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1 A bill to be entitled
2 An act relating to the Grove Community District,
3 Okeechobee County; providing a short title; creating the
4 Grove Community District; providing for findings,
5 determinations, ascertainments, intent, purpose,
6 definitions, and policy; providing a charter; providing
7 jurisdiction; providing boundaries; providing powers of
8 the district; creating the district as a special, limited,
9 and single-purpose independent district, an independent
10 local government, and corporate body politic, to provide
11 community development infrastructure; providing for
12 authority, boundaries, jurisdiction, and charter
13 amendment; providing for a governing board and terms of
14 office and duties thereof; providing for elections;
15 providing for a district manager; providing for bonds;
16 providing for borrowing; providing for future transition
17 to ad valorem taxation; providing for special assessments;
18 providing for issuance of certificates of indebtedness;
19 providing for tax liens; providing minimum charter
20 requirements; providing for the applicability of and
21 compliance with provisions of chapter 189, Florida
22 Statutes, and other general laws; providing for
23 severability; providing for a referendum; providing an
24 effective date.

25
26 Be It Enacted by the Legislature of the State of Florida:
27

28 Section 1. Short title.--This act may be known as the
 29 "Grove Community District Act."

30 Section 2. Legislative findings, ascertainments,
 31 determinations, intent, purpose, definitions, and policy.--

32 (1) LEGISLATIVE FINDINGS.--

33 (a) The northeastern area of Okeechobee County is unique
 34 and special.

35 (b) The land area of Okeechobee County is relatively
 36 untouched and is predominantly used for agriculture or is
 37 undeveloped.

38 (c) The economy of Okeechobee County is dominated by farm
 39 and retirement industries and:

40 1. Okeechobee County is beginning to experience the
 41 economic growth that substantially large parts of the remainder
 42 of the state have already experienced.

43 2. While the influence of the farming industry continues
 44 to decline, the retirement industry is a major and growing
 45 industry.

46 3. Okeechobee County will experience rapid growth in
 47 population over the next 20 years, as more retirees move to the
 48 state and find coastal housing too expensive and as more
 49 residents from coastal Florida counties move inland to
 50 Okeechobee County, including northeastern Okeechobee County.

51 (d) In implementing protection of natural resources,
 52 retention of viable agriculture, and promotion of a sound
 53 economy, the Okeechobee County Comprehensive Plan promotes
 54 compact, efficient, and self-sustaining mixed-use development.

55 (e) Evans Properties, Inc., own or have control over
56 approximately 5,683 acres for the development of an innovative
57 new self-sustaining community that fits the goals, aspirations,
58 and plans for northeastern Okeechobee County.

59 (f) Within and subject to the comprehensive plan and land
60 development regulations, such a community requires appropriate
61 compact, balanced, self-sustaining, and mixed-use development on
62 a human scale with the required innovative balance of such
63 importance to the northeastern Okeechobee County area.

64 (g) In particular:

65 1. Creating a new community in northeastern Okeechobee
66 County requires a critical coinciding of existing and future
67 land use with provision of capital facilities and related
68 systems and services, based upon timely, flexible, and
69 specialized management of critical factors and sequential
70 events, balancing among the interests of private enterprise,
71 agriculture, private citizens, taxpayers, consumers, the
72 environment, the economy, the initial landowners, and all
73 applicable levels of government.

74 2. All the applicable public and private persons and
75 entities have invested and expended substantial time and moneys
76 to generate the county comprehensive plan and the existing and
77 future consistent specific regulatory and comprehensive planning
78 entitlements and consistent land development regulations for the
79 identification, preparation, and development of a new community.

80 3. Creating such a new community using a single-purpose
81 special independent district to provide infrastructure
82 constitutes innovative planning and flexible development

83 strategies pursuant to section 163.3177(11), Florida Statutes,
84 and Rule 9J-5.006(5)(1), Florida Administrative Code, to
85 minimize the conversion of agricultural lands to other uses, to
86 discourage urban sprawl, and to protect environmentally
87 sensitive areas while maintaining the economic viability of
88 agricultural and other predominately rural land uses and
89 providing for the efficient use of public facilities and
90 services as provided expressly in objective L7 of the Okeechobee
91 County Comprehensive Plan, Future Land Use Element.

92 (h) There is in particular a special need to use a
93 specialized and limited single-purpose independent district unit
94 of local government for the new community:

95 1. To prevent urban sprawl by providing self-sustaining
96 and freestanding infrastructure and by preventing needless and
97 counterproductive community development when the existing urban
98 area is not yet developed.

99 2. To prevent the needless duplication, fragmentation, and
100 proliferation of local government services in a proposed land
101 use area.

102 (i) Management of public health, safety, welfare,
103 economic, natural, and historic resources in this area of
104 northeastern Okeechobee County transcends the boundaries and
105 responsibilities of both private landowners and individual units
106 of government, so that no one single public or private entity or
107 person can plan or implement policies to deal with the many
108 issues which attend the provision of basic systems, facilities,
109 and services to the area to be managed in northeastern

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110 Okeechobee County in order to provide for a new community in the
111 area.

112 (j) It is the expressed set of findings of the Legislature
113 further that:

114 1. There is a considerably long period of time during
115 which there is an inordinate infrastructure burden on the
116 initial landowners of the agricultural land area for the new
117 community because of the innovative, special, and unique
118 requirements in the Okeechobee County Comprehensive Plan for the
119 northeastern Okeechobee County area, dealing specifically with
120 flexible management and related sequencing, timing, and
121 financing of the various systems, facilities, and services to be
122 provided to the new community, taking into consideration
123 absorption rates, commercial viability, and related factors.

124 2. Even as the community matures, there is continuing need
125 for landowners, both initial and subsequent, to bear burdens to
126 provide important infrastructure that remain relatively
127 inordinate in order to preserve such inordinate benefits for
128 northeastern Okeechobee County as the unique environmental and
129 economic purpose of the new community.

130 3. Longer involvement of the initial landowner with regard
131 to the provision of basic systems, facilities, and services in
132 the new community area, coupled with a severely limited and
133 highly specialized single purpose of the district, is in the
134 public interest.

135 4. Any public or private system to provide basic
136 infrastructure improvements, systems, facilities, and services
137 to this new community in northeastern Okeechobee County must be

138 focused on an unfettered, highly specialized, innovative,
139 responsive, accountable mechanism to provide the components of
140 infrastructure at sustained levels of high quality over the long
141 term only when and as needed for such a unique community in such
142 a unique area.

143 5. There is a critical need to maintain such provision of
144 such systems, facilities, and services to the new community
145 because of the unique location and attributes of the
146 northeastern Okeechobee County area, coupled with the unique
147 purpose and location of this new community, subject to,
148 complying with, and not inconsistent with the state, regional,
149 and local requirements which attend implementation of the state
150 plan and the county comprehensive plan.

151 6. This need is met by coinciding the use and special
152 attributes of various public and private alternatives for the
153 provision of infrastructure to such a community development,
154 including:

155 a. The public policy and related implementing zoning,
156 permitting, and planning expertise, interests, and capabilities
157 of state and regional government and of the Okeechobee County
158 general-purpose local government;

159 b. The flexible, limited, focused, and locally accountable
160 management and related financing capabilities of independent
161 special-purpose local government; and

162 c. The innovative development and marketing private-sector
163 expertise of the initial landowners, developers, and other
164 components of private enterprise.

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165 7. The specialized financing and revenue procedures for
166 the levy and imposition of first-lien assessments, by a variety
167 of names, must be disclosed, followed, noticed, fair,
168 nonarbitrary, informed, reasonable, and accountable and must be
169 set forth dispositively.

170 (k) The existence and use of such a limited specialized
171 single-purpose local government for the new community, subject
172 to the Okeechobee County Comprehensive Plan, will result in a
173 high propensity:

174 1. To prevent urban sprawl, to protect and preserve
175 environmental, conservation, and agricultural uses and assets,
176 and to enhance the high-quality use of the applicable area of
177 northeastern Okeechobee County;

178 2. To enhance the market value for both present and future
179 landowners of the property consistent with the need to protect
180 private property rights in the northeastern Okeechobee area;

181 3. To enhance the net economic benefit to the Okeechobee
182 County area, including an enhanced and well-maintained tax base
183 to the benefit of all present and future taxpayers in Okeechobee
184 County; and

185 4. To share the costs for providing such basic systems,
186 facilities, and services in an innovative, sequential, and
187 flexible manner within the new community to be serviced by the
188 Grove Community District.

189 (2) ASCERTAINMENTS.--Based upon these findings, the
190 Legislature has learned and ascertains that:

191 (a) There are two public or governmental alternatives and
192 one private alternative available to plan, construct, maintain,

193 and finance the provision of systems, facilities, and services
 194 in the intended new community area of northeastern Okeechobee
 195 County:

196 1. One of the public or governmental alternatives for such
 197 infrastructure provision is by the board of county commissioners
 198 within the Okeechobee County political subdivision which can
 199 provide certain basic systems, facilities, and services directly
 200 or with management by its staff with financing through either a
 201 municipal service taxing unit for ad valorem taxes or municipal
 202 service benefit for assessments, or indirectly by nonemergency
 203 ordinance use of a dependent district.

204 2. The second public alternative is use of an independent
 205 special district.

206 3. The private alternative is the private landowner, a
 207 private homeowner association, a private utility, a private
 208 business corporation, or a partnership or combination of these
 209 various private alternatives.

210 (b) Planning, permitting, and creating the new community
 211 and using the independent specialized single-purpose Grove
 212 Community District created by this act are consistent with and
 213 implement both the Okeechobee County Comprehensive Plan and Land
 214 Development Regulations and also the following long-standing and
 215 expressed policies of the state:

216 1. To allow the creation of independent special taxing
 217 districts which have uniform general law standards and
 218 procedures and which do not overburden other local governments
 219 and their taxpayers while preventing the proliferation of

220 independent special taxing districts which do not meet the
 221 standards set forth in section 187.201(20), Florida Statutes.

222 a. There are two alternatives for the use of independent
 223 special districts. One alternative is establishment on the
 224 approximately 5,683 acres by rule of the Governor and Cabinet of
 225 a uniform community development district; the other is a special
 226 independent district meeting the minimum requirements of chapter
 227 189, Florida Statutes, the applicable district accountability
 228 general law.

229 b. Use of this special act, creating and establishing the
 230 district on the approximately 5,683 acres in northeastern
 231 Okeechobee County, is the better of the two independent district
 232 alternatives because it updates the charter of a community
 233 development district under chapter 190, Florida Statutes,
 234 eliminates potential for its abuse, clarifies and sets forth
 235 certain uniform procedures for liens on property and for access
 236 by the public to the property, and makes other substantial
 237 reforms to the benefit of the people of Okeechobee County and
 238 future landowners, residents, and visitors.

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

241 3. To recognize the existence of legitimate and often
 242 competing public and private interests and land use regulations
 243 and other government action, pursuant to section 187.201(14)(a),
 244 Florida Statutes.

245 4. Consistent with the Okeechobee County Comprehensive
 246 Plan, to recognize the importance of preserving natural
 247 resources and enhancing quality of life by development in those

248 areas where land and water resources, fiscal abilities, and
 249 service capacity can accommodate the land use and growth in a
 250 manner that is environmentally acceptable, pursuant to section
 251 187.201(15)(a), Florida Statutes.

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

257 6. To encourage local government financial self-
 258 sufficiency in providing public facilities and to identify and
 259 implement fiscally sound, innovative, and cost-effective
 260 techniques to provide and finance public facilities while
 261 encouraging development, use, and coordination of capital
 262 improvement plans by all levels of government, pursuant to
 263 section 187.201(17)(b)5., 6., and 7., Florida Statutes, as
 264 provided also in the Okeechobee County Comprehensive Plan.

265 7. To increase, promote, and provide access to cultural,
 266 historical, and educational resources and opportunities,
 267 pursuant to section 187.201(18)(a) and (b)1., Florida Statutes.

