

CHAMBER ACTION

1 The Finance & Tax Committee recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to the West Villages Improvement District,
7 Sarasota County; amending chapter 2004-456, Laws of
8 Florida; expanding the territorial boundaries of the
9 district; supplementing the conditions and requirements
10 for the exercise of its powers, functions, and duties;
11 providing for a referendum; providing an effective date.

12
13 Be It Enacted by the Legislature of the State of Florida:

14
15 Section 1. Sections 2, 3, 4, 5, 11, 12, 17, and 19 and
16 subsection (2) of section 10 of chapter 2004-456, Laws of
17 Florida, are amended to read:

18 Section 2. District; creation, jurisdiction, and
19 purpose.--

20 (1) The West Villages Improvement District, herein
21 referred to as the "district," is hereby created and
22 incorporated as an independent special district, pursuant to
23 chapter 189, Florida Statutes, to be known as the West Villages

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24 Improvement District, in the City of North Port and in
 25 unincorporated, Sarasota County, which independent special
 26 district shall be a public body corporate and politic.

27 (2) The district's territorial boundary shall embrace and
 28 include that real property described in following section 17.

29 (3) The district is created for all purposes as shall be
 30 liberally construed from and set forth in this act, under
 31 sections 189.401-189.429, Florida Statutes, provided that
 32 section 189.4045(2), Florida Statutes, is specifically excluded
 33 and not applicable to the district or to the City of North Port
 34 as to that portion of the district located within the City of
 35 North Port jurisdictional boundaries, or to Sarasota County as
 36 to that portion of the district located within the
 37 unincorporated area, and chapter 298, Florida Statutes, as the
 38 same may be amended from time to time, and may perform such acts
 39 as shall be necessary, convenient, incidental, or proper for the
 40 provision, acquisition, development, operation, and maintenance
 41 of those public infrastructure works and services authorized
 42 herein, including all facilities necessary and incidental
 43 thereto.

44 (4) The district charter created by this act may be
 45 amended only by special act of the Legislature. Any expansion of
 46 the powers or the boundaries of the district within the City of
 47 North Port shall require prior approval of the City of North
 48 Port Commission or its designee. Any expansion of the powers or
 49 the boundaries of the district within the unincorporated area of
 50 Sarasota County shall require prior approval of the Board of
 51 County Commissioners of Sarasota County or its designee.

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52 (5) The definition of terms and phrases shall be as set
53 forth in chapters 189 and 298, Florida Statutes, unless
54 otherwise herein defined.

55 Section 3. District powers, functions, and duties.--

56 (1) In addition to any powers, functions, and duties set
57 forth in this act, the district shall have the authority to
58 exercise such powers, functions, and duties as may be set forth
59 in chapter 298, Florida Statutes.

60 (2) The district is hereby authorized and empowered as
61 follows:

62 (a) To adopt by resolution bylaws for the regulation of
63 its affairs and the conduct of its business.

64 (b) To adopt by resolution rules as necessary for
65 implementation, regulation, and enforcement as are consistent
66 with the purposes of the district and this act.

67 (c) To adopt an official seal reflecting the name and
68 nature of the district.

69 (d) To acquire by grant, loan, purchase, gift, transfer,
70 exchange, dedication, lease, devise, or, when reasonably
71 necessary for the implementation of district-authorized public
72 infrastructure works, facilities, or services by means of the
73 exercise of the right of eminent domain pursuant to the laws of
74 the state and in accordance with section 12 of this act, all
75 property, real or personal, or any easement, license, estate, or
76 interest therein necessary, desirable, or convenient for the
77 purposes of this act, and to sell, convey, transfer, gift,
78 lease, rent, dedicate, forfeit, abandon, exchange, or assign all
79 or any part thereof to or with other entities, including

80 governmental entities and agencies, and to exercise all of its
 81 powers and authority with respect thereto. The district shall
 82 not have the right of eminent domain outside of the boundaries
 83 of the district. Notwithstanding anything contained herein, the
 84 district shall not obtain fee simple title to any real property
 85 within the district except by dedication on an approved plat:

86 1. As to that portion of the district located within the
 87 City of North Port jurisdictional boundaries, with the approval
 88 of the City of North Port Commission or its designee;

89 2. As to that portion of the district located within the
 90 unincorporated area, with the approval of the Board of County
 91 Commissioners of Sarasota County or its designee; or

92 3. As ~~if~~ otherwise required by another governmental entity
 93 or agency.

94
 95 Any property interests owned by the district which are used for
 96 nonpublic or private commercial purposes shall be subject to all
 97 ad valorem taxes, intangible personal property taxes, or non-ad
 98 valorem assessments, as would be applicable if said property
 99 were privately owned.

100 (e) To finance, plan (as to that portion of the district
 101 located within the City of North Port jurisdictional boundaries,
 102 consistent with the City of North Port Comprehensive Plan and
 103 implementing ordinances, studies, and plans; and, as to that
 104 portion of the district located within the unincorporated area,
 105 consistent with the Sarasota County Comprehensive Plan and
 106 implementing ordinances, studies, and plans), design, acquire,
 107 construct, install, operate, equip, upgrade, reclaim, replace,

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108 | extend, renovate, mitigate, and maintain canals, swales,
 109 | outfalls, dams, control structures, pumps and pumping systems,
 110 | aerators, seawalls, berms, ditches, telemetry and monitoring
 111 | equipment, retention areas, holding basins, marshes, wetlands,
 112 | uplands, drains, levees, lakes, ponds, and other works or
 113 | elements for modern comprehensive water management drainage,
 114 | environmental, mitigation preservation, erosion, quality, and
 115 | control purposes, and:

116 | 1. As to that portion of the district located within the
 117 | City of North Port jurisdictional boundaries, further that the
 118 | district shall agree, at the request of the City of North Port
 119 | Commission or its designee, subject to a developer's agreement
 120 | with the City of North Port (neither party's consent to said
 121 | developer's agreement shall be unreasonably withheld), to donate
 122 | and turn over operation to the City of North Port of all or any
 123 | portion of said water management system located within the City
 124 | of North Port jurisdictional boundaries; and

125 | 2. As to that portion of the district located within the
 126 | unincorporated area, the district shall agree, at the request of
 127 | the Board of County Commissioners of Sarasota County or its
 128 | designee, subject to a developer's agreement with Sarasota
 129 | County (neither party's consent to said developer's agreement
 130 | shall be unreasonably withheld), to donate and turn over
 131 | operation to Sarasota County of all or any portion of said water
 132 | management system located within the unincorporated area to the
 133 | City of North Port.

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134 (f) To regulate, modify, control, and redirect the supply
135 and level of water within the district if consistent with the
136 rules and regulations of:

137 1. The City of North Port as to that portion of the
138 district located within the City of North Port's jurisdictional
139 boundaries;

140 2. Sarasota County, as to that portion of the district
141 located within the unincorporated area; and

142 3. ~~The Port and~~ Southwest Florida Water Management
143 District ~~rules and regulations,~~

144
145 including the division of waters from one area, lake, pond,
146 river, stream, basin, or water control facility to another; to
147 control and restrict the development and use of natural or
148 artificial streams or bodies of water, lakes, or ponds; and to
149 take of measures determined by the board to be necessary or
150 desirable to prevent or alleviate land erosion, flooding, or
151 water quality problems or issues, provided all such activity
152 shall be carried out in accordance with applicable federal,
153 state, and local government rules and regulations.

154 (g) To finance the implementation of appropriate studies,
155 whether by the district or in conjunction with other agencies or
156 entities, to assist in implementing the district's powers,
157 authorities, and purposes as set forth herein and to facilitate
158 the orderly management of the district and its works and
159 facilities.

160 (h) To finance, plan (as to that portion of the district
161 located within the City of North Port jurisdictional boundaries,

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162 consistent with City of North Port Comprehensive Plan and
163 implementing ordinances, studies, and plans; and, as to that
164 portion of the district located within the unincorporated area,
165 consistent with the Sarasota County Comprehensive Plan and
166 implementing ordinances, studies, and plans), design, acquire,
167 construct, install, operate, equip, upgrade, replace, extend,
168 renovate, and maintain irrigation works, machinery, plants, and
169 appurtenances.

170 (i) To finance, plan (as to that portion of the district
171 located within the City of North Port jurisdictional boundaries,
172 consistent with City of North Port Comprehensive Plan and
173 implementing ordinances, studies, and plans; and, as to that
174 portion of the district located within the unincorporated area,
175 consistent with the Sarasota County Comprehensive Plan and
176 implementing ordinances, studies, and plans), design, acquire,
177 construct, install, operate, equip, upgrade, replace, extend,
178 renovate, and maintain roadways; and to include either as a
179 component of such roads or independently by themselves,
180 parkways, bridges, landscaping, irrigation, bicycle and jogging
181 paths, street lighting, entry features, traffic signals, road
182 striping, and all other customary elements or appurtenances of a
183 modern road system for the exclusive use and benefit of the
184 district, a unit of development, and/or its landowners,
185 residents, and invitees in order to control ingress and egress;
186 to finance and maintain said roads and their associated elements
187 and components as a part of a plan of improvements; to construct
188 and maintain security structures to control the use of said
189 roads; to make provision for access by fire, police, and

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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190 emergency vehicles and personnel for the protection of life and
 191 property; to include, in the annual assessment of non-ad valorem
 192 assessments as authorized, sufficient funds to finance and
 193 maintain said roads as a part of a plan of improvements, and to
 194 adopt, by resolution of the board, rules and regulations for the
 195 control of traffic, noise levels, crime, and the use of the
 196 roads by those authorized. Provided that in the event the
 197 district should construct all or any portion of a major
 198 thoroughfare or transportation route as identified in section
 199 163.3177(6)(b), Florida Statutes, the district will not be
 200 permitted to limit said thoroughfare or transportation route for
 201 the exclusive use and benefit of the district, a unit of
 202 development, and/or its residents without the written consent of
 203 the applicable local general purpose government. Notwithstanding
 204 anything to the contrary herein:

205 1. As to that portion of the district located within the
 206 City of North Port jurisdictional boundaries, construction of
 207 roads by the district shall not be in conflict with City of
 208 North Port rules, master plans, plans, specifications, or
 209 regulations; and

210 2. As to that portion of the district located within the
 211 unincorporated area, construction of roads by the district shall
 212 not be in conflict with rules, master plans, plans,
 213 specifications, or regulations of Sarasota County.

