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A bill to be entitled

An act relating to the Big Cypress Stewardship District, Collier County; creating and establishing an independent special district in Collier County to be known as the Big Cypress Stewardship District; creating a charter; providing for minimum charter requirements; providing for powers of the district and compliance with county plans and regulations; providing for the sale of real estate in the district; requiring a disclosure to the purchaser; describing the boundaries of the district; providing for a board of supervisors; providing qualifications, terms of office, election procedures, powers, duties, and compensation of the board; requiring an annual landowners' meeting; providing for taxes and non-ad valorem assessments; providing for penalties on delinquent taxes; providing for enforcement of taxes and assessments; providing for the issuance of bonds; providing for liberal construction; providing for severability; providing for a referendum; providing an effective date.

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

Section 1. District establishment and boundaries.--For the purposes of providing public infrastructure and services; the assessment, levy, and collection of taxes, non-ad valorem assessments, and fees; the operation of district facilities and services; and all other purposes stated in this act consistent with chapters 189 and 298, Florida Statutes, and other applicable general law, an independent stewardship district is

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30 hereby created and established in Collier County, to be known as
 31 the Big Cypress Stewardship District, the territorial boundaries
 32 of which shall be as follows:

33
 34 All Those Parts of Townships 47, 48 And 49 South,
 35 Range 28 East, Collier County, Florida, Being More
 36 Particularly Described As Follows:

37
 38 All of Section 14, Township 47 South, Range 28 East,
 39 Collier County, Florida, Less 100 Acres Of Land More
 40 Or Less As Described In Official Records Book 2496,
 41 Page 660, Public Records Of Collier County, Florida;
 42 (540 Acres ±)

43
 44 And

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 46 All of Sections 23, 24, 25, 26 And 27, Township 47
 47 South, Range 28 East, Collier County, Florida Less
 48 Right Of Way For C.R. 846, (Immokalee Road); (3165
 49 Acres ±)

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 51 And

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 53 All of Section 28, Township 47 South, Range 28 East,
 54 Collier County, Florida, Lying South Of C.R. 846
 55 (Immokalee Road) And Lying North And East of Oil Well
 56 Grade Road; (132 Acres ±)

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 58 And

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All of Sections 34 And 35, Township 47 South, Range 28 East, Collier County, Florida; (1280 Acres ±)

And

The Westerly 520 Acres of Sections 1 And 12, Township 48 South, Range 28 East, Collier County, Florida; (1040 Acres ±)

And

All of Sections 2, 3, 10, And 11 of Township 48 South, Range 28 East, Collier County, Florida; (2560 Acres ±)

And

All of Section 13, Township 48 South Range 28 East, Collier County, Florida Less The Southeast One-Quarter (1/4) of Said Section 13 And Less The South 50.00 Feet of The Southwest One-Quarter of Said Section 13 For Road Right Of Way And Less The Easterly 60.00 Acres of The Northeasterly One-Quarter (1/4) of Said Section 13; (416.97 Acres ±)

And

All of Sections 14 And 15, Township 48 South, Range 28 East, Collier County, Florida Less The Southerly 50.00

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88 Feet For Road Right Of Way Purposes As Described In
 89 Official Records Book 154, Page 529; (1253.87 Acres ±)

91 And

93 All of Section 22, Township 48 South, Range 28 East,
 94 Collier County, Florida, Less The Northerly 50.00 Feet
 95 For Right Of Way Purposes As Described In Official
 96 Records Book 154, Page 529 Public Records of Collier
 97 County, Florida; (633.94 Acres ±)

99 And

101 All of Sections 23 And 24, Township 48 South, Range 28
 102 East, Collier County, Florida Less Road Right Of Ways;
 103 (1256 Acres ±)

105 And

106 All of Sections 25, 26, 27, 34, 35 And 36, Township 48
 107 South, Range 28 East, Collier County, Florida; (3840
 108 Acres ±)

110 And

112 The West One-Half (½) Of Section 1, Township 49
 113 South, Range 28 East, Collier County, Florida; (493.66
 114 Acres ±)