268 8. To enhance and diversify the economy of the Okeechobee
 269 County area by promoting partnerships among education, business,
 270 industry, agriculture, and the arts, provide opportunities for
 271 training skilled employees for new and expanding businesses, and
 272 promote self-sufficiency through training and educational
 273 programs that result in productive employment, pursuant to
 274 section 187.201(21)(a) and (b)6., 7., and 8., Florida Statutes.

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275 9. To encourage and enhance cooperation among communities
276 that have unique assets, irrespective of political boundaries,
277 to bring the private and public sectors together for
278 establishing an orderly, environmentally sound, and economically
279 sound plan for current and future needs and growth, pursuant to
280 section 187.201(25)(b)8., Florida Statutes.

281 10. To create independent special districts by or pursuant
282 to general law to ensure long-term management and related
283 financing, to meet the need in the state for timely, efficient,
284 effective, responsive, innovative, accountable, focused, and
285 economic ways to deliver basic services to new communities to
286 solve the state's planning, management, and financing needs for
287 delivery of capital infrastructure in order in turn to provide
288 for projected growth only and to do so without overburdening
289 other governments and their taxpayers, pursuant to section
290 189.402, Florida Statutes, so that providing to the new
291 community basic systems, facilities, and services by independent
292 special districts remains pursuant to uniform general law and
293 section 189.402(3)(a) and (c), Florida Statutes.

294 11. To ensure that those independent districts and the
295 exercise of their powers are consistent and comply with
296 applicable due process, disclosure, accountability, ethics, and
297 government-in-the-sunshine requirements of law, both to the
298 independent districts and to their elected and appointed
299 officials, pursuant to section 189.402(3)(b), Florida Statutes,
300 because independent special districts are a legitimate
301 alternative method available for use by both the public and
302 private sectors to manage, own, operate, construct, and finance

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

305 12. To ensure that an independent special district is
306 created to serve a special purpose to cooperate and to
307 coordinate its activities with the applicable general-purpose
308 local government because aspects of growth and development
309 transcend boundaries and responsibilities of individual units of
310 government so that no single unit of government can plan or
311 implement policies to deal with these issues unilaterally as
312 effectively, pursuant to section 189.402(7) and (8), Florida
313 Statutes.

314 (c) Construction, operation, and development of the new
315 community and the use of the special and single-purpose
316 independent district are not inconsistent with the Okeechobee
317 County Comprehensive Plan.

318 (d) This land area for the new community requires an
319 independent, special, and single-purpose local government, in
320 the form of an independent special district as defined in
321 section 189.403(3), Florida Statutes, subject to all substantive
322 and procedural limitations under state law, including this act,
323 in order to constitute itself a highly specialized alternative
324 and viable growth management concurrency mechanism appropriate
325 for this unique area, available to both the private and public
326 sectors.

327 (e) Such a district requires timely, flexible, limited,
328 and specialized management and related financing capabilities
329 under its uniform state charter, created by this act pursuant to
330 general law, in order to produce those flexible, innovative, and

331 highly specialized benefits to the new community property in
332 northeastern Okeechobee County.

333 (f) Such a district must have management capabilities to
334 provide pinpointed, focused, accountable, responsive, limited,
335 specialized, and low-overhead-based capability, authority, and
336 power to provide basic systems, facilities, and services to the
337 new community development with economies of scale but at
338 sustained high levels of quality over the long term.

339 (g) In order to be responsive to the critical timing
340 required through the exercise of its special management
341 functions, an independent district requires financing of those
342 functions, including bondable lienable and nonlienable revenue,
343 with full and continuing public disclosure and accountability,
344 funded by landowners, both present and future, and funded also
345 by users of the systems, facilities, and services provided to
346 the land area by the district, without burdening the taxpayers
347 and citizens of the state or of Okeechobee County or any
348 municipality in Okeechobee County.

349 (h) The provision of services by this independent district
350 must implement, be subject to, and function not inconsistent
351 with any related permitting and planning requirements of
352 Okeechobee County and of the Okeechobee County Comprehensive
353 Plan and Land Development Regulations.

354 (i) The creation, existence, and operation of the Grove
355 Community District, as limited and specialized to its single
356 narrow purpose, will also:

357 1. Constitute a public mechanism to translate the anti-
358 urban-sprawl objective of the Okeechobee County Comprehensive
359 Plan Future Land Use Element into reality.

360 2. Constitute a disincentive for premature or
361 inappropriate municipal incorporation consistent with state law.

362 3. Result in self-contained and self-sustained high-
363 quality infrastructure over the long term.

364 4. Provide a mechanism for full and continuing disclosure
365 of how basic systems, facilities, and services are both managed
366 and financed, including full and continuing disclosure to both
367 prospective purchasers and all residents of public financing
368 related to any burdens of land ownership and any related burdens
369 on existing or future residents.

370 5. Implement the Okeechobee County Comprehensive Plan
371 Future Land Use Element because innovative land techniques that
372 use public facilities efficiently, that meet county needs, and
373 that promote a sense of pride and community for its residents
374 are encouraged where the new community is located.

375 (j) The district is also a mechanism to implement the
376 Okeechobee County Concurrency Management System designed to
377 coincide with, and to implement, both the Okeechobee County
378 future land use element and the capital improvements element for
379 basic systems, facilities, and services consistent with the best
380 interests of the new community.

381 (k) By serving its single specialized purpose and in
382 preventing urban sprawl, the district will not result in
383 needless proliferation, duplication, and fragmentation of local

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384 government systems, facilities, and services in this area of
385 northeastern Okeechobee County.

386 (l) Subject to its substantive and procedural limitations,
387 the district will assist directly in public and combined public
388 and private planning and coordination in order to achieve
389 innovative solutions to the needs and requirements in this
390 unique new community located in northeastern Okeechobee County.

391 (m) Management of the timing and phasing of critical
392 sequential events, coordinated by the initial private landowner
393 and the Board of County Commissioners of Okeechobee County, is
394 of fundamental importance and is the basis of the inordinate
395 burden on the initial landowner developer and to enhance the
396 provision of sustained high-quality infrastructure over the long
397 term to enhance the intrinsic value of the new community in
398 order to implement its requirements.

399 (n) The critical single purpose of the district to provide
400 basic infrastructure systems, facilities, services, works,
401 infrastructure, and improvements to the private new community is
402 in the public interest because it:

403 1. Does not pass on taxes or profits to purchasers of
404 property or to landowners and residents within their
405 jurisdictions.

406 2. Results in less tendency for short-term planning,
407 construction, and management considerations because the
408 elections for members of the government board are staggered.

409 3. Is not influenced, guided, or limited by quarterly and
410 annual profit statements.

411 4. Does not have police or regulatory powers.

412 5. Does not have larger general-purpose overhead
413 responsibilities.

414 6. Is not subject to legitimate but counterveiling fiscal,
415 economic, policy, and political considerations to which large
416 general-purpose local governments and large landowners and
417 developers would be subject in the natural course of events.

418 7. Does not constitute needless duplication,
419 proliferation, or fragmentation of local government systems,
420 facilities, and services in Okeechobee County.

421 8. Shall operate and function subject to and not
422 inconsistent with the county comprehensive plan with least
423 overhead cost and with the highest amount of the public
424 disclosure, accountability, responsiveness, and productivity.

425 9. Coincides its functions with the authority and best
426 interests of local general-purpose government, the private
427 landowners, both present and future, the taxpayers, the future
428 residents, and the state in the provision of needed
429 infrastructure to the community at sustained levels of quality
430 over the long term.

431 10. Provides highly accountable innovative systems,
432 facilities, and services close to the land and close to the
433 people.

434 11. Serves a land area that is amenable to separate
435 special district government.

436 12. Serves a land area that is sufficiently compact and of
437 size sufficient for the functionally interrelated new community
438 development.

439 13. Serves a land area in which there is no existing local
440 or regional system, facility, or service with which creation and
441 operation of this district and the provision of its systems,
442 facilities, improvements, and infrastructure would be
443 incompatible.

444 14. Will enhance the intrinsic value of the property and
445 the new community development and be a sustaining source of
446 public revenue.

447 (o) The independent district charter created in this act
448 involves innovative general and special powers not otherwise
449 available for this unique and highly specialized first ever new
450 community in such a unique area.

451 (p) The minimum requirements of general law or creation of
452 this district by special act have been met as confirmed and set
453 forth expressly in section 3(1).

454 (3) DETERMINATIONS.--Based upon its findings and
455 ascertainments, the Legislature states expressly and determines
456 that:

457 (a) This act represents the findings, ascertainments, and
458 determinations of the Legislature that creating the Grove
459 Community District by special act pursuant to general law is the
460 best alternative as required by section 189.404(2)(e)3., Florida
461 Statutes, because it meets affirmatively the findings and
462 ascertainments of this Legislature set forth hereinabove.

463 (b) The creation by this act of the district in the area
464 of northeastern Okeechobee County is consistent affirmatively
465 with the Okeechobee County Comprehensive Plan.

466 (c) The authority for this act is pursuant to section
467 189.404, Florida Statutes, and the State Comprehensive Plan
468 pursuant to section 187.201, Florida Statutes.

469 (d) The Board of County Commissioners of Okeechobee
470 County, on January 12, 2006, adopted Resolution 2006-1,
471 expressing no objection to the creation and establishment of the
472 Grove Community District and finding it consistent with the
473 Okeechobee County Comprehensive Plan as provided in section
474 189.404(2)(e)4., Florida Statutes.

475 (4) INTENT.--Based upon its findings, ascertainments, and
476 determinations, the Legislature expresses its intent:

477 (a) To ensure that the creation and operation of the Grove
478 Community District by and pursuant to this act, exercising its
479 management and related financing powers to implement its
480 limited, single, and special purpose, is not a development order
481 and does not trigger or invoke any development provision within
482 the meaning of chapter 380, Florida Statutes, and all applicable
483 governmental planning, environmental, and land development laws,
484 regulations, rules, policies, and ordinances apply to all
485 development of the land within the jurisdiction of the district
486 created by this act.

487 (b) That the district operate and function subject to, and
488 not inconsistent with, the Okeechobee County Comprehensive Plan
489 and Land Development Regulations and any applicable development
490 orders, zoning regulations, or other land development
491 regulations.

492 (c) That under this act, this special and single-purpose
493 Grove Community District shall not have the power of a general-

494 purpose local government to adopt a comprehensive plan or
495 related land development regulations as those terms are defined
496 in the Local Government Comprehensive Planning and Land
497 Development Regulation Act.

498 (d) That the Grove Community District created by this act
499 constitute an innovative mechanism for long-term, sustained
500 quality public stewardship through the planning, implementation,
501 construction, management, and related financing of basic
502 systems, facilities, services, and infrastructure projects for
503 the self-contained and self-sustained mixed-use new community.

504 (e) That it is in the public interest that this limited,
505 independent, specialized, and single-purpose district local
506 government have perpetual existence subject only to legislative
507 review as provided in its charter in this act so that it is not
508 in a position to outlive its usefulness.

509 (f) That the exercise by this Grove Community District of
510 its powers to carry out its single purpose under its charter as
511 created by this act is consistent with applicable due process,
512 disclosure, accountability, ethics, conflict of interest,
513 government-in-the-sunshine, competitive procurement, including
514 its employees or consultants, competitive negotiation, and
515 competitive bidding requirements, both as to the government
516 entity itself and as to its appointed or elected officials as
517 required in this act.

518 (5) PURPOSE.--The limited, single, and specialized purpose
519 of the Grove Community District is to provide community
520 development systems, facilities, services, projects,
521 improvements, and infrastructure to the new community by

522 exercising its various management powers, with related financing
523 powers, both general and special, as set forth by and limited by
524 this act.

525 (6) DEFINITIONS.--As used in this act:

526 (a) "Ad valorem bonds" means bonds which are payable from
527 the proceeds of ad valorem taxes levied on real and tangible
528 personal property and which are generally referred to as general
529 obligation bonds.

530 (b) "Assessable improvements" means, without limitation,
531 any and all public improvements and community facilities that
532 the district is empowered to provide in accordance with this
533 act, which provide a special benefit to property within the
534 district.