214
 215 As to that portion of the district located within the City of
 216 North Port jurisdictional boundaries, the district shall agree,
 217 at the request of the City of North Port Commission or its

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218 | designee, subject to applicable impact fee ordinances and a
219 | developer's agreement with the City of North Port (neither
220 | party's consent to said developer's agreement shall be
221 | unreasonably withheld), to donate and turn over operation of all
222 | or any portion of any public roadway system within the City of
223 | North Port jurisdictional boundaries. As to that portion of the
224 | district located within the unincorporated area, the district
225 | shall agree, at the request of the Board of County Commissioners
226 | of Sarasota County or its designee, subject to applicable impact
227 | fee ordinances and a developer's agreement with Sarasota County
228 | (neither party's consent to said developer's agreement shall be
229 | unreasonably withheld), to donate and turn over operation of all
230 | or any portion of any public roadway system within the
231 | unincorporated area to Sarasota County ~~to the City of North~~
232 | ~~Port.~~

233 | (j) To finance, plan (as to that portion of the district
234 | located within the City of North Port jurisdictional boundaries,
235 | consistent with City of North Port Comprehensive Plan and
236 | implementing ordinances, studies, and plans; and, as to that
237 | portion of the district located within the unincorporated area,
238 | consistent with the Sarasota County Comprehensive Plan and
239 | implementing ordinances, studies, and plans), design, acquire,
240 | construct, install, operate, equip, upgrade, replace, extend,
241 | renovate, and maintain entry features, garages, parking
242 | facilities, district offices, buildings, facilities, and
243 | structures.

244 | (k) To finance, plan (as to that portion of the district
245 | located within the City of North Port jurisdictional boundaries,

246 consistent with City of North Port Comprehensive Plan and
 247 implementing ordinances, studies, and plans; and, as to that
 248 portion of the district located within the unincorporated area,
 249 consistent with the Sarasota County Comprehensive Plan and
 250 implementing ordinances, studies, and plans), design, acquire,
 251 construct, install, operate, equip, upgrade, replace, extend,
 252 renovate, reclaim, mitigate, protect, remove exotics, and
 253 maintain improvements, works, landscaping, systems, structures,
 254 buildings, and facilities for community or public preserves,
 255 uplands, wetlands, playgrounds, parks, gymnasiums, stadiums,
 256 ballfields, greenways, waterways, and facilities for indoor and
 257 outdoor recreational, sport, cultural, and educational uses.

258 (1)1. To finance, plan (as to that portion of the district
 259 located within the City of North Port jurisdictional boundaries,
 260 consistent with City of North Port Comprehensive Plan and
 261 implementing ordinances, studies, and plans; as to that portion
 262 of the district located within the unincorporated area,
 263 consistent with the Sarasota County Comprehensive Plan and
 264 implementing ordinances, studies, and plans; and as to that
 265 portion of the district located within the Englewood Water
 266 District service area, consistent with the Englewood Water
 267 District's adopted studies and plans), design, acquire,
 268 construct, install, operate, set, and charge by resolution
 269 access, user, or connection fees and charges, equip, upgrade,
 270 replace, store, extend, renovate, and maintain water plants and
 271 systems, plus appurtenances, to produce, desalinate, purify,
 272 sell, and distribute water for consumption, irrigation, or other
 273 purposes; provided that the exercise of such construction,

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274 operation, fee establishment, and production powers by the
275 district shall:

276 a. As to that portion of the district located within the
277 City of North Port jurisdictional boundaries, require the prior
278 approval of the City of North Port Commission or its designee;

279 b. As to that portion of the district located within the
280 unincorporated area, require the prior approval of the Board of
281 County Commissioners of Sarasota County or its designee; and

282 c. As to that portion of the district located within the
283 Englewood Water District service area, require the prior
284 approval of the Board of the Englewood Water District or its
285 designee.

286 2. As to that portion of the district located within the
287 City of North Port jurisdictional boundaries, ~~and further that~~
288 the district shall agree, at the request of the City of North
289 Port Commission or its designee, subject to a utility
290 developer's agreement with the City of North Port (neither
291 party's consent to said developer's agreement shall be
292 unreasonably withheld), to donate and turn over operation of all
293 or any portion of said water system within the City of North
294 Port jurisdictional boundaries to the City of North Port.

295 3. As to that portion of the district located within the
296 unincorporated area and outside of the Englewood Water District
297 service area, the district shall agree, at the request of the
298 Board of County Commissioners of Sarasota County or its
299 designee, subject to a utility developer's agreement with
300 Sarasota County (neither party's consent to said developer's
301 agreement shall be unreasonably withheld), to donate and turn

302 over operation of all or any portion of said water system within
 303 the unincorporated area to Sarasota County.

304 4. As to that portion of the district located within the
 305 Englewood Water District service area, the district shall, at
 306 the request of the Board of the Englewood Water District or its
 307 designee, subject to an interlocal agreement or other
 308 appropriate agreement with the Englewood Water District (neither
 309 party's consent to said agreement shall be arbitrarily or
 310 unreasonably withheld), donate and turn over operation of all or
 311 any portion of said water system within the Englewood Water
 312 District service area to the Englewood Water District.

313 (m)1. To finance, plan (as to that portion of the district
 314 located within the City of North Port jurisdictional boundaries,
 315 consistent with City of North Port Comprehensive Plan and
 316 implementing ordinances, studies, and plans; as to that portion
 317 of the district located within the unincorporated area,
 318 consistent with the Sarasota County Comprehensive Plan and
 319 implementing ordinances, studies, and plans; and as to that
 320 portion of the district located within the Englewood Water
 321 District service area, consistent with the Englewood Water
 322 District's adopted studies and plans), design, acquire,
 323 construct, install, operate, set, and charge by resolution
 324 access, user, or connection fees and charges, equip, upgrade,
 325 replace, extend, renovate, and maintain sewer systems, plus
 326 appurtenances, for the collection, disposal, and reuse of
 327 effluent, waste, residue, or other byproducts of such system,
 328 prevent pollution, and improve water quality; provided that the

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329 exercise of such construction, operation, and fee establishment
330 powers by the district shall:

331 a. As to that portion of the district located within the
332 City of North Port jurisdictional boundaries, require the prior
333 approval of the City of North Port Commission or its designee;

334 b. As to that portion of the district located within the
335 unincorporated area, require the prior approval of the Board of
336 County Commissioners of Sarasota County or its designee; and

337 c. As to that portion of the district located within the
338 Englewood Water District service area, require the prior
339 approval of the Board of the Englewood Water District or its
340 designee.

341 2. As to that portion of the district located within the
342 City of North Port jurisdictional boundaries, and further that
343 the district shall agree, at the request of the City of North
344 Port Commission or its designee, subject to a utility
345 developer's agreement with the City of North Port (neither
346 party's consent to said developer's agreement shall be
347 unreasonably withheld), to donate and turn over operation of all
348 or any portion of said wastewater system within the City of
349 North Port jurisdictional boundaries to the City of North Port.

350 3. As to that portion of the district located within the
351 unincorporated area and outside of the Englewood Water District
352 service area, the district shall agree, at the request of the
353 Board of County Commissioners of Sarasota County or its
354 designee, subject to a utility developer's agreement with
355 Sarasota County (neither party's consent to said developer's
356 agreement shall be unreasonably withheld), to donate and turn

357 over operation of all or any portion of said wastewater system
358 within the unincorporated area to Sarasota County.

359 4. As to that portion of the district located within the
360 Englewood Water District service area, the district shall, at
361 the request of the Board of the Englewood Water District or its
362 designee, subject to an interlocal agreement or other
363 appropriate agreement with the Englewood Water District (neither
364 party's consent to said agreement shall be arbitrarily or
365 unreasonably withheld), donate and turn over
366 operation of all or any portion of said wastewater system within
367 the Englewood Water District service area to the Englewood Water
368 District.

369 (n) To finance, plan (if not inconsistent with other
370 responsible agencies or authorities), design, acquire,
371 construct, install, operate, equip, upgrade, replace, extend,
372 renovate, and maintain improvements and facilities for and take
373 measures to control mosquitoes or other insects and arthropods
374 of public health importance.

375 (o) To finance, plan (as to that portion of the district
376 located within the City of North Port jurisdictional boundaries,
377 consistent with City of North Port Comprehensive Plan and
378 implementing ordinances, studies, and plans; and, as to that
379 portion of the district located within the unincorporated area,
380 consistent with the Sarasota County Comprehensive Plan and
381 implementing ordinances, studies, and plans), design, acquire,
382 construct, install, operate, equip, upgrade, replace, extend,
383 renovate, and maintain lands, works, systems, landscaping, and
384 facilities for preservation areas, conservation areas,

385 environmental areas, mitigation areas, and wildlife habitat or
 386 sanctuaries, including the maintenance of any plant or animal
 387 species, and any related interest in real or personal property.
 388 The district shall allow the City of North Port access to all
 389 such improvements within the City of North Port jurisdictional
 390 boundaries and shall allow access by the public when
 391 appropriate. The district shall allow Sarasota County access to
 392 all such improvements within the unincorporated area of the
 393 district and shall allow access by the public when appropriate.

394 (p) To finance, plan (as to that portion of the district
 395 located within the City of North Port jurisdictional boundaries,
 396 consistent with City of North Port Comprehensive Plan and
 397 implementing ordinances, studies, and plans; and, as to that
 398 portion of the district located within the unincorporated area,
 399 consistent with the Sarasota County Comprehensive Plan and
 400 implementing ordinances, studies, and plans), design, acquire,
 401 construct, install, operate, equip, upgrade, replace, extend,
 402 renovate, and maintain additional systems and facilities for
 403 school buildings and related structures which may be donated to
 404 a public school district, subject to a developer's agreement
 405 (neither party's consent to said developer's agreement shall be
 406 unreasonably withheld), for use in the educational system;
 407 provided that donation of any land and the exercise of such
 408 construction powers by the district shall require the prior
 409 approval of the School Board of Sarasota County and either:

410 1. As to that portion of the district located within the
 411 City of North Port jurisdictional boundaries, the City of North
 412 Port City Commission or its designee; or

413 2. As to that portion of the district located within the
414 unincorporated area, the Board of County Commissioners of
415 Sarasota County or its designee.

416 (q) To levy non-ad valorem assessments; prescribe, fix,
417 establish, and collect rates, fees, rentals, fares, or other
418 charges, and to revise the same from time to time, for property,
419 facilities, and services made available, furnished, or to be
420 furnished by the district; and to recover the cost of making or
421 authorizing the connection to any district facility or system or
422 installing works or improvements on or within district property
423 interests. However, no rates, fares, charges, or fees shall be
424 established until after a public hearing of the board at the
425 district at which all affected persons shall be given an
426 opportunity to be heard.