116 And

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All of Sections 2, 3, 10, 11 And 15, Township 49 South, Range 28 East, Collier County, Florida;
(3878.23 Acres ±)

And

All of Sections 22 And 27, Township 49 South, Range 28 East, Collier County, Florida, Less the Ford Test Track PUD; (1163.42 Acres ±)

And

All Of Section 34, Township 49 South, Range 28 East, Collier County, Florida, Less The Ford Test Track PUD And Less Official Records Book 2239, Page 144;
(47.70 Acres ±)

Containing a Total Acreage of 21,700.79 Acres of Land More Or Less;

Section 2. Provisions of other laws made applicable.--The provisions of chapters 189 and 298, Florida Statutes, and all of the laws amendatory thereof now existing or hereafter enacted, are declared to be applicable to the Big Cypress Stewardship District. The Big Cypress Stewardship District shall have all of the powers and authorities mentioned in or conferred by chapters 189 and 298, Florida Statutes, as they may be amended from time to time.

Section 3. Powers of the district; compliance with county

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146 plans and regulations.--

147 (1) The district shall have the following powers:

148 (a) To sue and be sued by its name in any court of law or
149 in equity, to make contracts, and to adopt and use a corporate
150 seal and to alter the same at pleasure.

151 (b) To acquire by purchase, gift, or condemnation real and
152 personal property, either or both, within or without the
153 district, and to convey and dispose of such real and personal
154 property, either or both, as may be necessary or convenient to
155 carry out the purposes, or any of the purposes, of this act and
156 chapters 189 and 298, Florida Statutes. Provided, however,
157 initiation of condemnation proceedings outside the boundaries of
158 the district shall require the prior approval by a supermajority
159 of four votes of the Collier County Commission.

160 (c) To construct, operate, and maintain canals, ditches,
161 drains, levees, lakes, ponds, and other works for water
162 management and control purposes.

163 (d) To acquire, purchase, operate, and maintain pumps,
164 plants, and pumping systems for water management and control
165 purposes.

166 (e) To construct, operate, and maintain irrigation works,
167 machinery, and plants.

168 (f) To construct, improve, pave, and maintain roadways and
169 roads necessary and convenient for the exercise of the powers or
170 duties or any of the powers or duties of the district or the
171 supervisors thereof; and to include as a component of roads,
172 parkways, bridges, landscaping, irrigation, bicycle and jogging
173 paths, street lighting, traffic signals, road striping, and all
174 other customary elements of a modern road system.

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175 (g) To finance, fund, plan, establish, acquire, construct
 176 or reconstruct, enlarge or extend, equip, operate, and maintain
 177 systems and facilities for providing transportation throughout
 178 the district, including private or contract carriers, buses,
 179 vehicles, railroads, and other transportation facilities, to
 180 meet the transportation requirements of the district in
 181 activities conducted within the district.

182 (h) To finance, fund, plan, establish, acquire, construct
 183 or reconstruct, enlarge or extend, equip, operate, and maintain
 184 parking facilities within the district boundaries.

185 (i) To finance, fund, plan, establish, acquire, construct
 186 or reconstruct, enlarge or extend, equip, operate, and maintain
 187 additional systems and facilities for parks and facilities for
 188 indoor and outdoor recreational, cultural, and educational uses.

189 (j) To acquire, construct, finance, operate, and maintain
 190 water plants and systems to produce, purify, and distribute
 191 water for consumption.

192 (k) To acquire, construct, finance, operate, and maintain
 193 sewer systems for the collection, disposal, and reuse of waste
 194 and to prevent water pollution in the district.

195 (l) To levy ad valorem taxes and non-ad valorem
 196 assessments, to prescribe, fix, establish, and collect rates,
 197 fees, rentals, fares, or other charges, and to revise the same
 198 from time to time, for the facilities and services furnished or
 199 to be furnished by the district and to recover the cost of
 200 making connection to any district facility or system.