535 (c) "Assessment bonds" means special obligations of the
536 district which are payable solely from proceeds of the special
537 assessments or benefit special assessments levied for assessable
538 improvements; however, in lieu of issuing assessment bonds to
539 fund the costs of assessable improvements, the district may
540 issue revenue bonds for such purposes payable from special
541 assessments.

542 (d) "Assessments" means those nonmillage district
543 assessments which include special assessments, benefit special
544 assessments, and maintenance special assessments and a
545 nonmillage, non-ad valorem maintenance tax if authorized by
546 general law.

547 (e) "Benefit special assessments" are district assessments
548 imposed, levied, and collected pursuant to the provisions of
549 section 4(14)(b).

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550 (f) "Board" means the governing board of the district or,
551 if such board has been abolished, the board, body, or commission
552 succeeding to the principal functions thereof or to whom the
553 powers given to the board by this act have been given by law.

554 (g) "Bond" includes "certificate," and the provisions
555 which are applicable to bonds are equally applicable to
556 certificates. The term "bond" includes any general obligation
557 bond, assessment bond, refunding bond, revenue bond, and other
558 such obligation in the nature of a bond as is provided for in
559 this act, as the case may be.

560 (h) "Cost" or "costs," when used with reference to any
561 project, include, but are not limited to:

562 1. The expense of determining the feasibility or
563 practicability of acquisition, construction, or reconstruction.

564 2. The cost of surveys, estimates, plans, and
565 specifications.

566 3. The cost of improvements.

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

568 5. The cost of all labor, materials, machinery, and
569 equipment.

570 6. The cost of all lands, properties, rights, easements,
571 and franchises acquired.

572 7. Financing charges.

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

574 9. Working capital.

575 10. Interest charges incurred or estimated to be incurred
576 on money borrowed prior to and during construction and
577 acquisition and for such reasonable period of time after

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578 completion of construction or acquisition as the board may
579 determine.

580 11. The cost of issuance of bonds pursuant to this act,
581 including advertisements and printing.

582 12. The cost of any bond or tax referendum held pursuant
583 to this act and all other expenses of issuance of bonds.

584 13. The discount, if any, on the sale or exchange of
585 bonds.

586 14. Administrative expenses.

587 15. Such other expenses as may be necessary or incidental
588 to the acquisition, construction, or reconstruction of any
589 project or to the financing thereof or to the development of any
590 lands within the district.

591 16. Payments, contributions, dedications, and any other
592 exactions required as a condition to receive any government
593 approval or permit necessary to accomplish any district purpose.

594 (i) "Developed urban area" means any reasonably compact
595 urban area.

596 (j) "District" or "Grove Community District" means the
597 unit of special and single-purpose local government created and
598 chartered by this act, including the creation of its charter,
599 and limited to the performance, in implementing its single
600 purpose, of those general and special powers authorized by its
601 charter under this act; the boundaries of which are set forth by
602 the act; and the governing head of which is created and
603 authorized to operate with legal existence by this act and the
604 purpose of which is as set forth in this act.

605 (k) "District manager" means the manager of the district.

606 (l) "District roads" means highways, streets, roads,
607 alleys, sidewalks, landscaping, storm drains, bridges, and
608 thoroughfares of all kinds of descriptions.

609 (m) "General obligation bonds" means bonds which are
610 secured by, or provide for their payment by, the pledge, in
611 addition to those special taxes levied for their discharge and
612 such other sources as may be provided for their payment or
613 pledged as security under the resolution authorizing their
614 issuance, of the full faith and credit and taxing power of the
615 district and for payment of which recourse may be had against
616 the general fund of the district.

617 (n) "Governing board member" means any member of the
618 board.

619 (o) "Land development regulations" means those regulations
620 of general-purpose local government, adopted under the Local
621 Government Comprehensive Planning and Land Development
622 Regulations Act, the Growth Management Act, and chapter 163,
623 Florida Statutes, to which the district is subject and as to
624 which the district may not doing anything that is inconsistent;
625 but this term does not mean specific management engineering,
626 planning, and other criteria and standards needed in the daily
627 management and implementation by the district of its provision
628 of basic systems, facilities, services, works, improvements,
629 projects, or infrastructure, including design criteria and
630 standards, so long as they remain subject to and are not
631 inconsistent with the Okeechobee County Comprehensive Plan and
632 the applicable land development regulations.

633 (p) "Landowner" means the owner of a freehold estate as
 634 appears by the deed record, including a trustee, a private
 635 corporation, and an owner of a condominium unit; it does not
 636 include a reversioner, remainderman, mortgagee, or any
 637 governmental entity, who shall not be counted and need not be
 638 notified of proceedings under this act. "Landowner" also means
 639 the owner of a ground lease from a governmental entity, which
 640 leasehold interest has a remaining term, excluding all renewal
 641 options, in excess of 50 years.

642 (q) "Local general-purpose government" means a county,
 643 municipality, or consolidated city-county government.

644 (r) "Maintenance special assessments" means assessments
 645 imposed, levied, and collected pursuant to the provisions of
 646 section 4(14)(d).

647 (s) "Non-ad valorem assessments" means those assessments
 648 levied and imposed by the board which are not based upon millage
 649 and which constitute, pursuant to the provisions hereof, first
 650 liens on the properties subject thereto, coequal with the liens
 651 of state, county, municipal, and school board taxes:

652 1. If and when pursuant to general law, those nonmillage
 653 and non-ad valorem taxes, limited expressly and only to those
 654 certain maintenance taxes provided for expressly in the district
 655 charter in this act which are not ad valorem taxes and are not
 656 special assessments.

657 2. Assessments which are not taxes and are special
 658 assessments levied and imposed by the board pursuant to an
 659 informed and nonarbitrary determination by the board that the
 660 systems, facilities, and services will provide, as a logical

661 connection to the applicable parcels of property, special
662 benefits peculiar to the property, different in kind and degree
663 than general benefits and that the duty to pay per parcel will
664 be apportioned in a manner that is fair and reasonable; and
665 which may be known and referred to as "assessments," "special
666 assessments," "maintenance assessments," or "benefit
667 assessments" as defined by and as may be applicable in the
668 context of this charter. The levy of maintenance assessments to
669 maintain a system or facility constructed and financed by
670 special assessments levied by the district may be based on the
671 assessment methodology by which the construction special
672 assessments are levied but upon a determination that the
673 maintenance special assessments also provide a special and
674 peculiar benefit to the property and are apportioned in a manner
675 that is fair and reasonable.

676 3. Any assessments which may be levied, imposed, and
677 equalized by the board by rule of the district.

678 (t) "Powers" means powers as used and exercised by the
679 board to accomplish the single, limited, and special purpose of
680 the district, including:

681 1. "General powers," as provided in the act for the
682 district charter, which means those organizational and
683 administrative powers of the district as provided in this act in
684 its charter in order to carry out its single special purpose as
685 a local government public corporate body politic.

686 2. "Special powers," means those powers enumerated by the
687 act in the charter of the district to carry out its specialized
688 systems, facilities, services, projects, improvements, and

689 infrastructure and related functions in order to carry out its
 690 single specialized purpose.

691 3. Any other powers, authority, and functions set forth in
 692 this act.

693 (u) "Project" means any development, improvement,
 694 property, power, utility, facility enterprise, service, system,
 695 facility, works, or infrastructure now existing or hereafter
 696 undertaken or established under the provisions of this act.

697 (v) "Qualified elector" means any person at least 18 years
 698 of age who is a citizen of the United States, is a legal
 699 resident of the state and the district, and registers to vote
 700 with the supervisor of elections in the county in which the
 701 district land is located.

702 (w) "Refunding bonds" means bonds issued to refinance
 703 outstanding bonds of any type of the interest and redemption
 704 premium thereon. Refunding bonds shall be issuable and payable
 705 in the same manner as the refinanced bonds except that no
 706 approval by the electorate shall be required unless required by
 707 the State Constitution.

708 (x) "Revenue bonds" means obligations of the district
 709 which are payable from revenues, including, but not limited to,
 710 special assessments and benefit special assessments, derived
 711 from sources other than ad valorem taxes on real or tangible
 712 personal property and which do not pledge the property, credit,
 713 or general tax revenue of the district.

714 (y) "Sewer system" means any plant, system, facility, or
 715 property and additions, extensions, and improvements thereto at
 716 any future time constructed or acquired as part thereof useful

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717 or necessary or having the present capacity for future use in
718 connection with the collection, treatment, purification, or
719 disposal of sewage, including, without limitation, industrial
720 wastes resulting from any process of industry, manufacture,
721 trade, or business or from the development of any natural
722 resource. Without limiting the generality of the foregoing, the
723 term "sewer system" includes treatment plants, pumping stations,
724 lift stations, valves, force mains, intercepting sewers,
725 laterals, pressure lines, mains, and all necessary appurtenances
726 and equipment; all sewer mains, laterals, and other devices for
727 the reception and collection of sewage from premises connected
728 therewith; and all real and personal property and any interest
729 therein, rights, easements, and franchises of any nature
730 relating to any such system and necessary or convenient for
731 operation thereof.

732 (z) "Special assessments" means assessments as imposed,
733 levied, and collected by the district for the costs of
734 assessable improvements pursuant to the provisions of this act,
735 chapter 170, Florida Statutes, the additional authority under
736 section 197.3631, Florida Statutes, or other provisions of
737 general law now or hereinafter enacted which provide or
738 authorize a supplemental means to impose, levy, and collect
739 special assessments.

740 (aa) "Taxes" or "tax" means those levies and impositions
741 by the board which support and pay for government and the
742 administration of law and which may be:

743 1. "Ad valorem" or "property" taxes based upon both the
744 appraised value of property and millage, at a rate uniform
745 within the jurisdiction.

746 2. If and when authorized by general law, "non-ad valorem
747 maintenance taxes" not based on millage which are used to
748 maintain district systems, facilities, and services.

749 (bb) "Urban area" means a developed and inhabited urban
750 area within the district within a minimum acreage resident
751 population density of least 1.5 persons per acre as defined by
752 the latest official census, special census, or population
753 estimate or a minimum density of one single-family home per 2.5
754 acres with access to improved roads or a minimum density of one
755 single-family home per 5 acres within a recorded plat
756 subdivision. Urban areas shall be designated by the board of the
757 district with the assistance of all local general-purpose
758 governments having jurisdiction over the area within the
759 jurisdiction of the district.

760 (cc) "Water system" means any plant, system, facility, or
761 property and additions, extensions, and improvements thereto at
762 any future time constructed or acquired as part thereof useful
763 or necessary or having the present capacity for future use in
764 connection with the development of sources, treatment, or
765 purification and distribution of water. Without limiting the
766 generality of the foregoing, the term "water system" includes
767 dams, reservoirs, storage, tanks, mains, lines, valves, pumping
768 stations, laterals, and pipes for the purpose of carrying water
769 to the premises connected with such system and all rights,

770 easements, and franchises of any nature relating to any such
 771 system and necessary or convenient for the operation thereof.

772 (7) POLICY.--Based upon its findings, ascertainments,
 773 determinations, intent, purpose, and definitions, the
 774 Legislature states its policy expressly:

775 (a) The district and district charter, with its general
 776 and special powers, created in this act are essential and the
 777 best alternative for the unique location and nature of the new
 778 community for residential, commercial, academic, and other
 779 community uses, projects, or functions in northeastern
 780 Okeechobee County consistent with and designed to enhance the
 781 Okeechobee County Comprehensive Plan and to serve a lawful
 782 public purpose.

783 (b) This district, a local government and corporate body
 784 politic, is limited to its single, narrow, and special
 785 legislative purpose herein expressed, with the power to provide,
 786 plan, implement, construct, maintain, and finance as a local
 787 government management entity its basic systems, facilities,
 788 services, improvements, infrastructure, and projects and
 789 possessing financing powers to fund its management purpose over
 790 the long term.

791 (c) This act may be amended only by special act of the
 792 Legislature in whole or in part.

793 Section 3. Minimum general law requirements; creation and
 794 establishment; boundaries; jurisdiction; construction; charter
 795 with legal description.--

796 (1) MINIMUM CHARTER REQUIREMENTS.--Pursuant to section
 797 189.404(3), Florida Statutes, the Legislature sets forth that

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798 the minimum requirements in paragraphs (a) through (o) have been
799 met in the identified provisions of the act as follows:

800 (a) The purpose of the district is stated in the act in
801 section 2, subsection (5).