427 (r) To provide for the discontinuance of service and
428 reasonable penalties, including reasonable attorney's fees,
429 against any user or property for any such rates, fees, rentals,
430 fares, or other charges that become delinquent and require
431 collection.

432 (s) To enter into agreements with any person, firm,
433 entity, partnership, or corporation (public, private, or
434 governmental) for the furnishing by such person, firm, entity,
435 partnership, or corporation of any facilities and services of
436 the type provided for, authorized, or necessarily implied as
437 being authorized in this act.

438 (t) To borrow money and issue negotiable or other bonds of
439 said district as hereinafter provided; and to borrow money, from
440 time to time, and issue negotiable or other notes of said

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441 district therefore, bearing interest at not exceeding the
 442 maximum interest allowable by law, in anticipation of the
 443 collection of levies, fees, penalties, charges, fares, and
 444 assessments or revenues of said district, and to pledge or
 445 hypothecate such non-ad valorem assessments, levies,
 446 assessments, and revenues to secure such bonds, notes, or
 447 obligations, and to sell, discount, negotiate, and dispose of
 448 the same.

449 (u) To provide for safety enhancements, including, but not
 450 limited to, security, guardhouses, fences, and gates, and
 451 electronic intrusion detection systems; except that the district
 452 shall not be authorized or empowered to exercise any police
 453 power, but may contract with the appropriate local general
 454 purpose government agencies for an increased level of such
 455 service. Notwithstanding anything to the contrary, nothing
 456 herein shall allow the district to limit the level of law
 457 enforcement provided by federal, state, or local governmental
 458 agencies.

459 (v) To provide, at the request of local general purpose
 460 governments consistent with the plans of the local general
 461 purpose government, systems and facilities for fire prevention
 462 and control and emergency medical services, including the
 463 construction or purchase of fire stations, water mains and
 464 plugs, fire trucks, and other vehicles and equipment consistent
 465 with any adopted local general purpose government ordinances,
 466 rules, or regulations. and, further, that The district shall
 467 agree:

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468 1. As to that portion of the district located within the
469 City of North Port jurisdictional boundaries, at the request of
470 ~~the local general purpose government,~~ subject to a developer's
471 agreement with the City of North Port (neither party's consent
472 to said developer's agreement shall be unreasonably withheld),
473 to donate and turn over operation of all or any portion of said
474 facilities within the City of North Port jurisdictional
475 boundaries to the City of North Port; and

476 2. As to that portion of the district located within the
477 unincorporated area, subject to a developer's agreement with
478 Sarasota County (neither party's consent to said developer's
479 agreement shall be unreasonably withheld), to donate and turn
480 over operation of all or any portion of said facilities within
481 the unincorporated area to Sarasota County ~~local general purpose~~
482 ~~government.~~

483 (w) To submit for and obtain permits, plus make and enter
484 into contracts and agreements as are necessary or incidental to
485 the performance of the duties imposed and the execution of the
486 powers granted under this act, and to employ such consulting and
487 other engineers, superintendents, managers, administrators,
488 construction and financial experts, attorneys, and such
489 employees and agents as may, in the judgment of the district, be
490 necessary, and to fix their compensation.

491 (x) To require any individual or entity desiring to
492 construct any structure in, over, under, upon, or occupying real
493 ~~district~~ property interests or rights-of-way owned by the
494 district ~~right-of-way~~ or connecting to or utilizing the works of
495 the district to first obtain written authorization from the

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496 | district and, as appropriate, either the City of North Port as
 497 | to that portion of the district located within the City of North
 498 | Port jurisdictional boundaries or Sarasota County as to that
 499 | portion of the district located within the unincorporated area
 500 | ~~comply with all City of North Port and district plans, rules,~~
 501 | ~~regulations, policies, and specifications,~~ provided that said
 502 | written authorization shall be issued upon a demonstration that
 503 | the applicant has complied ~~compliance~~ with such Sarasota County,
 504 | ~~applicable~~ City of North Port, or ~~and~~ district plans, rules,
 505 | regulations, policies, and specifications as may be applicable.
 506 | The board of supervisors shall be permitted the discretion to
 507 | deny or revoke any written authorization or application for same
 508 | if they find that the matter for which the authorization is
 509 | sought or granted does not comply with such Sarasota County, the
 510 | City of North Port, or ~~and~~ district plans, rules, regulations,
 511 | ~~or~~ policies, and specifications as may be applicable. All fees
 512 | and costs, including construction, review, inspection, copying,
 513 | engineering, legal, and administrative expenses of the district,
 514 | shall be paid by the applicant seeking the authorization. Any
 515 | such district written authorization shall not be deemed or
 516 | construed as being an alternative to or in place of the
 517 | applicant's obligation to also obtain all other governmental
 518 | building and construction permits and approvals. With regard to
 519 | that portion of the district located within the City of North
 520 | Port jurisdictional boundaries, any conflict between City of
 521 | North Port and district plans, rules, regulations, policies, and
 522 | specifications shall be resolved in favor of the City of North
 523 | Port. With regard to that portion of the district located within

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524 the unincorporated area, any conflict between Sarasota County
525 and district plans, rules, regulations, policies, and
526 specifications shall be resolved in favor of Sarasota County.

527 (y) To include in a plan of improvements, the engineer's
528 report, or the authorizing and implementing documents under
529 chapter 170, Florida Statutes, which shall include, but are not
530 limited to, all applicable resolutions, assessment maps, and/or
531 assessment rolls (the "chapter 170 authorizing documents"), all
532 or one or more of the various powers and functions, including
533 individual parts or components thereof, of the district or any
534 combination of same and to construct and finance said individual
535 or combination of such powers and functions, including
536 individual parts or components thereof. It is the intent of this
537 section that a plan of improvements, the engineer's report, or
538 chapter 170 authorizing documents may provide for a single
539 benefit to the land authorized by the laws pertaining to the
540 district or one or more of all of said benefits or combination
541 thereof as long as there are benefits accruing to the land.

542 (z) To provide in a plan of improvements, the engineer's
543 report, or chapter 170 authorizing documents that in assessing
544 the benefits and damages to be incurred by lands of the district
545 from the implementation, provision, or construction of a plan of
546 improvements or improvements or services pursuant to chapter 170
547 authorizing documents, the varying types of existing or proposed
548 land uses of the land within the unit or affected by such
549 construction or implementation, as the case may be, may be
550 considered and be entitled to so assess the benefits and
551 damages. The district may levy non-ad valorem assessments based

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552 upon the benefits assessed in such manner, taking into account
 553 the varying existing or proposed land uses of the land affected
 554 by such construction as shall provide for the equitable
 555 apportionment of such assessments. Such assessments may be
 556 levied on the basis of lots, units, acreage, parcels, equivalent
 557 connection, or uses or as otherwise set forth in the engineer's
 558 report or in the chapter 170 authorizing documents.

559 (aa) To establish and create such departments, committees,
 560 boards, or other agencies, including a public relations
 561 committee, as from time to time the board of supervisors may
 562 deem necessary or desirable in the performance of the acts or
 563 other things necessary to the exercise of the powers provided in
 564 this act, and to delegate to such departments, committees,
 565 boards, or other agencies such administrative duties and other
 566 powers as the board of supervisors may deem necessary and to
 567 exercise all other powers necessary convenient or proper in
 568 connection with any of the powers or duties of said district
 569 stated in this act by and through the board of supervisors.
 570 Notwithstanding anything contained herein:

571 1. As to that portion of the district located within the
 572 City of North Port jurisdictional boundaries, no such
 573 departments, committees, boards, or other agencies shall have
 574 the power or authority to supersede any powers or authorities of
 575 the City of North Port; and

576 2. As to that portion of the district located within the
 577 unincorporated area, no such departments, committees, boards, or
 578 other agencies shall have the power or authority to supersede
 579 any powers or authorities of Sarasota County.

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580 (bb) Notwithstanding any authority contained within this
581 section:

582 1. As to that portion of the district located within the
583 City of North Port jurisdictional boundaries, the development,
584 operation, or maintenance of any district facilities or services
585 shall comply with the adopted comprehensive plan, unified land
586 development code, zoning code, and any other city codes and
587 ordinances of the City of North Port; and

588 2. As to that portion of the district located within the
589 unincorporated area, the development, operation, or maintenance
590 of any district facilities or services shall comply with the
591 adopted comprehensive plan, land development regulations, zoning
592 code, and any other codes and ordinances of Sarasota County.

593 (cc) To establish, or otherwise make available, a plan for
594 retirement, disability, dental, death, hospitalization, and
595 other appropriate benefits for employees of the district.

596 (dd) To invest surplus funds of the district consistent
597 with the Investment of Local Government Surplus Funds Act, part
598 IV, chapter 218, Florida Statutes.

599 (ee) As to that portion of the district located within the
600 City of North Port jurisdictional boundaries, to submit to the
601 City of North Port the plan of improvement for major government
602 infrastructure capital elements that may eventually be dedicated
603 or donated to the City of North Port so that the city can rely
604 on and incorporate said plan of improvement into the city's
605 Capital Improvement Plan; and, as to that portion of the
606 district located within the unincorporated area, to submit to
607 Sarasota County the plan of improvement for major government

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608 infrastructure capital elements that may eventually be dedicated
609 or donated to Sarasota County so that the county can rely on and
610 incorporate said plan of improvement into the county's Capital
611 Improvement Plan.

612 (ff) To apply for, obtain, and utilize any grants from
613 other entities consistent with the powers of the district;
614 provided, however, that:

615 1. As to that portion of the district located within the
616 City of North Port jurisdictional boundaries, the district shall
617 coordinate with and obtain timely authorization from the City of
618 North Port Commission or its designee prior to the submittal of
619 any grant application; and

620 2. As to that portion of the district located within the
621 unincorporated area, the district shall coordinate with and
622 obtain timely authorization from the Board of County
623 Commissioners of Sarasota County or its designee prior to the
624 submittal of any grant application.

625 (gg) Following methodology consistent with Sarasota the
626 County's concurrency management regulations, and notwithstanding
627 any authority contained within this section, the district shall
628 not construct any improvements within that portion of the
629 district located within the City of North Port jurisdictional
630 boundaries, pursuant to any municipal development order, where
631 that development would cause the level of service on any
632 concurrency regulated facility in unincorporated Sarasota County
633 to drop below the level of service adopted as of the effective
634 date of this act, or subsequently reduced level of service, in
635 the Sarasota County Comprehensive Plan pursuant to chapter 163,

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636 Florida Statutes, without paying its fair share contribution to
637 improving that facility, and Sarasota County shall have the
638 right under section 163.3215, Florida Statutes, to contest any
639 such municipal development order on the basis that it fails to
640 require the district to pay its fair share contribution. The
641 fair share contribution shall include both the contribution to
642 the county from the fair share collected by the City of North
643 Port pursuant to the county's impact fee ordinance and
644 interlocal agreements between Sarasota County and the City of
645 North Port, as well as direct contributions made to the county
646 by the district. Nothing contained herein shall be construed as
647 limiting the obligations of the district or property owners
648 therein as set forth in Florida Statutes and applicable rules.
649 Any fair share contribution required to address the impact of
650 development within that portion of the district located in
651 unincorporated Sarasota County shall be governed by the laws and
652 ordinances of Sarasota County.

