

CHAMBER ACTION

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

3
4 **Committee Substitute**

5 Remove the entire bill and insert:

6 A bill to be entitled

7 An act relating to the Ave Maria Stewardship Community
8 District, Collier County; providing a popular name;
9 creating the Ave Maria Stewardship Community District;
10 providing for findings, determinations, ascertainments,
11 intent, purpose, definitions, and policy; creating the
12 charter of the District; providing for authority and
13 jurisdiction; creating the District as a special, limited,
14 and single-purpose independent district, an independent
15 local government and corporate body politic, to provide
16 community development infrastructure to the Ave Maria
17 community development in that certain portion of the
18 unincorporated area of the Collier County political
19 subdivision within and subject to the Growth Management
20 Plan and the Rural Lands Stewardship Area Zoning Overlay
21 District in Eastern Collier County; prescribing and fixing
22 the boundaries of the District; providing for election of
23 a Board of Supervisors and terms of office and powers and

24 | duties thereof; requiring certain financial reports;
 25 | providing for disclosure of public financing information;
 26 | authorizing and providing for the levy and collection of
 27 | taxes; authorizing special powers relating to water
 28 | management and control, roads and bridges, and other
 29 | public facilities; providing for the issuance of bonds and
 30 | short-term borrowing; providing procedures for competitive
 31 | procurement of goods, supplies, and materials; providing
 32 | for enforcement of provisions of the Act and providing
 33 | penalties for violation thereof; providing for the
 34 | applicability of provisions of chapter 189, Florida
 35 | Statutes, and other general laws; providing for
 36 | severability; providing an effective date.

37 |

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

39 |

40 | Section 1. Popular name.--This Act may be known by the
 41 | popular name the "Ave Maria Stewardship Community District Act."

42 | Section 2. Preamble.--Legislative findings,
 43 | ascertainments, determinations, intent, purpose, definitions,
 44 | and policy.--

45 | (1) Legislative findings.--

46 | (a) The eastern area of unincorporated Collier County is
 47 | unique and special with natural resources that need protection
 48 | and with the need to retain a viable agricultural system while
 49 | protecting private property rights and promoting a sound
 50 | economy.

51 (b) Collier County, with the approval of the Governor and
 52 members of the Cabinet, sitting as the Florida Land and Water
 53 Adjudicatory Commission, established a designated Rural Lands
 54 Stewardship Area Zoning Overlay District in order to implement
 55 an innovative, specialized, and incentive-based Collier County
 56 Rural Lands Stewardship Area Overlay as part of the Collier
 57 County Growth Management Plan.

58 (c) In implementing both protection of natural resources
 59 and retention of viable agriculture, the Rural Lands Stewardship
 60 Area District Overlay promotes compact rural mixed-used
 61 development as an alternative to low-density single use
 62 development and establishes a system of generating Stewardship
 63 Credits in a designated Stewardship Sending Area and
 64 transferring them to a designated Stewardship Receiving Area
 65 within which new town communities may be created and developed
 66 with a full range of housing types and a full mix of uses with
 67 urban level services and infrastructure which support
 68 specialized development that is compact, mixed-use, human-scale,
 69 and balances land uses to reduce automobile trips and to
 70 increase livability.

71 (d) This comprehensive system anticipates new land uses to
 72 include unincorporated new town community development and the
 73 related highly specialized provision of basic infrastructure
 74 systems, facilities, and services.

75 (e) Barron Collier Company has made available
 76 approximately 905 acres to the Ave Maria University Foundation
 77 for the institution and operation of a private university known
 78 as Ave Maria University with a full slate of undergraduate,

79 | graduate, and professional programs with related cultural,
 80 | recreational, and other activities, benefits, and programs for
 81 | providing teaching, research, and public service to southwest
 82 | Florida, the State of Florida, and the nation.

83 | (f) The initial landowners also own, immediately and
 84 | adjacent to and surrounding the Ave Maria University, lands upon
 85 | which they are building a university-oriented new town community
 86 | consistent with the Collier County Growth Management Plan and
 87 | Land Development Code.

88 | (g) Within and subject to this the Growth Management Plan
 89 | and Land Development Code and its Rural and Stewardship Area
 90 | Zoning Overlay District within a designated Stewardship
 91 | Receiving Area, the new town community surrounding the private
 92 | university requires appropriate compact, balanced, and rural
 93 | mixed-use development at a human scale with the required
 94 | innovative balance of such importance to the Stewardship Overlay
 95 | Area.

96 | (h) In particular:

97 | 1. Creating a university new town community in the
 98 | Stewardship Overlay Area of Eastern Collier County requires a
 99 | critical coinciding of existing and future land use with
 100 | provision of capital facilities and related systems and
 101 | services, based upon timely, flexible, and specialized
 102 | management of critical factors and sequential events, balancing
 103 | between the interests of private enterprise, agriculture,
 104 | private citizens, taxpayers, consumers, the environment, the
 105 | economy, the initial landowners, and all applicable levels of
 106 | government.

107 2. As evidenced by the Stewardship Overlay Program, all
 108 the applicable public and private persons and entities have
 109 invested and expended substantial time and moneys to generate
 110 both the Stewardship Overlay Area portions of the Growth
 111 Management Plan and the existing and future consistent specific
 112 regulatory and comprehensive planning entitlements and
 113 consistent land development regulations for the identification,
 114 preparation, and development of a new town community.

115 3. Creating such a new town community around the
 116 university and using a single special purpose independent
 117 district constitute innovative planning and flexible development
 118 strategies pursuant to section 163.3177(11), Florida Statutes,
 119 as amended from time to time, and Rule 9J-5.006(5)(1), Florida
 120 Administrative Code, as amended from time to time, to minimize
 121 the conversion of rural and agricultural lands to other uses to
 122 discourage urban sprawl and to protect environmentally sensitive
 123 areas, while maintaining the economic viability of agricultural
 124 and other predominately rural land uses and providing for the
 125 cost-efficient delivery of public facilities and services as
 126 provided expressly in the Rural Lands Stewardship Area Land
 127 Development Regulations, section 2.2.27.10.C.

128 (i) There is in particular a special need to use a
 129 specialized and limited single-purpose independent special
 130 district unit of local government for the Ave Maria Community:

131 1. To prevent urban sprawl by providing, sustaining, and
 132 supporting freestanding infrastructure and by preventing
 133 needless and counterproductive community development when the
 134 existing urban area is not yet developed.

135 2. To prevent the needless duplication, fragmentation, and
 136 proliferation of local government services in a proposed land
 137 use area.

138 (j) Management of conservation, environmental,
 139 agricultural, and economic challenges and opportunities in this
 140 area of Eastern Collier County transcends the boundaries and
 141 responsibilities of both private landowners and individual units
 142 of government so that no one single public or private entity or
 143 person can plan or implement policies to deal with the many
 144 issues which attend the provision of basis systems, facilities,
 145 and services to the area to be managed in Eastern Collier County
 146 in order to provide for both a new university and a new town
 147 academic community in the Stewardship area.

148 (k) It is the expressed set of findings of the Legislature
 149 further that:

150 1. There is a considerably long period of time during
 151 which there is an inordinate burden on the initial landowners of
 152 both the land area for the private Ave Maria University and its
 153 surrounding new town university community because of the
 154 innovative, special, and unique requirements in the Growth
 155 Management Plan for the Stewardship Receiving Area that deal
 156 specifically with flexible management and related sequencing,
 157 timing, and financing of the various systems, facilities, and
 158 services to be provided to the new town community and that take
 159 into consideration absorption rates, commercial viability, and
 160 related factors.

161 2. Even as the community matures, there is a continuing
 162 need for landowners, both initial and subsequent, to bear

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163 burdens that remain relatively inordinate in order to preserve
164 such benefits for Eastern Collier County as the unique
165 environmental and economic purpose of the new town community in
166 this Stewardship Receiving Area.

167 3. Longer involvement of the initial landowner with regard
168 to the provision of basic systems, facilities, and services in
169 the Rural Lands Stewardship Overlay, coupled with a severely
170 limited and highly specialized single purpose of the District,
171 is in the public interest.

172 4. Any public or private system to provide basic
173 infrastructure improvements, systems, facilities, and services
174 to this new Ave Maria community in the Stewardship Overlay Area
175 of Eastern Collier County must be focused on an unfettered,
176 highly specialized, innovative, responsive, and accountable
177 mechanism to provide the components of infrastructure at
178 sustained levels of high quality over the long term only when
179 and as needed for such a unique community in such a unique area.

180 5. There is a critical need to maintain such provision of
181 such systems, facilities, and services to the Ave Maria
182 community because of the unique location and attributes of the
183 Stewardship Overlay Area, coupled with the unique purpose and
184 location of this new academic community, subject to, and not
185 inconsistent with, the state, regional, and local requirements
186 which attend implementation of the state plan, the Stewardship
187 Overlay for the Stewardship Receiving Area, and the Collier
188 County Growth Management Plan.

189 6. This need is met by coinciding the use and special
190 attributes of various public and private alternatives for the

191 provision of infrastructure to such a community development,
 192 including:

193 a. The public policy and related implementing zoning,
 194 permitting, and planning expertise, interests, and capabilities
 195 of state and regional government and of the Collier County
 196 general purpose local government;

197 b. The flexible, limited, focused, and locally accountable
 198 management and related financing capabilities of independent
 199 special purpose local government; and

200 c. The innovative development and marketing private sector
 201 expertise of the initial landowners, developers, and other
 202 components of private enterprise;

203 7. The specialized financing and revenue procedures for
 204 the levy and imposition of first-lien assessments, by a variety
 205 of names, must be disclosed, followed, noticed, fair,
 206 nonarbitrary, informed, reasonable, and accountable and that
 207 they must be set forth dispositively.

208 (1) That the existence and use of such a limited
 209 specialized single purpose local government for the Ave Maria
 210 community, subject both to the Rural Lands Stewardship Overlay
 211 Area District and to the Collier County Growth Management Plan,
 212 will result in a high propensity:

213 1. To prevent urban sprawl, protect and to preserve
 214 environmental, conservation, and agricultural uses and assets
 215 and to enhance the high quality use of the applicable
 216 Stewardship Receiving Area.

217 2. To enhance the market value for both present and future
 218 landowners of the property consistent with the need to protect
 219 private property rights in the Stewardship Overlay.

220 3. To enhance the net economic benefit to the Collier
 221 County area, including an enhanced and well maintained tax base
 222 to the benefit of all present and future taxpayers in Collier
 223 County.

224 4. To share the costs for providing such basic systems,
 225 facilities and services in an innovative, sequential, and
 226 flexible manner within the Ave Maria new town community to be
 227 serviced by the Stewardship Community District.

228 (2) Ascertainments.--Based upon these findings, the
 229 Legislature has learned and ascertains:

230 (a) There are two public government alternatives and one
 231 private alternative available to plan, construct, maintain, and
 232 finance the provision of systems, facilities, and services in
 233 and subject to the Stewardship Overlay:

234 1. One of the public or governmental alternatives is by
 235 the Board of County Commissioners within the Collier County
 236 political subdivision which can provide certain basic systems,
 237 facilities, and services directly, or with management by its
 238 staff with financing through either a municipal service taxing
 239 unit for ad valorem taxes or municipal service benefit for
 240 assessments, or indirectly, by nonemergency ordinance use of a
 241 dependent district.

242 2. The second public alternative is use of an independent
 243 special district.

244 3. The private alternative is the private landowner, a
 245 private homeowners' association, a private utility, a private
 246 business corporation or partnership, or a combination of these
 247 various private alternatives.

248 (b) Planning, permitting, and creating the Ave Maria
 249 University new town community and using the independent
 250 specialized single purpose Ave Maria Stewardship Community
 251 District created by this Act are consistent with and implement
 252 both the Collier County Growth Management Plan and Land
 253 Development Code and also the following long-standing and
 254 expressed policies of the state:

255 1. To allow the creation of independent special taxing
 256 districts which have uniform general law standards and
 257 procedures and which do not overburden other local governments
 258 and their taxpayers while preventing the proliferation of
 259 independent special taxing districts which do not meet the
 260 standards set forth in section 187.201(20)(b)2., Florida
 261 Statutes.

262 2. To encourage the development of local water supplies,
 263 pursuant to section 187.201(7)(b)3., Florida Statutes.

264 3. To recognize the existence of legitimate and often
 265 competing public and private interests and land use regulations
 266 and other government action, pursuant to section 187.201(14)(a),
 267 Florida Statutes, as provided for expressly in the Stewardship
 268 Overlay Program.

269 4. Consistent with the Stewardship Overlay Program, to
 270 recognize the importance of preserving natural resources and
 271 enhancing quality of life by development in those areas where

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272 land and water resources, fiscal abilities, and service capacity
273 can accommodate the land use and growth in a manner that is
274 environmentally acceptable, pursuant to section 187.201(15)(a),
275 Florida Statutes.

276 5. To allocate costs of new public facilities on the basis
277 of benefits received by existing and future residents while
278 planning for the management and financing of new facilities to
279 serve residents in a timely, orderly, and efficient manner,
280 pursuant to section 187.201(17)(a) and (b)3., Florida Statutes.

281 6. To encourage local government financial self-
282 sufficiency in providing public facilities and in identifying
283 and implementing physically sound, innovative, and cost-
284 effective techniques to provide and finance public facilities
285 while encouraging development, use, and coordination of capital
286 improvement plans by all levels of government, pursuant to
287 section 187.201(17)(b)5., 6., and 7., Florida Statutes, and as
288 provided in the Stewardship Overlay Program.

289 7. To increase access to, and to promote and provide
290 access for, cultural, historical and educational resources and
291 opportunities, pursuant to section 187.201(18)(a) and (b)1.,
292 Florida Statutes.

293 8. To enhance and diversify the economy of the Collier
294 County area by promoting partnerships among education, business,
295 industry, agriculture, and the arts, provide opportunities for
296 training skilled employees for new and expanding businesses, and
297 promote self-sufficiency through training and educational
298 programs that result in productive employment pursuant to
299 section 187.201(21)(a) and (b)6., 7., and 8., Florida Statutes.

300 9. To encourage and to enhance cooperation among
301 communities that have unique assets, irrespective of political
302 boundaries, to bring the private and public sectors together for
303 establishing an orderly, environmentally, and economically sound
304 plan for current and future needs and growth, pursuant to
305 section 187.201(b)8., Florida Statutes.

306 10. To create independent special districts by or pursuant
307 to general law to ensure long-term management and related
308 financing, to meet the need in Florida for timely, efficient,
309 effective, responsive, innovative, accountable, focused, and
310 economical ways to deliver basic services to new communities to
311 solve the state's planning, management, and financing needs for
312 delivery of capital infrastructure in order in turn to provide
313 for projected growth only and to do so without overburdening
314 other governments and their taxpayers, pursuant to section
315 189.402, Florida Statutes, so that providing to the Ave Maria
316 community basic systems, facilities, and services by independent
317 special districts remains pursuant to uniform general law and
318 section 189.402(3)(a) and (c), Florida Statutes.

319 11. To ensure that those independent districts and the
320 exercise of their powers are consistent and comply with
321 applicable due process, disclosure, accountability, ethics, and
322 government-in-the-sunshine requirements of law, both to the
323 independent districts and to their elected and appointed
324 officials, pursuant to section 189.402(3)(b), Florida Statutes,
325 because independent special districts are a legitimate
326 alternative method available for use by both the public and
327 private sectors to manage, own, operate, construct, and finance

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328 basic capital infrastructure systems, facilities, and services,
329 pursuant to section 189.402(4)(a), Florida Statutes.

330 12. To ensure that an independent special district is
331 created to serve a special purpose to cooperate and to
332 coordinate its activities with the applicable general purpose
333 local government because aspects of growth and development
334 transcend boundaries and responsibilities of individual units of
335 government so that no single unit of government can plan or
336 implement policies to deal with these issues unilaterally as
337 effectively, pursuant to section 189.402(7) and (8), Florida
338 Statutes.

339 (c) Construction and operation of the Ave Maria
340 University, the development of the new town university
341 community, and the use of the special and single purpose
342 independent district are not inconsistent with the Collier
343 County Comprehensive Plan and the requirements of the
344 Stewardship Overlay and implement both.

345 (d) This land area for the private university and its new
346 town community requires an independent, special, and single
347 purpose local government, in the form of an independent special
348 district as defined in section 189.403(3), Florida Statutes,
349 subject to all substantive and procedural limitations under
350 Florida law, including this Act, in order to constitute the
351 highly specialized alternative and viable growth management
352 mechanism appropriate for this unique Stewardship Overlay
353 available to both the private and public sectors.

354 (e) Such a District requires timely, flexible, limited,
355 and specialized management and related financing capabilities

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356 under its uniform state charter, created by this Act pursuant to
357 general law, in order to produce those flexible, innovative, and
358 highly specialized benefits to the new town university community
359 property in the Stewardship Receiving Area and to the
360 Stewardship Overlay in Eastern Collier County.

361 (f) Such a District must have management capabilities to
362 provide pinpointed, focused, accountable, responsive, limited,
363 specialized, and low-overhead-based capability, authority, and
364 power to provide basic systems, facilities, and services to the
365 new university community development with economies of scale but
366 at sustained high levels of quality over the long term.

367 (g) In order to be responsive to the critical timing
368 required through the exercise of its special management
369 functions, an independent district requires financing of those
370 functions, including bondable lienable and non-lienable revenue,
371 with full and continuing public disclosure and accountability,
372 funded by landowners, both present and future, and funded also
373 by users of the systems, facilities, and services provided to
374 the land area by the District, without burdening the taxpayers
375 and citizens of the state, of Collier County, or any
376 municipality in Collier County.

377 (h) The provision of services by this independent district
378 must implement, be subject to, and function not inconsistent
379 with, any applicable provisions of the Stewardship Overlay Area
380 and related permitting and planning requirements of Collier
381 County and of the Collier County Comprehensive Plan and Land
382 Development Code.

383 (i) The creation, existence, and operation of the Ave
 384 Maria Stewardship Community District, as limited and specialized
 385 to its single narrow purpose, will also:

386 1. Constitute a public mechanism to translate the anti-
 387 urban-sprawl requirements of the Stewardship Overlay into
 388 reality;

389 2. Constitute a disincentive for premature or
 390 inappropriate municipal incorporation consistent with state law.

391 3. Provide a mechanism for full and continuing disclosure
 392 of how basic systems, facilities, and services are both managed
 393 and financed, including full and continuing disclosure to both
 394 prospective purchasers and all residents of public financing
 395 related to any burdens of land ownership and any related burdens
 396 on existing or future residents.

397 4. Implement Rural Land Stewardship Area Zoning Overlay
 398 District Regulation, section 2.2.27.10.L.4. because such an
 399 independent single purpose special district is encouraged in the
 400 Stewardship Receiving Area where the new town community and
 401 university are located.

402 (j) The Ave Maria Stewardship Community District is also a
 403 mechanism to implement the Collier County Concurrency Management
 404 System designed to coincide with, and to implement, both the
 405 Collier County future land use element and the capital
 406 improvements element for basic systems, facilities, and services
 407 consistent with the best interests of the Ave Maria community in
 408 the Stewardship Overlay.

409 (k) By serving its single specialized purpose, the
 410 District will not result in needless proliferation, duplication,

411 and fragmentation of local government systems, facilities, and
 412 services in this area of Eastern Collier County.

413 (l) Subject to its substantive and procedural limitations,
 414 the Ave Maria Stewardship Community District will assist
 415 directly in public and combined public and private planning and
 416 coordination in order to achieve innovative solutions to the
 417 needs and requirements in this unique academic new town
 418 community located in this Stewardship Overlay Area of Eastern
 419 Collier County.

420 (m) Management of the timing and phasing of critical
 421 sequential events, coordinated by the initial private landowner,
 422 the private university, and the Board of County Commissioners of
 423 Collier County is of fundamental importance and is the basis of
 424 the inordinate burden on the initial landowner developer and on
 425 the private university to enhance the Stewardship Overlay and to
 426 implement its requirements.

427 (n) The critical single purpose of the Ave Maria
 428 Stewardship Community District to provide basic infrastructure
 429 systems, facilities, services, works, and improvements to the
 430 private Ave Maria university new town community is in the public
 431 interest because it:

432 1. Does not pass on taxes or profits to purchasers of
 433 property or to landowners and residents within their
 434 jurisdictions;

435 2. Decreases the tendency toward short-term planning,
 436 construction, and management considerations because the
 437 elections for members of the government board are staggered;

- 438 3. Is not influenced, guided, or limited by quarterly and
 439 annual profit statements;
- 440 4. Does not have police or regulatory powers;
- 441 5. Does not have larger general purpose overhead
 442 responsibilities;
- 443 6. Is not subject to legitimate but countervailing fiscal,
 444 economic, policy, and political considerations to which large
 445 general-purpose local governments and large landowners and
 446 developers would be subject in the natural course of events.
- 447 7. Does not constitute needless duplication,
 448 proliferation, or fragmentation of local government systems,
 449 facilities, and services in Collier County;
- 450 8. Shall operate and function subject to and not
 451 inconsistent with the county comprehensive plan and not
 452 inconsistent with, but rather shall enhance the purpose and
 453 requirements of, the Rural Lands Stewardship Overlay with the
 454 least overhead cost and the highest amount of public disclosure,
 455 accountability, responsiveness, and productivity.
- 456 9. Coincides its functions with the authority and best
 457 interests of general purpose local government, the private
 458 university, the private landowners, both present and future, the
 459 taxpayers, the future residents, and the state in the provision
 460 of needed infrastructure to the community at sustained levels of
 461 quality over the long term.
- 462 10. Provides highly accountable innovative systems,
 463 facilities, and services close to the land and close to the
 464 people to constitute expressly the stewardship of the lands of

465 the new community within and subject to the Stewardship Overlay
 466 Area in Eastern Collier County and within its jurisdiction;

467 11. Serves a land area that is amenable to separate
 468 special district government.