802 (b) The powers, functions, and duties of the district are
803 set forth generally in section 4, subsection (3), paragraphs (g)
804 and (h) and subsections (5)-(16), (18), (19), (21), (25), and
805 (32) as to which:

806 1. Taxation provisions are set forth in section 2,
807 subsection (6), paragraph (aa); section 4, subsection (3),
808 paragraph (h); subsection (14), paragraphs (a), (c), (f), (g),
809 and (i); and subsections (17), (18), and (19).

810 2. Bond issuance provisions are set forth generally in
811 section 2; section 4, subsection (8), paragraph (d); subsections
812 (10)-(13), and subsection (16), paragraphs (b) and (c).

813 3. Provisions regarding the other revenue-raising
814 capabilities are set forth in section 2, subsection (6),
815 paragraphs (b), (d), (r), (s), and (z); and section 4,
816 subsections (10) and (11); subsection (14), paragraphs (b), (d),
817 (e), (h), (i), and (j); and subsections (15) and (16).

818 4. Provisions regarding fees, rentals, and charges are set
819 forth in section 2, subsection (6); section 4, subsection (8),
820 paragraph (i); and subsections (22)-(25).

821 5. Provisions regarding budget preparation and approval
822 are set forth in section 4, subsections (5), (6), and (9).

823 6. Provisions regarding liens and foreclosures of liens
824 are set forth in section 4, subsection (14), paragraphs (f),
825 (g), (h), and (i); and subsections (15), (17), (18), and (19).

826 7. Provisions regarding the use of tax deeds and tax
827 certificates as appropriate for non-ad valorem assessments are
828 set forth in section 4, subsection (8), paragraph (o);
829 subsection (14), paragraphs (b), (c), (d), (e), (f), (h), and
830 (i); and subsection (15).

831 8. Provisions regarding contractual agreements are set
832 forth in section 4, subsection (8), paragraphs (c), (l), (p),
833 (r), and (s); and subsection (9), paragraphs (k), (o), (p), (s),
834 (t), (v), and (w).

835 (c) Provisions for methods for establishing the district
836 are set forth in section 2, subsection (6), paragraph (j) and
837 this section and are effective as provided in section 6.

838 (d) Provisions regarding methods for amending the charter
839 of the district are set forth in section 2 of subsection (7),
840 paragraph (c); subsection (4) of this section; and section 4 of
841 subsection (28).

842 (e) Provisions regarding aspects of the governing board
843 are set forth as follows:

844 1. Provisions regarding the membership of the governing
845 board are set forth in section 4, subsection (3), paragraph (b)
846 and subsection (4), paragraph (c).

847 2. Provisions regarding the organization of the governing
848 board are set forth in section 4, subsection (3), paragraphs
849 (b)-(d) and subsection (4), paragraph (c).

850 3. Provisions regarding the requirement of five board
851 members are set forth in section 4, subsection (3), paragraph
852 (b) and subsection (4), paragraph (c), subparagraph 1.

853 4. Provisions regarding the quorum of the governing board
854 are set forth in section 4, subsection (3), paragraph (b) and
855 subsection (4), paragraph (c), subparagraph 1., sub-subparagraph
856 e.

857 (f) Provisions regarding maximum compensation of each
858 board member are set forth in section 4, subsection (4),
859 paragraph (c), and in particular in subparagraph 1., sub-
860 subparagraph h.

861 (g) Provisions regarding the administrative duties of the
862 governing board are set forth in section 4, subsections (5)-(8).

863 (h) Provisions applicable to financial disclosure,
864 noticing, and reporting requirements for:

865 1. Financial disclosure are set forth in section 4,
866 subsections (6) and (7).

867 2. Voting are set forth in section 4, subsections (3) and
868 (4).

869 3. Reporting requirements are set forth in section 4,
870 subsections (5)-(7) and (31).

871 (i) Provisions regarding procedures and requirements for
872 issuing bonds are set forth in section 4, subsection (12),
873 paragraphs (a)-(g), and subsection (13).

874 (j) Provisions regarding elections or referenda are:

875 1. For procedures for elections, set forth in section 4,
876 subsections (3) and (4), and regarding referenda, set forth in
877 section 4, subsection (14), paragraph (a).

878 2. For qualifications of an elector of the district, a
879 qualified elector, set forth in section 2, subsection (6),

880 paragraph (v) and section 4, subsection (3), paragraphs (b) and
881 (c).

882 3. For referenda, set forth in section 4, subsection (4),
883 paragraph (b).

884 (k) Provisions regarding methods for financing the
885 district are set forth generally in section 4, subsections (10),
886 (11), (14), (15), (16), (17), (18), and (19).

887 (l) Other than taxes levied for the payment of bonds and
888 taxes levied for periods not longer than 2 years when authorized
889 by vote of the electors of the district, provisions for:

890 1. The authority to levy ad valorem taxes are set forth in
891 section 4, subsection (3), paragraph (h) and subsection (14),
892 paragraph (a); and section 2, subsection (6), paragraph (aa),
893 subparagraph 1.

894 2. The authorized millage rate are set forth in section 4,
895 subsection (14), paragraph (a).

896 (m) Provisions for the method or methods of collecting
897 non-ad valorem assessments, fees, or service charges are:

898 1. For collecting non-ad valorem assessments, set forth in
899 section 4, subsection (14), paragraphs (b), (c), (d), (e), (h)
900 and, (i), and subsection (15).

901 2. For collecting fees and service charges, set forth in
902 section 4, subsection (22).

903 (n) Provisions for planning requirements are as limited by
904 the provisions of section 2 and this section and as limited
905 further by section 4, subsections (8) and (9).

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906 (o) Provisions for geographic boundary limitations of the
907 district are set forth in subsections (2)-(4) of this section
908 and section 4, subsection (2).

909 (2) CREATION AND ESTABLISHMENT.--The Grove Community
910 District is created and incorporated hereby as a public body,
911 corporate and politic, a political subdivision, an independent,
912 limited, special, and single-purpose local government, and an
913 independent special district under section 189.404, Florida
914 Statutes, and as defined in this act and in section 189.403(3),
915 Florida Statutes, in and for northeastern Okeechobee County. Any
916 amendments to chapter 190, Florida Statutes, after January 1,
917 2006, which grant additional general powers, special powers,
918 authorities, or projects to a community development district by
919 amendment to its uniform charter, sections 190.006-190.041,
920 Florida Statutes, shall constitute a general power, special
921 power, authority, or function of the Grove Community District,
922 except that as to any such additional powers, authorities, or
923 projects, this act shall control if there are any related
924 provisions in such additional powers, authorities, or projects
925 inconsistent with the provisions of this act. Because all
926 notices for the enactment by the Legislature of this special act
927 have been provided pursuant to the State Constitution, the laws
928 of Florida, and the rules of the House of Representatives and
929 the Senate, and because Okeechobee County is not a charter
930 county, no referendum subsequent to the effective date of this
931 act is required. The district, as created by this act, is
932 established on the property pursuant to sections 4(2) and 6.

933 (3) TERRITORIAL BOUNDARIES.--The territorial boundary of
 934 the district shall embrace and include, without reservation or
 935 enclave, all of that certain real property described legally in
 936 section 4(2).

937 (4) JURISDICTION.--The jurisdiction of this district, in
 938 the exercise of its general and special powers and in the
 939 carrying out of its single, narrow, and special purpose, is both
 940 within the external boundaries of the legal description of this
 941 district and extraterritorially, when limited to, and as
 942 authorized expressly elsewhere in, the charter of the district
 943 in this act or applicable general law. This single-purpose
 944 district is created for all public body corporate, politic, and
 945 local government authority and power limited by the charter and
 946 subject to the provisions of other general laws, including
 947 expressly chapter 189, Florida Statutes, except that an
 948 inconsistent provision in this act shall control and the
 949 district has jurisdiction to perform such acts and exercise such
 950 projects, functions, and powers as shall be necessary,
 951 convenient, incidental, proper, or reasonable for the
 952 implementation of its limited, single, and specialized purpose
 953 regarding the sound planning, provision, acquisition,
 954 development, operation, maintenance, and related financing of
 955 those public systems, facilities, services, improvements,
 956 projects, and infrastructure works as authorized herein
 957 including those necessary and incidental thereto.

958 (5) EXCLUSIVE CHARTER.--The charter of the Grove Community
 959 District is this act and may be amended, terminated, or repealed

960 only by special act of the Legislature amending or repealing
 961 this act.

962 Section 4. Disposition of sections 2 and 3; legal
 963 description; exclusive charter of the Grove Community
 964 District.--

965 (1) INCORPORATION AND DISPOSITION OF SECTIONS 2 AND
 966 3.--Sections 2 and 3 of this act are true and correct and are
 967 incorporated herein and made a part of this section as
 968 dispositive provisions of law. This act constitutes the
 969 exclusive charter of the Grove Community District.

970 (2) LEGAL DESCRIPTION.--The metes and bounds legal
 971 description of the district, within which there are no enclaves
 972 or parcels of property owned by those who do not wish their
 973 property to be included within the district, is as follows:

974 METES AND BOUNDS DESCRIPTION

975 Grove Community District

976
 977 LEGAL DESCRIPTION:

978 (OFFICIAL RECORDS BOOK 230, PAGE 571, PUBLIC RECORDS,
 979 OKEECHOBEE COUNTY, FLORIDA)

980
 981 ALL OF SECTIONS 1, 2, 3, 10, 11, 12, 13, 14, AND 15,
 982 IN TOWNSHIP 34 SOUTH, RANGE 36 EAST, OKEECHOBEE
 983 COUNTY, FLORIDA, LESS AND EXCEPT THE FOLLOWING

984 DESCRIBED LANDS:

985
 986 BEGINNING AT A CONCRETE MONUMENT MARKING THE SOUTHEAST
 987 CORNER OF SAID SECTION 13, RUN NORTH 89°26'05" WEST A

988 DISTANCE OF 5284.42 FEET TO AN IRON PIPE MARKING THE
 989 SOUHWEST CORNER OF SAID SECTION 13; THENCE RUN SOUTH
 990 89°42'28" WEST A DISTANCE OF 5114.05 FEET ALONG THE
 991 SOUTH LINE OF SECTION 14 TO AN IRON PIPE AT THE SW
 992 CORNER THEREOF; THENCE RUN NORTH 89°31'14" WEST ALONG
 993 THE SOUTH LINE OF SECTION 15 A DISTANCE OF 5302.02
 994 FEET TO A CONCRETE MONUMENT MARKING THE SOUTHWEST
 995 CORNER OF SAID SECTION 15; THENCE RUN NORTH 00°00'14"
 996 EAST ALONG THE WEST LINE OF SECTION 15 A DISTANCE OF
 997 174.49 FEET; THENCE RUN SOUTH 89°12'07" EAST ALONG A
 998 FENCE LINE A DISTANCE OF 5302.87 FEET TO A POINT WHICH
 999 IS 145 FEET NORTH OF THE SOUTHWEST CORNER OF SAID
 1000 SECTION 14; THENCE RUN SOUTH 00°12'46" WEST A DISTANCE
 1001 OF 20.0 FEET; THENCE RUN NORTH 89°42'28" EAST ALONG A
 1002 LINE LYING PARALLEL TO AND 125 FEET NORTH OF THE SOUTH
 1003 LINE OF SECTION 14 A DISTANCE OF 5113.88 FEET TO A
 1004 POINT WHICH IS 125 FEET NORTH OF THE SOUTHWEST CORNER
 1005 OF SECTION 13; THENCE RUN SOUTH 89°26'05" EAST ALONG A
 1006 LINE PARALLEL TO AND 125 FEET NORTH OF THE SOUTH LINE
 1007 OF SECTION 13 A DISTANCE OF 5149.10 FEET TO A POINT
 1008 WHICH IS 135 FEET WEST AND 125 FEET NORTH OF THE
 1009 SOUTHEAST CORNER OF SECTION 13; THENCE RUN NORTH
 1010 00°00'22" WEST A DISTANCE OF 100 FEET; THENCE RUN
 1011 SOUTH 89°26'05" EAST A DISTANCE OF 135 FEET TO THE
 1012 EAST LINE OF SAID SECTION 13; THENCE RUN SOUTH
 1013 00°00'22" EAST A DISTANCE OF 225 FEET TO THE POINT OF
 1014 BEGINNING AT THE SOUTHEAST CORNER OF SECTION 13,

1015 TOWNSHIP 34 SOUTH, RANGE 36 EAST, OKEECHOBEE COUNTY,
 1016 FLORIDA, CONTAINING 5683.29 ACRES, MORE OR LESS.

1017
 1018 (3) BOARD; MEMBERS AND MEETINGS; ORGANIZATION; POWERS;
 1019 DUTIES; TERMS OF OFFICE; RELATED ELECTION REQUIREMENTS.--

1020 (a) The board shall exercise the powers granted to the
 1021 district pursuant to this act in order to implement its
 1022 specialized single purpose.