653 (hh) The district shall have the power to collect fair
654 share contributions from Sarasota County should Sarasota County
655 approve any development order in unincorporated Sarasota County
656 that creates impacts to concurrency regulated facilities within
657 the district, which would cause the level of service on any
658 concurrency regulated facility in the district within the City
659 of North Port jurisdictional boundaries to drop below the level
660 of service adopted by the City of North Port for such facility
661 as of the effective date of this act, or subsequently reduced
662 level of service.

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663 (3) To include in a plan of improvements, the engineer's
664 report, chapter 170 authorizing documents, or otherwise provide,
665 for the exercise of the district's powers, services, facilities,
666 and improvements beyond the territorial boundaries of the
667 district, when necessary and appropriate in order to provide a
668 benefit on behalf of lands located within the district and
669 pursuant to an approved plan of improvements or chapter 170
670 authorizing documents. Any such construction must be in
671 accordance with the city's master plans and requirements. Any
672 such construction within unincorporated Sarasota County must be
673 in accordance with the county's comprehensive plan, master
674 plans, and thoroughfare plan. The ~~West Villages Improvement~~
675 district shall cooperate and coordinate its activities with the
676 units of general-purpose local government in which it is
677 located, including the City of North Port and Sarasota County.
678 Prior to exercising any of the district powers, functions, or
679 duties relative to infrastructure planning, programming, or
680 construction within that portion of the district located in
681 unincorporated Sarasota County, the district shall enter into an
682 interlocal agreement with Sarasota County, which agreement shall
683 specify the process for the district to coordinate its
684 infrastructure planning, programming, and construction
685 activities with Sarasota County and include a means to
686 coordinate infrastructure planning and programming between the
687 parties. Neither the district nor Sarasota County shall
688 arbitrarily or unreasonably withhold or delay its approval and
689 execution of such interlocal agreement. The district is
690 authorized to enter into interlocal agreements with the City of

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691 North Port, Sarasota County, the Englewood Water District, or
 692 any other units of government. Whenever the district intends to
 693 utilize its powers to construct or cause to be constructed
 694 infrastructure projects or programs within the district, the
 695 district shall provide copies of all plans and infrastructure
 696 permit applications to the Sarasota County Planning Director and
 697 Development Services Business Center at such time as the
 698 district submits such plans or permit applications to the City
 699 of North Port or other permitting authority but in any event no
 700 less than 30 days before the City of North Port or other
 701 permitting authority issues permits for those projects. The
 702 district shall allow the county 20 days from submittal to the
 703 county to comment on those plans and permit applications, but as
 704 to construction or improvements that are not within
 705 unincorporated Sarasota County, the county's approval is not
 706 required for the district to proceed with the project. Sarasota
 707 County shall not unduly interfere with the district's exercise
 708 of its powers conferred by this act.

709 Section 4. Board of supervisors; election, organization,
 710 powers, duties, and terms of office.--

711 (1) There is hereby created a Board of Supervisors of the
 712 West Villages Improvement District, which shall be the governing
 713 body of said district.

714 (2) Said board of supervisors shall consist of five
 715 persons who, except as herein otherwise provided, shall each
 716 hold office for terms of 4 years each and until their successors
 717 shall be duly elected and qualified.

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718 (3) The first board of supervisors of the district shall
719 be composed of five persons, two of whom shall hold office for 4
720 years, one of whom shall hold office for 3 years, one of whom
721 shall hold office for 2 years, and one of whom shall hold office
722 for 1 year, which terms shall terminate in June of their
723 applicable final year. Within 120 days after this act becomes a
724 law, a special meeting of landowners of the West Villages
725 Improvement District shall be held for the purpose of electing
726 the first board of supervisors for the West Villages Improvement
727 District as herein provided. Notice of such special meeting of
728 landowners shall be given by causing publication thereof to be
729 made once a week for 2 consecutive weeks prior to such meeting
730 in the newspaper of general paid circulation in which ~~that~~ the
731 City of North Port publishes notices of city meetings, and prior
732 to the meeting, ~~provision of 2 weeks'~~ weeks advance written
733 notice shall be provided to the City of North Port City Manager,
734 including the agenda and any backup material. Such special
735 meeting of landowners shall be held in a public place in the
736 City of North Port, and the place, date, and hour of holding
737 such meeting and the purpose thereof shall be stated in the
738 notice. The landowners when assembled shall organize by electing
739 a chair who shall preside at the meeting and a vice chair,
740 secretary, and treasurer. At such meeting, each and every acre,
741 or any fraction thereof, of land in the district shall represent
742 one vote and each owner shall be entitled to one vote in person
743 or by written proxy for every acre of land, or any fraction
744 thereof, owned by such owner in the district. Candidates must be
745 citizens of the United States and shall be nominated prior to

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746 commencement of the initial election. The landowners shall first
 747 vote for the 2 supervisors who are to hold office for the 2
 748 seats with an initial term of 4 years as herein provided, and
 749 the persons receiving the highest and next highest number of
 750 votes for such supervisor offices shall be declared and elected
 751 as the supervisors for said 2 seats. The landowners shall next
 752 vote for the supervisor who is to hold office for that seat with
 753 a term of 3 years as provided herein, and the person receiving
 754 the highest number of votes for such supervisor shall be
 755 declared and elected as such supervisor for said seat. Said
 756 landowners shall continue to so vote for each remaining seat
 757 until the supervisor who is to hold office for the term of 1
 758 year as herein provided is elected for said seat. The landowners
 759 present or voting by proxy at the meeting shall constitute a
 760 quorum.

761 (4) Each year during the month of June, beginning with
 762 June of the second year following the first election, a
 763 supervisor shall be elected, as hereinafter provided, by the
 764 landowners of said district to take the place of the retiring
 765 supervisor. All vacancies or expirations on said board shall be
 766 filled as provided by this act. All supervisors of the district
 767 shall be citizens of the United States. Following the initial
 768 election of supervisors in order to be eligible for election, a
 769 candidate for an office of supervisor shall be required to file
 770 a written notice of intention to be a candidate in said office
 771 of the district at least 30 calendar days but not earlier than
 772 90 calendar days before but not including the day of the annual
 773 meeting of the landowners. In case of a vacancy in the office of

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774 any supervisor, the remaining supervisors within 90 calendar
775 days of the vacancy shall fill such vacancy until the expiration
776 of that seat's outstanding term when a successor shall be
777 elected by the landowners. If, on or before January 1 of any
778 calendar year, there are 6,000 owners of real property in that
779 portion of the district located within the City of North Port
780 that are registered voters in the City of North Port, at least
781 one supervisor elected at the next regularly scheduled election
782 shall be a resident of and owner of real property in that
783 portion of the district located within the City of North Port.
784 If, on or before January 1 of any calendar year, there are 3,000
785 owners of real property in that portion of the district located
786 within the unincorporated area of Sarasota County that are
787 registered voters of Sarasota County, at least one supervisor
788 elected at the next regularly scheduled election shall be a
789 resident of and owner of real property in that portion of the
790 district located within unincorporated Sarasota County.

791 (5) As soon as practicable after their election and the
792 taking of oaths of office, the board of supervisors of the
793 district shall organize by choosing a chair and vice chair of
794 the board of supervisors and by electing some suitable persons
795 secretary and treasurer, who may or may not be members of the
796 board. The board of supervisors shall adopt a seal which shall
797 be the seal of the district.

798 (6) Each supervisor shall hold office until his or her
799 successor shall be elected and qualified. Whenever any election
800 shall be authorized or required by this act to be held by the
801 landowners at any particular or stated time or day, and if for

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802 any reason such election shall not or cannot be held at such
803 time or on such day, then in such event and in all and every
804 such event, the power or duty to hold such election shall not
805 cease or lapse, but such election shall be held thereafter as
806 soon as practicable and consistent with this act.

807 (7) The supervisors shall not receive any compensation for
808 their services.

809 Section 5. Meetings of landowners.--

810 (1) Each year during the month of June, a meeting of the
811 landowners of the district shall be held, when necessary, for
812 the purpose of electing a supervisor and hearing reports of the
813 board of supervisors and considering any matters upon which the
814 board of supervisors may request the advice and views of the
815 landowners. The board of supervisors shall have the power to
816 call special meetings of the landowners at any time to consider
817 and act upon any matter upon which the board of supervisors may
818 request action, direction, or advice. Notice of all meetings of
819 the landowners shall be given by the board of supervisors by
820 causing publication thereof to be made for 2 consecutive weeks
821 prior to such meeting in the newspaper of general paid
822 circulation in which ~~that~~ the City of North Port publishes
823 notices of city meetings and in a newspaper of general paid
824 circulation in which Sarasota County publishes notices of its
825 board meetings, and prior to the meeting, ~~provision of 2 weeks'~~
826 weeks advance written notice shall be provided to the City of
827 North Port City Manager and the Sarasota County Administrator,
828 or their designees, regarding any matters affecting that portion
829 of the district located within the City of North Port

830 | jurisdictional boundaries or the unincorporated area,
 831 | respectively, including the agenda and any backup material. The
 832 | meetings of the landowners shall be held in a public place in
 833 | the City of North Port, and the place, day, and hour of holding
 834 | such meetings shall be stated in the notice. The landowners when
 835 | assembled shall organize by electing a chair who shall preside
 836 | at the meeting. The secretary of the board of supervisors shall
 837 | be the secretary of such meeting. At all such meetings each and
 838 | every acre, or any fraction thereof, of land in the district
 839 | shall represent one vote, and each owner shall be entitled to
 840 | one vote in person or by written proxy for every acre, or any
 841 | fraction thereof, of land owned by such owner in the district.
 842 | The eligible person receiving the highest number of votes for a
 843 | supervisor position shall be declared and elected as such
 844 | supervisor. Those landowners present or voting by proxy at the
 845 | meeting, including the initial meeting, shall constitute a
 846 | quorum at any meeting of the landowners.