469 12. Serves a land area that is sufficiently compact and of
 470 size sufficient for the functionally interrelated Ave Maria new
 471 town community development.

472 13. Serves a land area in which there is no existing local
 473 or regional system, facility, or service with which creation and
 474 operation of this District and the provision of its systems,
 475 facilities, improvements, and infrastructure would be
 476 incompatible.

477 14. Will enhance the intrinsic value of the property and
 478 the new community development, for the purpose of the
 479 Stewardship Overlay, and be a sustaining source of public
 480 revenue.

481 (o) The independent district charter created in this Act
 482 involves innovative general and special powers not otherwise
 483 available for this unique and highly specialized first ever
 484 academic Ave Maria new town community in such a unique multi-
 485 faceted Rural Lands Stewardship Overlay.

486 (p) The minimum requirements of general law or creation of
 487 this District by special act have been met as confirmed and set
 488 forth expressly in section 3(1).

489 (3) Determinations.--Based upon its findings and
 490 ascertainments, the Legislature states expressly and determines:

491 (a) This Act represents the findings, ascertainments, and
 492 determinations of the Legislature that creating the Ave Maria

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493 Stewardship Community District, by special act, pursuant to
 494 general law, is the best alternative as required by section
 495 189.404(2)(e)3., Florida Statutes, because it meets
 496 affirmatively the findings and ascertainments of this
 497 Legislature set forth in this section.

498 (b) The creation by this Act of the Ave Maria Stewardship
 499 Community District in the Stewardship Overlay Area of Collier
 500 County is consistent affirmatively with the Collier County local
 501 government comprehensive plan.

502 (c) The authority for this Act is pursuant to section
 503 189.404, Florida Statutes, and the State Comprehensive Plan
 504 pursuant to section 187.201, Florida Statutes.

505 (d) The Board of County Commissioners of Collier County,
 506 on October 28, 2003, adopted Resolution 2003-381, expressing no
 507 objection to the creation and establishment of the Ave Maria
 508 University Stewardship Community District and finding it
 509 consistent with the Collier County local government
 510 comprehensive plan as provided in section 189.404(a)(e)4.,
 511 Florida Statutes.

512 (4) Intent.--Based upon its findings, ascertainments, and
 513 determinations, the Legislature expresses its intent:

514 (a) To ensure that the creation and operation of the Ave
 515 Maria Stewardship Community District by and pursuant to this
 516 Act, exercising its management and related financing powers to
 517 implement its limited, single, and special purpose, is not a
 518 development order and does not trigger or invoke any provision
 519 within the meaning of chapter 380, Florida Statutes, and all
 520 applicable governmental planning, environmental, and land

521 development laws, regulations, rules, policies, and ordinances
522 apply to all development of the land within the jurisdiction of
523 the District as created by this Act.

524 (b) That the District operate and function subject to, and
525 not inconsistent with, the Collier County Growth Management Plan
526 and Land Development Code and any applicable development orders,
527 zoning regulations, or other land development regulations.

528 (c) That under this Act this special and single purpose
529 Ave Maria Stewardship Community District shall not have the
530 power of a general purpose local government to adopt a
531 comprehensive plan or related land development regulation as
532 those terms are defined in the Florida Local Government
533 Comprehensive Planning and Land Development Regulation Act.

534 (d) That the charter for this District in the Act is
535 exclusive and may be amended only by the Legislature by
536 subsequent special act. Any certain proposed amendment of this
537 Act which deals specifically, expressly, and only with section
538 2(4)(a), (b), and (c) shall not be considered by the Legislature
539 unless it is accompanied by a resolution of support by the
540 Collier County Board of County Commissioners provided that any
541 other amendment on any other subject or provision dealing with
542 any subject or provision in this Act does not require such
543 resolution.

544 (e) That the Ave Maria Stewardship Community District
545 created by this Act constitutes an innovative mechanism for
546 long-term, sustained, quality public stewardship through the
547 planning, implementation, construction, management, and related
548 financing, of basic systems, facilities, services and

549 infrastructure projects for the mixed-use new town academic
550 community.

551 (f) That, it is in the public interest that this limited,
552 independent, specialized, and single-purpose District have
553 perpetual existence subject only to legislative review as
554 provided in its charter as created by this Act so that it is not
555 in a position to outlive its usefulness.

556 (g) That the exercise by this Ave Maria Stewardship
557 Community District of its powers to carry out its single purpose
558 under its charter as created by this Act is consistent with
559 applicable due process, disclosure, accountability, ethics,
560 conflicts of laws, government in the sunshine, competitive
561 procurement, including the employees of consultants, competitive
562 negotiation, and competitive bidding, both as to the government
563 entity itself and as to its appointed or elected officials as
564 required in this Act.

565 (5) Purpose.--The limited, single, and specialized purpose
566 of the Ave Maria Stewardship Community District is to provide
567 community development systems, facilities, services, projects,
568 improvements, and infrastructure to the Ave Maria community by
569 exercising its various management powers, with related financing
570 powers, both general and special, as set forth by and limited by
571 its charter as created by this Act.

572 (6) Definitions.--As used in this Act:

573 (a) "Ad valorem bonds" means bonds which are payable from
574 the proceeds of ad valorem taxes levied on real and tangible
575 personal property and which are generally referred to as general
576 obligation bonds.

577 (b) "Assessable improvements" means, without limitation,
 578 any and all public improvements and community facilities that
 579 the District is empowered to provide in accordance with this
 580 Act, that provide a special benefit to property within the
 581 District.

582 (c) "Assessment bonds" means special obligations of the
 583 District which are payable solely from proceeds of the special
 584 assessments or benefit special assessments levied for assessable
 585 improvements, provided that, in lieu of issuing assessment bonds
 586 to fund the costs of assessable improvements, the District may
 587 issue revenue bonds for such purposes payable from special
 588 assessments.

589 (d) "Assessments" means those nonmillage District
 590 assessments which include special assessments, benefit special
 591 assessments, and maintenance special assessments and a
 592 nonmillage, non-ad valorem maintenance tax if authorized by
 593 general law.

594 (e) "Ave Maria Stewardship Community District" means the
 595 unit of special and single purpose local government created and
 596 chartered by this Act, including the creation of its charter,
 597 and limited to the performance, in implementing its single
 598 purpose, of those general and special powers authorized by its
 599 charter under this Act, the boundaries of which are set forth by
 600 the Act, the governing head of which is created and authorized
 601 to operate with legal existence by this Act, and the purpose of
 602 which is as set forth in this Act.

603 (f) "Benefit special assessments" are District assessments
 604 imposed, levied, and collected pursuant to the provisions of
 605 section 4(14)(b).

606 (g) "Board of Supervisors" or "board" means the governing
 607 board of the District or, if such board has been abolished, the
 608 board, body, or commission assuming the principal functions
 609 thereof or to whom the powers given to the board by this Act
 610 have been given by law.

611 (h) "Bond" includes "certificate," and the provisions that
 612 are applicable to bonds are equally applicable to certificates.
 613 The term "bond" includes any general obligation bond, assessment
 614 bond, refunding bond, revenue bond, and other such obligation in
 615 the nature of a bond as is provided for in this Act.

616 (i) "Developed urban area" means any reasonably compact
 617 urban area.

618 (j) "Cost" or "costs," when used with reference to any
 619 project, includes, but is not limited to:

620 1. The expenses of determining the feasibility or
 621 practicability of acquisition, construction, or reconstruction.

622 2. The cost of surveys, estimates, plans, and
 623 specifications.

624 3. The cost of improvements.

625 4. Engineering, fiscal, and legal expenses and charges.

626 5. The cost of all labor, materials, machinery, and
 627 equipment.

628 6. The cost of all lands, properties, rights, easements,
 629 and franchises acquired.

630 7. Financing charges.

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

632 9. Working capital.

633 10. Interest charges incurred or estimated to be incurred
 634 on money borrowed prior to and during construction and
 635 acquisition and for such reasonable period of time after
 636 completion of construction or acquisition as the board may
 637 determine.

638 11. The cost of issuance of bonds pursuant to this Act,
 639 including advertisements and printing.

640 12. The cost of any bond or tax referendum held pursuant
 641 to this Act and all other expenses of issuance of bonds.

642 13. The discount, if any, on the sale or exchange of
 643 bonds.

644 14. Administrative expenses.

645 15. Such other expenses as may be necessary or incidental
 646 to the acquisition, construction, or reconstruction of any
 647 project, or to the financing thereof, or to the development of
 648 any lands within the District.

649 16. Payments, contributions, dedications, and any other
 650 exactions required as a condition of receiving any government
 651 approval or permit necessary to accomplish any District purpose.

652 (k) "District" means the Ave Maria Stewardship Community
 653 District.

654 (l) "District manager" means the manager of the District.

655 (m) "District roads" means highways, streets, roads,
 656 alleys, sidewalks, landscaping, storm drains, bridges, and
 657 thoroughfares of all kinds.

658 (n) "General obligation bonds" means bonds which are
 659 secured by, or provide for their payment by, the pledge of the
 660 full faith and credit and taxing power of the District, in
 661 addition to those special taxes levied for their discharge and
 662 such other sources as may be provided for their payment or
 663 pledged as security under the resolution authorizing their
 664 issuance, and for payment of which recourse may be had against
 665 the general fund of the District.

666 (o) "Governing board member" means any member of the Board
 667 of Supervisors.

668 (p) "Land development regulations" means those regulations
 669 of general purpose local government, adopted under the Florida
 670 Local Government Comprehensive Planning and Land Development
 671 Regulations Act, Florida's Growth Management Act, and chapter
 672 163, Florida Statutes, as amended from time to time, to which
 673 the District is subject and as to which the District may not
 674 doing anything that is inconsistent. Land development
 675 regulations shall not mean specific management engineering,
 676 planning, and other criteria and standards needed in the daily
 677 management, implementation, and provision by the District of
 678 basic systems, facilities, services, works, improvements,
 679 projects, or infrastructure, including design criteria and
 680 standards, so long as they remain subject to and are not
 681 inconsistent with the Collier County Growth Management Plan and
 682 applicable land development regulations.

683 (q) "Landowner" means the owner of a freehold estate as it
 684 appears on the deed record, including a trustee, a private
 685 corporation, and an owner of a condominium unit. Landowner does

686 not include a reversioner, remainderman, mortgagee, or any
 687 governmental entity who shall not be counted and need not be
 688 notified of proceedings under this Act. Landowner also means the
 689 owner of a ground lease from a governmental entity, which
 690 leasehold interest has a remaining term, excluding all renewal
 691 options, in excess of 50 years.

692 (r) "General-purpose local government" means a county,
 693 municipality, or consolidated city-county government.

694 (s) "Maintenance special assessments" are assessments
 695 imposed, levied, and collected pursuant to the provisions of
 696 section 4(14)(d).

697 (t) "Non-ad valorem assessment" means an assessment levied
 698 and imposed by the Board of Supervisors of the Ave Maria
 699 Stewardship Community District that are not based upon millage
 700 and that constitutes, pursuant to the provisions of this Act,
 701 first lien imposed on the property subject thereto, coequal with
 702 any lien imposed by the state, county, municipality, or school
 703 board:

704 1. If, pursuant to general law, nonmillage and non-ad
 705 valorem taxes, limited expressly and only to certain maintenance
 706 taxes provided for expressly in the District charter as created
 707 by this Act that are not ad valorem taxes and are not special
 708 assessments.

709 2. If an assessment that is not a tax and is a special
 710 assessment levied and imposed by the Board of Supervisors of the
 711 District pursuant to an informed and nonarbitrary determination
 712 by the Board of Supervisors that the system, facility, or
 713 service will provide, as a logical connection to the applicable

714 parcels of property, a special benefit peculiar to the property,
715 different in kind and degree than a general benefit and,
716 further, that the duty to pay per parcel will be apportioned in
717 a manner that is fair and reasonable, and that may be known as
718 an assessment, special assessment, maintenance assessment, or
719 benefit assessment. The levy of a maintenance assessment to
720 maintain a system or facility constructed and financed a by
721 special assessment levied by the District may be based on the
722 assessment methodology by which a construction special
723 assessment is levied but upon a determination that a maintenance
724 special assessment also provides a special and peculiar benefit
725 to the property and is apportioned in a manner that is fair and
726 reasonable.

727 3. If an assessment is levied, imposed, or equalized by
728 the Board of Supervisors by rule of the District.

729 (u) "Powers" means powers used and exercised by the Board
730 of Supervisors to accomplish the single, limited, and special
731 purpose of the District including:

732 1. "General powers" means those organizational and
733 administrative powers of the District as provided in its charter
734 in order to carry out its single special purpose as a local
735 government public corporate body politic.

736 2. "Special powers" means those powers enumerated by the
737 District charter to implement its specialized systems,
738 facilities, services, projects, improvements, and infrastructure
739 and related functions in order to carry out its single
740 specialized purpose.

741 3. Any other powers, authority, or function set forth in
742 this Act.

743 (v) "Project" means any development, improvement,
744 property, power, utility, facility, enterprise, service, system,
745 works, or infrastructure now existing or hereafter undertaken or
746 established under the provisions of this Act.

747 (w) "Qualified elector" means any person at least 18 years
748 of age who is a citizen of the United States, a legal resident
749 of Florida and of the District and who registers to vote with
750 the Supervisor of Elections in Collier County.

751 (x) "Refunding bonds" means bonds issued to refinance
752 outstanding bonds of any type and the interest and redemption
753 premium thereon. Refunding bonds shall be issuable and payable
754 in the same manner as refinanced bonds, except that no approval
755 by the electorate shall be required unless required by the State
756 Constitution.

757 (y) "Revenue bonds" means obligations of the District that
758 are payable from revenues, including, but not limited to,
759 special assessments and benefit special assessments derived from
760 sources other than ad valorem taxes on real or tangible personal
761 property and that do not pledge the property, credit, or general
762 tax revenue of the District.

763 (z) "Sewer system" means any plant, system, facility, or
764 property, and additions, extensions, and improvements thereto at
765 any future time constructed or acquired as part thereof, useful
766 or necessary or having the present capacity for future use in
767 connection with the collection, treatment, purification, or
768 disposal of sewage, including, but not limited to, industrial

769 wastes resulting from any process of industry, manufacture,
 770 trade, or business or from the development of any natural
 771 resource. Sewer system also includes treatment plants, pumping
 772 stations, lift stations, valves, force mains, intercepting
 773 sewers, laterals, pressure lines, mains, and all necessary
 774 appurtenances and equipment; all sewer mains, laterals, and
 775 other devices for the reception and collection of sewage from
 776 premises connected therewith; and all real and personal property
 777 and any interest therein, rights, easements, and franchises of
 778 any nature relating to any such system and necessary or
 779 convenient for operation thereof.

780 (aa) "Special assessments" shall mean assessments as
 781 imposed, levied, and collected by the District for the costs of
 782 assessable improvements pursuant to the provisions of this Act,
 783 chapter 170, Florida Statutes, as amended from time to time, and
 784 the additional authority under section 197.3631, Florida
 785 Statutes, as amended from time to time, or other provisions of
 786 general law, now or hereinafter enacted, which provide or
 787 authorize a supplemental means to impose, levy, and collect
 788 special assessments.

789 (bb) "Taxes" or "tax" means those levies and impositions
 790 of the Board of Supervisors that support and pay for government
 791 and the administration of law and that may be:

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

795 2. If and when authorized by general law, non-ad valorem
 796 maintenance taxes not based on millage that are used to maintain
 797 District systems, facilities, and services.

798 (cc) "Urban area" means a developed and inhabited urban
 799 area within the District within a minimum acreage resident
 800 population density of least 1.5 persons per acre as defined by
 801 the latest official census, special census, or population
 802 estimate, a minimum density of one single-family home per 2.5
 803 acres with access to improved roads, or a minimum density of one
 804 single-family home per 5 acres within a recorded plat
 805 subdivision. Urban areas shall be designated by the Board of
 806 Supervisors with the assistance of all general purpose local
 807 governments having jurisdiction over the area within the
 808 jurisdiction of the District.

809 (dd) "Water system" means any plant, system, facility, or
 810 property, and any addition, extension, or improvement thereto at
 811 any future time constructed or acquired as a part thereof,
 812 useful, necessary, or having the present capacity for future use
 813 in connection with the development of sources, treatment,
 814 purification, or distribution of water. Water system also
 815 includes dams, reservoirs, storage tanks, mains, lines, valves,
 816 pumping stations, laterals, and pipes for the purpose of
 817 carrying water to the premises connected with such system, and
 818 all rights, easements, and franchises of any nature relating to
 819 any such system and necessary or convenient for the operation
 820 thereof.

821 (7) Policy.--Based upon its findings, ascertainments,
 822 determinations, intent, purpose, and definitions, the
 823 Legislature states its policy expressly:

824 (a) The District and the District charter, with its
 825 general and special powers, as created in this Act, are
 826 essential and the best alternative for the unique location and
 827 nature of the new community for academic, residential,
 828 commercial, and other community uses, projects, or functions in
 829 the Rural Lands Stewardship Area Overlay of eastern Collier
 830 County consistent with and designed to enhance the Stewardship
 831 Overlay Program and to serve a lawful public purpose.

832 (b) The District which is a local government and a
 833 corporate body politic is limited to its single, narrow, and
 834 special purpose as expressed in this Act, with the power to
 835 provide, plan, implement, construct, maintain, and finance as a
 836 local government management entity its basic systems,
 837 facilities, services, improvements, infrastructure, and projects
 838 and possessing financing powers to fund its management power
 839 over the long term and with sustained levels of high quality
 840 commensurate with the Stewardship Overlay.

841 (c) This Act may be amended only by special act of the
 842 Legislature in whole or in part.

843 Section 3. Minimum general law requirements; creation and
 844 establishment; boundaries; jurisdiction; construction; charter
 845 with legal description.--

846 (1) Pursuant to section 189.404(3), Florida Statutes, the
 847 Legislature sets forth that the minimum requirements in

848 paragraphs (a) through (o) have been met in the identified
 849 provisions of this Act as follows:

850 (a) The purpose of the District is stated in the Act in
 851 section 2, subsection (5).

852 (b) The powers, functions, and duties of the District are
 853 generally in section 4, subsection (3) paragraphs (g) and (h)
 854 and subsections (5)-(16), (18), (19), (21), (25), and (32) as to
 855 which:

856 1. Taxation provisions are set forth in section 2,
 857 subsection (6), paragraph (bb); section 4, subsection (3),
 858 paragraph (h), subsection (14), paragraphs (a), (c), (f), (g)
 859 and (i), and subsections (17), (18), and (19).

860 2. Bond issuance provisions are set forth generally in
 861 section 2; section 4, subsection (8), paragraph (d), subsections
 862 (10)-(13), and subsection (16), paragraphs (b) and (c).

863 3. Provisions regarding the other revenue raising
 864 capabilities are set forth in section 2, subsection (6),
 865 paragraphs (b), (d), (s), (t), and (aa); section 4, subsection
 866 (10) and (11), subsection (14), paragraphs (b), (d), (e), (h),
 867 (i), and (j), and subsections (15) and (16).

868 4. Provisions regarding fees, rentals, and charges are in
 869 section 2, subsection (6); and section 4, subsection (8),
 870 paragraph (i) and subsections (22)-(25).

871 5. Provisions regarding budget preparation and approval
 872 are in section 4, subsections (5), (6), and (9).

873 6. Provisions regarding liens and foreclosures of liens
 874 are in section 4, subsection (14), paragraphs (f), (g), (h), and
 875 (i), and subsections (15), (17), (18), and (19).

876 7. Provisions regarding the use of tax deeds and tax
877 certificates as appropriate for non-ad valorem assessments are
878 set forth in section 4, subsection (8), paragraph (o),
879 subsection (14), paragraphs (b), (c), (d), (e), (f), (h), and
880 (i), and subsection (15).

881 8. Provisions regarding contractual agreements are in
882 section 4, subsection (8), paragraphs (c), (l), (p), and (r),
883 and subsection (9), paragraphs (k), (o), (p), (s), (t), (v), and
884 (w).

885 (c) The provisions for methods for establishing the
886 District are in section 2, subsection (2), paragraph (b);
887 section 3; and effective as provided in section 6.

888 (d) The methods for amending the charter of the District
889 are set forth in section 2, subsection (7), paragraph (c);
890 section 3, subsection (4); and section 4, subsection (28).

891 (e) The provisions regarding aspects of the governing
892 board are as follows:

893 1. Provisions for the membership of the governing board
894 are in section 4, subsection (3), paragraph (b) and subsection
895 (4), paragraph (c).

896 2. Provisions regarding the organization of the governing
897 board are in section 4, subsection (3), paragraphs (b)-(d) and
898 subsection (4), paragraph (c).

899 3. Provisions regarding the requirement of five board
900 members are in section 4, subsection (3), paragraph (b), and
901 subsection (4), paragraph (c), subparagraph 1.

