, or if the District shall have omitted to make such
862 assessment when it might have done so, the District shall take
863 necessary steps to cause a new assessment to be made for the
864 whole or any part of any improvement or against any property
865 benefited by any improvement, following the provisions of this
866 act. In the event such second assessment shall be annulled, the



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867 board may obtain and make additional assessments until a valid
868 assessment shall be levied.

869 (14) All assessments and charges made pursuant to this act
870 may be pledged to the payment of the principal of and interest
871 on any revenue bonds or special assessment bonds issued by the
872 District.

873 (15) The District may make allowances and grant credit to
874 property owners for improvements previously made by such
875 property owners to the extent the District determines such
876 existing improvements to be of value and utility as a part of
877 the improvements for which such assessment is made and may
878 prescribe a plan for fixing and determining such allowances and
879 credits.

880 (16) In fixing and enforcing the assessments provided for
881 herein, where any land has been surveyed, subdivided, or platted
882 into small tracts designated as lots or blocks or otherwise, and
883 the owner of the surveyed, subdivided, or platted land
884 recognizes such survey, subdivision, or plat, the land embraced
885 in such may be described by reference to such whether or not any
886 plat thereof has been recorded.

887 (17) If the owner or owners of any lot or parcel of land
888 assessed under the provisions of this section and all those
889 having any interest therein by way of mortgage or other lien or
890 leasehold rights or otherwise shall in writing request that such
891 assessment be divided so that a part of the same shall be the
892 assessment on and constitute a lien on one portion of such lot
893 or parcel and the remainder shall be the assessment on and
894 constitute a lien or liens against the remainder of such parcel



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895 or separate parts thereof, the District, in its discretion,
896 shall have the power to divide such assessment in accordance
897 with such request, and thereafter the separate parts of such
898 assessment shall be the assessments and constitute separate
899 liens upon the parts of the lot or parcel, respectively, into
900 which the same shall have been so divided. Any resolution making
901 such division shall recite a finding of the District that such
902 division is equitable and is based upon the benefits accruing to
903 each portion as divided.

904 (18) No irregularity or illegality in connection with any
905 of the proceedings herein authorized shall affect the validity
906 of such proceedings, the special assessments levied thereunder,
907 or any bonds or contracts issued or executed pursuant thereto
908 unless such irregularity or illegality shall substantially
909 affect the rights of the District, its inhabitants, or the
910 owners of the properties assessed for such improvements.

911 (19) A copy of any assessment roll, certified as correct
912 by the Tax Collector of Citrus County, shall be admitted as
913 evidence and shall be prima facie proof of the amount of the
914 assessment and the property upon which said assessment is
915 levied.

916 (20) When any part of an improvement to be made hereunder
917 lies in part within the limits of an incorporated city or town,
918 the board shall nevertheless be authorized to make such
919 improvement with respect to the part lying within such city or
920 town and to provide for assessing the cost thereof as herein
921 provided if the governing body of such city or town shall by
922 resolution or ordinance consent to the adoption and confirmation



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923 of the resolution passed or to be passed by the board offering
924 the improvement.

925 Section 12. Exemption from taxation and
926 assessments.--Pursuant to sections 189.403 and 196.199, Florida
927 Statutes, as the same may be amended from time to time, the
928 District shall not be required to pay any taxes or assessments
929 upon its assets or properties or upon the income therefrom.

930 Section 4. This act shall be construed as remedial and
931 shall be liberally construed to promote the purpose for which it
932 is intended.

933 Section 5. In the event any section or provision of this
934 act is determined to be invalid or unenforceable, such
935 determination shall not affect the validity or enforceability of
936 each other section and provision of this act.

937 Section 6. Chapters 24429 (1947), 25726 (1949), 59-1177,
938 63-1222, 70-630, 73-431, 76-346, 76-347, 77-528, 79-440, 80-475,
939 80-476, 81-360, 82-279, 83-386, 84-410, 85-399, 86-456, 88-463,
940 88-484, 88-533, 89-436, 89-464, 89-499, 90-418, 90-419, 92-241,
941 92-337, and 96-525, Laws of Florida, are repealed.

942 Section 7. This act shall take effect upon becoming a law.
943