847 | (2) Guardians may represent their wards, and personal
 848 | representatives may represent the estates of deceased persons.
 849 | Trustees may represent lands by them in trust, and private and
 850 | municipal corporations may be represented by their officers or
 851 | duly authorized agents. Guardians, personal representatives,
 852 | trustees, and corporations may vote by proxy.

853 | Section 10. Bonds may be issued, sale and disposition of
 854 | proceeds; interest; levy to pay bonds; bonds and duties of
 855 | treasurer.--

856 | (2) Provided that any and all loans or bonds of the
 857 | district are non-recourse as to the City of North Port and

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858 | Sarasota County, the board of supervisors may issue bonds not to
 859 | exceed 90 percent of the total amount of the non-ad valorem
 860 | assessments levied under the provisions of section 298.305,
 861 | Florida Statutes, or equal to the total amount levied under
 862 | chapter 170, Florida Statutes, bearing interest from date at a
 863 | rate not to exceed the statutory lawful maximum per annum,
 864 | payable annually or semiannually, to mature at annual intervals
 865 | within 40 years commencing after a period of not later than 10
 866 | years, to be determined by the board of supervisors, with both
 867 | principal and interest payable at some convenient place
 868 | designated by the board of supervisors to be named in said
 869 | bonds, which bonds shall be signed by the chair of the board of
 870 | supervisors, attested with the seal of the district and by the
 871 | signature of the secretary of the board. All of said bonds shall
 872 | be executed and delivered to the district or its agent, which
 873 | shall sell the same in such quantities and at such dates as the
 874 | board of supervisors may deem necessary to meet the payments for
 875 | the works, services, and improvements in and of the district. A
 876 | sufficient amount of the non-ad valorem assessment shall be
 877 | appropriated by the board of supervisors for the purpose of
 878 | paying the principal, premium, if any, and interest of said
 879 | bonds, and the same shall, when collected, be preserved in a
 880 | separate fund for that purpose and no other. All bonds not paid
 881 | at maturity shall bear interest at a rate of not to exceed the
 882 | statutory lawful maximum per annum from maturity until paid, or
 883 | until sufficient funds have been deposited at the place of
 884 | payment, and said interest shall be appropriated by the board of
 885 | supervisors out of the penalties and interest collected on

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886 delinquent assessments or other available funds of the district.
887 Provided, however, that it may, in the discretion of said board,
888 be provided that at any time, after such date as shall be fixed
889 by the said board, said bonds may be redeemed before maturity at
890 the option of said board, or their successors in office, by
891 being made callable prior to maturity at such times and upon
892 such prices and terms and other conditions as said board shall
893 determine. If any bond so issued subject to redemption before
894 maturity shall not be presented when called for redemption, it
895 shall cease to bear interest from and after the date so fixed
896 for redemption.

897 Section 11. Unit development; powers of supervisors to
898 designate units of development and adopt systems of progressive
899 development by units; plan of improvements and financing
900 assessments, for each unit.--

901 (1) Upon written petition signed by the owners of 51
902 percent of the acreage in any area, the board of supervisors of
903 the district shall have the power and is hereby authorized in
904 its discretion to exercise such powers authorized in this act,
905 the lands in said designated area or part of the district to be
906 called a "unit." The units into which said district may be so
907 divided shall be given appropriate numbers or names by said
908 board of supervisors, so that said units may be readily
909 identified and distinguished. The board of supervisors shall
910 have the power to fix and determine the location, area, and
911 boundaries of and lands to be included in each and all such
912 units with the consent of the owners of 51 percent of the
913 acreage in any area, and the method of carrying on the work in

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914 | each unit. If the board of supervisors shall determine that it
 915 | is advisable to conduct the work of the district by units, as
 916 | authorized by this section, said board shall, by resolution duly
 917 | adopted and entered upon its minutes, declare its purpose to
 918 | conduct such work accordingly and, upon petition of the owners
 919 | of 51 percent of the acreage in any area, shall at the same time
 920 | and manner fix the number, location, and boundaries of and
 921 | description of lands within such unit or units and give
 922 | appropriate numbers or names, which unit or units may overlay or
 923 | overlap one or more other units. As soon as practicable after
 924 | the adoption and recording of a resolution as to any unit, said
 925 | board of supervisors shall publish a notice once a week for 2
 926 | consecutive weeks in the newspaper of general paid circulation
 927 | in which ~~that~~ the City of North Port publishes notices of city
 928 | meetings and in a newspaper of general paid circulation in which
 929 | Sarasota County publishes notices of its board meetings, ~~and by~~
 930 | ~~provision of 2 weeks advance written notice to the City of North~~
 931 | ~~Port City Manager,~~ briefly describing the unit or units into
 932 | which the district has been divided and the lands embraced in
 933 | each unit, giving the name, number, or other designation of such
 934 | units, requiring all owners of lands in the district to show
 935 | cause in writing before said board of supervisors at a time and
 936 | place to be stated in such notice why such division of said
 937 | district into such unit or units should not be approved, and why
 938 | the proceedings and powers authorized by this section of this
 939 | act should not be had, taken, and exercised. Two weeks' advance
 940 | written notice of the board's intent to establish said unit or
 941 | units shall also be provided:

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- 942 (a) To the City of North Port City Manager or his or her
943 designee as to that portion of the district located within the
944 City of North Port jurisdictional boundaries; or
945 (b) To the Sarasota County Administrator or his or her
946 designee as to that portion of the district located within the
947 unincorporated area.

948
949 At the time and place stated in said notice, said board of
950 supervisors shall hear all objections or causes of objection,
951 all of which shall be in writing, of any landowner in the
952 district to the matters mentioned and referred to in such
953 notice, and if no objections are made, or if said objections, if
954 made, shall be overruled by said board, then said board shall
955 enter in its minutes its finding and order confirming said
956 resolution and may thereafter proceed with the development of
957 the district by unit or units pursuant to such resolution and to
958 the provisions of this act. If, however, said board of
959 supervisors shall find as a result of such objections, or any of
960 them, or the hearing thereon, that the division of the district
961 into such unit or units as aforesaid should not be approved, or
962 that the proceedings and powers authorized by this section of
963 this act should not be had, taken, or exercised, or that any
964 other matter or thing embraced in said resolution would not be
965 in the best interest of the landowners of said unit or units or
966 would be unjust or unfair to any landowner therein or otherwise
967 inconsistent with fair and equal protection and enforcement of
968 the rights of every landowner in said unit or units, then the
969 board of supervisors shall not proceed further under such

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970 resolution, but said board of supervisors may, as a result of
971 such hearing, modify or amend said resolution so as to meet such
972 objections so made, and thereupon said board may confirm said
973 resolution as so modified or amended and may thereafter proceed
974 accordingly. If said board of supervisors shall overrule or
975 refuse to sustain any such objections in whole or in part made
976 by any landowner in the district, or if any such landowner shall
977 deem himself or herself aggrieved by any action of the board of
978 supervisors in respect to any objections so filed, such
979 landowner may, within 10 days after the ruling of said board,
980 file his or her complaint in the Circuit Court for Sarasota
981 County, against said district, praying an injunction or other
982 appropriate relief against the action or any part of such action
983 proposed by such resolution or resolutions of said board, and
984 such suits shall be conducted like other suits, except that said
985 suits shall have preference over all other pending actions
986 except criminal actions and writs of habeas corpus. Upon the
987 hearing of said cause, the circuit court shall have the power to
988 hear the objections and receive the evidence thereon of all
989 parties to such cause and approve or disapprove said resolutions
990 and action of the board in whole or in part, and to render such
991 decree in such cause as right and justice require.

992 (2) When said resolutions creating said unit or units
993 shall be confirmed by the board of supervisors (or by the
994 Circuit Court for Sarasota County, if such proposed action shall
995 be challenged by a landowner by the judicial proceedings
996 hereinabove authorized), the board of supervisors may adopt a
997 plan of improvements or chapter 170 authorizing documents for

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998 | and in respect to any or all such units, and to have the
 999 | benefits and damages resulting therefrom assessed and
 1000 | apportioned as is provided by law in regard to a plan of
 1001 | improvements or chapter 170 authorizing documents for and
 1002 | assessments for benefits and damages of the entire district.
 1003 | With respect to the plan of improvements, notices, appointment
 1004 | of engineer to prepare a report assessing the benefits and
 1005 | damages, the engineer's report and notice and confirmation
 1006 | thereof, the levy of assessments, including maintenance
 1007 | assessments, the issuance of bonds, the exercise or use of
 1008 | chapter 170, Florida Statutes, proceedings and all other
 1009 | proceedings as to each and all of such units, said board shall
 1010 | follow and comply with the same procedure as is provided by law
 1011 | with respect to the entire district; and said board of
 1012 | supervisors shall have the same powers in respect to each and
 1013 | all of such units as is vested in them with respect to the
 1014 | entire district. All the provisions of this act shall apply to
 1015 | the improvement of each, any, and all of such units, and the
 1016 | enumeration of or reference to specific powers or duties of the
 1017 | supervisors or any other officers or other matters in this act
 1018 | as hereinabove set forth, shall not limit or restrict the
 1019 | application of any and all of the proceedings and powers herein
 1020 | for such units as fully and completely as if such unit or units
 1021 | were specifically and expressly named in every section and
 1022 | clause of this act where the entire district is mentioned or
 1023 | referred to. All assessments, levies, bonds, and other
 1024 | obligations made, levied, assessed, or issued for or in respect
 1025 | to any such unit or units shall be a lien and charge solely and

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1026 | only upon the lands in such unit or units, respectively, for the
 1027 | benefit of which the same shall be levied, made, or issued, and
 1028 | not upon the remaining units or lands in the district. The board
 1029 | of supervisors, upon an affirmative vote of a simple majority of
 1030 | qualified electors, as defined in chapter 189, Florida Statutes,
 1031 | within said unit voting in a referendum, or upon approval of the
 1032 | landowners of 51 percent of the acreage in said unit if there
 1033 | are no residents in said unit, may at any time amend its
 1034 | resolutions by changing the location and description of lands in
 1035 | any such unit or units and provided, further, that if the
 1036 | location or description of lands located in any such unit or
 1037 | units is so changed, notice of such change shall be published as
 1038 | hereinabove required in this section for notice of the formation
 1039 | or organization of such unit or units; provided, however, that
 1040 | no lands against which benefits shall have been assessed may be
 1041 | detached from any such unit after the final adoption of the
 1042 | engineer's report of benefits or chapter 170 authorizing
 1043 | document, in such unit or units or the issuance of bonds or
 1044 | other obligations which are payable from assessments for
 1045 | benefits levied upon the lands within such unit or units.