902 4. The provisions regarding the quorum of the governing
903 board are in section 4, subsection (3), paragraph (b), and

904 subsection (4) paragraph (c), subparagraph 1, sub-subparagraph
 905 e.

906 (f) The provisions regarding maximum compensation of each
 907 board member are in section 4, subsection (4), paragraph (c),
 908 and in particular in subparagraph 1., sub-subparagraph h.;
 909 section 4, subsection (4), paragraph (c), subparagraph 1., sub-
 910 subparagraph h.

911 (g) The provisions regarding the administrative duties of
 912 the governing board are found in section 4, subsections (5)-(8).

913 (h) The provisions applicable to financial disclosure,
 914 noticing, and reporting requirements for:

915 1. Financial disclosure are in section 4, subsections (6)
 916 and (7).

917 2. The provisions regarding voting are found in section 4,
 918 subsections (3) and (4).

919 3. Reporting requirements are in section 4, subsections
 920 (5)-(7) and subsection (31).

921 (i) The provisions regarding procedures and requirements
 922 for issuing bonds are:

923 1. For issuing bonds are in section 4, subsection (12),
 924 particularly in paragraphs (a), (b), (i), (k), and (l), and
 925 related provisions regarding trust agreements are in subsection
 926 (13).

927 2. For issuing bonds are in section 4, subsection (12),
 928 particularly in paragraphs (c)-(q) and subsection (13).

929 (j) The provisions regarding elections or referenda are:

930 1. For procedures for elections are in section 4,
 931 subsections (3) and (4), and provisions regarding referenda are
 932 in subsection (14), paragraph (a).

933 2. For qualifications of an elector of the District, a
 934 qualified elector, are in section 2, subsection (6), paragraph
 935 (w); and section 4, subsection (3), paragraphs (b) and (c).

936 3. For referenda are in section 4, subsection (4),
 937 paragraph (b).

938 (k) The provisions regarding methods for financing the
 939 District are generally in section 4, subsections (10), (11),
 940 (14), (15), (16), (17), (18), and (19).

941 (l) Other than taxes levied for the payment of bonds and
 942 taxes levied for periods not longer than 2 years when authorized
 943 by vote of the electors of the District, the provisions for:

944 1. The authority to levy ad valorem tax is in section 4,
 945 subsection (14), paragraph (a) and subsection (3), paragraph
 946 (h); and section 2, subsection (6) paragraph (bb) subparagraph
 947 1.

948 2. The authorized millage rate is in section 4, subsection
 949 (14), paragraph (a).

950 (m) The provisions for the method or methods of collecting
 951 non-ad valorem assessments, fees, or service charges are:

952 1. For collecting non-ad valorem assessments in section 4,
 953 subsection (14), paragraphs (b), (c), (d), (e), (h), and (i) and
 954 subsection (15).

955 2. For collecting fees and service charges in section 4,
 956 subsection (22).

957 (n) The provisions for planning requirements are as
 958 limited by the provisions of section 2 and section 3, as limited
 959 further by section 4, subsections (8) and (9).

960 (o) The provisions for geographic boundary limitations of
 961 the District are set forth in section 3, subsection (2)-(4); and
 962 section 4, subsection (2).

963 (2) Creation and establishment.--The Ave Maria Stewardship
 964 Community District, which may also be referred to and be known
 965 as the "Stewardship Community District," "Ave Maria District,"
 966 or "District" is created and incorporated as a public body,
 967 corporate and politic, an independent, limited, special, and
 968 single purpose local government, an independent special
 969 district, under section 189.404, Florida Statutes, as amended
 970 from time to time, and as defined in this Act and in section
 971 189.403(3), Florida Statutes, as amended from time to time, in
 972 and for eastern Collier County. Any amendments to chapter 190,
 973 Florida Statutes, after January 1, 2004, granting additional
 974 general powers, special powers, authorities, or projects to a
 975 community development district by amendment to its uniform
 976 charter, sections 190.006-190.041, Florida Statutes, shall
 977 constitute a general power, special power, authority, or
 978 function of the Ave Maria Stewardship Community District.
 979 Because all notices for the enactment by the Legislature of this
 980 Act, a special act, have been provided pursuant to the State
 981 Constitution, the Laws of Florida, and the Rules of the Florida
 982 House of Representatives and of the Florida Senate, and because
 983 Collier County is not a charter county, no referendum subsequent
 984 to the effective date of this Act is required. The District, as

985 created by this Act, is established on the property pursuant to
 986 section 6 and section 4(3).

987 (3) The territorial boundary of the District shall embrace
 988 and include, without reservation or enclave, all of that certain
 989 real property described legally in the following section 4(2).

990 (4) The jurisdiction of this District, in the exercise of
 991 its general and special powers, and in the carrying out of its
 992 single, narrow, and special purpose, is both within the external
 993 boundaries of the legal description of this District and
 994 extraterritorially when limited to, and as authorized expressly
 995 elsewhere in, the charter of the District as created in this Act
 996 or applicable general law. This single purpose District is
 997 created as a public body corporate and politic and local
 998 government authority and power is limited by its charter, this
 999 Act, and subject to the provisions of other general laws,
 1000 including chapter 189, Florida Statutes, except that an
 1001 inconsistent provision in this Act shall control and the
 1002 District has jurisdiction to perform such acts and exercise such
 1003 projects, functions, and powers as shall be necessary,
 1004 convenient, incidental, proper, or reasonable for the
 1005 implementation of its limited, single, and specialized purpose
 1006 regarding the sound planning, provision, acquisition,
 1007 development, operation, maintenance, and related financing of
 1008 those public systems, facilities, services, improvements,
 1009 projects, and infrastructure works as authorized herein
 1010 including those necessary and incidental thereto.

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1011 (5) Exclusive charter.--The exclusive charter of the "Ave
 1012 Maria Stewardship Community District" is this Act and may be
 1013 amended only by special act of the Legislature.

1014 Section 4. Disposition of sections 2 and 3; legal
 1015 description; exclusive charter of the Ave Maria Stewardship
 1016 Community District.--

1017 (1) EXCLUSIVE CHARTER.--This Act constitutes the exclusive
 1018 charter of the Ave Maria Stewardship Community District.

1019 (2) LEGAL DESCRIPTION. The metes and bounds legal
 1020 description of the District, within which there are no enclaves
 1021 or parcels of property owned by those who do not wish their
 1022 property to be included within the District, is as follows:

1023

1024 METES AND BOUNDS DESCRIPTION
 1025 DESCRIPTION OF PART OF SECTIONS 21, 22, 27, 28, 29,
 1026 30, AND 33
 1027 AND ALL OF SECTIONS 31 AND 32, TOWNSHIP 47 SOUTH,
 1028 RANGE 29 EAST,
 1029 AND
 1030 PART OF SECTIONS 4, 9, 16, 17, AND 18
 1031 AND ALL OF SECTIONS 5, 6, 7, AND 8, TOWNSHIP 48 SOUTH,
 1032 RANGE 29 EAST,
 1033 AND
 1034 PART OF SECTIONS 1, 12 AND 13, TOWNSHIP 48 SOUTH,
 1035 RANGE 28 EAST,
 1036 AND
 1037 ALL OF SECTION 36, TOWNSHIP 47 SOUTH, RANGE 28 EAST,
 1038 COLLIER COUNTY, FLORIDA

1039
 1040 COMMENCING AT the NORTHWEST CORNER OF SECTION 27,
 1041 TOWNSHIP 47 SOUTH, RANGE
 1042 29 EAST, COLLIER COUNTY, FLORIDA.
 1043 THENCE ALONG THE NORTH LINE OF SAID SECTION 27 NORTH
 1044 89°42'22" EAST 40.00 FEET TO THE INTERSECTION WITH THE
 1045 WEST RIGHT-OF-WAY LINE OF CAMP KEIAS ROAD (80' RIGHT-
 1046 OF-WAY) AND THE POINT OF BEGINNING OF THE PARCEL
 1047 HEREIN DESCRIBED:
 1048 THENCE ALONG SAID RIGHT-OF-WAY LINE IN THE FOLLOWING
 1049 TWENTY FOUR (24) DESCRIBED COURSES;
 1050 1) SOUTH 00°15'32" EAST 4936.39 FEET;
 1051 2) 395.35 FEET ALONG THE ARC OF A NON-TANGENTIAL
 1052 CIRCULAR CURVE CONCAVE WEST HAVING A RADIUS OF
 1053 3,707.51 FEET THROUGH A CENTRAL ANGLE OF 06°05'35" AND
 1054 BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 02°47'23"
 1055 WEST 395.17 FEET;
 1056 3) SOUTH 05°50'40" WEST 101.17 FEET;
 1057 4) THENCE SOUTH 89°37'49" WEST 7.63 FEET;
 1058 5) SOUTH 00°14'32" EAST 73.58 FEET;
 1059 6) SOUTH 05°51'27" WEST 224.83 FEET;
 1060 7) 403.87 FEET ALONG THE ARC OF A NON-TANGENTIAL
 1061 CIRCULAR CURVE CONCAVE
 1062 EAST HAVING A RADIUS OF 3,798.14 FEET THROUGH A
 1063 CENTRAL ANGLE OF 06°05'33" AND BEING SUBTENDED BY A
 1064 CHORD WHICH BEARS SOUTH 02°45'21" WEST 403.68 FEET;
 1065 8) SOUTH 00°14'33" EAST 1,907.96 FEET;
 1066 9) SOUTH 00°22'10" EAST 2,609.43 FEET;

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1067 10) SOUTH 00°30'10" EAST 2,673.59 FEET;
 1068 11) SOUTH 00°35'31" EAST 2,684.14 FEET;
 1069 12) SOUTH 00°38'11" EAST 2,610.47 FEET;
 1070 13) SOUTH 00°30'34" EAST 200.03 FEET;
 1071 14) 202.91 FEET ALONG THE ARC OF A CIRCULAR
 1072 CURVE CONCAVE EAST HAVING A RADIUS OF 2,702.95 FEET
 1073 THROUGH CENTRAL ANGLE OF 04°18'04" AND
 1074 BEING SUBTENDED BY A CHORD WHICH BEARS SOUTH 02°39'36"
 1075 EAST 202.86 FEET;
 1076 15) SOUTH 04°48'38" EAST 400.00 FEET;
 1077 16) SOUTH 05°08'04" EAST 95.99 FEET;
 1078 17) SOUTH 00°29'16" EAST 101.03 FEET;
 1079 18) CONTINUE ALONG SAID LINE SOUTH 00°29'16"
 1080 EAST 1,609.23 FEET;
 1081 19) SOUTH 00°59'03" EAST 2,660.06 FEET;
 1082 20) SOUTH 00°56'00" EAST 2,246.44 FEET;
 1083 21) 104.19 FEET ALONG THE ARC OF A NON-
 1084 TANGENTIAL CIRCULAR
 1085 CURVE CONCAVE WEST HAVING A RADIUS OF 461.33 FEET
 1086 THROUGH A CENTRAL ANGLE OF
 1087 12°56'25" AND BEING SUBTENDED BY A CHORD WHICH BEARS
 1088 SOUTH 05°33'57" WEST
 1089 103.97 FEET;
 1090 22) SOUTH 12°02'43" WEST 100.00 FEET;
 1091 23) 122.31 FEET ALONG THE ARC OF A CIRCULAR
 1092 CURVE CONCAVE EAST
 1093 HAVING A RADIUS OF 540.00 FEET THROUGH CENTRAL ANGLE
 1094 OF 12°58'40" AND BEING

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1095 | SUBTENDED BY A CHORD WHICH BEARS SOUTH 05°33'23" WEST
 1096 | 122.05 FEET;
 1097 | 24) SOUTH 00°55'58" EAST 49.54 FEET TO THE NORTH
 1098 | RIGHT OF WAY
 1099 | LINE OF OIL WELL ROAD (100' RIGHT OF WAY)
 1100 | THENCE ALONG SAID NORTH RIGHT OF WAY IN THE FOLLOWING
 1101 | EIGHT (8) DESCRIBED
 1102 | COURSES;
 1103 | 1) SOUTH 88°57'46" WEST 2,595.92 FEET;
 1104 | 2) SOUTH 88°54'34" WEST 2,641.05 FEET;
 1105 | 3) SOUTH 88°57'06" WEST 2,570.04 FEET;
 1106 | 4) SOUTH 88°55'37" WEST 2,702.71 FEET;
 1107 | 5) SOUTH 88°56'50" WEST 2,645.03 FEET;
 1108 | 6) SOUTH 88°56'28" WEST 2,639.06 FEET;
 1109 | 7) SOUTH 89°44'55" WEST 2,676.56 FEET;
 1110 | 8) SOUTH 89°44'33" WEST 0.82 FEET TO THE WEST
 1111 | LINE OF THOSE
 1112 | LANDS DESCRIBED IN O.R. BOOK 2493, PAGE 2779-2796;
 1113 | THENCE ALONG SAID LINE NORTH 01°11'28" WEST 2,637.90
 1114 | FEET TO THE NORTH LINE
 1115 | OF THOSE LANDS DESCRIBED IN O.R. BOOK 2493, PAGE 2779-
 1116 | 2796;
 1117 | THENCE ALONG SAID LINE NORTH 89°32'26" EAST 1,332.28
 1118 | FEET TO A NORTHWEST
 1119 | CORNER OF THOSE LANDS DESCRIBED IN O.R. BOOK 2009 PAGE
 1120 | 1554-1558;
 1121 | THENCE ALONG THE NORTH LINE OF SAID LANDS NORTH
 1122 | 89°32'26" EAST 360.40 FEET

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1123 | TO THE INTERSECTION WITH THE WEST LINE OF THOSE LANDS
 1124 | DESCRIBED IN O.R. BOOK
 1125 | 2943 PAGE 2779-2796;
 1126 | THENCE ALONG THE WEST LINE OF SAID LANDS NORTH
 1127 | 01°11'02" WEST 2,688.15 FEET
 1128 | TO THE INTERSECTION WITH SOUTH LINE OF SECTION 12,
 1129 | TOWNSHIP 48 SOUTH, RANGE
 1130 | 28 EAST,
 1131 | THENCE ALONG SAID LINE SOUTH 89°24'56" WEST 151.63
 1132 | FEET TO THE INTERSECTION
 1133 | WITH THE WEST LINE OF THOSE LANDS DESCRIBED IN O.R.
 1134 | BOOK 2493 PAGE 2779-2796;
 1135 | THENCE ALONG THE WEST LINE OF SAID LANDS NORTH
 1136 | 00°44'30" WEST 5,387.66 FEET
 1137 | TO THE INTERSECTION WITH THE NORTH LINE OF SAID
 1138 | SECTION 12;
 1139 | THENCE ALONG SAID NORTH LINE NORTH 89°00'09" EAST
 1140 | 23.81 FEET TO INTERSECTION
 1141 | WITH THE WEST LINE OF THOSE LANDS DESCRIBED IN O.R.
 1142 | BOOK 2493 PAGES
 1143 | 2779-2796;
 1144 | THENCE ALONG THE WEST LINE OF SAID LANDS NORTH
 1145 | 00°43'12" WEST 5,312.87 FEET
 1146 | TO THE SOUTH LINE OF SECTION 36, TOWNSHIP 47 SOUTH,
 1147 | RANGE 28 EAST;
 1148 | THENCE ALONG SAID SOUTH LINE SOUTH 89°28'47" WEST
 1149 | 1,591.63 FEET;

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1150 | THENCE CONTINUE ALONG SAID SOUTH LINE SOUTH 89°28'47"
 1151 | WEST 2,658.12 FEET TO THE SOUTH WEST CORNER OF SAID
 1152 | SECTION 36;
 1153 | THENCE ALONG THE WEST LINE OF SAID SECTION 36 NORTH
 1154 | 00°12'02" WEST 2,594.56 FEET;
 1155 | THENCE CONTINUE ALONG THE WEST LINE OF SAID SECTION 36
 1156 | NORTH 00°13'09" EAST
 1157 | 2,595.59 FEET TO THE NORTHWEST CORNER OF SAID SECTION
 1158 | 36;
 1159 | THENCE ALONG THE NORTH LINE OF SAID SECTION 36 NORTH
 1160 | 89°57'18" EAST 2,678.23
 1161 | FEET;
 1162 | THENCE CONTINUE ALONG THE NORTH LINE OF SAID SECTION
 1163 | NORTH 89°57'18" EAST
 1164 | 2,678.23 FEET TO THE NORTH EAST CORNER OF SAID SECTION
 1165 | 36;
 1166 | THENCE ALONG THE WEST LINE OF SECTION 30, TOWNSHIP 47
 1167 | SOUTH, RANGE 29 EAST,
 1168 | NORTH 00°13'04" WEST 2,580.06 FEET;
 1169 | THENCE CONTINUE ALONG SAID WEST LINE OF SAID SECTION
 1170 | 30 NORTH 00°10'45" WEST
 1171 | 2,527.41 FEET TO THE SOUTH RIGHT OF WAY LINE OF
 1172 | IMMOKALEE ROAD (100' RIGHT
 1173 | OF WAY)
 1174 | THENCE ALONG SAID RIGHT OF WAY LINE FOR THE FOLLOWING
 1175 | NINE (9) DESCRIBED
 1176 | COURSES;
 1177 | 1) SOUTH 89°43'35" EAST 0.74 FEET;

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1178 2) NORTH 87°40'12" EAST 2,582.06 FEET;
 1179 3) NORTH 87°38'44" EAST 2,630.49 FEET;
 1180 4) NORTH 87°41'38" EAST 2,640.92 FEET;
 1181 5) NORTH 87°46'05" EAST 2,645.58 FEET;
 1182 6) NORTH 89°37'45" EAST 2,687.06 FEET;
 1183 7) NORTH 89°39'06" EAST 780.08 FEET;
 1184 8) 3,074.23 FEET ALONG THE ARC OF A NON-
 1185 TANGENTIAL CIRCULAR CURVE CONCAVE NORTHWEST HAVING A
 1186 RADIUS OF 1,960.26 FEET THROUGH A CENTRAL ANGLE OF
 1187 89°51'20" AND BEING SUBTENDED BY A CHORD WHICH BEARS
 1188 NORTH 44°42'37" EAST 2,768.73 FEET;
 1189 9) NORTH 00°27'14" WEST 663.14 FEET TO THE
 1190 INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID
 1191 CAMP KEIAS ROAD;
 1192 THENCE ALONG SAID RIGHT-OF-WAY LINE IN THE FOLLOWING
 1193 SEVEN (7) DESCRIBED COURSES:
 1194 1) SOUTH 89°56'24" EAST 266.14 FEET;
 1195 2) 722.56 FEET ALONG THE ARC OF A NON-
 1196 TANGENTIAL CIRCULAR CURVE CONCAVE SOUTHWEST HAVING A
 1197 RADIUS OF 460.00 FEET THROUGH A CENTRAL ANGLE OF
 1198 89°59'58" AND BEING SUBTENDED BY A CHORD WHICH BEARS
 1199 SOUTH 44°56'23" EAST 650.54 FEET;
 1200 3) SOUTH 00°03'36" WEST 600.00 FEET;
 1201 4) 529.01 FEET ALONG THE ARC OF A CIRCULAR CURVE
 1202 CONCAVE WEST HAVING A RADIUS OF 760.00 FEET THROUGH
 1203 CENTRAL ANGLE OF 39°52'53" AND BEING SUBTENDED
 1204 by a chord which bears South 20°00'02" West 518.39
 1205 feet;

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1206 5) SOUTH 39°56'29" WEST 543.45 FEET;
 1207 6) 589.90 FEET ALONG THE ARC OF A CIRCULAR CURVE
 1208 CONCAVE EAST HAVING A RADIUS OF 840.00 FEET THROUGH
 1209 CENTRAL ANGLE OF 40°14'11" AND BEING SUBTENDED
 1210 BY A CHORD WHICH BEARS SOUTH 19°49'24" WEST 577.85
 1211 feet;
 1212 7) South 00°17'42" East 60.83 feet TO THE POINT
 1213 OF BEGINNING.
 1214
 1215 CONTAINING 10805.08 ACRES, MORE OR LESS.
 1216 SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
 1217 BEARINGS ARE BASED ON THE WEST HALF OF THE SOUTH LINE
 1218 OF SECTION 16,
 1219 TOWNSHIP 48 SOUTH, RANGE 29 EAST, COLLIER COUNTY,
 1220 FLORIDA BEING SOUTH
 1221 88°54'34" WEST.
 1222
 1223 (3) BOARD OF SUPERVISORS; MEMBERS AND MEETINGS;
 1224 ORGANIZATION; POWERS; DUTIES; TERMS OF OFFICE; RELATED ELECTON
 1225 REQUIREMENTS.--
 1226 (a) The Board of Supervisors of the District shall
 1227 exercise the powers granted to the District pursuant to this Act
 1228 in order to implement its specialized single purpose.
 1229 (b) There is hereby created the Board of Supervisors of
 1230 the Stewardship Community District which shall be the governing
 1231 board and body of the District. Except as otherwise provided in
 1232 this Act, each member shall hold office for a term of 4 years
 1233 and until a successor is chosen and qualifies. There shall be

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1234 five members of the Board of Supervisors who shall, in order to
 1235 be eligible, be residents of the state and citizens of the
 1236 United States. Three members shall constitute a quorum.
 1237 (c) Within in 45 days after the effective date of this
 1238 Act, a noticed special meeting of the landowners of the Ave
 1239 Maria Stewardship Community District shall be held for the
 1240 purpose of electing the members to the first Board of
 1241 Supervisors for the District as provided in this Act. Notice of
 1242 such special meeting of the landowners shall be given by causing
 1243 publication thereof, to be made once a week for 2 consecutive
 1244 weeks prior to such meeting in a newspaper of general paid
 1245 subscription and circulation in Collier County the last day of
 1246 such publication not to be fewer than 14 or more than 28 days
 1247 before the day of the election. Such special meeting of the
 1248 landowners shall be held in a public place in Collier County and
 1249 the place, date, and hour of holding such meeting and the
 1250 purpose thereof shall be stated expressly in the notice. The
 1251 landowners when assembled shall organize by electing a Chair,
 1252 who shall preside at the meeting of the landowners, and a
 1253 Secretary, who shall record the proceedings. At such meeting,
 1254 for the election of each person to be elected, each and every
 1255 acre of land, or any fraction thereof, within the boundary of
 1256 the District shall represent one vote and each owner of that
 1257 acre or fraction thereof shall be entitled to one vote for every
 1258 such acre or fraction thereof. Persons who qualify to serve as
 1259 board members shall be nominated at the noticed meeting prior to
 1260 the initial election at the noticed meeting. A landowner may
 1261 vote in person or by proxy in writing. A landowner who sells

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1262 land to a bona fide purchaser may by written lawful instrument
1263 retain the voting rights for that acreage.