1023 (b) There is created the Board of Supervisors of the Grove
 1024 Community District, which is the governing board and body of the
 1025 district. Except as otherwise provided herein, each member shall
 1026 hold office for a term of 4 years and until his or her successor
 1027 is chosen and qualifies. There shall be five members of the
 1028 board who shall, in order to be eligible, be residents of the
 1029 state and citizens of the United States. Three members shall
 1030 constitute a quorum.

1031 (c) Within 45 days after the effective date of this act, a
 1032 specially noticed meeting of the landowners of the district
 1033 shall be held for the purpose of electing the members to the
 1034 first board as herein provided. Notice of such special meeting
 1035 of the landowners shall be given by causing publication thereof
 1036 to be made once a week for 2 consecutive weeks prior to such
 1037 meeting in a newspaper of general paid subscription and
 1038 circulation in Okeechobee County, the last day of such
 1039 publication not to be fewer than 14 or more than 28 days before
 1040 the day of the election. Such special meeting of the landowners
 1041 shall be held in a public place in Okeechobee County, and the
 1042 place, date, and hour of holding such meeting and the purpose

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1043 thereof shall be stated expressly in the notice. The landowners,
1044 when assembled, shall organize by electing a chair who shall
1045 preside at the meeting of the landowners and a secretary who
1046 shall record the proceedings. At such meeting, for the election
1047 of each person to be elected, each and every acre of land, or
1048 any fraction thereof, within the boundary of the district shall
1049 represent one vote and each owner of that acre or fraction
1050 thereof shall be entitled to one vote for every such acre or
1051 fraction thereof. Persons who qualify to serve as board members
1052 shall be nominated at the noticed meeting and prior to the
1053 initial election at the noticed meeting. A landowner may vote in
1054 person or by proxy in writing. A landowner who sells land to a
1055 bona fide purchaser may by written lawful instrument retain the
1056 voting rights for that acreage.

1057 (d) At the landowners' meeting for the election of the
1058 members of the board on a one-acre, one-vote basis, the two
1059 candidates receiving the highest number of votes shall be
1060 elected for terms expiring November 30, 2008, and the three
1061 candidates receiving the next highest number of votes shall be
1062 elected for terms expiring November 30, 2010. The members of the
1063 first board elected by the landowners shall serve their
1064 respective 4-year or 2-year terms; however, the next election by
1065 the landowners shall be held on the first Tuesday in November
1066 2008 to elect members to fill those vacancies to 4-year terms.
1067 Thereafter, there shall be an election of supervisors for the
1068 district every 2 years in November on a date established by the
1069 board and noticed pursuant to paragraph (c).

1070 (e) The landowners present at the meeting shall constitute
 1071 a quorum.

1072 (f) All vacancies or expirations on the board shall be
 1073 filled as provided by this act.

1074 (g) In case of a vacancy in the office of any member of
 1075 the board, the remaining members of the board shall by majority
 1076 vote elect a person to serve as a member of the board for the
 1077 unexpired portion of the term.

1078 (h) If the board proposes to exercise its limited ad
 1079 valorem taxing power as provided elsewhere in this charter, the
 1080 provisions of section 4(14)(a) shall apply.

1081 (4) ELECTION; POPULAR ELECTIONS, REFERENDUM; DESIGNATION
 1082 OF URBAN AREAS.--

1083 (a) Elections of the members of the board shall be
 1084 conducted on a one-acre, one-vote basis as provided in paragraph
 1085 (3)(c), until and unless the provisions of paragraph (b) apply.
 1086 When applicable and required, the appropriate provisions of
 1087 section 189.405, Florida Statutes, apply.

1088 (b) A referendum shall be called by the board, each member
 1089 elected on a one-acre, one-vote basis, on the question of
 1090 whether certain members of the board should be elected by
 1091 qualified electors, providing each of the following conditions
 1092 has been satisfied at least 60 days prior to the general or
 1093 special election at which the referendum is to be held:

1094 1. The district has at least 500 qualified electors based
 1095 on the most recent state population estimate.

1096 2. A petition signed by 10 percent of the qualified
 1097 electors of the district has been filed with the board. The

1098 petition shall be submitted to the Supervisor of Elections of
 1099 Okeechobee County who shall, within 30 days after receipt of the
 1100 petition, certify to the board the percentage of signatures of
 1101 qualified electors contained in the petition.

1102 (c) Upon verification by the supervisor of elections that
 1103 10 percent of the qualified electors of the district have
 1104 petitioned the board, a referendum election shall be called by
 1105 the board at the next regularly scheduled election of governing
 1106 board members occurring at least 60 days after verification.

1107 (d) If the qualified electors approve the election
 1108 procedure described in this section, the governing board of the
 1109 district shall remain five members and elections shall be held
 1110 pursuant to the criteria described in this paragraph, beginning
 1111 with the next regularly scheduled election of governing board
 1112 members or at a special election called within 6 months after
 1113 the referendum and final unappealed approval of district urban
 1114 area maps as provided in this section, whichever is earlier.

1115 (e) If the qualified electors of the district reject the
 1116 election procedure described in this section, elections of the
 1117 members of the board shall continue as described in this act on
 1118 a one-acre, one-vote basis. No further referendum on the
 1119 question shall be held for a minimum period of 2 years after the
 1120 referendum.

1121 (f) Within 30 days after approval of the election process
 1122 described in this section by qualified electors of the district,
 1123 the board shall direct the district staff to prepare and to
 1124 present maps of the district describing the extent and location
 1125 of all urban areas within the district. Such determination shall

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1126 be based upon the criteria contained in the definition of urban
1127 area in this act.

1128 (g) Within 60 days after approval of the election process
1129 described in this subsection by qualified electors of the
1130 district, the maps describing urban areas within the district
1131 shall be presented to the board.

1132 (h) Any district landowner or elector may contest the
1133 accuracy of the urban area maps prepared by the staff of the
1134 district within 30 days after submission to the board. Upon
1135 notice of objection to the maps, the governing board shall
1136 request the county engineer to prepare and present maps of the
1137 district describing the extent and location of all urban areas
1138 within the district. Such determination shall be based limitedly
1139 and exclusively upon the criteria contained in the definition in
1140 this act of urban area. Within 30 days after the governing board
1141 requests, the county engineer shall present the maps to the
1142 governing board.

1143 (i) Upon presentation of the maps by the county engineer,
1144 the governing board shall compare the maps submitted by both the
1145 district staff and the county engineer and make a determination
1146 as to which set of maps to adopt. Within 60 days after
1147 presentation of all such maps, the governing board may amend and
1148 shall adopt the official maps at a regularly scheduled board
1149 meeting.

1150 (j) Any district landowner or qualified elector may
1151 contest the accuracy of the urban area maps adopted by the board
1152 after adoption in accordance with the provision for judicial
1153 review as provided in the Administrative Procedure Act. Accuracy

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1154 shall be determined pursuant to the definition of urban area in
1155 section 2(6)(bb).

1156 (k) Upon adoption by the board or certification by the
1157 court, the district urban area maps shall serve as the official
1158 maps for determination of the extent of urban area within the
1159 district and the number of members of the board to be elected by
1160 qualified electors and by one-acre, one-vote at the next
1161 regularly scheduled election of governing board members.

1162 (l) Upon a determination of the percentage of urban area
1163 within the district as compared with total area within the
1164 district, the governing board shall determine the number of
1165 electors in accordance with the percentages pursuant to this
1166 paragraph. The landowners' meeting date shall be designated by
1167 the board.

1168 (m) The map shall be updated and readopted every 5 years
1169 or sooner at the discretion of the board.

1170 (n)1. The five members of the governing board of the
1171 district shall be elected in accordance with the following
1172 determinations of urban area:

1173 a. If urban areas constitute 25 percent or less of the
1174 district, one governing board member shall be elected by the
1175 qualified electors and four governing board members shall be
1176 elected in accordance with the one-acre, one-vote principle
1177 contained within subsection (3).

1178 b. If urban areas constitute more than 25 percent but less
1179 than 50 percent of the district, two governing board members
1180 shall be elected by the qualified electors and three governing

1181 board members shall be elected in accordance with the one-acre,
 1182 one-vote principle contained in subsection (3).

1183 c. If urban areas constitute at least 50 percent but less
 1184 than 70 percent of the district, three governing board members
 1185 shall be elected by the qualified electors and two governing
 1186 board members shall be elected in accordance with the one-acre,
 1187 one-vote principle contained in subsection (3).

1188 d. If urban areas constitute at least 70 percent but less
 1189 than 90 percent of the district, four governing board members
 1190 shall be elected by the qualified electors and one governing
 1191 board member shall be elected in accordance with the one-acre,
 1192 one-vote principle contained in subsection (3).

1193 e. If urban areas constitute at least 90 percent or more
 1194 of the district, all governing board members shall be elected by
 1195 the qualified electors.

1196 2. All members of the board, regardless of how elected,
 1197 shall be public officers, known as supervisors, and, upon
 1198 entering into office, shall take and subscribe to the oath of
 1199 office as prescribed by section 876.05, Florida Statutes. All
 1200 members of the board, regardless of how elected, and regardless
 1201 of whether they are qualified electors themselves, shall be
 1202 public officials and subject to ethics and conflict of interest
 1203 laws of the state that apply to all public officers. They shall
 1204 hold office for the terms for which they were elected and until
 1205 their successors are chosen and qualified.

1206 3. Any elected member of the board may be removed by the
 1207 Governor for malfeasance, misfeasance, dishonesty, incompetency,
 1208 or failure to perform the duties imposed upon him or her by this

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1209 act. Any vacancies which may occur in such office shall be
1210 filled by the Governor, as soon as practicable, unless filled by
1211 the board as provided in this act.

1212 4. All governing board members elected by qualified
1213 electors shall be qualified electors elected at large.
1214 Candidates seeking election as qualified electors shall conduct
1215 their campaigns in accordance with the provisions of chapter
1216 106, Florida Statutes, and shall file petitions as required in
1217 section 99.021, Florida Statutes, and take the oath therein
1218 prescribed.

1219 5. All governing board members elected by qualified
1220 electors shall have a term of 4 years each except for governing
1221 board members elected at the first election and the first
1222 landowners' meeting following the referendum prescribed in
1223 paragraph (b). Governing board members elected at the first
1224 election and the first landowners' meeting following the
1225 referendum shall serve as follows:

1226 a. If one governing board member is elected by the
1227 qualified electors and four are elected on a one-acre, one-vote
1228 basis, the governing board members elected by the qualified
1229 electors shall be elected for a term of 4 years each. Governing
1230 board members elected on a one-acre, one-vote basis shall be
1231 elected for terms as prescribed by subsection (3).

1232 b. If two governing board members are elected by the
1233 qualified electors and three are elected on a one-acre, one-vote
1234 basis, the governing board members elected by the qualified
1235 electors shall be elected for a term period of 4 years each.
1236 Governing board members elected on a one-acre, one-vote basis

1237 shall be elected for terms of 1, 2, and 3 years, respectively,
 1238 as prescribed by subsection (3).