201 (m) To provide for the discontinuance of service and
 202 reasonable penalties, including attorney's fees, against any
 203 user or property for any such rates, fees, rentals, fares, or

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204 other charges that become delinquent and require collection.

205 However, no charges or fees shall be established until after a
 206 public hearing of the board at the district at which all
 207 affected persons shall be given an opportunity to be heard.

208 (n) To enter into agreements with any person, firm, or
 209 corporation for the furnishing by such person, firm, or
 210 corporation of any facilities and services of the type provided
 211 for in this act.

212 (o) To enter into impact fee credit agreements with local
 213 general purpose governments. In the event the district enters
 214 into an impact fee credit agreement with a local general purpose
 215 government where the district constructs or makes contributions
 216 for public facilities for which impact fee credits would be
 217 available, the agreement may provide that such impact fee
 218 credits shall inure to the landowners within the district in
 219 proportion to their relative assessments, and the district
 220 shall, from time to time, execute such instruments (such as
 221 assignments of impact fee credits) as may be necessary or
 222 desirable to accomplish or confirm the foregoing.

223 (p) To construct and maintain facilities for and take
 224 measures to control mosquitoes and other arthropods of public
 225 health importance.

226 (q) To finance, fund, plan, establish, acquire, construct
 227 or reconstruct, enlarge or extend, equip, operate, and maintain
 228 additional systems and facilities for conservation areas,
 229 mitigation areas, and wildlife habitat, including the
 230 maintenance of any plant or animal species, and any related
 231 interest in real or personal property.

232 (r) To borrow money and issue negotiable or other bonds of

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233 the district as hereinafter provided; to borrow money, from time
 234 to time, and issue negotiable or other notes of the district
 235 therefore, bearing interest at an amount not to exceed the
 236 maximum interest allowable by law, in anticipation of the
 237 collection of taxes and assessments or revenues of the district,
 238 and to pledge or hypothecate such taxes, assessments, and
 239 revenues to secure such bonds, notes, or obligations, and to
 240 sell, discount, negotiate, and dispose of the same.

241 (s) To provide public safety, including, but not limited
 242 to, security, guardhouses, fences and gates, electronic
 243 intrusion detection systems, and patrol cars, when authorized by
 244 proper governmental agencies; except that the district may not
 245 exercise any police power, but may contract with the appropriate
 246 local general-purpose government agencies for an increased level
 247 of such service within the district boundaries.

248 (t) To provide systems and facilities for fire prevention
 249 and control and emergency medical services, including the
 250 construction or purchase of fire stations, water mains and
 251 plugs, fire trucks, and other vehicles and equipment consistent
 252 with any adopted Collier County ordinances, rules, or
 253 regulations.

254 (u) To finance, fund, plan, establish, acquire, construct
 255 or reconstruct, enlarge or extend, equip, and maintain
 256 additional systems and facilities for school buildings and
 257 related structures pursuant to this act and chapter 1013,
 258 Florida Statutes, which may be leased, sold, or donated to the
 259 school district for use in the educational system when
 260 authorized by the district school board.

261 (v) To establish and create such departments, committees,

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262 boards, or other agencies, including a public relations
 263 committee, as from time to time the board of supervisors may
 264 deem necessary or desirable in the performance of this act or
 265 other things necessary to the exercise of the powers provided in
 266 this act, and to delegate to such departments, boards, or other
 267 agencies such administrative duties and other powers as the
 268 board of supervisors may deem necessary or desirable.

269 (w) To exercise all other powers necessary, convenient, or
 270 proper in connection with any of the powers or duties of the
 271 district stated in this act. The powers and duties of the
 272 district shall be exercised by and through the board of
 273 supervisors thereof, which board shall have the authority to
 274 employ engineers, attorneys, agents, employees, and
 275 representatives as the board of supervisors may, from time to
 276 time, determine, and to fix their compensation and duties.
 277 However, in addition thereto, the district shall have all of the
 278 powers provided for in chapter 298, Florida Statutes, as amended
 279 from time to time. All powers and authority of the district
 280 shall extend and apply to the district as a whole and to each
 281 unit of development as, from time to time, may be designated by
 282 the board of supervisors.