1264 (d) At the landowners meeting for the election of the
1265 members of the Board of Supervisors on a one-acre, one-vote
1266 basis, the two candidates receiving the highest number of votes
1267 shall be elected for a term expiring November 30, 2006, and the
1268 three candidates receiving the next largest number of votes
1269 shall be elected for a term expiring November 30, 2008. The
1270 members of the first board elected by the landowners shall serve
1271 their 4-year or 2-year term; however, the next election by the
1272 landowners shall be held on the first Tuesday in November.
1273 Thereafter, there shall be an election of supervisors for the
1274 District every 2 years in November on a date established by the
1275 board and noticed pursuant to paragraph (c). The two candidates
1276 receiving the highest number of votes shall be elected to serve
1277 for a 4-year period and the remaining candidates shall serve for
1278 a 2-year period.

1279 (e) The landowners present at the meeting shall constitute
1280 a quorum.

1281 (f) All vacancies or expirations on the Board of
1282 Supervisors shall be filled as provided by this Act.

1283 (g) In case of a vacancy in the office of any member of
1284 the Board of Supervisors, the remaining members of the Board of
1285 Supervisors shall by majority vote appoint a person to serve as
1286 a member of the Board of Supervisors for the unexpired portion
1287 of the term.

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1288 (h) If the board proposes to exercise its limited ad
 1289 valorem taxing power as provided in the charter, the provisions
 1290 of paragraph (14)(a) shall apply.

1291 (4) ELECTION; POPULAR ELECTIONS, REFERENDUM AND
 1292 DESIGNATION OF URBAN AREAS.--

1293 (a) Elections of the members of the board shall be
 1294 conducted on a one-acre, one-vote basis as provided in paragraph
 1295 (3)(c), until and unless the provisions of paragraph (4)(b)
 1296 apply. When and as applicable and required, the appropriate
 1297 provisions of section 189.405, Florida Statutes, as amended from
 1298 time to time, apply.

1299 (b) A referendum shall be called by the Board of
 1300 Supervisors of the District, each member elected on a one-acre,
 1301 one-vote basis, on the question of whether certain members of
 1302 the board should be elected by qualified electors, providing
 1303 each of the following conditions has been satisfied at least 60
 1304 days prior to the general or special election at which the
 1305 referendum is to be held:

1306 1. That the District has at least 500 qualified electors,
 1307 based on the most recent state population estimate.

1308 2. A petition signed by 10 percent of the qualified
 1309 electors of the District shall have been filed with the Board of
 1310 Supervisors of the District. The petition shall be submitted to
 1311 the Supervisor of Elections of Collier County who shall, within
 1312 30 days after receipt of the petition, certify to the board the
 1313 percentage of signatures of qualified electors contained on the
 1314 petition.

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1315 3. Upon verification by the Supervisor of Elections that
1316 10 percent of the qualified electors of the District have
1317 petitioned the Board of Supervisors, the next regularly
1318 scheduled election of governing board members shall occur at
1319 least 60 days after verification of the petition.

1320 4. If the qualified electors approve the election
1321 procedure described in this section, the governing board of the
1322 District shall remain five members and elections shall be held
1323 pursuant to the criteria described in this section, beginning
1324 with the next regularly scheduled election of governing board
1325 members or at a special election called within 6 months
1326 following the referendum and final unappealed approval of
1327 District urban area maps as provided in this section, whichever
1328 is earlier.

1329 5. If the qualified electors of the District disapprove
1330 the election procedure described in this section, elections of
1331 the members of the Board of Supervisors shall continue as
1332 described in this Act on a one-acre, one-vote basis. No further
1333 referendum on the question shall be held for a minimum period of
1334 2 years following the referendum.

1335 6. Within 30 days after approval of the election process
1336 described in this section by qualified electors of the District,
1337 the Board of Supervisors shall direct the District staff to
1338 prepare and to present maps of the District describing the
1339 extent and location of all urban areas within the District, such
1340 determination shall be based upon the criteria contained in the
1341 definition of urban area, in this Act.

1342 7. Within 60 days after approval of the election process
 1343 described in this subsection by qualified electors of the
 1344 District, the maps describing urban areas within the District
 1345 shall be presented to the Board of Supervisors.

1346 8. Any District landowner or elector may contest the
 1347 accuracy of the urban area maps prepared by the staff of the
 1348 District within 30 days after submission to the Board of
 1349 Supervisors. Upon notice of objection to the maps, the
 1350 governing board shall request the county engineer to prepare and
 1351 present maps of the District describing the extent and location
 1352 of all urban areas within the District. Such determination shall
 1353 be based limitedly and exclusively upon the criteria contained
 1354 in the definition in this Act of urban area. Within 30 days
 1355 after the governing board requests, the county engineer shall
 1356 present the maps to the governing board.

1357 9. Upon presentation of the maps by the county engineer,
 1358 the governing board shall compare the maps submitted by both the
 1359 District staff and the county engineer and make a determination
 1360 as to which set of maps to adopt. Within 60 days after
 1361 presentation of all such maps, the governing board may amend and
 1362 shall adopt the official maps at a regularly scheduled board
 1363 meeting.

1364 10. Any District landowner or qualified elector may
 1365 contest the accuracy of the urban area maps adopted by the board
 1366 after adoption in accordance with the provision for judicial
 1367 review as provided in Florida Administrative Procedure Act.
 1368 Accuracy shall be determined pursuant to the definition of urban
 1369 area as contained in this Act.

1370 11. Upon adoption by the Board of Supervisors or
 1371 certification by the court, the District urban area maps shall
 1372 serve as the official maps for determination of the extent of
 1373 the urban area within the District and the number of members of
 1374 the Board of Supervisors to be elected by qualified electors and
 1375 by the one-acre, one-vote principle at the next regularly
 1376 scheduled election of governing board members.

1377 12. Upon a determination of the percentage of urban area
 1378 within the District as compared with total area within the
 1379 District, the governing board shall determine the number of
 1380 electors in accordance with the percentages pursuant to this
 1381 paragraph. The landowners' meeting date shall be designated by
 1382 the Board of Supervisors.

1383 13. The map shall be updated and readopted every 5 years
 1384 or sooner at the discretion of the Board of Supervisors.

1385 (c) Governing board.--

1386 1. The composition of the governing board shall be as
 1387 follows:

1388 a. The five members of the governing board of the District
 1389 shall be elected in accordance with the following determinations
 1390 of urban area:

1391 (I) If urban areas constitute 25 percent or less of the
 1392 District, one governing board member shall be elected by the
 1393 qualified electors and four governing board members shall be
 1394 elected in accordance with the one-acre, one-vote principle
 1395 contained in subsection (3) or the district's enabling
 1396 legislation.

1397 (II) If urban areas constitute more than 25 percent but
 1398 less than 50 percent of the District, two governing board
 1399 members shall be elected by the qualified electors and three
 1400 governing board members shall be elected in accordance with the
 1401 one-acre, one-vote principle contained in subsection (3) or the
 1402 district's enabling legislation.

1403 (III) If urban areas constitute at least 50 percent but
 1404 less than 70 percent of the District, three governing board
 1405 members shall be elected by the qualified electors and two
 1406 governing board members shall be elected in accordance with the
 1407 one-acre/one-vote principle contained in subsection (3) or the
 1408 district's enabling legislation.

1409 (IV) If urban areas constitute at least 70 percent but
 1410 less than 90 percent of the District, four governing board
 1411 members shall be elected by the qualified electors and one
 1412 governing board member shall be elected in accordance with the
 1413 one-acre, one-vote principle contained in subsection (3) or the
 1414 district's enabling legislation.

1415 (V) If urban areas constitute at least 90 percent or more
 1416 of the District, all governing board members shall be elected by
 1417 the qualified electors.

1418 b. All members of the Board of Supervisors, regardless of
 1419 how elected, shall be public officers, shall be known as
 1420 Supervisors, and, upon entering into office, shall take and
 1421 subscribe to the oath of office as prescribed by section 876.05,
 1422 Florida Statutes, as amended from time to time. All members of
 1423 the Board of Supervisors, regardless of how elected, and
 1424 regardless of whether they are qualified electors themselves or

1425 not, shall be public officials and subject to ethics and
 1426 conflict of interest laws of the state that apply to all public
 1427 officers. They shall hold office for the terms for which they
 1428 were elected and until their successors are chosen and
 1429 qualified.

1430 c. Any elected member of the Board of Supervisors may be
 1431 removed by the Governor for malfeasance, misfeasance,
 1432 dishonesty, incompetency, or failure to perform the duties
 1433 imposed upon him or her by this Act, and any vacancies that may
 1434 occur in such office shall be filled by the Governor, as soon as
 1435 practicable, unless filled by the board as provided in this Act.

1436 d. All governing board members elected by qualified
 1437 electors shall be qualified electors elected at large.
 1438 Candidates seeking election as qualified electors shall conduct
 1439 their campaigns in accordance with the provisions of chapter
 1440 106, Florida Statutes, as amended from time to time, and shall
 1441 file petitions as required in section 99.021, Florida Statutes,
 1442 as amended from time to time, and take the oath therein
 1443 prescribed.

1444 e. All governing board members elected by qualified
 1445 electors shall have a term of 4 years except for governing board
 1446 members elected at the first election and the first landowners'
 1447 meeting following the referendum prescribed in paragraph (b).
 1448 Governing board members elected at the first election and the
 1449 first landowners' meeting following the referendum shall serve
 1450 as follows:

1451 (I) If one governing board member is elected by the
 1452 qualified electors and four are elected on a one-acre, one-vote

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1453 basis, the governing board member elected by the qualified
1454 electors shall be elected for a period of 4 years. Governing
1455 board members elected on a one-acre, one-vote basis shall be
1456 elected for a specified period of years, as prescribed by
1457 subsection (3).

1458 (II) If two governing board members are elected by the
1459 qualified electors and three are elected on a one-acre, one-vote
1460 basis, the governing board members elected by the qualified
1461 electors shall be elected for a period of 4 years. Governing
1462 board members elected on a one-acre, one-vote basis shall be
1463 elected for periods of 1, 2, and 3 years, respectively, as
1464 prescribed by subsection (3).

1465 (III) If three governing board members are elected by the
1466 qualified electors and two are elected on a one-acre, one-vote
1467 basis, two of the governing board members elected by the
1468 qualified electors shall be elected for a term of 4 years and
1469 the other governing board member elected by the qualified
1470 electors shall be elected for a term of 2 years. Governing
1471 board members elected on a one-acre, one-vote basis shall be
1472 elected for periods of 1 year and 2 years, respectively, as
1473 prescribed by subsection (3).

1474 (IV) If four governing board members are elected by the
1475 qualified electors and one is elected on a one-acre/one-vote
1476 basis, two of the governing board members elected by the
1477 qualified electors shall be elected for a term of 2 years and
1478 the other two for a term of 4 years. The governing board member
1479 elected on a one-acre, one-vote basis shall be elected for a
1480 term of 1 year as prescribed by subsection (3).

1481 (V) If five governing board members are elected by the
 1482 qualified electors, three shall be elected for a term of 4 years
 1483 and two for a term of 2 years.

1484 (VI) If any vacancy occurs in a seat occupied by a
 1485 governing board member elected by the qualified electors, the
 1486 remaining members of the governing board shall, within 45 days
 1487 after the vacancy occurs, appoint a person who would be eligible
 1488 to hold the office for the unexpired term.

1489 (VII) Each and every election, by qualified electors, of
 1490 members of the Board of Supervisors pursuant to this Act shall
 1491 be conducted in the manner and at a time prescribed by law for
 1492 holding general elections or prescribed by the Supervisor of
 1493 Elections in and for the Collier County political subdivision.

1494 e.1. An annual landowners' meeting shall be held pursuant
 1495 to subsection (3) and at least one governing board member shall
 1496 be elected on a one-acre, one-vote basis pursuant to subsection
 1497 (3) for so long as 10 percent or more of the District is not
 1498 contained in an urban area. In the event that all District
 1499 governing board members are elected by qualified electors, there
 1500 shall be no further landowners' meetings.

1501 2. At any landowners' meeting called pursuant to this
 1502 section, 50 percent of the District acreage shall not be
 1503 required to constitute a quorum and each governing board member
 1504 shall be elected by a majority of the acreage represented either
 1505 by owner or proxy present and voting at said meeting.

1506 3. All landowners' meetings of districts operating
 1507 pursuant to this section shall be set by the board within the

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1508 month preceding the month of the election of the governing board
 1509 members by the electors.

1510 4. Vacancies on the board shall be filled pursuant to
 1511 subsection (3) and this subsection except as otherwise provided
 1512 in this section.

1513 f. Three of the members of the Board of Supervisors
 1514 constitute a quorum for the purpose of conducting its business
 1515 and exercising its powers and for all other related purposes.
 1516 Action taken by the District Board of Supervisors present shall
 1517 be upon a vote of the majority of the members present, unless
 1518 general law or rule of the District subsequently promulgated
 1519 requires a greater number.

1520 g. As soon as practicable after each election or
 1521 appointment, the board shall organize by electing one of its
 1522 members as Chair and by electing a Secretary, who need not be a
 1523 member of the board, and such other officers as the board may
 1524 deem necessary.

1525 h. The board shall keep a permanent record book entitled
 1526 "Record of Proceedings of Ave Maria Stewardship Community
 1527 District," in which shall be recorded minutes of all meetings,
 1528 resolutions, proceedings, certificates, bonds given by all
 1529 employees, and any and all corporate acts. The record book shall
 1530 at reasonable times be opened to inspection in the same manner
 1531 as state, county, and municipal records pursuant to chapter 119,
 1532 Florida Statutes. The record book shall be kept at the office or
 1533 other regular place of business maintained by the Board of
 1534 Supervisors within Collier County.

1535 i. Each supervisor shall be entitled to receive for his or
 1536 her services an amount not to exceed \$200 per meeting of the
 1537 Board of Supervisors, not to exceed \$4,800 per year per
 1538 supervisor, or an amount established by the electors voting in a
 1539 referendum. In addition, each supervisor shall receive travel
 1540 and per diem expenses as set forth in section 112.061, Florida
 1541 Statutes, as amended from time to time.

1542 j. All meetings of the board shall be open to the public
 1543 and governed by the provisions of chapter 286, Florida Statutes.

1544 2. The members of the Board of Supervisors of the
 1545 District, whether elected on a one-acre, one-vote basis or a
 1546 qualified elector basis, shall constitute the members of the
 1547 governing board of the District subject to the requirements of
 1548 this Act.

1549 (5) BOARD OF SUPERVISORS; GENERAL DUTIES.--

1550 (a) The board shall employ and fix the compensation of a
 1551 District Manager. The District Manager shall have charge and
 1552 supervision of the works of the District and shall be
 1553 responsible for preserving and maintaining any improvement or
 1554 facility constructed or erected pursuant to the provisions of
 1555 this Act, for maintaining and operating the equipment owned by
 1556 the District, and for performing such other duties as may be
 1557 prescribed by the board. It shall not be a conflict of interest
 1558 under chapter 112, Florida Statutes, as amended from time to
 1559 time, for a board member, the District Manager, or another
 1560 employee of the District to be a stockholder, officer, or
 1561 employee of a landowner. The District Manager may hire or
 1562 otherwise employ and terminate the employment of such other

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1563 persons, including, without limitation, professional,
1564 supervisory, and clerical employees, as may be necessary and
1565 authorized by the board. The compensation and other conditions
1566 of employment of the officers and employees of the District
1567 shall be as provided by the board.

1568 (b) The board shall designate a person who is a resident
1569 of the state as Treasurer of the District, who shall have charge
1570 of the funds of the District. Such funds shall be disbursed only
1571 upon the order or pursuant to a resolution of the board by
1572 warrant or check countersigned by the Treasurer and by such
1573 other person as may be authorized by the board. The board may
1574 give the Treasurer such other or additional powers and duties as
1575 the board may deem appropriate and may fix his or her
1576 compensation. The board may require the Treasurer to give a bond
1577 in such amount, on such terms, and with such sureties as may be
1578 deemed satisfactory to the board to secure the performance by
1579 the Treasurer of his or her powers and duties. The financial
1580 records of the board shall be audited by an independent
1581 certified public accountant at least once a year.

1582 (c) The board is authorized to select as a depository for
1583 its funds any qualified public depository as defined in section
1584 280.02, Florida Statutes, as amended from time to time which
1585 meets all the requirements of chapter 280, Florida Statutes, as
1586 amended from time to time, and has been designated by the
1587 Treasurer as a qualified public depository upon such terms and
1588 conditions as to the payment of interest by such depository upon
1589 the funds so deposited as the board may deem just and
1590 reasonable.

1591 (6) BUDGET; REPORTS AND REVIEWS.--
 1592 (a) The District shall provide financial reports in such
 1593 form and such manner as prescribed pursuant to this Act and
 1594 chapter 218, Florida Statutes, as amended from time to time.
 1595 (b) On or before July 15 of each year, the District
 1596 Manager shall prepare a proposed budget for the ensuing fiscal
 1597 year to be submitted to the board for board approval. The
 1598 proposed budget shall include at the direction of the board an
 1599 estimate of all necessary expenditures of the District for the
 1600 ensuing fiscal year and an estimate of income to the District
 1601 from the taxes and assessments provided in this Act. The board
 1602 shall consider the proposed budget item by item and may either
 1603 approve the budget as proposed by the District Manager or modify
 1604 the same in part or in whole. The board shall indicate its
 1605 approval of the budget by resolution, which resolution shall
 1606 provide for a hearing on the budget as approved. Notice of the
 1607 hearing on the budget shall be published in a newspaper of
 1608 general circulation in the area of the district once a week for
 1609 2 consecutive weeks, except that the first publication shall be
 1610 not fewer than 15 days prior to the date of the hearing. The
 1611 notice shall further contain a designation of the day, time, and
 1612 place of the public hearing. At the time and place designated in
 1613 the notice, the board shall hear all objections to the budget as
 1614 proposed and may make such changes as the board deems necessary.
 1615 At the conclusion of the budget hearing, the board shall, by
 1616 resolution, adopt the budget as finally approved by the board.
 1617 The budget shall be adopted prior to October 1 of each year.

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1618 (c) At least 60 days prior to adoption, the Board of
 1619 Supervisors of the District shall submit to the Collier County
 1620 Board of County Commissioners, for purposes of disclosure and
 1621 information only, the proposed annual budget for the ensuing
 1622 fiscal year and the Board of County Commissioners may submit
 1623 written comments to the Board of Supervisors solely for the
 1624 assistance and information of the Board of Supervisors of the
 1625 District in adopting its annual District budget.

1626 (d) The Board of Supervisors of the District shall submit
 1627 annually, to the Board of County Commissioners of Collier
 1628 County, its District public facilities report under section
 1629 189.415(2), Florida Statutes, as amended from time to time,
 1630 addressing specifically short-term and long-term innovative
 1631 systems, facilities, and services consistent with the unique
 1632 nature of the new university town community in the Eastern
 1633 Collier County Stewardship Area Overlay, as to which the Board
 1634 of County Commissioners of Collier County shall use and rely on
 1635 the District public facilities report in the preparation or
 1636 revision of the Collier County Growth Management Plan,
 1637 specifically under section 189.415(6), Florida Statutes, as
 1638 amended from time to time.

1639 (7) DISCLOSURE OF PUBLIC FINANCING.--The District shall
 1640 take affirmative steps to provide for the full disclosure of
 1641 information relating to the public financing and maintenance of
 1642 improvements to real property undertaken by the District. Such
 1643 information shall be made available to all existing residents
 1644 and all prospective residents, of the District. The District
 1645 shall furnish each developer of a residential development within

1646 | the District with sufficient copies of that information to
 1647 | provide each prospective initial purchaser of property in that
 1648 | development with a copy, and any developer of a residential
 1649 | development within the District, when required by law to provide
 1650 | a public offering statement, shall include a copy of such
 1651 | information relating to the public financing and maintenance of
 1652 | improvements in the public offering statement. The Division of
 1653 | Florida Land Sales, Condominiums, and Mobile Homes of the
 1654 | Department of Business and Professional Regulation shall ensure
 1655 | that disclosures made by developers pursuant to chapter 498,
 1656 | Florida Statutes, meet the requirements of section 190.009(1),
 1657 | Florida Statutes.