1046 | (3) Provided, however, that if, after adoption of the
 1047 | engineer's report of benefits chapter 170, authorizing document,
 1048 | in such unit or units, or the issuance of bonds or other
 1049 | obligations which are payable from assessments for benefits
 1050 | levied upon lands within such unit or units, the board of
 1051 | supervisors finds the plan of improvements, the engineer's
 1052 | report, or chapter 170 authorizing documents for any such unit
 1053 | or units insufficient or inadequate for efficient development,

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1054 same may be amended or changed as provided in this act, chapter
 1055 170 or chapter 298, Florida Statutes, and the unit or units may
 1056 be amended or changed as provided in this section, by changing
 1057 the location and description of lands in any such unit or units,
 1058 by detaching lands therefrom or by adding land thereto, upon the
 1059 approval of at least 51 percent of the landowners according to
 1060 acreage, in any such unit, and provided that in such event all
 1061 assessments, levies, fees, bonds, and other obligations made,
 1062 levied, assessed, incurred, or issued for or in respect to any
 1063 such unit or units may be allocated and apportioned to the
 1064 amended unit or units in proportion to the benefits assessed by
 1065 the engineer's report, for the amended plan of improvements and
 1066 said report shall specifically provide for such allocation and
 1067 apportionment. The landowners shall file their approval of or
 1068 objections to such amended plan of improvements within the time
 1069 provided in section 298.301, Florida Statutes, or, when used
 1070 such applicable deadline provision, if any, of chapter 170,
 1071 Florida Statutes, and shall file their approval of or objections
 1072 to the amendment of such unit as provided in this section.

1073 (4) No assessable lands shall be detached from any unit
 1074 after the issuance of bonds or other obligations for such unit
 1075 except upon the consent of a majority the holders, based on face
 1076 value of the outstanding bonds, of such bonds or other
 1077 obligations. In the event of the change of the boundaries of any
 1078 unit as provided herein and the allocation and apportionment to
 1079 the amended unit or units of assessments, levies, fees, bonds,
 1080 and other obligations in proportion to the benefits assessed,
 1081 the holder of the bonds or other obligations heretofore issued

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1082 | for the original unit who consents to such allocation and
 1083 | apportionment shall be entitled to all rights and remedies
 1084 | against any lands added to the amended unit or units as fully
 1085 | and to the same extent as if such added lands had formed and
 1086 | constituted a part of the original unit or units at the time of
 1087 | the original issuance of such bonds or other obligations, and
 1088 | regardless of whether the holders of such bonds or other
 1089 | obligations are the original holders thereof or the holders from
 1090 | time to time hereafter, and the rights and remedies of such
 1091 | holders against the lands in the amended unit or units,
 1092 | including any lands added thereto, under such allocation and
 1093 | apportionment, shall constitute vested and irrevocable rights
 1094 | and remedies to the holders from time to time of such bonds or
 1095 | other obligations as fully and to the same extent as if such
 1096 | bonds or other obligations had been originally issued to finance
 1097 | the improvements in such amended unit or units.

1098 | (5) Upon the formation of a unit, the board is authorized
 1099 | to levy a one-time organizational special assessment tax per
 1100 | acre on the lands in a unit sufficient to prepare a plan of
 1101 | improvements or chapter 170 authorizing documents and have the
 1102 | benefits assessed as provided herein.

1103 | (6) The territorial limits of a unit may be expanded to
 1104 | include additional land by agreement between the district and
 1105 | all of the landowners of the land to be included in the unit,
 1106 | provided that at the time of the execution of the agreement, the
 1107 | additional land is contained within the jurisdictional
 1108 | boundaries of the district. Land included in the unit by
 1109 | agreement shall thereafter be subject to the payment of all

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1110 assessments or fees levied by the district in the unit and shall
 1111 be subject to the provisions of all laws under which the
 1112 district operates. The agreement shall be in recordable form and
 1113 filed in the official records.

1114 (7) The district shall not amend any plan of improvement
 1115 for any unit in which any real property has been sold to the
 1116 general public at large for residential and non-commercial
 1117 purposes, in such a way that said amendment results in any
 1118 increase in the principal amount of debt then authorized for
 1119 that unit, without an affirmative vote of a simple majority of
 1120 qualified electors, as so defined in chapter 189, Florida
 1121 Statutes, within said unit voting in a referendum.

1122 Section 12. Eminent domain.--The said board of supervisors
 1123 is hereby authorized and empowered, when reasonably necessary
 1124 for the implementation of district authorized public
 1125 infrastructure works, facilities, or services, to exercise
 1126 within the district, with prior approval by resolution of the
 1127 governing body of the district, ~~and the municipality or outside~~
 1128 ~~the district's territorial boundaries and within the City of~~
 1129 ~~North Port with prior approval, by resolution, of the City of~~
 1130 ~~North Port City Commission, (which approval shall not be~~
 1131 ~~unreasonably withheld),~~ the right and power of eminent domain,
 1132 pursuant to the provisions of chapters 73 and 74, Florida
 1133 Statutes, over any property within the district and the City of
 1134 North Port or unincorporated Sarasota County, except municipal,
 1135 county, state, and federal property, for the uses and purposes
 1136 of the district relating solely to water, sewer, district roads,
 1137 and water management, specifically including, without

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1138 | limitation, the power for the taking of easements for the
 1139 | drainage of the land of one person over and through the land of
 1140 | another; however, the exercise of any such power of eminent
 1141 | domain:

1142 | (1) Within the territorial boundaries of the City of North
 1143 | Port, whether or not within the district boundaries, shall
 1144 | require the prior approval, by resolution, of the City of North
 1145 | Port City Commission (which approval shall not be unreasonably
 1146 | withheld); or

1147 | (2) Within the unincorporated area, whether or not within
 1148 | the district boundaries, shall require the prior approval, by
 1149 | resolution, of the Board of County Commissioners of Sarasota
 1150 | County (which approval shall not be unreasonably withheld).

1151 | Section 17. Territorial boundaries.--

1152 | (1) The territorial boundaries of the district shall be as
 1153 | follows, to wit:

1154 |
 1155 | LANDS LOCATED IN TOWNSHIP 39 SOUTH, RANGE 20 EAST,
 1156 | SARASOTA COUNTY, FLORIDA:

1157 |
 1158 | That part of Section 21, lying Southwesterly of County
 1159 | Road No. 777 (West River Road). All that part of
 1160 | Section 28, lying West of County Road No. 777 (West
 1161 | River Road). All of Section 29, less and except the
 1162 | following:

1163 |
 1164 | Right-of-way for U. S. Highway No. 41 (State Road No.
 1165 | 45). All of Section 30, less and except the following:

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1166 Right-of-way for U. S. Highway No. 41 (State Road No.
 1167 45); That portion conveyed to Florida Power and Light
 1168 Company consisting of approximately 4.66 acres in the
 1169 SW1/4 as described in Official Record Book 1036, Page
 1170 802, Public Records of Sarasota County, Florida; That
 1171 portion lying West of lands described in Official
 1172 Record Book 1036, Page 802, South of the westerly
 1173 extension of the North line of said lands described in
 1174 Official Records Book 1036, Page 802, and North of the
 1175 northerly Right of Way line of U.S. Highway No. 41.
 1176 All of Section 31, less and except the following:
 1177 Right-of-way of U. S. Highway No. 41 (State Road No.
 1178 45). All of Section 32, less and except the following:
 1179 Right-of-way of U. S. Highway No. 41 (State Road No.
 1180 45); That portion conveyed in Official Record Book
 1181 2785, Page 634 of the Public Records of Sarasota
 1182 County, Florida, (Sarasota County Hospital Board);
 1183 That portion conveyed in Official Record Book 1571,
 1184 Page 2172 of the Public Records of Sarasota County,
 1185 Florida, (Manatee Community College); Right-of-way for
 1186 Pine Street Extension as recorded in Official Record
 1187 Book 2536, pages 811-974 of The Public Records of
 1188 Sarasota County, Florida; That portion conveyed in
 1189 Official Record Book 2785, Page 641 of the Public
 1190 Records of Sarasota County, Florida, (120 wide
 1191 perpetual Non-Exclusive easement); That portion lying
 1192 South of lands conveyed in Official Record Book 1571,
 1193 Page 2172 and East of lands described in Official

1194 Record Book 2785, Page 641, Public Records of Sarasota
 1195 County, Florida. That portion of Section 33, lying
 1196 North of U.S. Highway No. 41 (State Road No. 45) and
 1197 West of County Road #777 (West River Road); also that
 1198 portion of Section 33, lying South of U.S. Highway No.
 1199 41 (State Road No. 45), West of a 200 ft. wide access
 1200 easement described in Official Records Book 2389, Page
 1201 528, Public Records of Sarasota County, Florida, and
 1202 North of lands conveyed in Official Records Book 1571,
 1203 Page 2172, Public Records of Sarasota County, Florida;
 1204 also that portion of Section 33, lying South of U.S.
 1205 Highway No. 41 (State Road No. 45), described as
 1206 follows:

1207
 1208 COMMENCE at the East Quarter Corner of Section 33,
 1209 Township 39 South, Range 20 East, Sarasota County
 1210 Florida; thence S. 00°16'02"W., along the East line of
 1211 said Section 33, a distance of 289.08 feet to a point
 1212 on the Southerly Right of Way Line of U.S. Highway No.
 1213 41, (State Road No. 45) per Florida Department of
 1214 Transportation Right of Way Map Section 17010-2508,
 1215 same being a point on a curve to the right having a
 1216 radius of 3011.73 feet, a central angle of 24°58'49",
 1217 a chord bearing of N. 66°51'56"W., and a chord length
 1218 of 1032.71 feet; thence along the arc of said curve
 1219 and said Southerly Right of Way of U.S. No. 41, an arc
 1220 length of 1313.08 feet to the point of tangency of
 1221 said curve; thence N. 54°22'31"W., along said

1222 southerly Right of Way, a distance of 66.57 feet to
 1223 the POINT OF BEGINNING, same being the Northwest
 1224 corner of Lands described in Official Records
 1225 Instrument No. 1998166153, per Public Records of
 1226 Sarasota County, Florida; thence along the Westerly
 1227 line of said Lands described in Official Records
 1228 Instrument No. 1998166153 the following three (3)
 1229 courses and distances; (1) S. 35°37'26"W., a distance
 1230 of 161.93 feet to the point of curvature of a curve to
 1231 the right having a radius of 559.97 feet, a central
 1232 angle of 29°49'56", a chord bearing of S. 50°32'24"W.,
 1233 and a chord length of 288.28 feet; (2) thence along
 1234 the arc of said curve an arc length of 291.56 feet to
 1235 the end of said curve; (3) thence S. 00°01'27"W., a
 1236 distance of 1074.23 feet; thence N. 48°24'50"W.,
 1237 leaving said Westerly Line, a distance of 2914.38 feet
 1238 to the Northeast corner of Lands described as Manatee
 1239 Community College per Official Records Book 1571, Page
 1240 2172, same being the point of curvature of a curve to
 1241 the left having a radius of 4577.37 feet, a central
 1242 angle of 06°20'23", a chord bearing of N. 60°40'02"W.,
 1243 and a chord length of 506.22 feet; thence along the
 1244 arc of said curve and Northerly Line of Lands
 1245 described as Manatee Community College, an arc length
 1246 of 506.48 feet to the end of said curve, same being
 1247 the Southeast corner of lands described in Official
 1248 Records Book 2389, Page 529, Public Records of
 1249 Sarasota County, Florida; thence N. 65°18'18"E., along