283
 284 Notwithstanding any authority contained within this section, the
 285 development, operation, or maintenance of any district
 286 facilities or services shall comply with the adopted
 287 comprehensive plan for Collier County and any adopted land
 288 development regulations or specialized plans adopted which apply
 289 within the geographic boundaries of the district, including the
 290 Collier County Growth Management Plan and all plans of the

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291 Metropolitan Planning Organization as they may apply to the
 292 projects and activities authorized pursuant to this section.

293 Section 4. Sale of real estate within the district;
 294 required disclosure to purchaser.--Subsequent to the
 295 establishment of the district under this act, each contract for
 296 the initial sale of a parcel of real property and each contract
 297 for the initial sale of a residential unit within the district
 298 shall include, immediately prior to the space reserved in the
 299 contract for the signature of the purchaser, the following
 300 disclosure statement in bold-faced and conspicuous type which is
 301 larger than the type in the remaining text of the contract: THE
 302 BIG CYPRESS STEWARDSHIP DISTRICT MAY IMPOSE AND LEVY TAXES OR
 303 ASSESSMENTS, OR BOTH TAXES AND ASSESSMENTS, ON THIS PROPERTY.
 304 THESE TAXES AND ASSESSMENTS PAY THE CONSTRUCTION, OPERATION, AND
 305 MAINTENANCE COSTS OF CERTAIN PUBLIC FACILITIES AND SERVICES OF
 306 THE DISTRICT AND ARE SET ANNUALLY BY THE GOVERNING BOARD OF THE
 307 DISTRICT. THESE TAXES AND ASSESSMENTS ARE IN ADDITION TO COUNTY
 308 AND OTHER LOCAL GOVERNMENTAL TAXES AND ASSESSMENTS AND ALL OTHER
 309 TAXES AND ASSESSMENTS PROVIDED FOR BY LAW.

310
 311 Provided further, prior to the subdivision and sale or transfer
 312 of any assessable property within the district, the owner of
 313 land to be sold or transferred shall record the notice contained
 314 in this section in the official records of Collier County as a
 315 covenant to run with the transferred property.

316 Section 5. Board of supervisors; organization, powers,
 317 duties, and terms of office.--

318 (1) There is hereby created the Board of Supervisors of
 319 Big Cypress Stewardship District, which shall be the governing

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320 body of the district. The board of supervisors shall consist of
 321 five persons who, except as herein otherwise provided, shall
 322 hold office for terms of 3 years each and until their successors
 323 shall be duly elected and qualified.

324 (2) Except as provided in subsection (3), the election of
 325 the district's board of supervisors shall be on a one-acre one-
 326 vote basis pursuant to section 298.11, Florida Statutes, as it
 327 may be amended from time to time. Each year during the month of
 328 June, a supervisor or supervisors shall be elected, as
 329 hereinafter provided, by the landowners of the district to fill
 330 the seat or seats of supervisors whose terms have expired. All
 331 vacancies or expirations on the board shall be filled as
 332 required by this act and chapter 298, Florida Statutes. The
 333 Board of Supervisors of the Big Cypress Stewardship District
 334 shall be residents of the state and citizens of the United
 335 States. In case of a vacancy in the office of any supervisor,
 336 the remaining supervisors may fill such vacancy until the next
 337 annual meeting of the landowners, when his or her successor
 338 shall be elected by the landowners for the unexpired term. As
 339 soon as practicable after their election, the board of
 340 supervisors of the district shall organize by choosing one of
 341 their number to serve as president of the board of supervisors
 342 and by electing some suitable person, who may or may not be a
 343 member of the board, to serve as secretary. The board of
 344 supervisors shall adopt a seal, which shall be the seal of the
 345 district. At each annual meeting of the landowners of the
 346 district, the board of supervisors shall report all work
 347 undertaken or completed during the preceding year, and the
 348 status of the finances of the district.