1658 | (8) GENERAL POWERS.--The District shall have, and the
 1659 | board may exercise, the following general powers:

1660 | (a) To sue and be sued in the name of the District; to
 1661 | adopt and use a seal and authorize the use of a facsimile
 1662 | thereof; to acquire, by purchase, gift, devise, or otherwise,
 1663 | and to dispose of real and personal property, or any estate
 1664 | therein; and to make and execute contracts and other instruments
 1665 | necessary or convenient to the exercise of its powers.

1666 | (b) To apply for coverage of its employees under the
 1667 | Florida Retirement System in the same manner as if such
 1668 | employees were state employees, subject to necessary action by
 1669 | the District to pay employer contributions into the Florida
 1670 | Retirement System Trust Fund.

1671 | (c) To contract for the services of consultants to perform
 1672 | planning, engineering, legal, or other appropriate services of a
 1673 | professional nature. Such contracts shall be subject to public

1674 bidding or competitive negotiation requirements as set forth in
 1675 subsection (21).

1676 (d) To borrow money and accept gifts; to apply for and use
 1677 grants or loans of money or other property from the United
 1678 States, the state, a unit of local government, or any person for
 1679 any District purposes and enter into agreements required in
 1680 connection therewith; and to hold, use, and dispose of such
 1681 moneys or property for any District purposes in accordance with
 1682 the terms of the gift, grant, loan, or agreement relating
 1683 thereto.

1684 (e) To adopt rules and orders pursuant to the provisions
 1685 of chapter 120, Florida Statutes, as amended from time to time,
 1686 prescribing the powers, duties, and functions of the officers of
 1687 the District; the conduct of the business of the District; the
 1688 maintenance of records; and the form of certificates evidencing
 1689 tax liens and all other documents and records of the District.
 1690 The board may also adopt administrative rules with respect to
 1691 any of the projects of the District and define the area to be
 1692 included therein. The board may also adopt resolutions which may
 1693 be necessary for the conduct of District business.

1694 (f) To maintain an office at such place or places as the
 1695 Board of Supervisors designates in Collier County, and within
 1696 the District when facilities are available.

1697 (g) To hold, control, and acquire by donation, purchase,
 1698 or condemnation, or dispose of, any public easements,
 1699 dedications to public use, platted reservations for public
 1700 purposes, or any reservations for those purposes authorized by
 1701 this Act other than public easements conveyed to or accepted by

1702 Collier County and to make use of such easements, dedications,
 1703 or reservations for the purposes mandated by this Act.

1704 (h) To lease as lessor or lessee to or from any person,
 1705 firm, corporation, association, or body, public or private, any
 1706 projects of the type that the District is authorized to
 1707 undertake and facilities or property of any nature for the use
 1708 of the District to carry out the purposes mandated by this Act.

1709 (i) To borrow money and issue bonds, certificates,
 1710 warrants, notes, or other evidence of indebtedness as
 1711 hereinafter provided; to levy such tax and assessments as may be
 1712 authorized; and to charge, collect, and enforce fees and other
 1713 user charges subject as applicable to subsections (10)-(13).

1714 (j) To raise, by user charges or fees authorized by
 1715 resolution of the board, amounts of money which are necessary
 1716 for the conduct of District activities and services and to
 1717 enforce their receipt and collection in the manner prescribed by
 1718 resolution not inconsistent with law.

1719 (k) To exercise within the District, or beyond the
 1720 District with prior approval by super majority vote of a
 1721 resolution of the governing body of the county if the taking
 1722 will occur in an unincorporated area, the right and power of
 1723 eminent domain, pursuant to the provisions of chapters 73 and
 1724 74, Florida Statutes, as they may be amended from time to time,
 1725 over any property within the state, except municipal, county,
 1726 state, and federal property, for the uses and purpose of the
 1727 District relating solely to water, sewer, District roads, and
 1728 water management, specifically including, without limitation,

1729 the power for the taking of easements for the drainage of the
 1730 land of one person over and through the land of another.

1731 (l) To cooperate with, or contract with, other
 1732 governmental agencies as may be necessary, convenient,
 1733 incidental, or proper in connection with any of the powers,
 1734 duties, or purposes authorized by this Act.

1735 (m) To assess and to impose upon lands in the District ad
 1736 valorem taxes as provided and limited by this Act.

1737 (n) If and when authorized by general law, to determine,
 1738 order, levy, impose, collect, and enforce maintenance taxes.

1739 (o) To determine, order, levy, impose, collect, and
 1740 enforce assessments pursuant to this Act, which sets forth a
 1741 detailed uniform procedure to implement chapter 170, Florida
 1742 Statutes, and, as an alternative, to determine, order, levy,
 1743 impose, collect, and enforce assessments under and pursuant to
 1744 chapter 170, Florida Statutes, as amended from time to time,
 1745 pursuant to authority granted in section 197.3631, Florida
 1746 Statutes, as amended from time to time, or pursuant to other
 1747 provisions of general law now or hereinafter enacted which
 1748 provide or authorize a supplemental means to impose, levy, and
 1749 collect special assessments. Such special assessments, in the
 1750 discretion of the District, as provided in section 197.3631,
 1751 Florida Statutes, as amended from time to time, may be collected
 1752 and enforced pursuant to the provisions of sections 197.3632 and
 1753 197.3635, Florida Statutes, and chapters 170 and 173, Florida
 1754 Statutes, as they may be amended from time to time, or as
 1755 provided by this Act.

1756 (p) To exercise such special powers and other express
 1757 powers as may be authorized and granted by this Act in the
 1758 charter of the District including powers as provided in any
 1759 interlocal agreement entered into pursuant to chapter 163,
 1760 Florida Statutes, as amended from time to time, or which shall
 1761 be required or permitted to be undertaken by the District
 1762 pursuant to any development order or development of regional
 1763 impact, including any interlocal service agreement with Collier
 1764 County for fair-share capital construction funding for any
 1765 certain capital facilities or systems required of the developer
 1766 pursuant to any applicable development order or agreement.

1767 (q) To exercise all of the powers necessary, convenient,
 1768 incidental, or proper in connection with any other powers or
 1769 duties or the single purpose of the District authorized by this
 1770 Act.

1771 (r) The provisions of this section on general powers shall
 1772 be construed liberally in order to carry out effectively the
 1773 single specialized purpose of this Act and to secure for the
 1774 District its ability to be innovative in and for the Rural Lands
 1775 Stewardship Overlay.

1776 (9) SPECIAL POWERS.--The District shall have the following
 1777 special powers to implement its lawful, single, and special
 1778 purpose and to provide, pursuant to that purpose, basic systems,
 1779 facilities, services, improvements, projects, works, and
 1780 infrastructure in and subject to the Stewardship Overlay, each
 1781 of which constitutes a lawful public purpose when exercised
 1782 pursuant to this charter, subject to, and not inconsistent with,
 1783 the regulatory jurisdiction and permitting authority of all

1784 other applicable governmental bodies, agencies, and any special
 1785 districts having authority with respect to any area included
 1786 therein, and to plan, establish, acquire, construct or
 1787 reconstruct, enlarge or extend, equip, operate, finance, fund,
 1788 and maintain improvements, systems, facilities, services, works,
 1789 projects, and infrastructure. Any or all of the following
 1790 special powers are granted by this Act in order to implement the
 1791 special requirements of this university new town community
 1792 within the Stewardship Overlay and the single special purpose of
 1793 the District:

1794 (a) Water management and control for the lands within the
 1795 District and to connect some or any of such facilities with
 1796 roads and bridges. In the event that the board assumes the
 1797 responsibility for providing water management and control for
 1798 the District which is to be financed by a benefit special
 1799 assessments, the board shall adopt plans and assessments
 1800 pursuant to law or may proceed to adopt water management and
 1801 control plans, assess for benefits, and apportion and levy
 1802 special assessments, as follows:

1803 1. The board shall cause to be made by the District's
 1804 engineer, or such other engineer or engineers as the board may
 1805 employ for that purpose, complete and comprehensive water
 1806 management and control plans for the lands located within the
 1807 District that will be improved in any part or in whole by any
 1808 system of facilities that may be outlined and adopted, and the
 1809 engineer shall make a report in writing to the board with maps
 1810 and profiles of said surveys and an estimate of the cost of
 1811 carrying out and completing the plans.

1812 2. Upon the completion of such plans, the board shall hold
 1813 a hearing thereon to hear objections thereto, shall give notice
 1814 of the time and place fixed for such hearing by publication once
 1815 each week for 2 consecutive weeks in a newspaper of general
 1816 circulation in the general area of the District, and shall
 1817 permit the inspection of the plan at the office of the District
 1818 by all persons interested. All objections to the plan shall be
 1819 filed at or before the time fixed in the notice for the hearing
 1820 and shall be in writing.

1821 3. After the hearing, the board shall consider the proposed
 1822 plan and any objections thereto and may modify, reject, or adopt
 1823 the plan or continue the hearing until a day certain for further
 1824 consideration of the proposed plan or modifications thereof.

1825 4. When the board approves a plan, a resolution shall be
 1826 adopted and a certified copy thereof shall be filed in the
 1827 office of the Secretary and incorporated by him or her into the
 1828 records of the District.

1829 5. The water management and control plan may be altered in
 1830 detail from time to time until the appraisal record herein
 1831 provided is filed, but not in such manner as to affect
 1832 materially the conditions of its adoption. After the appraisal
 1833 record has been filed, no alteration of the plan shall be made,
 1834 except as provided by this Act.

1835 6. Within 20 days after the final adoption of the plan by
 1836 the board, the board shall proceed pursuant to section 298.301,
 1837 Florida Statutes, as amended from time to time.

1838 (b) Water supply, sewer, and wastewater management,
 1839 reclamation, and reuse, or any combination thereof, and any

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1840 irrigation systems, facilities, and services and to construct
 1841 and operate connecting intercepting or outlet sewers and sewer
 1842 mains and pipes and water mains, conduits, or pipelines in,
 1843 along, and under any street, alley, highway, or other public
 1844 place or ways, and to dispose of any effluent, residue, or other
 1845 byproducts of such system or sewer system.

1846 1. The District may not purchase or sell a water, sewer,
 1847 or wastewater reuse utility that provides service to the public
 1848 for compensation, or enter into a wastewater facility
 1849 privatization contract for a wastewater facility, until the
 1850 governing body of the Stewardship Community District has held a
 1851 public hearing on the purchase, sale, or wastewater facility
 1852 privatization contract and made a determination that the
 1853 purchase, sale, or wastewater facility privatization contract is
 1854 in the public interest.

1855 2. In determining if the purchase, sale, or wastewater
 1856 facility privatization contract is in the public interest, the
 1857 Stewardship Community District shall consider, at a minimum, the
 1858 following:

1859 a. The most recent available income and expense statement
 1860 for the utility;

1861 b. The most recent available balance sheet for the
 1862 utility, listing assets and liabilities and clearly showing the
 1863 amount of contributions-in-aid-of-construction and the
 1864 accumulated depreciation thereon;

1865 c. A statement of the existing rate base of the utility
 1866 for regulatory purposes;

1867 d. The physical condition of the utility facilities being
 1868 purchased, sold, or subject to a wastewater facility
 1869 privatization contract;

1870 e. The reasonableness of the purchase, sales, or
 1871 wastewater facility privatization contract price and terms;

1872 f. The impacts of the purchase, sale, or wastewater
 1873 facility privatization contract on utility customers, both
 1874 positive and negative;

1875 g. Any additional investment required and the ability and
 1876 willingness of the purchaser or the private firm under a
 1877 wastewater facility privatization contract to make that
 1878 investment, whether the purchaser is the District or the entity
 1879 purchasing the utility from the District;

1880 h. In the case of a wastewater facility privatization
 1881 contract, the terms and conditions on which the private firm
 1882 will provide capital investment and financing or a combination
 1883 thereof for contemplated capital replacements, additions,
 1884 expansions, and repairs. The District shall give significant
 1885 weight to this criteria;

1886 i. The alternatives to the purchase, sale, or wastewater
 1887 facility privatization contract and the potential impact on
 1888 utility customers if the purchase, sale, or wastewater facility
 1889 privatization contract is not made;

1890 j. The ability of the purchaser or the private firm under
 1891 a wastewater facility privatization contract to provide and
 1892 maintain high-quality and cost-effective utility service,
 1893 whether the purchaser is the District or the entity purchasing
 1894 the utility from the District;

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1895 k. In the case of a wastewater facility privatization
 1896 contract, the District shall give significant weight to the
 1897 technical expertise and experience of the private firm in
 1898 carrying out the obligations specified in the wastewater
 1899 facility privatization contract; and

1900 1. All moneys paid by a private firm to a District
 1901 pursuant to a wastewater facility privatization contract shall
 1902 be used for the purpose of reducing or offsetting property
 1903 taxes, wastewater service rates, or debt reduction or making
 1904 infrastructure improvements or capital asset expenditures or
 1905 other public purpose; provided, however, nothing herein shall
 1906 preclude the District from using all or part of the moneys for
 1907 the purpose of the District's qualification for relief from the
 1908 repayment of federal grant awards associated with the wastewater
 1909 system as may be required by federal law or regulation.

1910
 1911 The District shall prepare a statement showing that the
 1912 purchase, sale, or wastewater facility privatization contract is
 1913 in the public interest, including a summary of the purchaser's
 1914 or private firm's experience in water, sewer, or wastewater
 1915 reuse utility operation and a showing of financial ability to
 1916 provide the service, whether the purchaser or private firm is
 1917 the District or the entity purchasing the utility from the
 1918 District.

1919 (c) Bridges or culverts that may be needed across any
 1920 drain, ditch, canal, floodway, holding basin, excavation, public
 1921 highway, tract, grade, fill, or cut and roadways over levees and
 1922 embankments, and to construct any and all of such works and

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1923 improvements across, through, or over any public right-of-way,
 1924 highway, grade, fill, or cut.

1925 (d) District roads equal to or exceeding the
 1926 specifications of the county in which such District roads are
 1927 located, and street lights, including conditions of development
 1928 approval which sometimes may be different specifications than
 1929 the normal specifications of the county. This special power
 1930 includes construction, improvement, pavement, and maintenance of
 1931 roadways and roads necessary and convenient for the exercise of
 1932 the powers or duties of the District to:

- 1933 1. Implement its single purpose;
- 1934 2. Include as a component thereof roads, parkways, bridges,
 1935 landscaping, irrigation, bicycle lanes, and jogging paths,
 1936 street lighting, traffic signals, road striping, and all other
 1937 customary elements of a modern road system in general or as tied
 1938 to the conditions of development approval for the specific Ave
 1939 Maria Community Development; and
- 1940 3. Plan, implement, construct or reconstruct, enlarge or
 1941 extend, finance, fund, equip, operate, and maintain parking
 1942 facilities that are freestanding or that may be related to any
 1943 innovative strategic intermodal system of transportation
 1944 pursuant to applicable federal, state, and local law and
 1945 ordinance.

1946 (e) Buses, trolleys, transit shelters, ridesharing
 1947 facilities and services, parking improvements, and related
 1948 signage.

1949 (f) Investigation and remediation costs associated with
 1950 the cleanup of actual or perceived environmental contamination

1951 within the District under the supervision or direction of a
 1952 competent governmental authority unless the covered costs
 1953 benefit any person who is a landowner within the District and
 1954 who caused or contributed to the contamination.

1955 (g) Conservation areas, mitigation areas, and wildlife
 1956 habitat, including the maintenance of any plant or animal
 1957 species, and any related interest in real or personal property.

1958 (h) Using its general and special powers as set forth in
 1959 this Act, any other project within or without the boundaries of
 1960 a District when the project is the subject of an agreement
 1961 between the District and the Board of County Commissioners of
 1962 Collier County or with any applicable other public or private
 1963 entity, including a homeowners' association, and is not
 1964 inconsistent with the Collier County Comprehensive Plan, the
 1965 Growth Management Plan, and the Stewardship Overlay which
 1966 implement the single special purpose of the District.

1967 (i) Parks and facilities for indoor and outdoor
 1968 recreational, cultural, and educational uses.

1969 (j) Fire prevention and control, including fire stations,
 1970 water mains and plugs, fire trucks, and other vehicles and
 1971 equipment.

1972 (k) School buildings and related structures, which may be
 1973 leased, sold, or donated to the school district, for use in the
 1974 educational system when authorized by the district school board.
 1975 The Stewardship Community District is granted the special power
 1976 to contract with the Collier County School Board and, as
 1977 applicable, the Board of County Commissioners of Collier County,
 1978 and with the applicable landowner developer of the lands within

1979 | the jurisdiction of the District, to assess the school district
 1980 | educational facilities plan, and to implement a management and
 1981 | financing plan for timely construction, maintenance, and
 1982 | acquisition, at the option of the Stewardship Community
 1983 | District, school facilities, including facilities identified in
 1984 | the facilities work programs or those proposed by charter
 1985 | schools. The Stewardship Community District is granted the
 1986 | special power to determine, order, levy, impose, collect, or
 1987 | arrange for the collection and enforcement of assessments, as
 1988 | defined in and pursuant to this Act for such school facilities.
 1989 | The Stewardship Community District created under and by this Act
 1990 | is eligible for the financial enhancements available to
 1991 | educational facilities benefit districts to provide for
 1992 | financing the construction and maintenance of educational
 1993 | facilities pursuant to section 1013.356, Florida Statutes, and,
 1994 | if and when authorized by general law, to acquire such
 1995 | educational facilities. This Act, in the place of an educational
 1996 | facilities benefit district, authorizes the Collier County
 1997 | School Board to designate the Ave Maria Stewardship Community
 1998 | District. The Stewardship Community District is authorized to
 1999 | enter into an interlocal agreement with the Collier County
 2000 | School Board and, as applicable, the Board of County
 2001 | Commissioners of Collier County and applicable private
 2002 | landowners and developers, and the Ave Maria University in order
 2003 | to provide for such construction, maintenance, and acquisition
 2004 | and in order to receive the applicable financial enhancements
 2005 | provided by section 1013.356, Florida Statutes. The interlocal
 2006 | agreement shall among other things consider absorption rates,

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2007 sales rates, and related data of existing and projected schools,
 2008 racial, ethnic, social, and economic balance within the Collier
 2009 County School District under applicable state and federal law
 2010 and the provision of school attendance zones to allow students
 2011 residing within a reasonable distance of the facilities
 2012 constructed and financed through the interlocal agreement to
 2013 attend such facilities. It is provided, because these
 2014 facilities are funded by assessments and not by taxes of any
 2015 type, that the provision of these facilities may be multiuse
 2016 and, consistent with the provisions of this Act, shall be first
 2017 liens on the property upon a showing of special and peculiar
 2018 benefits that flow to the applicable property as a logical
 2019 connection from the systems, facilities, and services, resulting
 2020 in added use, enhanced enjoyment, decreased insurance premiums,
 2021 or enhanced value in marketability so that the Legislature finds
 2022 that the provisions of the Florida Constitution for free public
 2023 schools are implemented and enhanced.

2024 (1) Security, including, but not limited to, guardhouses,
 2025 fences, and gates, electronic intrusion-detection systems, and
 2026 patrol cars, when authorized by proper governmental agencies;
 2027 except that the District may not exercise any powers of a law
 2028 enforcement agency, but may contract with the appropriate local
 2029 general-purpose government agencies for an increased level of
 2030 such services within the District boundaries. Notwithstanding
 2031 any provision of general law, the District may operate
 2032 guardhouses for the limited purpose of providing security for
 2033 the residents of the District and which serve a predominate
 2034 public, as opposed to private, purpose. Such guardhouses shall

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2035 be operated by the District or any other unit of local
 2036 government pursuant to procedures designed to serve such
 2037 security purposes as set forth in rules adopted by the board,
 2038 from time to time, following the procedures set froth in chapter
 2039 120, Florida Statutes, as amended from time to time.

2040 (m) Control and elimination of mosquitoes and other
 2041 arthropods of public health importance.

2042 (n) Waste, waste collection, and disposal.

2043 (o) To enter into impact fee credit agreements with
 2044 Collier County. Under such agreements, where the District
 2045 constructs or makes contributions for public systems,
 2046 facilities, services, projects, improvements, works, and
 2047 infrastructures for which impact fee credits would be available
 2048 to the landowner developer under the Collier County applicable
 2049 impact fee ordinance, the agreement authorized by this Act shall
 2050 provide such impact fee credit shall inure to the landowners
 2051 within the District in proportion to assessments or other
 2052 burdens levied and imposed upon the landowners with respect to
 2053 assessable improvements giving rise to such impact fee credits,
 2054 and the District shall from time to time execute such
 2055 instruments, such as assignments of impact fee credits, as may
 2056 be necessary, appropriate, or desirable to accomplish or to
 2057 confirm the foregoing.

2058 (p) To establish and create, at noticed meetings, such
 2059 government departments of the Board of Supervisors of the
 2060 District, as well as committees, task forces, boards, or
 2061 commissions, or other agencies under the supervision and control
 2062 of the District, as from time to time the members of the Board

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2063 | of Supervisors may deem necessary or desirable in the
 2064 | performance of the acts or other things necessary to exercise
 2065 | its general or special powers to implement an innovative project
 2066 | to carry out the special purpose of the District as provided in
 2067 | this Act and to delegate the exercise of its powers to such
 2068 | departments, boards, task forces, committees, or other agencies
 2069 | such administrative duties and other powers as the Board of
 2070 | Supervisors may deem necessary or desirable but only if there is
 2071 | a set of expressed limitations for accountability, notice, and
 2072 | periodic written reporting to the Board of Supervisors which
 2073 | shall retain its powers.