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1250 the Easterly Line of said lands, a distance of 188.09
 1251 feet; thence continue N. 00°00'19"W., along said
 1252 Easterly Line, a distance of 144.96 feet to the
 1253 Northeast corner of said Lands; thence N. 65°21'46"W
 1254 along the Northerly Line of said Lands, a distance of
 1255 400.68 feet to the Northwest corner of said Lands,
 1256 same being a point on the Easterly Line of a 200 foot
 1257 wide access Easement per Official Records Book 1571,
 1258 Pages 2172 through 2175 and Official Records Book
 1259 2389, Pages 528 through 530, Public Records of
 1260 Sarasota County, Florida; thence N. 00°30'25"E., along
 1261 the Easterly Line of said 200 foot wide access
 1262 Easement, a distance of 786.89 feet to the Southerly
 1263 Right of Way of U.S. No. 41, same being a point on a
 1264 curve to the right having a radius of 5597.58 feet, a
 1265 central angle of 03°08'33", a chord bearing of S.
 1266 69°13'16"E., and a chord length of 306.97 feet; thence
 1267 along the arc of said curve an arc length of 307.01
 1268 feet to the end of said curve; thence continue along
 1269 said Southerly Right of Way Line the following
 1270 fourteen (14) courses and distances; (1) S.
 1271 22°19'13"W., a distance of 10.00 feet to the point of
 1272 curvature of a curve to the right having a radius of
 1273 5587.58 feet, a central angle of 00°45'15", a chord
 1274 bearing of S. 67°16'21"E., and a chord length of 73.55
 1275 feet; (2) thence along the arc of said curve an arc
 1276 length of 73.55 feet; (3) thence N. 23°06'16"E., a
 1277 distance of 10.00 feet to the point of curvature of a

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1278 | curve to the right having a radius of 5597.58 feet, a
 1279 | central angle of 08°17'44", a chord bearing of S.
 1280 | 62°44'52"E., and a chord length of 809.74 feet; (4)
 1281 | thence along the arc of said curve an arc length of
 1282 | 810.45 feet; (5) thence S. 31°08'57"W., a distance of
 1283 | 10.00 feet to the point of curvature of a curve to the
 1284 | right having a radius of 5587.58 feet, a central angle
 1285 | of 00°45'12", a chord bearing of S. 58°13'22"E., and a
 1286 | chord length of 73.47 feet; (6) thence along the arc
 1287 | of said curve an arc length of 73.47 feet; (7) thence
 1288 | N. 32°24'25"E., a distance of 10.00 feet to the point
 1289 | of curvature of a curve to the right having a radius
 1290 | of 5597.58 feet, a central angle of 03°28'13", a chord
 1291 | bearing of S. 56°06'38"E., and a chord length of
 1292 | 338.98 feet; (8) thence along the arc of said curve an
 1293 | arc length of 339.03 feet to the end of said curve;
 1294 | thence (9) S. 56°35'34"E.; a distance of 155.08 feet;
 1295 | (10) thence S. 54°22'31"E., a distance of 1102.52
 1296 | feet; (11) thence S. 51°00'40"E., a distance of 101.66
 1297 | feet; (12) thence S. 54°20'43"E., a distance of 199.02
 1298 | feet; (13) thence S. 48°43'03"E., a distance of 100.71
 1299 | feet; (14) thence S. 54°22'31"E., a distance of 447.75
 1300 | feet to the POINT OF BEGINNING.

1301 |
 1302 | That portion of the North Half of the Southwest
 1303 | Quarter of the Northwest Quarter of Section 34, lying
 1304 | West of River Road (County Road No. 777); also that
 1305 | portion of the Southeast Quarter of Section 34, lying

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1306 West of the Myakka River, South of the South line of
 1307 lands described in Official Record Instrument No.
 1308 2000002794, Public Records of Sarasota County, Florida
 1309 (River Road Office Park, Inc.), and easterly of the
 1310 maintained right of way line of a paved road running
 1311 from River Road to the South line of the Northeast
 1312 Quarter of said Section 34, (Old River Road), less and
 1313 except the following: That portion described in
 1314 Official Record Instrument No. 1999111833, Public
 1315 Records of Sarasota County, Florida, (Right of Way for
 1316 County Road No. 777). All of Section 35 lying West of
 1317 the Myakka River. Also, a portion of Sections 32, 33
 1318 and 34, Township 39 South, Range 20 East, Sarasota
 1319 County, Florida, being more particularly described as
 1320 follows: BEGIN at the Southeast corner of Section 32,
 1321 Township 39 South, Range 20 East; thence N.
 1322 89°04'43"W., along the South line of said Section 32,
 1323 a distance of 410.14 feet to the Southeast corner of
 1324 the lands described in Official Records Book 2785 at
 1325 Page 634, of the Public Records of Sarasota County,
 1326 Florida; thence N. 00°30'25"E., along the East line of
 1327 said lands described in Official Records Book and
 1328 Page, same being the West line of a 120.00 foot wide
 1329 Perpetual Non-exclusive Easement per Official Records
 1330 Book 2785 at Page 641, a distance of 1400.76 feet to a
 1331 point on the westerly extension of the southerly
 1332 boundary line of lands described in Official Records
 1333 Book 1571 at Page 2172, of the Public Records of

1334 Sarasota County, Florida; thence along the westerly
1335 extension and boundary of said lands described in
1336 Official Records Book 1571, at Page 2172 the following
1337 two (2) courses: (1) S. 89°29'35"E., a distance of
1338 1960.21 feet; (2) thence N. 00°30'25"E., a distance of
1339 2062.70 feet to the Northeast corner of said lands;
1340 thence S. 48°24'50"E., a distance of 2914.38 feet to
1341 the Southwest corner of lands described in Official
1342 Records Instrument 1998166154, of the Public Records
1343 Sarasota County, Florida; thence along the boundary of
1344 said lands described in Official Records Instrument
1345 1998166154 the following three (3) courses: (1) S.
1346 89°58'33"E., a distance 676.50 feet; (2) thence N.
1347 00°01'27"E., a distance of 752.33 feet; (3) thence N.
1348 28°06'22"E., a distance of 362.06 feet to a point on
1349 the southerly right of way line of U.S. Highway No.
1350 41, as per Florida Department of Transportation Right
1351 of Way Map, Section 17010-2508, said point being on a
1352 curve concave to the northeast and having a radius of
1353 3011.73 feet, a central angle of 14°28'18", a chord
1354 bearing of S. 72°07'12"E. and a chord distance of
1355 758.67 feet; thence in an easterly direction, along
1356 the arc of said curve, an arc distance of 760.69 feet
1357 to a point on the West line of Section 34, Township 39
1358 South, Range 20 East, Sarasota County, Florida; thence
1359 S. 00°16'02"W., along the West line of said Section
1360 34, and leaving said southerly right of way line, a
1361 distance of 379.82 feet; thence S. 89°37'27"E., a

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1362 distance of 1329.90 feet to a point on the westerly
1363 right of way line of County Road #777 (South River
1364 Road) as per Florida Department of Transportation
1365 Right of Way Map, Section 17550-2601; thence along
1366 said westerly right of way line, the following six (6)
1367 courses; (1) S. 00°07'30"W., a distance of 5.48 feet;
1368 (2) thence S. 89°23'52"E., a distance of 9.74 feet;
1369 (3) thence S. 36°39'07"E., a distance of 64.18 feet to
1370 the point of curvature of a circular curve to the
1371 right, having a radius of 5599.32 feet, a central
1372 angle of 02°00'54", a chord bearing of S. 35°38'40"E.
1373 and a chord distance of 196.90 feet; (4) thence
1374 southeasterly, along the arc of said curve, an arc
1375 distance of 196.91 feet to the end of said curve; (5)
1376 thence N. 55°21'47"E., radial to the last described
1377 curve, a distance of 20.00 feet to a point on a curve
1378 concentric with the last described curve and having a
1379 radius of 5619.32 feet, a central angle of 15°31'30",
1380 a chord bearing of S. 26°52'28"E. and a chord distance
1381 of 1517.98 feet; (6) thence in a southerly direction
1382 along the arc of said curve, an arc distance of
1383 1522.64 feet to the Northeast corner of lands
1384 described in Official Records Instrument 2000002794,
1385 of the Public Records Sarasota County, Florida; thence
1386 S. 78°41'04"W., along the northerly line of said lands
1387 described in Official Records Instrument 2000002794, a
1388 distance of 2240.20 feet to the Southeast corner of
1389 Section 33, Township 39 South, Range 20 East, Sarasota

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1390 County, Florida; thence N. 89°39'52"W., along the
 1391 South line of said Section 33, a distance of 5318.90
 1392 feet to the POINT OF BEGINNING.
 1393
 1394 LANDS LOCATED IN TOWNSHIP 40 SOUTH, RANGE 20 EAST,
 1395 SARASOTA COUNTY, FLORIDA:
 1396
 1397 All of Section 3, less and except the following: That
 1398 portion conveyed in Order of Taking recorded in
 1399 Official Record Book 2679, Page 2750-2754, of the
 1400 Public Records of Sarasota County, Florida (County
 1401 Road No 777); That portion conveyed in Official Record
 1402 Instrument No. 2000002794 of the Public Records of
 1403 Sarasota County, Florida, (River Road Office Park,
 1404 Inc.); The maintained right-of-way of County Road No.
 1405 777 (South River Road). All of Section 4, Less and
 1406 except the following: That portion described in
 1407 Official Record Instrument No. 2000002794, of the
 1408 Public Records of Sarasota County, Florida, (River
 1409 Road Office Park, Inc.). All of Section 5, less and
 1410 except the following: Right-of-way conveyed for Pine
 1411 Street Extension recorded in Official Record Book
 1412 2536, Page 811-974, of the Public Records of Sarasota
 1413 County, Florida. All of Section 6, less and except the
 1414 following: Right-of-way conveyed for Pine Street
 1415 Extension recorded in Official Record Book 2536, Page
 1416 811-974, of the Public Records of Sarasota County,
 1417 Florida. All of Section 7, less and except the

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1418 following: Right-of-way conveyed for Pine Street
 1419 Extension recorded in Official Record Book 2536, Page
 1420 811-974, of the Public Records of Sarasota County,
 1421 Florida. All of Section 8. All of Section 9. All of
 1422 Section 10, less and except the following: The
 1423 maintained right-of-way for County Road No. 777 (South
 1424 River Road) ALL OF THE ABOVE ARE SUBJECT TO EASEMENTS
 1425 OF RECORD, OR OTHERWISE, USED FOR DRAINAGE, UTILITIES
 1426 AND/OR INGRESS AND EGRESS.