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349 (3) At the initial landowners' meeting, the landowners
350 shall, at such election, determine the length of the terms of
351 office of each initial supervisor so elected by them.
352 Respectively, there shall be one 1-year term, two 2-year terms,
353 and two 3-year terms. Thereafter, all terms of supervisors shall
354 be for 3 years. Provided, however, one 3-year supervisor
355 position shall not be elected by the landowners. Upon the
356 election of four supervisors and organization of the board, the
357 board shall appoint the fifth supervisor for a 3-year term. The
358 appointed member shall be a representative of an environmental
359 organization based in Collier County who shall not be a district
360 landowner. An appointed supervisor shall be reappointed every 3
361 years thereafter following the annual landowners' meeting as
362 prescribed herein until qualified electors of the district have
363 approved the election conversion provisions of section 189.4051,
364 Florida Statutes. Subsequent to elector approval, the appointed
365 supervisor shall be replaced at the end of his or her term by an
366 elected supervisor elected pursuant to section 298.11, Florida
367 Statutes, at an annual landowners' meeting. All supervisors
368 shall serve until their successors shall have been elected or
369 appointed and qualified.

370 (4) All supervisors shall hold office until their
371 successors shall be elected and qualified. Whenever any election
372 shall be authorized or required by this act to be held by the
373 landowners at any particular or stated time or day, and if for
374 any reason such election shall not or cannot be held at such
375 time or on such day, then in such event and in all and every
376 such event, the power or duty to hold such election shall not
377 cease or lapse, but such election shall be held thereafter as

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378 soon as practicable and consistent with this act.

379 (5) Prior to taking any district action, a quorum must be
 380 present. Quorum for district meetings shall be three
 381 supervisors.

382 Section 6. Compensation of board; per diem.--The board of
 383 supervisors may be compensated pursuant to section 298.14,
 384 Florida Statutes, as it may be amended from time to time. The
 385 board of supervisors may, by resolution, adopt a rate of
 386 reimbursement for travel, mileage, and meals for board members
 387 and district employees and representatives on official district
 388 business pursuant to applicable general law.

389 Section 7. Annual landowners' meeting; election of
 390 supervisors.--A landowners' meeting shall be held each year
 391 during the month of June, beginning with June 2004. The purpose
 392 of this meeting is to hold an election pursuant to section 5 of
 393 this act and for the board of supervisors to make any district
 394 reports.

395 Section 8. Taxes; non-ad valorem assessments.--

396 (1) AD VALOREM TAXES.--The board of supervisors, subject
 397 to referendum approval pursuant to Art. VII, s. 9 of the State
 398 Constitution, shall have the power to levy and assess an ad
 399 valorem tax on all the taxable real and tangible personal
 400 property in the district to pay the principal of and interest on
 401 any general obligation bonds of the district, to provide for any
 402 sinking or other funds established in connection with any such
 403 bonds, and to pay the costs for construction or maintenance of
 404 any of the projects or activities of the district authorized by
 405 the provisions of this act or applicable general law. The total
 406 amount of such ad valorem taxes levied in any year shall not be

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407 in excess of 10 mills on the dollar per annum on the assessed
 408 value of the taxable property within the district. The ad
 409 valorem tax provided for herein shall be in addition to county
 410 and municipal ad valorem taxes provided for by law.

411 (2) NON-AD VALOREM ASSESSMENTS.--Non-ad valorem
 412 assessments for the construction, operation, or maintenance of
 413 district facilities, services, and operations shall be assessed,
 414 levied, and collected pursuant to chapter 298, chapter 170, or
 415 chapter 197, Florida Statutes, as amended from time to time.

416 (3) TAXES, ASSESSMENTS, AND COSTS; A LIEN ON LAND AGAINST
 417 WHICH ASSESSED, ETC.--All taxes and assessments provided for in
 418 this act, together with all penalties for default in payment of
 419 the same, and all costs in collecting the same, shall, from the
 420 date of assessment thereof until paid, constitute a lien of
 421 equal dignity with the liens for county taxes, and other taxes
 422 of equal dignity with county taxes, upon all the lands against
 423 which such taxes shall be levied as is provided in this chapter.