1239 c. If three governing board members are elected by the
 1240 qualified electors and two are elected on a one-acre, one-vote
 1241 basis, two of the governing board members elected by the
 1242 qualified electors shall be elected for a term of 4 years and
 1243 the other governing board member elected by the electors shall
 1244 be elected for a term of 2 years. Governing board members
 1245 elected on a one-acre, one-vote basis shall be elected for
 1246 periods of 1 year and 2 years, respectively, as prescribed by
 1247 subsection (3).

1248 d. If four governing board members are elected by the
 1249 qualified electors and one is elected on a one-acre, one-vote
 1250 basis, two of the governing board members elected by the
 1251 electors shall be elected for terms of 2 years each and the
 1252 other two for term of 4 years each. The governing board member
 1253 elected on a one-acre, one-vote basis shall be elected for a
 1254 term of 1 year as prescribed by subsection (3).

1255 e. If five governing board members are elected by the
 1256 qualified electors, three shall be elected for terms of 4 years
 1257 each and two for terms of 2 years each.

1258 6. If any vacancy occurs in a seat occupied by a governing
 1259 board member elected by the qualified electors, the remaining
 1260 members of the governing board shall, within 45 days after the
 1261 vacancy occurs, appoint a person who would be eligible to hold
 1262 the office for the unexpired term.

1263 7. Each and every election by qualified electors of
 1264 members of the board pursuant to this act shall be conducted in

1265 the manner and at a time prescribed by law for holding general
 1266 elections or prescribed by the Supervisor of Elections in and
 1267 for the Okeechobee County political subdivision.

1268 8.a. An annual landowners' meeting shall be held pursuant
 1269 to subsection (3) and at least one governing board member shall
 1270 be elected on a one-acre, one-vote basis pursuant to subsection
 1271 (3) for so long as 10 percent or more of the district is not
 1272 contained in an urban area. In the event all district governing
 1273 board members are elected by qualified electors, there shall be
 1274 no further landowners' meetings.

1275 b. At any landowners' meeting called pursuant to this
 1276 section, 50 percent of the district acreage shall not be
 1277 required to constitute a quorum and each governing board member
 1278 shall be elected by a majority of the acreage represented either
 1279 by owner or proxy present and voting at said meeting.

1280 c. All landowners' meetings of districts operating
 1281 pursuant to this section shall be set by the board within the
 1282 month preceding the month of the election of the governing board
 1283 members by the electors.

1284 d. Vacancies on the board shall be filled pursuant to
 1285 subsection (3) and this subsection except as otherwise provided
 1286 in this section.

1287 9. Three board members shall constitute a quorum for the
 1288 purpose of conducting its business and exercising its powers and
 1289 for all other related purposes. Action taken by the board
 1290 members present shall be upon a vote of the majority of the
 1291 members present, unless general law or rule of the district
 1292 subsequently promulgated requires a greater number.

1293 10. As soon as practicable after each election or
 1294 appointment, the board shall elect one of its members as chair,
 1295 elect a secretary who need not be a member of the board, and
 1296 elect such other officers as the board may deem necessary.

1297 11. The board shall keep a permanent record book entitled
 1298 "Record of Proceedings of Grove Community District," in which
 1299 shall be recorded minutes of all meetings, resolutions,
 1300 proceedings, certificates, bonds given by all employees, and any
 1301 and all corporate acts. The record book shall at reasonable
 1302 times be opened to inspection in the same manner as state,
 1303 county, and municipal records pursuant to chapter 119, Florida
 1304 Statutes. The record book shall be kept at the office or other
 1305 regular place of business maintained by the board within
 1306 Okeechobee County.

1307 12. Each supervisor shall be entitled to receive for his
 1308 or her services an amount not to exceed \$200 per meeting of the
 1309 board, not to exceed \$4,800 per year per supervisor, or an
 1310 amount established by the electors at referendum. In addition,
 1311 each supervisor shall receive travel and per diem expenses as
 1312 set forth in section 112.061, Florida Statutes.

1313 13. All meetings of the board shall be open to the public
 1314 and governed by the provisions of chapter 286, Florida Statutes.

1315 (o) The members of the board, whether elected on a one-
 1316 acre, one-vote basis or a qualified-electors basis, shall
 1317 constitute the members of the governing board of the district
 1318 subject to the requirements of this act.

1319 (5) BOARD OF SUPERVISORS; GENERAL DUTIES.--

1320 (a) The board shall employ and fix the compensation of a
1321 district manager. The district manager shall have charge and
1322 supervision of the works of the district and shall be
1323 responsible for preserving and maintaining any improvement or
1324 facility constructed or erected pursuant to the provisions of
1325 this act, for maintaining and operating the equipment owned by
1326 the district, and for performing such other duties as may be
1327 prescribed by the board. It shall not be a conflict of interest
1328 under chapter 112, Florida Statutes, for a board member or the
1329 district manager or another employee of the district to be a
1330 stockholder, officer, or employee of a landowner. The district
1331 manager may hire or otherwise employ and terminate the
1332 employment of such other persons, including, without limitation,
1333 professional, supervisory, and clerical employees, as may be
1334 necessary and authorized by the board. The compensation and
1335 other conditions of employment of the officers and employees of
1336 the district shall be as provided by the board.

1337 (b) The board shall designate a person who is a resident
1338 of the state as treasurer of the district, who shall have charge
1339 of the funds of the district. Such funds shall be disbursed only
1340 upon the order, or pursuant to the resolution, of the board by
1341 warrant or check countersigned by the treasurer and by such
1342 other person as may be authorized by the board. The board may
1343 give the treasurer such other or additional powers and duties as
1344 the board may deem appropriate and may fix his or her
1345 compensation. The board may require the treasurer to give a bond
1346 in such amount, on such terms, and with such sureties as may be
1347 deemed satisfactory to the board to secure the performance by

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1348 the treasurer of his or her powers and duties. The financial
1349 records of the board shall be audited by an independent
1350 certified public accountant at least once a year.

1351 (c) The board is authorized to select as a depository for
1352 its funds any qualified public depository as defined in section
1353 280.02, Florida Statutes, which meets all the requirements of
1354 chapter 280, Florida Statutes, and has been designated by the
1355 treasurer as a qualified public depository, upon such terms and
1356 conditions as to the payment of interest by such depository upon
1357 the funds so deposited as the board may deem just and
1358 reasonable.

1359 (6) BUDGET; REPORTS AND REVIEWS.--

1360 (a) The district shall provide financial reports in such
1361 form and such manner as prescribed pursuant to this act and
1362 chapter 218, Florida Statutes.

1363 (b) On or before each July 15, the district manager shall
1364 prepare a proposed budget for the ensuing fiscal year to be
1365 submitted to the board for board approval. The proposed budget
1366 shall include at the direction of the board an estimate of all
1367 necessary expenditures of the district for the ensuing fiscal
1368 year and an estimate of income to the district from the taxes
1369 and assessments provided in this act. The board shall consider
1370 the proposed budget item by item and may either approve the
1371 budget as proposed by the district manager or modify the same in
1372 part or in whole. The board shall indicate its approval of the
1373 budget by resolution, which resolution shall provide for a
1374 hearing on the budget as approved. Notice of the hearing on the
1375 budget shall be published in a newspaper of general circulation

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1376 in the area of the district once a week for 2 consecutive weeks,
1377 except that the first publication shall be not fewer than 15
1378 days prior to the date of the hearing. The notice shall further
1379 contain a designation of the day, time, and place of the public
1380 hearing. At the time and place designated in the notice, the
1381 board shall hear all objections to the budget as proposed and
1382 may make such changes as the board deems necessary. At the
1383 conclusion of the budget hearing, the board shall, by
1384 resolution, adopt the budget as finally approved by the board.
1385 The budget shall be adopted prior to October 1 of each year.

1386 (c) At least 60 days prior to adoption, the board shall
1387 submit to the Okeechobee County Board of County Commissioners,
1388 for purposes of disclosure and information only, the proposed
1389 annual budget for the ensuing fiscal year, and the board of
1390 county commissioners may submit written comments to the board
1391 solely for the assistance and information of the board of the
1392 district in adopting its annual district budget.

1393 (d) The board shall submit annually, to the Board of
1394 County Commissioners of Okeechobee County, its district public
1395 facilities report under section 189.415(2), Florida Statutes,
1396 addressing specifically short-term and long-term innovative
1397 systems, facilities, and services consistent with the unique
1398 nature of the new community. The Board of County Commissioners
1399 of Okeechobee County shall use and rely on the district public
1400 facilities report in the preparation or revision of the
1401 Okeechobee County Comprehensive Plan specifically under section
1402 189.415(6), Florida Statutes.

1403 (7) DISCLOSURE OF PUBLIC FINANCING.--The district shall
 1404 take affirmative steps to provide for the full disclosure of
 1405 information relating to the public financing and maintenance of
 1406 improvements to real property undertaken by the district. Such
 1407 information shall be made available to all current residents,
 1408 and to all prospective residents, of the district. The district
 1409 shall furnish each developer of a residential development within
 1410 the district with sufficient copies of that information to
 1411 provide each prospective initial purchaser of property in that
 1412 development with a copy, and any developer of a residential
 1413 development within the district, when required by law to provide
 1414 a public offering statement, shall include a copy of such
 1415 information relating to the public financing and maintenance of
 1416 improvements in the public offering statement. The Division of
 1417 Florida Land Sales, Condominiums, and Mobile Homes of the
 1418 Department of Business and Professional Regulation shall ensure
 1419 that disclosures are made by developers pursuant to chapter 498,
 1420 Florida Statutes.

1421 (8) GENERAL POWERS.--The district shall have, and the
 1422 board may exercise, the following general powers:

1423 (a) To sue and be sued in the name of the district; to
 1424 adopt and use a seal and authorize the use of a facsimile
 1425 thereof; to acquire by purchase, gift, devise, or otherwise, and
 1426 to dispose of, real and personal property or any estate therein;
 1427 and to make and execute contracts and other instruments
 1428 necessary or convenient to the exercise of its powers.

1429 (b) To apply for coverage of its employees under the state
 1430 retirement system in the same manner as if such employees were

1431 state employees, subject to necessary action by the district to
 1432 pay employer contributions into the state retirement fund.

1433 (c) To contract for the services of consultants to perform
 1434 planning, engineering, legal, or other appropriate services of a
 1435 professional nature. Such contracts shall be subject to public
 1436 bidding or competitive negotiation requirements as set forth in
 1437 section 4(21).

1438 (d) To borrow money and accept gifts; to apply for and use
 1439 grants or loans of money or other property from the United
 1440 States, the state, a unit of local government, or any person for
 1441 any district purposes and enter into agreements required in
 1442 connection therewith; and to hold, use, and dispose of such
 1443 moneys or property for any district purposes in accordance with
 1444 the terms of the gift, grant, loan, or agreement relating
 1445 thereto.

1446 (e) To adopt rules and orders pursuant to the provisions
 1447 of chapter 120, Florida Statutes, prescribing the powers,
 1448 duties, and functions of the officers of the district; the
 1449 conduct of the business of the district; the maintenance of
 1450 records; and the form of certificates evidencing tax liens and
 1451 all other documents and records of the district. The board may
 1452 also adopt administrative rules with respect to any of the
 1453 projects of the district and define the area to be included
 1454 therein. The board may also adopt resolutions which may be
 1455 necessary for the conduct of district business.

1456 (f) To maintain an office at such place or places as the
 1457 board designates in Okeechobee County and within the district
 1458 when facilities are available.

1459 (g) To hold, control, and acquire by donation, purchase,
 1460 or condemnation, and to dispose of, any public easements,
 1461 dedications to public use, platted reservations for public
 1462 purposes, or any reservations for those purposes authorized by
 1463 this act other than public easements conveyed to or accepted by
 1464 Okeechobee County and to make use of such easements,
 1465 dedications, or reservations for the purpose mandated by this
 1466 act.

1467 (h) To lease as lessor or lessee to or from any person,
 1468 firm, corporation, association, or body, public or private, any
 1469 projects of the type that the district is authorized to
 1470 undertake and facilities or property of any nature for the use
 1471 of the district to carry out the purposes mandated by this act.