1427
 1428 The above described property contains a total of
 1429 8193.7478 acres more or less.

1430
 1431 (2) The territorial limits of West Villages Improvement
 1432 District shall also embrace and include those parcels of land
 1433 described as follows:

1434
 1435 LANDS LOCATED IN TOWNSHIP 39 SOUTH, RANGE 20 EAST,
 1436 SARASOTA COUNTY, FLORIDA:

1437
 1438 All that part of Section 21, as lies Southwesterly of
 1439 County Road # 777 (West River Road). All that part of
 1440 Section 28 lying West of County Road # 777 (West River
 1441 Road). All that part of Section 32, described as
 1442 follows:

1443
 1444 Commence at the Northeast corner of said Section 32;
 1445 thence S.00E30'23"W., along the easterly line of the

1446 Northeast 1/4 of said Section 32, a distance of
 1447 2658.68 feet to the southeast corner of said Northeast
 1448 1/4; thence N.89E23'27"W. a distance of 290.00 feet to
 1449 the POINT OF BEGINNING; thence N.00E30'23"E., parallel
 1450 with the easterly line of said Section 32, a distance
 1451 of 2497.34 feet to the southerly right-of-way of U.S.
 1452 Highway 41, being a point on a curve to the left the
 1453 center of which lies S.06E30'20"W., a radial distance
 1454 of 5603.58 feet; thence along the arc in a westerly
 1455 direction, passing through a central angle of
 1456 01E13'57", a distance of 120.53 feet; thence
 1457 S.00E30'23"W., a distance of 5165.77 feet; thence
 1458 S.89E05'08"E., a distance of 120.00 feet; thence
 1459 N.00E30'23"E., a distance of 2657.98 feet to the POINT
 1460 OF BEGINNING.

1461
 1462 All that part of Section 33, described as follows:
 1463 Commence at the NW corner of Section 33, Township 39
 1464 South, Range 20 East, Sarasota Florida; run thence S.0
 1465 degrees 30'44"W. along the westerly line of said
 1466 Section 33, 105.39' to the centerline of U.S. 41;
 1467 thence continue S.0 degrees 30'44"W. along said
 1468 westerly line 1372.36'; thence S.89 degrees 29'16"E.
 1469 along the northerly line of Tract, 810' to the POINT
 1470 OF BEGINNING of said centerline of said 200 foot wide
 1471 Tract; thence N.0 degrees 30'44"E., parallel to the
 1472 said westerly line of Section 33, 1078.74' to the
 1473 southerly right-of-way line of U.S. 41 (right-of-way

1474 being 100 feet from centerline at this point) for a
 1475 POINT OF TERMINATION.
 1476
 1477 All that part of Section 34 described as follows: The
 1478 North Half of the Northwest Quarter of the Southwest
 1479 Quarter lying South of U.S. Highway #41 (State Road
 1480 #45) and West of the right of way of County Road #777
 1481 (as realigned) in Official Records Book 2679 at Pages
 1482 2750-2574, LESS the following described lands: East
 1483 200' (as measured along the South Right-of-Way of
 1484 Tamiami Trail, or arc distance) of the West 392.7 feet
 1485 measured along the South Right-of-Way of said Tamiami
 1486 Trail, arc distance; on the following described
 1487 property: That portion of the Northwest 1/4 of the
 1488 Northwest 1/4 of the Southwest 1/4 of Section 34,
 1489 Township 39 South, Range 20 East, Sarasota County,
 1490 Florida, lying South of Tamiami Trail and being more
 1491 particularly described as follows: Begin at the West
 1492 1/4 of section corner of Section 34, Township 39
 1493 South, Range 20 East and run South on the section line
 1494 196.71 feet to the South Right-of-Way line of the
 1495 Tamiami Trail for a Point of Beginning: thence
 1496 continue S.89E58'00"E 659 feet; thence N.00E00'20"W
 1497 424.57 feet to the South Right-of-Way of the said
 1498 Tamiami Trail; thence in a Northwesterly direction
 1499 along the curve of said Tamiami Trail a distance of
 1500 662.5 feet to the Point of Beginning. Said above
 1501 described lands being more particularly described and

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1502 | surveyed as follows: Commence at the West quarter
1503 | corner of said Section 34, thence South along the
1504 | Westerly section line of said Section 34, a distance
1505 | of 668.85 feet; thence S.89E58'00"E. a distance of
1506 | 190.40 feet to the Point of Beginning of this
1507 | description. Thence N.00E00'00"E. a distance of 350.24
1508 | feet to a point on the Southerly Right-of-Way line of
1509 | Tamiami Trail also known as STATE ROAD No. 45. and
1510 | U.S. 41 as per Florida Department of Transportation
1511 | Right-of-Way maps Section No. 17010-2508 (204' Right-
1512 | of-Way) said point also being on the arc of a circular
1513 | curve to the left whose radius point bears
1514 | N.06E36'51"E., thence along the arc of said curve in
1515 | an easterly direction through a central angle of
1516 | 03E48'13", having a radius distance of 3011.73 feet,
1517 | an arc distance of 199.93 feet; thence South leaving
1518 | said Right-of-Way line a distance of 333.93 feet;
1519 | thence N.89E58'00"W. a distance of 199.22 feet to the
1520 | Point of Beginning; The NE 1/4 of the SW 1/4, lying
1521 | easterly of right of way for County Road #777 (as
1522 | realigned) as per Official Records Book 2679, at Pages
1523 | 2750-2754, Less the NW 1/4 of the NE 1/4 of the SW
1524 | 1/4, Also Less lands described in Official Records
1525 | Instrument Number 1999111833; That part of the West
1526 | Half of the SE 1/4, lying westerly of maintained right
1527 | of way for South River Road (Old River Road), and
1528 | northerly of lands described in Official Records
1529 | Instrument Number 1999111833.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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IN TOWNSHIP 40 SOUTH, RANGE 20 EAST, SARASOTA COUNTY,
FLORIDA:

All of Section 15, less and except the following: The
maintained right-of-way for County Road #777 (South
River Road); Right-of-way conveyed in Official Records
Instrument Number 2000163556.

All of Section 17, less and except the following:
Right-of-way conveyed for Pine Street Extension
recorded in Official Record Book 2536, Page 811-974,
of the Public Records of Sarasota County, Florida.

All of Section 18, less and except the following:
Right-of-way conveyed for Pine Street Extension
recorded in Official Record Book 2536, Page 811-974,
of the Public Records of Sarasota County, Florida.

All of Section 19, less and except the following:
Right-of-way conveyed for Pine Street Extension
recorded in Official Record Book 2536, Pages 811-974,
of the Public Records of Sarasota County, Florida.

All of Section 20, less and except the following:
Right-of-way conveyed for Pine Street Extension
recorded in Official Record Book 2536, Pages 811-974,
of the Public Records of Sarasota County, Florida;

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1558 Maintained right-of-way for County Road #777 (South
1559 River Road).

1560
1561 All of Section 21, less and except the following:
1562 Maintained right-of-way for County Road #777 (South
1563 River Road); The SW 1/4 of the SE 1/4; The North 50
1564 feet of the South 380 feet of the SW 1/4 lying East of
1565 County Road #777 (South River Road); Right-of-way
1566 conveyed in Official Record Book 2097, Page 396, of
1567 the Public Records of Sarasota County, Florida; Right-
1568 of-way conveyed in Official Records Instrument Number
1569 2000163556.

1570
1571 Parcel Contains 3739.9714 Acres more or less.

1572 Section 19. Limitations of powers.--All governmental
1573 planning, environmental, and land development laws, regulations,
1574 and ordinances apply to all development of the land within the
1575 district. The district does not have the power of a local
1576 government to adopt a comprehensive plan, building code, zoning
1577 code, or land development code, as those terms are defined in
1578 the Local Government Comprehensive Planning and Land Development
1579 Regulation Act. The district shall take no action which is
1580 inconsistent with applicable comprehensive plans, ordinances, or
1581 regulations of the applicable local general-purpose government.
1582 Nothing in this act shall create any delegation of any
1583 responsibilities or authorities from Sarasota County or the City
1584 of North Port to the district. Notwithstanding anything to the
1585 contrary, as to any lands located within the City of North Port

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1586 | jurisdictional boundaries or the unincorporated area, the
 1587 | district shall be required to obtain any and all permits for
 1588 | infrastructure planning and construction from the City of North
 1589 | Port or Sarasota County, respectively, that would otherwise be
 1590 | required of a private entity performing the same work. The
 1591 | district shall not have the power to supersede ~~supercede~~,
 1592 | contravene, or overrule any development or annexation agreements
 1593 | entered into by landowners within or outside of the district or
 1594 | any City of North Port joint planning agreements or interlocal
 1595 | agreements with Sarasota County or any other governmental
 1596 | entities.

1597 | Section 2. Referendum.--No expansion of the territorial
 1598 | boundaries of the district shall be effective until a landowner
 1599 | referendum is conducted by the board of supervisors within 60
 1600 | days after the effective date of this act on the question of
 1601 | expanding the territorial boundaries of the district. All
 1602 | landowners (which include the landowners within the current
 1603 | district and expanded district boundaries) are entitled to vote
 1604 | in the referendum held pursuant to this section. The referendum
 1605 | shall be held on a one-acre, one-vote basis at the expense of
 1606 | the district. If the landowners approve the referendum described
 1607 | in this section by a majority vote of the acreage cast, then
 1608 | this act shall take effect immediately.

1609 | Section 3. This act shall take effect only upon its
 1610 | approval by a majority vote of those qualified landowners of the
 1611 | area described in section 17, as amended, voting in a referendum
 1612 | to be held by the Board of Supervisors of the West Villages
 1613 | Improvement District voting in a special election, except that

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1614 | this section and section 2 shall take effect upon becoming a
1615 | law.