424 (4) COMPENSATION OF PROPERTY APPRAISER, TAX COLLECTOR, AND
 425 CLERK OF THE CIRCUIT COURT.--The Property Appraiser, Tax
 426 Collector, and Clerk of the Circuit Court of Collier County
 427 shall be entitled to compensation for services performed in
 428 connection with taxes and assessments of the district as
 429 provided by general law.

430 (5) LEVIES OF NON-AD VALOREM ASSESSMENTS ON LAND LESS THAN
 431 1 ACRE.--In levying and assessing all assessments, each tract or
 432 parcel of land less than 1 acre in area shall be assessed as a
 433 full acre, and each tract or parcel of land more than 1 acre in
 434 area which contains a fraction of an acre shall be assessed at
 435 the nearest whole number of acres, a fraction of one-half or

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436 more to be assessed as a full acre.

437 Section 9. When unpaid taxes and assessments delinquent;
 438 penalty.--All taxes and assessments provided for in this act
 439 shall be and become delinquent and bear penalties on the amount
 440 of the taxes in the same manner as county taxes.

441 Section 10. Enforcement of taxes and assessments.--The
 442 collection and enforcement of all taxes and assessments levied
 443 by the district shall be at the same time and in like manner as
 444 county taxes, and the provisions of the Florida Statutes
 445 relating to the sale of lands for unpaid and delinquent county
 446 taxes, the issuance, sale, and delivery of tax certificates for
 447 such unpaid and delinquent county taxes, the redemption thereof,
 448 the issuance to individuals of tax deeds based thereon, and all
 449 other procedures in connection therewith shall be applicable to
 450 the district and the delinquent and unpaid taxes of the district
 451 to the same extent as if the statutory provisions were expressly
 452 set forth in this act. All taxes and assessments shall be
 453 subject to the same discounts as county taxes.

454 Section 11. Bonds.--

455 (1) ISSUANCE OF REVENUE BONDS, ASSESSMENT BONDS, AND BOND
 456 ANTICIPATION NOTES.--

457 (a) In addition to the other powers provided the district,
 458 and not in limitation thereof, the district shall have the
 459 power, pursuant to this act, chapter 298, Florida Statutes, and
 460 applicable general law as amended from time to time, at any
 461 time, and from time to time, after the issuance of any bonds of
 462 the district shall have been authorized, to borrow money for the
 463 purposes for which such bonds are to be issued in anticipation
 464 of the receipt of the proceeds of the sale of such bonds and to

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465 issue bond anticipation notes in a principal sum not in excess
466 of the authorized maximum amount of such bond issue.

467 (b) Pursuant to chapter 298, Florida Statutes, and
468 applicable general law as amended from time to time, the
469 district shall have the power to issue assessment bonds and
470 revenue bonds from time to time, without limitation as to
471 amount, for the purpose of financing those systems and
472 facilities provided for in section 3. Such revenue bonds may be
473 secured by, or payable from, the gross or net pledge of the
474 revenues to be derived from any project or combination of
475 projects; from the rates, fees, or other charges to be collected
476 from the users of any project or projects; from any revenue-
477 producing undertaking or activity of the district; from non-ad
478 valorem assessments; or from any other source or pledged
479 security. Such bonds shall not constitute an indebtedness of the
480 district, and the approval of the qualified electors shall not
481 be required unless such bonds are additionally secured by the
482 full faith and credit and taxing power of the district.

483 (c) Any issue of bonds may be secured by a trust agreement
484 by and between the district and a corporate trustee or trustees,
485 which may be any trust company or bank having the powers of a
486 trust company within or without the state. The resolution
487 authorizing the issuance of the bonds or such trust agreement
488 may pledge the revenues to be received from any projects of the
489 district and may contain such provisions for protecting and
490 enforcing the rights and remedies of the bondholders as the
491 board may approve, including, without limitation, covenants
492 setting forth the duties of the district in relation to the
493 acquisition, construction, reconstruction, stewardship,

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494 maintenance, repair, operation, and insurance of any projects;
 495 the fixing and revising of the rates, fees, and charges; and the
 496 custody, safeguarding, and application of all moneys and for the
 497 employment of consulting engineers in connection with such
 498 acquisition, construction, reconstruction, stewardship,
 499 maintenance, repair, or operation.