2074 | (q) Consistent with stewardship of the Rural Lands
 2075 | Stewardship Area Zoning Overlay District and so long as not
 2076 | inconsistent with the applicable local government comprehensive
 2077 | plan and development entitlements, the District may coordinate
 2078 | with the landowner developer and with the university on the
 2079 | phasing of the delivery of infrastructure and may create phase
 2080 | entities or units for its charter purpose. Toward this end, and
 2081 | so long as it implements the purpose of the District under this
 2082 | Act, the Board of Supervisors may designate units of development
 2083 | and adopt systems of progressive phased development by units
 2084 | with related management planning, implementation, construction,
 2085 | maintenance, and financing within its phased unit. If the Board
 2086 | of Supervisors proceeds to designate such phased units of
 2087 | development, it must adopt at a noticed meeting pursuant to
 2088 | chapter 120, Florida Statutes, as amended from time to time, a
 2089 | rule setting forth detailed procedures and authorizations for
 2090 | such phase unit processes. A committee, department, or agency of

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2091 the board shall be given express duty of oversight with monthly
 2092 written reports to the Board of Supervisors. No such phased
 2093 units can begin or operate until or unless the required noticed
 2094 rule has been adopted. With regard to any phased unit, there
 2095 shall be no bonded indebtedness and no levy of any lienable or
 2096 nonlienable revenue, whether to amortize bonds or not, within
 2097 the boundary of a phrased unit other than by the Board of
 2098 Supervisors and pursuant to the powers, procedures, and
 2099 provisions of this Act and other applicable laws.

2100 (r) To plan, establish, acquire, construct, or
 2101 reconstruct, enlarge or extend, equip, operate, maintain,
 2102 finance and fund buildings and structures for District offices,
 2103 maintenance facilities, meeting facilities, town centers or any
 2104 other project authorized or granted by this Act upon a showing
 2105 at a noticed meeting of its efficacy to the specialized single
 2106 purpose of this District for the new university town community
 2107 in the Rural Lands Stewardship Zoning Overlay District.

2108 (s) To plan, establish, acquire, construct or reconstruct,
 2109 enlarge or extend, equip, operate, maintain, finance, and fund
 2110 edifices and facilities for the provision of healthcare, and to
 2111 include the operation of any one or more of such facilities when
 2112 authorized by applicable public or private agencies providing
 2113 healthcare and upon a showing of efficacy to carryout the
 2114 purpose of the District in the Rural Lands Stewardship Zoning
 2115 Overlay District.

2116 (t) To enter into an agreement with the Ave Maria
 2117 University, upon a showing of efficacy in implementing the
 2118 single specialized purpose of the District in the Stewardship

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2119 Overlay, for the planning, establishment, acquisition,
 2120 construction or reconstruction, enlarging or extending,
 2121 equipping, operating, maintaining, financing, and funding of any
 2122 innovative system, facility, or service constituting a project
 2123 as defined in this Act.

2124 (u) To adopt and enforce appropriate rules following the
 2125 procedures of chapter 120, Florida Statutes, in connection with
 2126 the provisions of one or more its systems, facilities, services,
 2127 projects, improvements, works, and infrastructure.

2128 (v) The enumeration of special powers herein shall not be
 2129 deemed exclusive or restrictive, but shall be deemed to
 2130 incorporate all powers express or implied necessary or incident
 2131 to carrying out such enumerated special powers, including also
 2132 the general powers provided by this special act charter to the
 2133 District to implement its single purpose.

2134 (w) The provisions of this section on special powers shall
 2135 be construed liberally in order to carry out effectively the
 2136 single purpose of this District under this Act and to secure for
 2137 the District its ability to be innovative in and for the Rural
 2138 Lands Stewardship Overlay.

2139 (10) ISSUANCE OF BOND ANTICIPATION NOTES.--In addition to
 2140 the other powers provided for in this Act, and not in limitation
 2141 thereof, the District shall have the power, at any time, and
 2142 from time to time after the issuance of any bonds of the
 2143 District shall have been authorized, to borrow money for the
 2144 purposes for which such bonds are to be issued in anticipation
 2145 of the receipt of the proceeds of the sale of such bonds and to
 2146 issue bond anticipation notes in a principal sum not in excess

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2147 of the authorized maximum amount of such bond issue. Such notes
 2148 shall be in such denomination or denominations, bear interest at
 2149 such rate as the board may determine not to exceed the maximum
 2150 rate allowed by general law, mature at such time or times not
 2151 later than 5 years from the date of issuance, and be in such
 2152 form and executed in such manner as the board shall prescribe.
 2153 Such notes may be sold at either public or private sale or, if
 2154 such notes shall be renewal notes, may be exchanged for notes
 2155 then outstanding on such terms as the board shall determine.
 2156 Such notes shall be paid from the proceeds of such bonds when
 2157 issued. The board may, in its discretion, in lieu of retiring
 2158 the notes by means of bonds, retire them by means of current
 2159 revenues or from any taxes or assessments levied for the payment
 2160 of such bonds, but in such event a like amount of the bonds
 2161 authorized shall not be issued.

2162 (11) SHORT-TERM BORROWING.--The District at any time may
 2163 obtain loans, in such amount and on such terms and conditions as
 2164 the board may approve, for the purpose of paying any of the
 2165 expenses of the District or any costs incurred or that may be
 2166 incurred in connection with any of the projects of the District,
 2167 which loans shall bear interest as the board determines as not
 2168 to exceed the maximum rate allowed by general law, and may be
 2169 payable from and secured by a pledge of such funds, revenues,
 2170 taxes, and assessments as the board may determine, subject,
 2171 however, to the provisions contained in any proceeding under
 2172 which bonds were theretofore issued and are then outstanding.
 2173 For the purpose of defraying such costs and expenses, the
 2174 District may issue negotiable notes, warrants, or other

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2175 evidences of debt to be payable at such times, to bear such
 2176 interest as the board may determine, not to exceed the maximum
 2177 rate allowed by general law, and to be sold or discounted at
 2178 such price or prices not less than 95 percent of par value and
 2179 on such terms as the board may deem advisable. The board shall
 2180 have the right to provide for the payment thereof by pledging
 2181 the whole or any part of the funds, revenues, taxes, and
 2182 assessments of the District. The approval of the electors
 2183 residing in the District shall not be necessary except when
 2184 required by the State Constitution.

2185 (12) BONDS.--

2186 (a) Sale of bonds.--Bonds may be sold in blocks or
 2187 installments at different times, or an entire issue or series
 2188 may be sold at one time. Bonds may be sold at public or private
 2189 sale after such advertisement, if any, as the board may deem
 2190 advisable but not in any event at less than 90 percent of the
 2191 par value thereof, together with accrued interest thereon. Bonds
 2192 may be sold or exchanged for refunding bonds. Special assessment
 2193 and revenue bonds may be delivered by the District as payment of
 2194 the purchase price of any project or part thereof, or a
 2195 combination of projects or parts thereof, or as the purchase
 2196 price or exchange for any property, real, personal, or mixed,
 2197 including franchises or services rendered by any contractor,
 2198 engineer, or other person, all at one time or in blocks from
 2199 time to time, in such manner and upon such terms as the board in
 2200 its discretion shall determine. The price or prices for any
 2201 bonds sold, exchanged, or delivered may be:

2202 1. The money paid for the bonds;

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2203 2. The principal amount, plus accrued interest to the date
 2204 of redemption or exchange, or outstanding obligations exchanged
 2205 for refunding bonds; and

2206 3. In the case of special assessment or revenue bonds, the
 2207 amount of any indebtedness to contractors or other persons paid
 2208 with such bonds, or the fair value of any properties exchanged
 2209 for the bonds, as determined by the board.

2210 (b) Authorization and form of bonds.--Any general
 2211 obligation bonds, special assessment bonds, or revenue bonds may
 2212 be authorized by resolution or resolutions of the board which
 2213 shall be adopted by a majority of all the members thereof then
 2214 in office. Such resolution or resolutions may be adopted at the
 2215 same meeting at which they are introduced and need not be
 2216 published or posted. The board may, by resolution, authorize the
 2217 issuance of bonds and fix the aggregate amount of bonds to be
 2218 issued; the purpose or purposes for which the moneys derived
 2219 therefrom shall be expended, including, but not limited to,
 2220 payment of costs as defined in section 2 (6)(j); the rate or
 2221 rates of interest, not to exceed the maximum rate allowed by
 2222 general law; the denomination of the bonds; whether or not the
 2223 bonds are to be issued in one or more series; the date or dates
 2224 of maturity, which shall not exceed 40 years from their
 2225 respective dates of issuance; the medium of payment; the place
 2226 or places within or without the state where payment shall be
 2227 made; registration privileges; redemption terms and privileges,
 2228 whether with or without premium; the manner of execution; the
 2229 form of the bonds, including any interest coupons to be attached
 2230 thereto; the manner of execution of bonds and coupons; and any

2231 and all other terms, covenants, and conditions thereof and the
 2232 establishment of revenue or other funds. Such authorizing
 2233 resolution or resolutions may further provide for the contracts
 2234 authorized by section 159.825(1)(f) and (g), Florida Statutes,
 2235 as amended from time to time, regardless of the tax treatment of
 2236 such bonds being authorized, subject to the finding by the board
 2237 of a net saving to the District resulting by reason thereof.
 2238 Such authorizing resolution may further provide that such bonds
 2239 may be executed in accordance with the Registered Public
 2240 Obligations Act, except that bonds not issued in registered form
 2241 shall be valid if manually countersigned by an officer
 2242 designated by appropriate resolution of the board. The seal of
 2243 the District may be affixed, lithographed, engraved, or
 2244 otherwise reproduced in facsimile on such bonds. In case any
 2245 officer whose signature shall appear on any bonds or coupons
 2246 shall cease to be such officer before the delivery of such
 2247 bonds, such signature or facsimile shall nevertheless be valid
 2248 and sufficient for all purposes the same as if he or she had
 2249 remained in office until such delivery.

2250 (c) Interim certificates; replacement
 2251 certificates.--Pending the preparation of definitive bonds, the
 2252 board may issue interim certificates or receipts or temporary
 2253 bonds, in such form and with such provisions as the board may
 2254 determine, exchangeable for definitive bonds when such bonds
 2255 have been executed and are available for delivery. The board may
 2256 also provide for the replacement of any bonds which become
 2257 mutilated, lost, or destroyed.

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2258 (d) Negotiability of bonds.--Any bond issued under this
 2259 Act or any temporary bond, in the absence of an express recital
 2260 on the face thereof that it is nonnegotiable, shall be fully
 2261 negotiable and shall be and constitute a negotiable instrument
 2262 within the meaning and for all purposes of the law merchant and
 2263 the laws of the state.

2264 (e) Defeasance.--The board may make such provision with
 2265 respect to the defeasance of the right, title, and interest of
 2266 the holders of any of the bonds and obligations of the District
 2267 in any revenues, funds, or other properties by which such bonds
 2268 are secured as the board deems appropriate and, without
 2269 limitation on the foregoing, may provide that when such bonds or
 2270 obligations become due and payable or shall have been called for
 2271 redemption and the whole amount of the principal and interest
 2272 and premium, if any, due and payable upon the bonds or
 2273 obligations then outstanding shall be held in trust for such
 2274 purpose and provision shall also be made for paying all other
 2275 sums payable in connection with such bonds or other obligations,
 2276 then and in such event the right, title, and interest of the
 2277 holders of the bonds in any revenues, funds, or other properties
 2278 by which such bonds are secured shall thereupon cease,
 2279 terminate, and become void; and the board may apply any surplus
 2280 in any sinking fund established in connection with such bonds or
 2281 obligations and all balances remaining in all other funds or
 2282 accounts other than moneys held for the redemption or payment of
 2283 the bonds or other obligations to any lawful purpose of the
 2284 District as the board shall determine.

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2285 (f) Issuance of additional bonds.--If the proceeds of any
 2286 bonds are less than the cost of completing the project in
 2287 connection with which such bonds were issued, the board may
 2288 authorize the issuance of additional bonds, upon such terms and
 2289 conditions as the board may provide in the resolution
 2290 authorizing the issuance thereof, but only in compliance with
 2291 the resolution or other proceedings authorizing the issuance of
 2292 the original bonds.

2293 (g) Refunding bonds.--The District shall have the power to
 2294 issue bonds to provide for the retirement or refunding of any
 2295 bonds or obligations of the District that at the time of such
 2296 issuance are or subsequent thereto become due and payable, or
 2297 that at the time of issuance have been called or are or will be
 2298 subject to call for redemption within 10 years thereafter, or
 2299 the surrender of which can be procured from the holders thereof
 2300 at prices satisfactory to the board. Refunding bonds may be
 2301 issued at any time when in the judgment of the board such
 2302 issuance will be advantageous to the District. No approval of
 2303 the qualified electors residing in the District shall be
 2304 required for the issuance of refunding bonds except in cases in
 2305 which such approval is required by the State Constitution. The
 2306 board may by resolution confer upon the holders of such
 2307 refunding bonds all rights, powers, and remedies to which the
 2308 holders would be entitled if they continued to be the owners and
 2309 had possession of the bonds for the refinancing of which such
 2310 refunding bonds are issued, including, but not limited to, the
 2311 preservation of the lien of such bonds on the revenues of any
 2312 project or on pledged funds, without extinguishment, impairment,

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2313 | or diminution thereof. The provisions of this Act pertaining to
 2314 | bonds of the District shall, unless the context otherwise
 2315 | requires, govern the issuance of refunding bonds, the form and
 2316 | other details thereof, the rights of the holders thereof, and
 2317 | the duties of the board with respect to them.

2318 | (h) Revenue bonds.--

2319 | 1. The District shall have the power to issue revenue
 2320 | bonds from time to time without limitation as to amount. Such
 2321 | revenue bonds may be secured by, or payable from, the gross or
 2322 | net pledge of the revenues to be derived from any project or
 2323 | combination of projects; from the rates, fees, or other charges
 2324 | to be collected from the users of any project or projects; from
 2325 | any revenue-producing undertaking or activity of the District;
 2326 | from special assessments; or from benefit special assessments;
 2327 | or from any other source or pledged security. Such bonds shall
 2328 | not constitute an indebtedness of the District, and the approval
 2329 | of the qualified electors shall not be required unless such
 2330 | bonds are additionally secured by the full faith and credit and
 2331 | taxing power of the District.

2332 | 2. Any two or more projects may be combined and
 2333 | consolidated into a single project and may hereafter be operated
 2334 | and maintained as a single project. The revenue bonds authorized
 2335 | herein may be issued to finance any one or more of such
 2336 | projects, regardless of whether or not such projects have been
 2337 | combined and consolidated into a single project. If the board
 2338 | deems it advisable, the proceedings authorizing such revenue
 2339 | bonds may provide that the District may thereafter combine the
 2340 | projects then being financed or theretofore financed with other

2341 projects to be subsequently financed by the District and that
 2342 revenue bonds to be thereafter issued by the District shall be
 2343 on parity with the revenue bonds then being issued, all on such
 2344 terms, conditions, and limitations as shall have been provided
 2345 in the proceeding which authorized the original bonds.

2346 (i) General obligation bonds.--

2347 1. Subject to the limitations of this charter, the
 2348 District shall have the power from time to time to issue general
 2349 obligation bonds to finance or refinance capital projects or to
 2350 refund outstanding bonds in an aggregate principal amount of
 2351 bonds outstanding at any one time not in excess of 35 percent of
 2352 the assessed value of the taxable property within the District
 2353 as shown on the pertinent tax records at the time of the
 2354 authorization of the general obligation bonds for which the full
 2355 faith and credit of the District is pledged. Except for
 2356 refunding bonds, no general obligation bonds shall be issued
 2357 unless the bonds are issued to finance or refinance a capital
 2358 project and the issuance has been approved at an election held
 2359 in accordance with the requirements for such election as
 2360 prescribed by the State Constitution. Such elections shall be
 2361 called to be held in the District by the board of county
 2362 commissioners of the county upon the request of the board of the
 2363 District. The expenses of calling and holding an election shall
 2364 be at the expense of the District, and the District shall
 2365 reimburse the county for any expenses incurred in calling or
 2366 holding such election.

2367 2. The District may pledge its full faith and credit for
 2368 the payment of the principal and interest on such general

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2369 obligation bonds and for any reserve funds provided therefore
 2370 and may unconditionally and irrevocably pledge itself to levy ad
 2371 valorem taxes on all taxable property in the District, to the
 2372 extent necessary for the payment thereof, without limitations as
 2373 to rate or amount.

2374 3. If the board determines to issue general obligation
 2375 bonds for more than one capital project, the approval of the
 2376 issuance of the bonds for each and all such projects may be
 2377 submitted to the electors on one and the same ballot. The
 2378 failure of the electors to approve the issuance of bonds for any
 2379 one or more capital projects shall not defeat the approval of
 2380 bonds for any capital project which has been approved by the
 2381 electors.

2382 4. In arriving at the amount of general obligation bonds
 2383 permitted to be outstanding at any one time pursuant to
 2384 subparagraph 1., there shall not be included any general
 2385 obligation bonds which are additionally secured by the pledge
 2386 of:

2387 a. Any assessments levied in an amount sufficient to pay
 2388 the principal and interest on the general obligation bonds so
 2389 additionally secured, which assessments have been equalized and
 2390 confirmed by resolution of the board pursuant to this Act or
 2391 section 170.08, Florida Statutes.

2392 b. Water revenues, sewer revenues, or water and sewer
 2393 revenues of the District to be derived from user fees in an
 2394 amount sufficient to pay the principal and interest on the
 2395 general obligation bonds so additionally secured.

2396 c. Any combination of assessments and revenues described
 2397 in sub-subparagraphs a. and b.

2398 (j) Bonds as legal investment or security.--

2399 1. Notwithstanding any provisions of any other law to the
 2400 contrary, all bonds issued under the provisions of this Act
 2401 shall constitute legal investments for savings banks, banks,
 2402 trust companies, insurance companies, executors, administrators,
 2403 trustees, guardians, and other fiduciaries and for any board,
 2404 body, agency, instrumentality, county, municipality, or other
 2405 political subdivision of the state and shall be and constitute
 2406 security which may be deposited by banks or trust companies as
 2407 security for deposits of state, county, municipal, or other
 2408 public funds or by insurance companies as required or voluntary
 2409 statutory deposits.

2410 2. Any bonds issued by the District shall be incontestable
 2411 in the hands of bona fide purchasers or holders for value and
 2412 shall not be invalid because of any irregularity or defect in
 2413 the proceedings for the issue and sale thereof.

2414 (k) Covenants.--Any resolution authorizing the issuance of
 2415 bonds may contain such covenants as the board may deem
 2416 advisable, and all such covenants shall constitute valid and
 2417 legally binding and enforceable contracts between the District
 2418 and the bondholders, regardless of the time of issuance thereof.
 2419 Such covenants may include, without limitation, covenants
 2420 concerning the disposition of the bond proceeds; the use and
 2421 disposition of project revenues; the pledging of revenues,
 2422 taxes, and assessments; the obligations of the District with
 2423 respect to the operation of the project and the maintenance of

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2424 adequate project revenues; the issuance of additional bonds; the
 2425 appointment, powers, and duties of trustees and receivers; the
 2426 acquisition of outstanding bonds and obligations; restrictions
 2427 on the establishing of competing projects or facilities;
 2428 restrictions on the sale or disposal of the assets and property
 2429 of the District; the priority of assessment liens; the priority
 2430 of claims by bondholders on the taxing power of the District;
 2431 the maintenance of deposits to ensure the payment of revenues by
 2432 users of District facilities and services; the discontinuance of
 2433 District services by reason of delinquent payments; acceleration
 2434 upon default; the execution of necessary instruments; the
 2435 procedure for amending or abrogating covenants with the
 2436 bondholders; and such other covenants as may be deemed necessary
 2437 or desirable for the security of the bondholders.

2438 (1) Validation proceedings.--The power of the District to
 2439 issue bonds under the provisions of this Act may be determined,
 2440 and any of the bonds of the District maturing over a period of
 2441 more than 5 years shall be validated and confirmed, by court
 2442 decree, under the provisions of chapter 75, Florida Statutes,
 2443 and laws amendatory thereof or supplementary thereto.

2444 (m) Tax exemption.--To the extent allowed by general law,
 2445 all bonds issued hereunder and interest paid thereon and all
 2446 fees, charges, and other revenues derived by the District from
 2447 the projects provided by this Act are exempt from all taxes by
 2448 the state or by any political subdivision, agency, or
 2449 instrumentality thereof; however, any interest, income, or
 2450 profits on debt obligations issued hereunder are not exempt from
 2451 the tax imposed by chapter 220, Florida Statutes. Further, the

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2452 District is not exempt from the provisions of chapter 212,
2453 Florida Statutes.

2454 (n) Application of section 189.4085, Florida
2455 Statutes.--Bonds issued by the District shall meet on the
2456 criteria set forth in section 189.4085, Florida Statutes, as
2457 amended from time to time.