1472 (i) To borrow money and issue bonds, certificates,
 1473 warrants, notes, or other evidences of indebtedness as
 1474 hereinafter provided; to levy such tax and assessments as may be
 1475 authorized; and to charge, collect, and enforce fees and other
 1476 user charges subject as applicable to section 4(10)-(13).

1477 (j) To raise, by user charges or fees authorized by
 1478 resolution of the board, amounts of money which are necessary
 1479 for the conduct of the district activities and services and to
 1480 enforce their receipt and collection in the manner prescribed by
 1481 resolution not inconsistent with law.

1482 (k) To exercise within the district, or beyond the
 1483 district with prior approval by majority vote of a resolution of
 1484 the governing body of the county if the taking will occur in an
 1485 unincorporated area, the right and power of eminent domain,
 1486 pursuant to the provisions of chapters 73 and 74, Florida

1487 Statutes, over any property within the state, except municipal,
 1488 county, state, and federal property, for the uses and purpose of
 1489 the district relating solely to water, sewer, district roads,
 1490 and water management, specifically including, without
 1491 limitation, the power for the taking of easements for the
 1492 drainage of the land of one person over and through the land of
 1493 another.

1494 (l) To cooperate with, or contract with, other
 1495 governmental agencies as may be necessary, convenient,
 1496 incidental, or proper in connection with any of the powers,
 1497 duties, or purposes authorized by this act.

1498 (m) To assess and impose upon lands in the district ad
 1499 valorem taxes as provided and limited by this act.

1500 (n) If and when authorized by general law, to determine,
 1501 order, levy, impose, collect, and enforce maintenance taxes.

1502 (o) To determine, order, levy, impose, collect, and
 1503 enforce assessments pursuant to this act, which sets forth a
 1504 detailed uniform procedure to implement chapter 170, Florida
 1505 Statutes, and as an alternative to determine, order, levy,
 1506 impose, collect, and enforce assessments under and pursuant to
 1507 chapter 170, Florida Statutes, pursuant to authority granted in
 1508 section 197.3631, Florida Statutes, or pursuant to other
 1509 provisions of general law, now or hereinafter enacted, which
 1510 provide or authorize a supplemental means to impose, levy, and
 1511 collect special assessments. Such special assessments, in the
 1512 discretion of the district, as provided in section 197.3631,
 1513 Florida Statutes, may be collected and enforced pursuant to the
 1514 provisions of sections 197.3632 and 197.3635, Florida Statutes,

1515 and chapters 170 and 173, Florida Statutes, or as provided by
 1516 this act.

1517 (p) To exercise such special powers and other express
 1518 powers as may be authorized and granted by this act in the
 1519 charter of the district, including powers as provided in any
 1520 interlocal agreement entered into pursuant to chapter 163,
 1521 Florida Statutes, or which shall be required or permitted to be
 1522 undertaken by the district pursuant to any development order or
 1523 development of regional impact, including any interlocal service
 1524 agreement with Okeechobee County for fair-share capital
 1525 construction funding for any capital facilities or systems
 1526 required of the developer pursuant to any applicable development
 1527 order or agreement.

1528 (q) To exercise all of the powers necessary, convenient,
 1529 incidental, or proper in connection with any other powers or
 1530 duties or the single purpose of the district authorized by this
 1531 act.

1532
 1533 The provisions of this subsection shall be construed liberally
 1534 in order to carry out effectively the single specialized purpose
 1535 of this act and to secure for the district its ability to be
 1536 innovative.

1537 (9) SPECIAL POWERS.--The district shall have the following
 1538 special powers to implement its lawful, single, and special
 1539 purpose and to provide pursuant to that purpose basic systems,
 1540 facilities, services, improvements, projects, works, and
 1541 infrastructure in the new community, each of which constitutes a
 1542 lawful public purpose when exercised pursuant to this charter,

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1543 subject to, and not inconsistent with, the regulatory
1544 jurisdiction and permitting authority of all other applicable
1545 governmental bodies, agencies, and any special districts having
1546 authority with respect to any area included therein, and to
1547 plan, establish, acquire, construct or reconstruct, enlarge or
1548 extend, equip, operate, finance, fund, and maintain
1549 improvements, systems, facilities, services, works, projects,
1550 and infrastructure any or all of the following special powers
1551 granted by this act in order to implement the special
1552 requirements of this new community within the single special
1553 purpose of the district:

1554 (a) To provide for water management and control for the
1555 lands within the district and to connect some or any of such
1556 facilities with roads and bridges. In the event that the board
1557 assumes the responsibility for providing water management and
1558 control for the district which is to be financed by benefit
1559 special assessments, the board shall adapt plans and assessments
1560 pursuant to law or may adopt water management and control plans,
1561 assess for benefits, and apportion and levy special assessments
1562 as follows:

1563 1. The board shall cause to be made by the district's
1564 engineer, or such other engineer or engineers as the board may
1565 employ for that purpose, complete and comprehensive water
1566 management and control plans for the lands located within the
1567 district that will be improved in part or in whole by any system
1568 of facilities that may be outlined and adopted, and the engineer
1569 shall make a report in writing to the board with maps and

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1570 profiles of said surveys and an estimate of the cost of carrying
1571 out and completing the plans.

1572 2. Upon the completion of such plans, the board shall hold
1573 a hearing thereon to hear objections thereto, shall give notice
1574 of the time and place fixed for such hearing by publication once
1575 each week for 2 consecutive weeks in a newspaper of general
1576 circulation in the general area of the district, and shall
1577 permit the inspection of the plan at the office of the district
1578 by all persons interested. All objections to the plan shall be
1579 filed at or before the time fixed in the notice for the hearing
1580 and shall be in writing.

1581 3. After the hearing, the board shall consider the
1582 proposed plan and any objections thereto and may modify, reject,
1583 or adopt the plan or continue the hearing to a day certain for
1584 further consideration of the proposed plan or modifications
1585 thereof.

1586 4. When the board approves a plan, a resolution shall be
1587 adopted and a certified copy thereof shall be filed in the
1588 office of the secretary and incorporated by him or her into the
1589 records of the district.

1590 5. The water management and control plan may be altered in
1591 detail from time to time until the appraisal record herein
1592 provided is filed, but not in such manner as to affect
1593 materially the conditions of its adoption. After the appraisal
1594 record has been filed, no alteration of the plan shall be made,
1595 except as provided by this act.

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1596 6. Within 20 days after the final adoption of the plan by
1597 the board, the board shall proceed pursuant to section 298.301,
1598 Florida Statutes.

1599 (b) To provide for water supply, sewer, and wastewater
1600 management, reclamation, and reuse or any combination thereof
1601 and any irrigation systems, facilities, and services; to
1602 construct and operate connecting intercepting or outlet sewers
1603 and sewer mains and pipes and water mains, conduits, or
1604 pipelines in, along, and under any street, alley, highway, or
1605 other public place or way; and to dispose of any effluent,
1606 residue, or other byproducts of such system or sewer system.

1607 1. The district may not purchase or sell a water, sewer,
1608 or wastewater reuse utility that provides service to the public
1609 for compensation, or enter into a wastewater facility
1610 privatization contract for a wastewater facility, until the
1611 governing body of the new community district has held a public
1612 hearing on the purchase, sale, or wastewater facility
1613 privatization contract and made a determination that the
1614 purchase, sale, or wastewater facility privatization contract is
1615 in the public interest.

1616 2. In determining if the purchase, sale, or wastewater
1617 facility privatization contract is in the public interest, the
1618 district shall consider, at a minimum, the following:

1619 a. The most recent available income and expense statement
1620 for the utility.

1621 b. The most recent available balance sheet for the
1622 utility, listing assets and liabilities and clearly showing the

1623 amount of contributions in aid of construction and the
 1624 accumulated depreciation thereon.

1625 c. A statement of the existing rate base of the utility
 1626 for regulatory purposes.

1627 d. The physical condition of the utility facilities being
 1628 purchased, sold, or subject to a wastewater facility
 1629 privatization contract.

1630 e. The reasonableness of the purchase, sale, or wastewater
 1631 facility privatization contract price and terms.

1632 f. The impacts of the purchase, sale, or wastewater
 1633 facility privatization contract on utility customers, both
 1634 positive and negative.

1635 g. Any additional investment required and the ability and
 1636 willingness of the purchaser or the private firm under a
 1637 wastewater facility privatization contract to make that
 1638 investment, whether the purchaser is the district or the entity
 1639 purchasing the utility from the district.

1640 h. In the case of a wastewater facility privatization
 1641 contract, the terms and conditions on which the private firm
 1642 will provide capital investment and financing or a combination
 1643 thereof for contemplated capital replacements, additions,
 1644 expansions, and repairs. The district shall give significant
 1645 weight to this criterion.

1646 i. The alternatives to the purchase, sale, or wastewater
 1647 facility privatization contract and the potential impact on
 1648 utility customers if the purchase, sale, or wastewater facility
 1649 privatization contract is not made.

1650 j. The ability of the purchaser or the private firm under
1651 a wastewater facility privatization contract to provide and
1652 maintain high-quality and cost-effective utility service,
1653 whether the purchaser is the district or the entity purchasing
1654 the utility from the district.

1655 k. In the case of a wastewater facility privatization
1656 contract, the technical expertise and experience of the private
1657 firm in carrying out the obligations specified in the wastewater
1658 facility privatization contract. The district shall give
1659 significant weight to this criterion.

1660 3. All moneys paid by a private firm to a district
1661 pursuant to a wastewater facility privatization contract shall
1662 be used for the purpose of reducing or offsetting property
1663 taxes, wastewater service rates, or debt reduction or making
1664 infrastructure improvements or capital asset expenditures or
1665 other public purpose; however, nothing herein shall preclude the
1666 district from using all or part of the moneys for the purpose of
1667 the district's qualification for relief from the repayment of
1668 federal grant awards associated with the wastewater system as
1669 may be required by federal law or regulation. The district shall
1670 prepare a statement showing that the purchase, sale, or
1671 wastewater facility privatization contract is in the public
1672 interest, including a summary of the purchaser's or private
1673 firm's experience in water, sewer, or wastewater reuse utility
1674 operation and a showing of financial ability to provide the
1675 service, whether the purchaser or private firm is the district
1676 or the entity purchasing the utility from the district.

1677 (c) To provide for bridges or culverts that may be needed
 1678 across any drain, ditch, canal, floodway, holding basin,
 1679 excavation, public highway, tract, grade, fill, or cut and
 1680 roadways over levees and embankments, and to construct any and
 1681 all of such works and improvements across, through, or over any
 1682 public right-of-way, highway, grade, fill, or cut.

1683 (d) To provide for district roads equal to or exceeding
 1684 the specifications of the county in which such district roads
 1685 are located, and streetlights, including conditions of
 1686 development approval which sometimes may be different
 1687 specifications than the normal specifications of the county.
 1688 This special power includes construction, improvement, pavement,
 1689 and maintenance of roadways and roads necessary and convenient
 1690 for the exercise of the powers or duties of the district to:

1691 1. Implement its single purpose.
 1692 2. Include as a component thereof roads, parkways,
 1693 bridges, landscaping, irrigation, bicycle and jogging paths,
 1694 street lighting, traffic signals, road striping, and all other
 1695 customary elements of a modern road system in general or as tied
 1696 to the conditions of development approval for the specific
 1697 district.

1698 3. Plan, implement, construct or reconstruct, enlarge or
 1699 extend, finance, fund, equip, operate, and maintain parking
 1700 facilities freestanding or as may be related to any innovative
 1701 strategic intermodal system of transportation pursuant to
 1702 applicable federal, state, and local laws and ordinances.

1703 (e) To provide for buses, trolleys, transit shelters,
1704 ride-sharing facilities and services, parking improvements, and
1705 related signage.

1706 (f) To cover investigation and remediation costs
1707 associated with the cleanup of actual or perceived environmental
1708 contamination within the district under the supervision or
1709 direction of a competent governmental authority unless the
1710 covered costs benefit any person who is a landowner within the
1711 district who caused or contributed to the contamination.