500 (d) Bonds of each issue shall be dated; shall bear
 501 interest at such rate or rates, including variable rates, which
 502 interest may be tax exempt or taxable for federal income tax
 503 purposes; shall mature at such time or times from their date or
 504 dates; and may be made redeemable before maturity at such price
 505 or prices and under such terms and conditions as may be
 506 determined by the board.

507 (e) The district shall have the power to issue bonds for
 508 the purpose of refunding any outstanding bonds of the district.

509 (2) GENERAL OBLIGATION BONDS.--

510 (a) Pursuant to this act, the district shall have the
 511 power from time to time to issue general obligation bonds to
 512 finance or refinance capital projects or to refund outstanding
 513 bonds in an aggregate principal amount of bonds outstanding at
 514 any one time not in excess of 35 percent of the assessed value
 515 of the taxable property within the district as shown on the
 516 pertinent tax records at the time of the authorization of the
 517 general obligation bonds for which the full faith and credit of
 518 the district is pledged. Except for refunding bonds, no general
 519 obligation bonds shall be issued unless the bonds are issued to
 520 finance or refinance a capital project and the issuance has been
 521 approved at an election held in accordance with the requirements
 522 for such election as prescribed by the State Constitution. Such

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523 elections shall be called to be held in the district by the
524 board of supervisors.

525 (b) The district may pledge its full faith and credit for
526 the payment of the principal and interest on such general
527 obligation bonds and for any reserve funds provided therefore
528 and met unconditionally and irrevocably pledge itself to ad
529 valorem taxes on all taxable property within the district, to
530 the extent necessary for the payment thereof, without
531 limitations as to greater amount.

532 (c) If the board determines to issue general obligation
533 bonds for more than one capital project, the approval of the
534 issuance of the bonds for each and all such projects may be
535 submitted to the elector on one and the same ballot. The failure
536 of the electors to approve the issuance of bonds for any one or
537 more of the capital projects shall not defeat the approval of
538 bonds for any capital project that has been approved by the
539 electors.

540 (d) In arriving at the amount of general obligation bonds
541 permitted to be outstanding at any one time pursuant to
542 paragraph (a), there shall not be included any general
543 obligation bonds which are additionally secured by the pledge
544 of:

545 1. Special assessments levied in the amount sufficient to
546 pay the principal and interest on a general obligation bond so
547 additionally secured, which assessments have been equalized and
548 confirmed by resolution or ordinance of the board pursuant to
549 section 170.08, Florida Statutes.

550 2. Water revenues, sewer revenues, or water and sewer
551 revenues of the district to be derived from user fees in an

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552 amount sufficient to pay the principal and interest on the
 553 general obligation bond so additionally secured.

554 3. Any combination of assessments and revenues described
 555 in subparagraphs 1 and 2.

556 Section 12. Minimum charter requirements.--

557 (1) The district is organized and exists for all purposes
 558 set forth in this act and chapters 189 and 298, Florida
 559 Statutes, as they may be amended from time to time.

560 (2) The powers, functions, and duties of the district
 561 regarding ad valorem taxation, bond issuance, other revenue-
 562 raising capabilities, budget preparation and approval, liens and
 563 foreclosure of liens, use of tax deeds and tax certificates as
 564 appropriate for non-ad valorem assessments, and contractual
 565 agreements shall be as set forth in chapters 170, 189, and 298,
 566 Florida Statutes, or any other applicable general or special
 567 law, as they may be amended from time to time.

568 (3) The district is created by special act of the
 569 Legislature, in accordance with chapters 189 and 298, Florida
 570 Statutes.