2458 (o) Act furnishes full authority for issuance of
2459 bonds.--This Act constitutes full and complete authority for the
2460 issuance of bonds and the exercise of the powers of the District
2461 provided herein. No procedures or proceedings, publications,
2462 notices, consents, approvals, orders, acts, or things by the
2463 board, or any board, officer, commission, department, agency, or
2464 instrumentality of the District, other than those required by
2465 this Act, shall be required to perform anything under this Act,
2466 except that the issuance or sale of bonds pursuant to the
2467 provisions of this Act shall comply with the general law
2468 requirements applicable to the issuance or sale of bonds by the
2469 District. Nothing in this Act shall be construed to authorize
2470 the District to utilize bond proceeds to fund the ongoing
2471 operations of the District.

2472 (p) Pledge by the state to the bondholders of the
2473 District.--The state pledges to the holders of any bonds issued
2474 under this Act that it will not limit or alter the rights of the
2475 District to own, acquire, construct, reconstruct, improve,
2476 maintain, operate, or furnish the projects or to levy and
2477 collect the taxes, assessments, rentals, rates, fees, and other
2478 charges provided for herein and to fulfill the terms of any
2479 agreement made with the holders of such bonds or other

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2480 obligations and that it will not in any way impair the rights or
 2481 remedies of such holders.

2482 (q) Default.--A default on the bonds or obligations of a
 2483 District shall not constitute a debt or obligation of the state
 2484 or any general purpose local government or the state.

2485 (13) TRUST AGREEMENTS.--Any issue of bonds shall be
 2486 secured by a trust agreement by and between the District and a
 2487 corporate trustee or trustees, which may be any trust company or
 2488 bank having the powers of a trust company within or without the
 2489 state. The resolution authorizing the issuance of the bonds or
 2490 such trust agreement may pledge the revenues to be received from
 2491 any projects of the District and may contain such provisions for
 2492 protecting and enforcing the rights and remedies of the
 2493 bondholders as the board may approve, including, without
 2494 limitation, covenants setting forth the duties of the District
 2495 in relation to: the acquisition, construction, reconstruction,
 2496 improvement, maintenance, repair, operation, and insurance of
 2497 any projects; the fixing and revising of the rates, fees, and
 2498 charges; and the custody, safeguarding, and application of all
 2499 moneys and for the employment of consulting engineers in
 2500 connection with such acquisition, construction, reconstruction,
 2501 improvement, maintenance, repair, or operation. It shall be
 2502 lawful for any bank or trust company within or without the state
 2503 which may act as a depository of the proceeds of bonds or of
 2504 revenues to furnish such indemnifying bonds or to pledge such
 2505 securities as may be required by the District. Such resolution
 2506 or trust agreement may set forth the rights and remedies of the
 2507 bondholders and of the trustee, if any, and may restrict the

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2508 individual right of action by bondholders. The board may provide
 2509 for the payment of proceeds of the sale of the bonds and the
 2510 revenues of any project to such officer, board, or depository as
 2511 it may designate for the custody thereof and may provide for the
 2512 method of disbursement thereof with such safeguards and
 2513 restrictions as it may determine. All expenses incurred in
 2514 carrying out the provisions of such resolution or trust
 2515 agreement may be treated as part of the cost of operation of the
 2516 project to which such trust agreement pertains.

2517 (14) AD VALOREM TAXES; ASSESSMENTS, BENEFIT SPECIAL
 2518 ASSESSMENTS, MAINTENANCE SPECIAL ASSESSMENTS, AND SPECIAL
 2519 ASSESSMENTS; MAINTENANCE TAXES.--

2520 (a) Ad valorem taxes.--An elected board shall have the
 2521 power to levy and assess an ad valorem tax on all the taxable
 2522 property in the District to construct, operate, and maintain
 2523 assessable improvements; to pay the principal of, and interest
 2524 on, any general obligation bonds of the District; and to provide
 2525 for any sinking or other funds established in connection with
 2526 any such bonds. An ad valorem tax levied by the board for
 2527 operating purposes, exclusive of debt service on bonds, shall
 2528 not exceed 3 mills. The ad valorem tax provided for herein shall
 2529 be in addition to county and all other ad valorem taxes provided
 2530 for by law. Such tax shall be assessed, levied, and collected in
 2531 the same manner and same time as county taxes. The levy of ad
 2532 valorem taxes shall be approved by referendum when required by
 2533 the State Constitution.

2534 (b) Benefit special assessments.--The board annually shall
 2535 determine, order, and levy the annual installment of the total

2536 benefit special assessments for bonds issued and related
 2537 expenses to finance assessable improvements. These assessments
 2538 may be due and collected during each year that county taxes are
 2539 due and collected, in which case such annual installment and
 2540 levy shall be evidenced to and certified to the property
 2541 appraiser by the board not later than August 31 of each year.
 2542 Such assessment shall be entered by the property appraiser on
 2543 the county tax rolls and shall be collected and enforced by the
 2544 tax collector in the same manner and at the same time as county
 2545 taxes, and the proceeds thereof shall be paid to the District.
 2546 However, this subsection shall not prohibit the District in its
 2547 discretion from using the method prescribed in either section
 2548 197.3632 or chapter 173, Florida Statutes, as each may be
 2549 amended from time to time, for collecting and enforcing these
 2550 assessments. Each annual installment of benefit special
 2551 assessments shall be a lien on the property against which
 2552 assessed until paid and shall be enforceable in like manner as
 2553 county taxes. The amount of the assessment for the exercise of
 2554 the District's powers under subsections (8) and (9) shall be
 2555 determined by the board based upon a report of the District's
 2556 engineer and assessed by the board upon such lands, which may be
 2557 part or all of the lands within the District benefited by the
 2558 improvement, apportioned between benefited lands in proportion
 2559 to the benefits received by each tract of land. The board may,
 2560 if it determines it is in the best interests of the District,
 2561 set forth in the proceedings initially levying such benefit
 2562 special assessments or in subsequent proceedings a formula for
 2563 the determination of an amount, which when paid by a taxpayer

2564 with respect to any tax parcel, shall constitute a prepayment of
 2565 all future annual installments of such benefit special
 2566 assessments and that the payment of which amount with respect to
 2567 such tax parcel shall relieve and discharge such tax parcel of
 2568 the lien of such benefit special assessments and any subsequent
 2569 annual installment thereof. The board may provide further that
 2570 upon delinquency in the payment of any annual installment of
 2571 benefit special assessments, the prepayment amount of all future
 2572 annual installments of benefit special assessments as determined
 2573 in the preceding sentence shall be and become immediately due
 2574 and payable together with such delinquent annual installment.

2575 (c) Non-ad valorem maintenance taxes.--If and when
 2576 authorized by general law, to maintain and to preserve the
 2577 physical facilities and services constituting the works,
 2578 improvements, or infrastructure provided by the District
 2579 pursuant to this Act, to repair and restore any one or more of
 2580 them, when needed, and to defray the current expenses of the
 2581 District, including any sum which may be required to pay state
 2582 and county ad valorem taxes on any lands which may have been
 2583 purchased and which are held by the District under the
 2584 provisions of this Act, the Board of Supervisors may, upon the
 2585 completion of said systems, facilities, services, works,
 2586 improvements, or infrastructure, in whole or in part, as may be
 2587 certified to the board by the engineer of the board, levy
 2588 annually a non-ad valorem and non-millage tax upon each tract or
 2589 parcel of land within the District, to be known as a
 2590 "maintenance tax." This non-ad valorem maintenance tax shall be
 2591 apportioned upon the basis of the net assessments of benefits

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2592 assessed as accruing from the original construction and shall be
 2593 evidence to, and certified by, the Board of Supervisors of the
 2594 District not later than June 1 of each year to the property
 2595 appraiser of Collier County and shall be extended by the
 2596 property appraiser on the tax roll of the property appraiser, as
 2597 certified by the property appraiser to the tax collector, and
 2598 collected by the tax collector on the merged collection roll of
 2599 the tax collector in the same manner and time as county ad
 2600 valorem taxes, and the proceeds therefrom shall be paid to the
 2601 District. This non-ad valorem maintenance tax shall be a lien
 2602 until paid on the property against which assessed and
 2603 enforceable in like manner and of the same dignity as county ad
 2604 valorem taxes.

2605 (d) Maintenance special assessments.--To maintain and
 2606 preserve the facilities and projects of the District, the board
 2607 may levy a maintenance special assessment. This assessment may
 2608 be evidenced to and certified to the property appraiser by the
 2609 Board of Supervisors not later than August 31 of each year and
 2610 shall be entered by the property appraiser on the county tax
 2611 rolls and shall be collected and enforced by the tax collector
 2612 in the same manner and at the same time as county taxes, and the
 2613 proceeds therefrom shall be paid to the District. However, this
 2614 subsection shall not prohibit the District in its discretion
 2615 from using the method prescribed in either section 197.363.,
 2616 section 197.3631, or section 197.3632, Florida Statutes, as any
 2617 one or more may be amended from time to time, for collecting and
 2618 enforcing these assessments. These maintenance special
 2619 assessments shall be a lien on the property against which

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2620 assessed until paid and shall be enforceable in like manner as
 2621 county taxes. The amount of the maintenance special assessment
 2622 for the exercise of the District's powers under this section
 2623 shall be determined by the board based upon a report of the
 2624 District's engineer and assessed by the board upon such lands,
 2625 which may be all of the lands within the District benefited by
 2626 the maintenance thereof, apportioned between the benefited lands
 2627 in proportion to the benefits received by each tract of land.

2628 (e) Special assessments.--To levy and impose any special
 2629 assessments pursuant to subsection (15).

2630 (f) Enforcement of taxes.--The collection and enforcement
 2631 of all taxes levied by the District shall be at the same time
 2632 and in like manner as county taxes, and the provisions of the
 2633 Florida Statutes relating to the sale of lands for unpaid and
 2634 delinquent county taxes; the issuance, sale, and delivery of tax
 2635 certificates for such unpaid and delinquent county taxes; the
 2636 redemption thereof; the issuance to individuals of tax deeds
 2637 based thereon; and all other procedures in connection therewith
 2638 shall be applicable to the District to the same extent as if
 2639 such statutory provisions were expressly set forth herein. All
 2640 taxes shall be subject to the same discounts as county taxes.

2641 (g) When unpaid tax is delinquent; penalty.--All taxes
 2642 provided for in this Act shall become delinquent and bear
 2643 penalties on the amount of such taxes in the same manner as
 2644 county taxes.

2645 (h) Status of assessments.--Benefit special assessments,
 2646 maintenance special assessments, and special assessments are
 2647 hereby found and determined to be non-ad valorem assessments as

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2648 defined by section 197.3632, Florida Statutes. Maintenance taxes
 2649 are non-ad valorem taxes and are not special assessments.

2650 (i) Assessments constitute liens; collection.--Any and all
 2651 assessments including special assessments, benefit special
 2652 assessments and maintenance special assessments authorized by
 2653 this section, and including special assessments as defined by
 2654 section 2(6)(aa) and granted and authorized by this subsection,
 2655 and including maintenance taxes if authorized by general law,
 2656 shall constitute a lien on the property against which assessed
 2657 from the date of levy and imposition thereof until paid, coequal
 2658 with the lien of state, county, municipal, and school board
 2659 taxes. These assessments may be collected, at the District's
 2660 discretion, under authority of section 197.3631, Florida
 2661 Statutes, as amended from time to time, by the tax collector
 2662 pursuant to the provisions of sections 197.3632 and 197.3635,
 2663 Florida Statutes, as amended from time to time, or in accordance
 2664 with other collection measures provided by law. In addition to,
 2665 and not in limitation of any powers otherwise set forth herein
 2666 or in general law, these assessments may also be enforced
 2667 pursuant to the provisions of chapter 173, Florida Statutes, as
 2668 amended from time to time.

2669 (j) Land owned by governmental entity.--Except as
 2670 otherwise provided by law, no levy of ad valorem taxes or non-ad
 2671 valorem assessments under this Act or chapter 170 or chapter
 2672 197, Florida Statutes, as each may be amended from time to time,
 2673 or otherwise, by a board of a District, on property of a
 2674 governmental entity that is subject to a ground lease as
 2675 described in section 190.003(13), Florida Statutes, as amended

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2676 from time to time, shall constitute a lien or encumbrance on the
 2677 underlying fee interest of such governmental entity.

2678 (15) SPECIAL ASSESSMENTS.--

2679 (a) As an alternative method to the levy and imposition of
 2680 special assessments pursuant to chapter 170, Florida Statutes,
 2681 as amended from time to time, pursuant to the authority of
 2682 section 197.3631, Florida Statutes, as amended from time to
 2683 time, or pursuant to other provisions of general law, now or
 2684 hereinafter enacted, which provide a supplemental means or
 2685 authority to impose, levy, and collect special assessments as
 2686 otherwise authorized under this Act, the board may levy and
 2687 impose special assessments to finance the exercise of any of its
 2688 powers permitted under this Act using the following uniform
 2689 procedures:

2690 1. At a noticed meeting consider and review an engineer's
 2691 report on the costs of the systems, facilities, and services to
 2692 be provided, a preliminary assessment methodology, and a
 2693 preliminary roll based on acreage or platted lands, depending
 2694 upon whether platting has occurred.

2695 2. The assessment methodology shall address and discuss
 2696 and the board shall consider whether the systems, facilities,
 2697 and services being contemplated will result in special benefits
 2698 peculiar to the property, different in kind and degree than
 2699 general benefits, as a logical connection between the systems,
 2700 facilities, and services themselves and the property, and
 2701 whether the duty to pay the assessments by the property owners
 2702 is apportioned in a manner that is fair and equitable and not in
 2703 excess of the special benefit received. It shall be fair and

2704 equitable to designate a fixed proportion of the annual debt
 2705 service, together with interest thereon, on the aggregate
 2706 principal amount of bonds issued to finance such systems,
 2707 facilities, and services which give rise to unique, special, and
 2708 peculiar benefits to property of the same or similar
 2709 characteristics under the assessment methodology so long as such
 2710 fixed proportion does not exceed the unique, special, and
 2711 peculiar benefits enjoyed by such property from such systems,
 2712 facilities, and services.

2713 3. The engineer's cost report shall identify the nature of
 2714 the proposed systems, facilities, and services, their location,
 2715 a cost breakdown plus a total estimated cost, including cost of
 2716 construction or reconstruction, labor, and materials, lands,
 2717 property, rights, easements, franchises, or systems, facilities,
 2718 and services to be acquired, cost of plans and specifications,
 2719 surveys of estimates of costs and revenues, cost of engineering,
 2720 legal and other professional consultation services, and other
 2721 expenses or costs necessary or incident to determining the
 2722 feasibility or practicability of such construction,
 2723 reconstruction, or acquisition, administrative expenses,
 2724 relationship to the authority and power of the District in its
 2725 charter, and such other expense or costs as may be necessary or
 2726 incident to the financing to be authorized by the Board of
 2727 Supervisors.

2728 4. The preliminary assessment roll to be prepared will be
 2729 in accordance with the method of assessment provided for in the
 2730 assessment methodology and as may be adopted by the Board of
 2731 Supervisors; the assessment roll shall be completed as promptly

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2732 as possible and shall show the acreage, lots, lands, or plats
 2733 assessed and the amount of the fairly and reasonably apportioned
 2734 assessment based on special and peculiar benefit to the
 2735 property, lot, parcel, or acreage of land and, if the assessment
 2736 against each such lot, parcel, acreage, or portion of land is to
 2737 be paid in installments, the number of annual installments in
 2738 which the assessment is divided shall be entered into and shown
 2739 upon the assessment roll.

2740 5. The Board of Supervisors of the District may determine
 2741 and declare by an initial assessment resolution to levy and
 2742 assess the assessments with respect to assessable improvements
 2743 stating the nature of the systems, facilities, and services,
 2744 improvements, projects, or infrastructure constituting such
 2745 assessable improvements, the information in the engineer's cost
 2746 report, the information in the assessment methodology as
 2747 determined by the board at the noticed meeting and referencing
 2748 and incorporating as part of the resolution the engineer's cost
 2749 report, the preliminary assessment methodology, and the
 2750 preliminary assessment roll as referenced exhibits to the
 2751 resolution by reference; if the board determines to declare and
 2752 levy the special assessments by the initial assessment
 2753 resolution, the board shall also adopt and declare a notice
 2754 resolution which shall provide and cause the initial assessment
 2755 resolution to be published once a week for a period of 2 weeks
 2756 in a newspaper of general circulation published in Collier
 2757 County and said board shall by the same resolution fix a time
 2758 and place at which the owner or owners of the property to be
 2759 assessed or any other persons interested therein may appear

2760 before said board and be heard as to the propriety and
 2761 advisability of making such improvements, as to the costs
 2762 thereof, as to the manner of payment therefore, and as to the
 2763 amount thereof to be assessed against each property so improved.
 2764 Thirty days' notice in writing of such time and place shall be
 2765 given to such property owners. The notice shall include the
 2766 amount of the assessment and shall be served by mailing a copy
 2767 to each assessed property owner at his or her last known
 2768 address, the names and addresses of such property owners to be
 2769 obtained from the record of the property appraiser of the county
 2770 political subdivision where the land is located or from such
 2771 other sources as the District Manager or engineer deems
 2772 reliable, and proof of such mailing shall be made by the
 2773 affidavit of the manager of the District or by the engineer,
 2774 said proof to be filed with the District Manager, provided that
 2775 failure to mail said notice or notices shall not invalidate any
 2776 of the proceedings hereunder. It is provided further that the
 2777 last publication shall be at least 1 week prior to the date of
 2778 the hearing on the final assessment resolution. Said notice
 2779 shall describe the general areas to be improved and advise all
 2780 person interested that the description of each property to be
 2781 assessed and the amount to be assessed to each piece, parcel,
 2782 lot, or acre of property may be ascertained at the office of the
 2783 manager of the District. Such service by publication shall be
 2784 verified by the affidavit of the publisher and filed with the
 2785 manager of the District. Moreover, the initial assessment
 2786 resolution with its attached, referenced, and incorporated
 2787 engineer's cost report, preliminary assessment methodology, and

2788 preliminary assessment roll, along with the notice resolution,
 2789 shall be available for public inspection at the office of the
 2790 manager and the office of the engineer or any other office
 2791 designated by the Board of Supervisors in the notice resolution.
 2792 Notwithstanding the foregoing, the landowners of all of the
 2793 property which is proposed to be assessed may give the District
 2794 written notice of waiver of any notice and publication provided
 2795 for in this subparagraph and such notice and publication shall
 2796 not be required; provided, however, that any meeting of the
 2797 Board of Supervisors to consider such resolution shall be a
 2798 publicly noticed meeting.

2799 6. At the time and place named in the noticed resolution
 2800 as provided for in subparagraph 5., the Board of Supervisors of
 2801 the District shall meet and hear testimony from affected
 2802 property owners as to the propriety and advisability of making
 2803 the systems, facilities, services, projects, works,
 2804 improvements, or infrastructure and funding them with
 2805 assessments referenced in the initial assessment resolution on
 2806 the property. Following the testimony and questions from the
 2807 members of the board or any professional advisors to the
 2808 District of the preparers of the engineer's cost report, the
 2809 assessment methodology, and the assessment roll, the Board of
 2810 Supervisors shall make a final decision on whether to levy and
 2811 assess the particular assessments. Thereafter, the Board of
 2812 Supervisors shall meet as an equalizing board to hear and to
 2813 consider any and all complaints as to the particular assessments
 2814 and shall adjust and equalize the assessments on the basis of
 2815 justice and right.

2816 7. When so equalized and approved by resolution or
 2817 ordinance by the Board of Supervisors, to be called the final
 2818 assessment resolution, a final assessment roll shall be filed
 2819 with the clerk of the board and such assessment shall stand
 2820 confirmed and remain legal, valid, and binding first liens on
 2821 the property against which such assessments are made until paid,
 2822 equal in dignity to the first liens of ad valorem taxation of
 2823 county governments and school boards; however, upon completion
 2824 of the systems, facilities, service, project, improvement,
 2825 works, or infrastructure, the District shall credit to each of
 2826 the assessments the difference in the assessment as originally
 2827 made, approved, levied, assessed, and confirmed and the
 2828 proportionate part of the actual cost of the improvement to be
 2829 paid by the particular special assessments as finally determined
 2830 upon the completion of the improvement, but in no event shall
 2831 the final assessment exceed the amount of the special and
 2832 peculiar benefits as apportioned fairly and reasonably to the
 2833 property from the system, facility, or service being provided as
 2834 originally assessed. Promptly after such confirmation, the
 2835 assessment shall be recorded by the clerk of the District in the
 2836 minutes of the proceedings of the District and the record of the
 2837 lien in this set of minutes shall constitute prima facie
 2838 evidence of its validity. The Board of Supervisors, in its sole
 2839 discretion, may, by resolution grant a discount equal to all or
 2840 a part of the payee's proportionate share of the cost of the
 2841 project consisting of bond financing cost, such as capitalized
 2842 interest, funded reserves, and bond discounts included in the
 2843 estimated cost of the project, upon payment in full of any

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2844 assessments during such period prior to the time such financing
 2845 costs are incurred as may be specified by the Board of
 2846 Supervisors in such resolution.

2847 8. District assessments may be made payable in
 2848 installments over no more than 30 years from the date of the
 2849 payment of the first installment thereof and may bear interest
 2850 at fixed or variable rates.