571 (4) The district's charter may be amended only by special
 572 act of the Legislature.

573 (5) In accordance with chapter 189, Florida Statutes, this
 574 act, and section 298.11, Florida Statutes, the district is
 575 governed by a five-member board, elected on a one-acre one-vote
 576 basis by the landowners in the district. The membership and
 577 organization of the board shall be as set forth in this act and
 578 chapter 298, Florida Statutes, as they may be amended from time
 579 to time.

580 (6) The compensation of board members shall be governed by

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581 this act and chapters 189 and 298, Florida Statutes, as they may
 582 be amended from time to time.

583 (7) The administrative duties of the board of supervisors
 584 shall be as set forth in this act and chapters 189 and 298,
 585 Florida Statutes, as they may be amended from time to time.

586 (8) Requirements for financial disclosure, meeting
 587 notices, reporting, public records maintenance, and per diem
 588 expenses for officers and employees shall be as set forth in
 589 this act and chapters 112, 189, 286, and 298, Florida Statutes,
 590 as they may be amended from time to time.

591 (9) The procedures and requirements governing the issuance
 592 of bonds, notes, and other evidence of indebtedness by the
 593 district shall be as set forth in this act, chapter 298, Florida
 594 Statutes, and applicable general laws, as they may be amended
 595 from time to time.

596 (10) The procedures for conducting district elections and
 597 for qualification of electors shall be pursuant to this act and
 598 chapters 189 and 298, Florida Statutes, as they may be amended
 599 from time to time.

600 (11) The district may be financed by any method
 601 established in this act, chapter 298, Florida Statutes, and
 602 applicable general laws, as they may be amended from time to
 603 time.

604 (12) The methods for collecting non-ad valorem
 605 assessments, fees, or service charges shall be as set forth in
 606 chapters 197 and 298, Florida Statutes, and other applicable
 607 general laws, as they may be amended from time to time.

608 (13) The district's planning requirements shall be as set
 609 forth in this act.

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610 (a) The district's geographic boundary limitations shall
 611 be as set forth in this act.

612 (b) The district and Collier County shall, within 90 days
 613 after referendum approval of this act as provided in section 15,
 614 enter into an interlocal agreement with Collier County providing
 615 for a fair share capital construction funding contribution for
 616 the long-range traffic capacity improvements of county arterial
 617 and collector roads within and proximate to the district. The
 618 agreement may be amended by mutual consent of the parties.

619 (c) Any subsequent amendment to this act exempting or
 620 otherwise relieving the district of any requirements of section
 621 189.4155(1), Florida Statutes, shall require a resolution or
 622 official statement from Collier County pursuant to section
 623 189.404(2)(e)4., Florida Statutes, confirming compliance with
 624 the adopted comprehensive plan and no objection to the
 625 amendment.

626 (d) Any application for federal, state, or local
 627 government grant moneys for which Collier County is also
 628 eligible pursuant to applicable rules and regulations shall
 629 require a resolution by the county commission or a written
 630 statement of no objection from the county's chief executive
 631 officer prior to filing the application.

632 Section 13. In case any one or more of the sections or
 633 provisions of this act or the application of such sections or
 634 provisions to any situation, circumstance, or person shall for
 635 any reason be held to be unconstitutional, such
 636 unconstitutionality shall not affect any other sections or
 637 provisions of this act or the application of such sections or
 638 provisions to any other situation, circumstance, or person, and

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639 it is intended that this law shall be construed and applied as
640 if such section or provision had not been included herein for
641 any unconstitutional application.

642 Section 14. In the election provided for in section 15,
643 each assessable acre or fraction thereof present in person or by
644 proxy shall be counted as one vote.

645 Section 15. This section and section 14 shall take effect
646 upon this act becoming a law, and the remaining sections shall
647 take effect upon approval by a majority vote of the owners of
648 land within the district not exempt from ad valorem taxes or
649 non-ad valorem assessments present at a landowners' meeting to
650 be held within 20 days after this section becoming a law.