2851 (b) Notwithstanding any provision of this Act or chapter
 2852 170 or section 170.09, Florida Statutes, as amended from time to
 2853 time, which provide that assessments may be paid without
 2854 interest at any time within 30 days after the improvement is
 2855 completed and a resolution accepting the same has been adopted
 2856 by the governing authority, shall not be applicable to any
 2857 District assessments, whether imposed, levied, and collected
 2858 pursuant to the provisions of this Act or other provisions of
 2859 Florida law, including, but not limited to chapter 170, Florida
 2860 Statutes.

2861 (c) In addition, the District is authorized expressly in
 2862 the exercise of its rulemaking power to promulgate a rule or
 2863 rules which provides or provide for notice, levy, imposition,
 2864 equalization, and collection of assessments.

2865 (16) ISSUANCE OF CERTIFICATES OF INDEBTEDNESS BASED ON
 2866 ASSESSMENTS FOR ASSESSABLE IMPROVEMENTS; ASSESSMENT BONDS.--

2867 (a) The board may, after any special assessments or
 2868 benefit special assessments for assessable improvements are
 2869 made, determined, and confirmed as provided in this Act, issue
 2870 certificates of indebtedness for the amount so assessed against
 2871 the abutting property or property otherwise benefited, as the

2872 case may be, and separate certificates shall be issued against
 2873 each part or parcel of land or property assessed, which
 2874 certificates shall state the general nature of the improvement
 2875 for which the assessment is made. The certificates shall be
 2876 payable in annual installments in accordance with the
 2877 installments of the special assessment for which they are
 2878 issued. The board may determine the interest to be borne by such
 2879 certificates, not to exceed the maximum rate allowed by general
 2880 law, and may sell such certificates at either private or public
 2881 sale and determine the form, manner of execution, and other
 2882 details of such certificates. The certificates shall recite that
 2883 they are payable only from the special assessments levied and
 2884 collected from the part or parcel of land or property against
 2885 which they are issued. The proceeds of such certificates may be
 2886 pledged for the payment of principal of and interest on any
 2887 revenue bonds or general obligation bonds issued to finance in
 2888 whole or in part such assessable improvement, or, if not so
 2889 pledged, may be used to pay the cost or part of the cost of such
 2890 assessable improvements.

2891 (b) The District may also issue assessment bonds, revenue
 2892 bonds, or other obligations payable from a special fund into
 2893 which such certificates of indebtedness referred to in the
 2894 preceding subsection may be deposited or, if such certificates
 2895 of indebtedness have not been issued, the District may assign to
 2896 such special fund for the benefit of the holders of such
 2897 assessment bonds or other obligations, or to a trustee for such
 2898 bondholders, the assessment liens provided for in this Act
 2899 unless such certificates of indebtedness or assessment liens

2900 have been theretofore pledged for any bonds or other obligations
 2901 authorized hereunder. In the event of the creation of such
 2902 special fund and the issuance of such assessment bonds or other
 2903 obligations, the proceeds of such certificates of indebtedness
 2904 or assessment liens deposited therein shall be used only for the
 2905 payment of the assessment bonds or other obligations issued as
 2906 provided in this section. The District is authorized to covenant
 2907 with the holders of such assessment bonds, revenue bonds, or
 2908 other obligations that it will diligently and faithfully enforce
 2909 and collect all the special assessments, and interest and
 2910 penalties thereon, for which such certificates of indebtedness
 2911 or assessment liens have been deposited in or assigned to such
 2912 fund; to foreclose such assessment liens so assigned to such
 2913 special fund or represented by the certificates of indebtedness
 2914 deposited in the special fund, after such assessment liens have
 2915 become delinquent, and deposit the proceeds derived from such
 2916 foreclosure, including interest and penalties, in such special
 2917 fund; and to make any other covenants deemed necessary or
 2918 advisable in order to properly secure the holders of such
 2919 assessment bonds or other obligations.

2920 (c) The assessment bonds, revenue bonds, or other
 2921 obligations issued pursuant to this section shall have such
 2922 dates of issue and maturity as shall be deemed advisable by the
 2923 board; however, the maturities of such assessment bonds or other
 2924 obligations shall not be more than 2 years after the due date of
 2925 the last installment which will be payable on any of the special
 2926 assessments for which such assessment liens, or the certificates

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2927 of indebtedness representing such assessment liens, are assigned
 2928 to or deposited in such special fund.

2929 (d) Such assessment bonds, revenue bonds, or other
 2930 obligations issued under this section shall bear such interest
 2931 as the board may determine, not to exceed the maximum rate
 2932 allowed by general law, and shall be executed, shall have such
 2933 provisions for redemption prior to maturity, shall be sold in
 2934 the manner, and shall be subject to all of the applicable
 2935 provisions contained in this Act for revenue bonds, except as
 2936 the same may be inconsistent with the provisions of this
 2937 section.

2938 (e) All assessment bonds, revenue bonds, or other
 2939 obligations issued under the provisions of this section shall
 2940 be, shall constitute, and shall have all the qualities and
 2941 incidents of negotiable instruments under the law merchant and
 2942 the laws of the state.

2943 (17) TAX LIENS.--All taxes of the District provided for in
 2944 this Act, except together with all penalties for default in the
 2945 payment of the same and all costs in collecting the same,
 2946 including a reasonable attorney's fee fixed by the court and
 2947 taxed as a cost in the action brought to enforce payment, shall,
 2948 from January 1 for each year the property is liable to
 2949 assessment and until paid, constitute a lien of equal dignity
 2950 with the liens for state and county taxes and other taxes of
 2951 equal dignity with state and county taxes upon all the lands
 2952 against which such taxes shall be levied. A sale of any of the
 2953 real property within the District for state and county or other
 2954 taxes shall not operate to relieve or release the property so

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2955 sold from the lien for subsequent District taxes or installments
 2956 of District taxes, which lien may be enforced against such
 2957 property as though no such sale thereof had been made. In
 2958 addition to, and not in limitation of, the preceding sentence,
 2959 for purposes of section 197.552, Florida Statutes, as amended
 2960 from time to time, the lien of all special assessments levied by
 2961 the district shall constitute a lien of record held by a
 2962 municipal or county governmental unit. The provisions of
 2963 sections 194.171, 197.122, 197.333, and 197.432, Florida
 2964 Statutes, as each may be amended from time to time, shall be
 2965 applicable to District taxes with the same force and effect as
 2966 if such provisions were expressly set forth in this Act.

2967 (18) PAYMENT OF TAXES AND REDEMPTION OF TAX LIENS BY THE
 2968 DISTRICT; SHARING IN PROCEEDS OF TAX SALE.--

2969 (a) The District shall have the power and right to:

2970 1. Pay any delinquent state, county, District, municipal,
 2971 or other tax or assessment upon lands located wholly or
 2972 partially within the boundaries of the District; and

2973 2. Redeem or purchase any tax sales certificates issued or
 2974 sold on account of any state, county, District, municipal, or
 2975 other taxes or assessments upon lands located wholly or
 2976 partially within the boundaries of the District.

2977 (b) Delinquent taxes paid, or tax sales certificates
 2978 redeemed or purchased, by the District, together with all
 2979 penalties for the default in payment of the same and all costs
 2980 in collecting the same and a reasonable attorney's fee, shall
 2981 constitute a lien in favor of the District of equal dignity with
 2982 the liens of state and county taxes and other taxes of equal

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2983 dignity with state and county taxes upon all the real property
 2984 against which the taxes were levied. The lien of the District
 2985 may be foreclosed in the manner provided in this Act.

2986 (c) In any sale of land pursuant to section 197.542,
 2987 Florida Statutes, as may be amended from time to time, the
 2988 District may certify to the clerk of the circuit court of the
 2989 county holding such sale the amount of taxes due to the District
 2990 upon the lands sought to be sold, and the District shall share
 2991 in the disbursement of the sales proceeds in accordance with the
 2992 provisions of this Act and under the laws of the state.

2993 (19) FORECLOSURE OF LIENS.--Any lien in favor of the
 2994 District arising under this Act may be foreclosed by the
 2995 District by foreclosure proceedings in the name of the District
 2996 in a court of competent jurisdiction as provided by general law
 2997 in like manner as is provided in chapter 173, Florida Statutes,
 2998 and amendments thereto and the provisions of that chapter shall
 2999 be applicable to such proceedings with the same force and effect
 3000 as if those provisions were expressly set forth in this Act. Any
 3001 act required or authorized to be done by or on behalf of a
 3002 municipality in foreclosure proceedings under chapter 173,
 3003 Florida Statutes, may be performed by such officer or agent of
 3004 the District as the Board of Supervisors may designate. Such
 3005 foreclosure proceedings may be brought at any time after the
 3006 expiration of 1 year from the date any tax, or installment
 3007 thereof, becomes delinquent; however, no lien shall be
 3008 foreclosed against any political subdivision or agency of the
 3009 state. Other legal remedies shall remain available.

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3010 (20) MANDATORY USE OF CERTAIN DISTRICT SYSTEMS,
 3011 FACILITIES, AND SERVICES.--To the full extent permitted by law,
 3012 the District shall require all lands, buildings, premises,
 3013 persons, firms, and corporations within the District to use the
 3014 water management and control facilities and water and sewer
 3015 facilities of the District.

3016 (21) COMPETITIVE PROCUREMENT; BIDS; NEGOTIATIONS; RELATED
 3017 PROVISIONS REQUIRED.--

3018 (a) No contract shall be let by the board for any goods,
 3019 supplies, or materials to be purchased when the amount thereof
 3020 to be paid by the District shall exceed the amount provided in
 3021 section 287.017, Florida Statutes, as amended from time to time,
 3022 for category four, unless notice of bids shall be advertised
 3023 once in a newspaper in general circulation in Collier County.
 3024 Any board seeking to construct or improve a public building,
 3025 structure, or other public works shall comply with the bidding
 3026 procedures of section 255.20, Florida Statutes, as amended from
 3027 time to time, and other applicable general law. In each case,
 3028 the bid of the lowest responsive and responsible bidder shall be
 3029 accepted unless all bids are rejected because the bids are too
 3030 high, or the board determines it is in the best interests of the
 3031 District to reject all bids. The board may require the bidders
 3032 to furnish bond with a responsible surety to be approved by the
 3033 board. Nothing in this section shall prevent the board from
 3034 undertaking and performing the construction, operation, and
 3035 maintenance of any project or facility authorized by this Act by
 3036 the employment of labor, material, and machinery.

3037 (b) The provisions of the Consultants' Competitive
 3038 Negotiation Act, section 287.055, Florida Statutes, as amended
 3039 from time to time, apply to contracts for engineering,
 3040 architecture, landscape architecture, or registered surveying
 3041 and mapping services let by the board.

3042 (c) Contracts for maintenance services for any District
 3043 facility or project shall be subject to competitive bidding
 3044 requirements when the amount thereof to be paid by the District
 3045 exceeds the amount provided in section 287.017, Florida
 3046 Statutes, as amended from time to time, for category four. The
 3047 District shall adopt rules, policies, or procedures establishing
 3048 competitive bidding procedures for maintenance services.
 3049 Contracts for other services shall not be subject to competitive
 3050 bidding unless the District adopts a rule, policy, or procedure
 3051 applying competitive bidding procedures to said contracts.

3052 (22) FEES, RENTALS, AND CHARGES; PROCEDURE FOR ADOPTION
 3053 AND MODIFICATIONS; MINIMUM REVENUE REQUIREMENTS.--

3054 (a) The District is authorized to prescribe, fix,
 3055 establish, and collect rates, fees, rentals, or other charges,
 3056 hereinafter sometimes referred to as "revenues," and to revise
 3057 the same from time to time, for the systems, facilities, and
 3058 services furnished by the District, within the limits of the
 3059 District, including, but not limited to, recreational
 3060 facilities, water management and control facilities, and water
 3061 and sewer systems; to recover the costs of making connection
 3062 with any District service, facility, or system; and to provide
 3063 for reasonable penalties against any user or property for any
 3064 such rates, fees, rentals, or other charges that are delinquent.

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3065 (b) No such rates, fees, rentals, or other charges for any
 3066 of the facilities or services of the District shall be fixed
 3067 until after a public hearing at which all the users of the
 3068 proposed facility or services or owners, tenants, or occupants
 3069 served or to be served thereby and all other interested persons
 3070 shall have an opportunity to be heard concerning the proposed
 3071 rates, fees, rentals, or other charges. Rates, fees, rentals,
 3072 and other charges shall be adopted under the administrative
 3073 rulemaking authority of the District, but shall not apply to
 3074 District leases. Notice of such public hearing setting forth the
 3075 proposed schedule or schedules of rates, fees, rentals, and
 3076 other charges shall have been published in a newspaper of
 3077 general circulation in Collier County at least once and at least
 3078 10 days prior to such public hearing. The rulemaking hearing may
 3079 be adjourned from time to time. After such hearing, such
 3080 schedule or schedules, either as initially proposed or as
 3081 modified or amended, may be finally adopted. A copy of the
 3082 schedule or schedules of such rates, fees, rentals, or charges
 3083 as finally adopted shall be kept on file in an office designated
 3084 by the board and shall be open at all reasonable times to public
 3085 inspection. The rates, fees, rentals, or charges so fixed for
 3086 any class of users or property served shall be extended to cover
 3087 any additional users or properties thereafter served which shall
 3088 fall in the same class, without the necessity of any notice or
 3089 hearing.

3090 (c) Such rates, fees, rentals, and charges shall be just
 3091 and equitable and uniform for users of the same class, and when
 3092 appropriate may be based or computed either upon the amount of

3093 service furnished, upon the number of average number of persons
 3094 residing or working in or otherwise occupying the premises
 3095 served, or upon any other factor affecting the use of the
 3096 facilities furnished, or upon any combination of the foregoing
 3097 factors, as may be determined by the board on an equitable
 3098 basis.

3099 (d) The rates, fees, rentals, or other charges prescribed
 3100 shall be such as will produce revenues, together with any other
 3101 assessments, taxes, revenues, or funds available or pledged for
 3102 such purpose, at least sufficient to provide for the items
 3103 hereinafter listed, but not necessarily in the order stated:

3104 1. To provide for all expenses of operation and
 3105 maintenance of such facility or service;

3106 2. To pay when due all bonds and interest thereon for the
 3107 payment of which such revenues are, or shall have been, pledged
 3108 or encumbered, including reserves for such purpose; and

3109 3. To provide for any other funds which may be required
 3110 under the resolution or resolutions authorizing the issuance of
 3111 bonds pursuant to this Act.

3112 (e) The board shall have the power to enter into contracts
 3113 for the use of the projects of the District and with respect to
 3114 the services, systems, and facilities furnished or to be
 3115 furnished by the District.

3116 (23) RECOVERY OF DELINQUENT CHARGES.--In the event that
 3117 any rates, fees, rentals, charges, or delinquent penalties shall
 3118 not be paid as and when due and shall be in default for 60 days
 3119 or more, the unpaid balance thereof and all interest accrued

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3120 thereon, together with reasonable attorney's fees and costs, may
 3121 be recovered by the District in a civil action.

3122 (24) DISCONTINUANCE OF SERVICE.--In the event the fees,
 3123 rentals, or other charges for water and sewer services, or
 3124 either of them, are not paid when due, the board shall have the
 3125 power, under such reasonable rules and regulations as the board
 3126 may adopt, to discontinue and shut off both water and sewer
 3127 services until such fees, rentals, or other charges, including
 3128 interest, penalties, and charges for the shutting off and
 3129 discontinuance and the restoration of such water and sewer
 3130 services or both, are fully paid; and, for such purposes, the
 3131 board may enter on any lands, waters, or premises of any person,
 3132 firm, corporation, or body, public or private, within the
 3133 District limits. Such delinquent fees, rentals, or other
 3134 charges, together with interest, penalties, and charges for the
 3135 shutting off and discontinuance and the restoration of such
 3136 services and facilities and reasonable attorney's fees and other
 3137 expenses, may be recovered by the District, which may also
 3138 enforce payment of such delinquent fees, rentals, or other
 3139 charges by any other lawful method of enforcement.

3140 (25) ENFORCEMENT AND PENALTIES.--The board or any
 3141 aggrieved person may have recourse to such remedies in law and
 3142 at equity as may be necessary to ensure compliance with the
 3143 provisions of this Act, including injunctive relief to enjoin or
 3144 restrain any person violating the provisions of this Act or any
 3145 bylaws, resolutions, regulations, rules, codes, or orders
 3146 adopted under this Act. In case any building or structure is
 3147 erected, constructed, reconstructed, altered, repaired,

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3148 converted, or maintained, or any building, structure, land, or
 3149 water is used, in violation of this Act or of any code, order,
 3150 resolution, or other regulation made under authority conferred
 3151 by this Act or under law, the board or any citizen residing in
 3152 the District may institute any appropriate action or proceeding
 3153 to prevent such unlawful erection, construction, reconstruction,
 3154 alteration, repair, conversion, maintenance, or use; to
 3155 restrain, correct, or avoid such violation; to prevent the
 3156 occupancy of such building, structure, land, or water; and to
 3157 prevent any illegal act, conduct, business, or use in or about
 3158 such premises, land, or water.

3159 (26) SUITS AGAINST THE DISTRICT.--Any suit or action
 3160 brought or maintained against the District for damages arising
 3161 out of tort, including, without limitation, any claim arising
 3162 upon account of an act causing an injury or loss of property,
 3163 personal injury, or death, shall be subject to the limitations
 3164 provided in section 768.28, Florida Statutes, as amended from
 3165 time to time.

3166 (27) EXEMPTION OF DISTRICT PROPERTY FROM EXECUTION.--All
 3167 District property shall be exempt from levy and sale by virtue
 3168 of an execution, and no execution or other judicial process
 3169 shall issue against such property, nor shall any judgment
 3170 against the District be a charge or lien on its property or
 3171 revenues; however, nothing contained herein shall apply to or
 3172 limit the rights of bondholders to pursue any remedy for the
 3173 enforcement of any lien or pledge given by the District in
 3174 connection with any of the bonds or obligations of the District.

3175 (28) TERMINATION, CONTRACTION, OR EXPANSION OF DISTRICT.--

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3176 (a) The board may ask the Legislature through its local
 3177 legislative delegation in and for Collier County to amend this
 3178 Act to contract, to expand or to contract, and to expand the
 3179 boundaries of the District by amendment of this section.

3180 (b) The District shall remain in existence until:

3181 1. The District is terminated and dissolved pursuant to
 3182 amendment to this Act by the Florida Legislature.

3183 2. The District has become inactive pursuant to section
 3184 189.4044, Florida Statutes.

3185 (29) INCLUSION OF TERRITORY.--The inclusion of any or all
 3186 territory of the District within a municipality does not change,
 3187 alter, or affect the boundary, territory, existence, or
 3188 jurisdiction of the District.

3189 (30) SALE OF REAL ESTATE WITHIN A DISTRICT; REQUIRED
 3190 DISCLOSURE TO PURCHASER.--Subsequent to the creation of this
 3191 District under this Act, each contract for the initial sale of a
 3192 parcel of real property and each contract for the initial sale
 3193 of a residential unit within the District shall include,
 3194 immediately prior to the space reserved in the contract for the
 3195 signature of the purchaser, the following disclosure statement
 3196 in boldfaced and conspicuous type which is larger than the type
 3197 in the remaining text of the contract: "THE AVE MARIA
 3198 STEWARDSHIP COMMUNITY DISTRICT MAY IMPOSE AND LEVY TAXES OR
 3199 ASSESSMENTS, OR BOTH TAXES AND ASSESSMENTS, ON THIS PROPERTY.
 3200 THESE TAXES AND ASSESSMENTS PAY FOR THE CONSTRUCTION, OPERATION,
 3201 AND MAINTENANCE COSTS OF CERTAIN PUBLIC SYSTEMS, FACILITIES AND
 3202 SERVICES OF THE DISTRICT AND ARE SET ANNUALLY BY THE GOVERNING
 3203 BOARD OF THE DISTRICT. THESE TAXES AND ASSESSMENTS ARE IN

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3204 ADDITION TO COUNTY AND OTHER LOCAL GOVERNMENTAL TAXES AND
 3205 ASSESSMENTS AND ALL OTHER TAXES AND ASSESSMENTS PROVIDED FOR BY
 3206 LAW."

3207 (31) NOTICE OF CREATION AND ESTABLISHMENT.--Within 30 days
 3208 after the election of the first Board of Supervisors creating
 3209 this District, the District shall cause to be recorded in the
 3210 grantor-grantee index of the property records in the county in
 3211 which it is located a "Notice of Creation and Establishment of
 3212 the Ave Maria Stewardship Community District." The notice shall,
 3213 at a minimum, include the legal description of the property of
 3214 the landowners who have consented to establishment of this
 3215 District and a copy of the disclosure statement specified in
 3216 subsection (30).

3217 (32) Any system, facility, service, works, improvement,
 3218 project, or other infrastructure owned by the District, or
 3219 funded by federal tax exempt bonding issued by the District, is
 3220 public; the District by rule may regulate, and may impose
 3221 reasonable charges or fees for, the use thereof but not to the
 3222 extent that such regulation or imposition of such charges or
 3223 fees constitutes denial of reasonable access.

3224 Section 5. SEVERABILITY.--If any provision of this Act is
 3225 determined unconstitutional or otherwise determined invalid by a
 3226 court of law, all the rest and remainder of the Act shall remain
 3227 in full force and effect as the law of Florida.

3228 Section 6. This act shall take effect upon becoming a law.