1712 (g) To provide for conservation areas, mitigation areas,
1713 and wildlife habitat, including the maintenance of any plant or
1714 animal species, and any related interest in real or personal
1715 property.

1716 (h) Using its general and special powers as set forth in
1717 this act, to provide for any other project within or without the
1718 boundaries of a district when the project is the subject of an
1719 agreement between the district and the Board of County
1720 Commissioners of Okeechobee County or with any applicable other
1721 public or private entity, including a homeowner association, and
1722 is not inconsistent with the Okeechobee County Comprehensive
1723 Plan and the Growth Management act which implement the single
1724 special purpose of the district.

1725 (i) To provide for parks and facilities for indoor and
1726 outdoor recreational, cultural, and educational uses.

1727 (j) To provide for fire prevention and control, including
1728 fire stations and buildings, water mains and plugs, fire trucks,
1729 and other vehicles and equipment, and for emergency medical

1730 services, including stations and buildings, vehicles, and
 1731 equipment.

1732 (k) To provide for school buildings and related
 1733 structures, which may be leased, sold, or donated to the school
 1734 district, for use in the educational system when authorized by
 1735 the district school board. The district is granted the special
 1736 power to contract with the Okeechobee County School Board and,
 1737 as applicable, the Board of County Commissioners of Okeechobee
 1738 County, and with the applicable landowner developer of the lands
 1739 within the jurisdiction of the district, to assess the school
 1740 district educational facilities plan, and to implement a
 1741 management and financing plan for timely construction,
 1742 maintenance, and acquisition, at the option of the district, of
 1743 school facilities, including facilities identified in the
 1744 facilities work programs or those proposed by charter schools.
 1745 The district is granted the special power to determine, order,
 1746 levy, impose, collect, or arrange for the collection and
 1747 enforcement of assessments, as defined in and pursuant to this
 1748 act, for such school facilities. The district is eligible for
 1749 the financial enhancements available to educational facility
 1750 benefit districts to provide for financing the construction and
 1751 maintenance of educational facilities pursuant to section
 1752 1013.356, Florida Statutes, and, if and when authorized by
 1753 general law, to acquire such educational facilities. This act,
 1754 in the place of an educational facilities benefit district,
 1755 authorizes the Okeechobee County School Board to designate the
 1756 district. The district is authorized to enter into an interlocal
 1757 agreement with the Okeechobee County School Board and, as

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1758 applicable, the Board of County Commissioners of Okeechobee
1759 County, and applicable private landowners and developers in
1760 order to provide for such construction, maintenance, and
1761 acquisition and in order to receive the applicable financial
1762 enhancements provided by section 1013.356, Florida Statutes. The
1763 interlocal agreement shall consider, among other things,
1764 absorption rates, sales rates, and related data of existing and
1765 projected schools; racial, ethnic, social, and economic balance
1766 within the Okeechobee County School District under applicable
1767 state and federal law; and the provision of school attendance
1768 zones to allow students residing within a reasonable distance of
1769 the facilities constructed and financed through the interlocal
1770 agreement to attend such facilities. Because these facilities
1771 are funded by assessments and not by taxes of any type, the
1772 provision of these facilities may be multiuse and, consistent
1773 with the provisions of this act, shall be first liens on the
1774 property upon a showing of special and peculiar benefits that
1775 flow to the property within the jurisdiction of the district as
1776 a logical connection from the systems, facilities, and services,
1777 resulting in added use, enhanced enjoyment, decreased insurance
1778 premiums, or enhanced value in marketability so that the
1779 Legislature finds that the provisions of the Florida
1780 Constitution for free public schools is implemented and
1781 enhanced.

1782 (1) To provide for security, including, but not limited
1783 to, guardhouses, fences and gates, electronic intrusion
1784 detection systems, and patrol cars, when authorized by proper
1785 governmental agencies, except that the district may not exercise

1786 any powers of a law enforcement agency but may contract with the
 1787 appropriate local general-purpose government agencies for an
 1788 increased level of such services within the district boundaries.
 1789 Notwithstanding any provision of general law, the district may
 1790 operate guardhouses for the limited purpose of providing
 1791 security for the residents of the district and which serve a
 1792 predominate public, as opposed to private, purpose. Such
 1793 guardhouses shall be operated by the district or other unit of
 1794 local government pursuant to procedures designed to serve such
 1795 security purposes as set forth in rules adopted by the board,
 1796 from time to time, following the procedures set forth in chapter
 1797 120, Florida Statutes.

1798 (m) To provide for control and elimination of mosquitoes
 1799 and other arthropods of public health importance.

1800 (n) To provide for waste collection and disposal.

1801 (o) To enter into impact fee credit agreements with
 1802 Okeechobee County and the Okeechobee County School Board. Under
 1803 such agreements, where the district constructs or makes
 1804 contributions for public systems, facilities, services,
 1805 projects, improvements, works, and infrastructures for which
 1806 impact fee credits would be available to the landowner developer
 1807 under the Okeechobee County and Okeechobee County School Board
 1808 applicable impact fee ordinance, the agreement authorized by
 1809 this act shall provide that such impact fee credit shall inure
 1810 to the landowners within the district in portion to assessments
 1811 or other burdens levied and imposed upon the landowners with
 1812 respect to assessable improvements giving rise to such impact
 1813 fee credits, and the district shall, from time to time, execute

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1814 such instruments, such as assignments of impact fee credits, as
1815 may be necessary, appropriate, or desirable to accomplish or to
1816 confirm the foregoing.

1817 (p) To establish and create, at noticed meetings, such
1818 government departments of the board of the district, as well as
1819 committees, task forces, boards, commissions, or other agencies
1820 under the supervision and control of the district, as from time
1821 to time the members of the board may deem necessary or desirable
1822 in the performance of the acts or other things necessary to
1823 exercise its general or special powers to implement an
1824 innovative project to carry out the special purpose of the
1825 district as provided in this act and to delegate to such
1826 departments, boards, task forces, committees, or other agencies
1827 such administrative duties and other powers as the board may
1828 deem necessary or desirable, but only if there is a set of
1829 expressed limitations for accountability, notice, and periodic
1830 written reporting to the board, which shall retain its powers.

1831 (q) So long as not inconsistent with the applicable local
1832 government comprehensive plan and development entitlements, to
1833 coordinate with the landowner developer on the phasing of the
1834 delivery of infrastructure and to create phase entities or units
1835 for its charter purpose. Toward this end, and so long as it
1836 implements the purpose of the district under this act, the board
1837 may designate, therefore, units of development and adopt systems
1838 of progressive phased development by units with related
1839 management planning, implementation, construction, maintenance,
1840 and financing within its phased unit. If the board proceeds to
1841 designate such phased units of development, it must adopt at a

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1842 noticed meeting pursuant to chapter 120, Florida Statutes, a
1843 rule setting forth detailed procedures and authorizations for
1844 such phase unit processes. A committee, department, or agency of
1845 the board shall be given express duty of oversight with monthly
1846 written reports to the board. No such phased units can begin or
1847 operate until or unless the required noticed rule has been
1848 promulgated. With regard to any phased unit, there shall be no
1849 bonded indebtedness and no levy of any lienable or nonlienable
1850 revenue, whether to amortize bonds or not, within the boundary
1851 of a phased unit other than by the board and pursuant to the
1852 powers, procedures, and provisions of this act and other
1853 applicable laws.

1854 (r) To plan, establish, acquire, construct or reconstruct,
1855 enlarge or extend, equip, operate, maintain, finance, and fund
1856 buildings and structures for district offices, maintenance
1857 facilities, meeting facilities, town centers, or any other
1858 project authorized or granted by this act upon a showing at a
1859 noticed meeting of its efficacy to the specialized single
1860 purpose of this district for the new community.

1861 (s) To plan, establish, acquire, construct or reconstruct,
1862 enlarge or extend, equip, operate, maintain, finance, and fund
1863 edifices and facilities for the provision of health care when
1864 authorized by applicable public or private agencies providing
1865 health care and upon a showing of efficacy to carry out the
1866 purpose of the district.

1867 (t) To coordinate, work with, and, as the board deems
1868 appropriate, enter into interlocal agreements subject to the
1869 provisions of this charter with any public or private

1870 institution of higher education, including the Indian River
 1871 Community College and any public or private university. The
 1872 purpose of such coordination and agreements is to help sustain
 1873 high-quality infrastructure in, around, and for the universities
 1874 as may be appropriate under the law on the basis that the
 1875 provision of such systems, facilities, and services, including
 1876 classrooms or other buildings for such institutions, constitutes
 1877 enhancement of the intrinsic value and marketability of property
 1878 within the new community and also provides for increased
 1879 enjoyment and enhanced use of the property. These systems,
 1880 facilities, and services, including buildings, shall be first
 1881 liens on the property within the community and serve a lawful
 1882 public purpose upon a showing by the board in a nonarbitrary and
 1883 informed manner of special and peculiar benefits that flow to
 1884 the property within the community as a logical connection from
 1885 the systems, facilities, and services, resulting in added use,
 1886 enhanced enjoyment, decreased insurance premiums on, or enhanced
 1887 value in the marketability of the property.

1888 (u) To adopt and enforce appropriate rules following the
 1889 procedures of chapter 120, Florida Statutes, in connection with
 1890 the provisions of one or more its systems, facilities, services,
 1891 projects, improvements, works, and infrastructure.

1892
 1893 The enumeration of special powers in this subsection shall not
 1894 be deemed exclusive or restrictive but shall be deemed to
 1895 incorporate all powers, express or implied, necessary or
 1896 incident to carrying out such enumerated special powers,
 1897 including also the general powers provided by this special act

1898 charter to the district to implement its single purpose. The
 1899 provisions of this subsection shall be construed liberally in
 1900 order to carry out effectively the single purpose of this
 1901 district under this act and to secure for the district its
 1902 ability to be innovative.

1903 (10) ISSUANCE OF BOND ANTICIPATION NOTES.--In addition to
 1904 the other powers provided for in this act, and not in limitation
 1905 thereof, the district shall have the power, at any time, and
 1906 from time to time after the issuance of any bonds of the
 1907 district shall have been authorized, to borrow money for the
 1908 purposes for which such bonds are to be issued in anticipation
 1909 of the receipt of the proceeds of the sale of such bonds and to
 1910 issue bond anticipation notes in a principal sum not in excess
 1911 of the authorized maximum amount of such bond issue. Such notes
 1912 shall be in such denomination or denominations; bear interest at
 1913 such rate, not to exceed the maximum rate allowed by general
 1914 law; mature at such time or times not later than 5 years from
 1915 the date of issuance; and be in such form and executed in such
 1916 manner as the board shall prescribe. Such notes may be sold at
 1917 either public or private sale or, if such notes are renewal
 1918 notes, may be exchanged for notes then outstanding on such terms
 1919 as the board shall determine. Such notes shall be paid from the
 1920 proceeds of such bonds when issued. The board may, in its
 1921 discretion, in lieu of retiring the notes by means of bonds,
 1922 retire them by means of current revenues or from any taxes or
 1923 assessments levied for the payment of such bonds, but in such
 1924 event, a like amount of the bonds authorized shall not be
 1925 issued.

1926 (11) SHORT-TERM BORROWING.--The district may at any time
 1927 obtain loans, in such amount and on such terms and conditions as
 1928 the board may approve, for the purpose of paying any of the
 1929 expenses of the district or any costs incurred or that may be
 1930 incurred in connection with any of the projects of the district,
 1931 which loans shall bear interest as the board determines as not
 1932 to exceed the maximum rate allowed by general law and may be
 1933 payable from and secured by a pledge of such funds, revenues,
 1934 taxes, and assessments as the board may determine, subject,
 1935 however, to the provisions contained in any proceeding under
 1936 which bonds were theretofore issued and are then outstanding.
 1937 For the purpose of defraying such costs and expenses, the
 1938 district may issue negotiable notes, warrants, or other
 1939 evidences of debt to be payable at such times and to bear such
 1940 interest, not to exceed the maximum rate allowed by general law,
 1941 as the board may determine and to be sold or discounted at such
 1942 price or prices not less than 95 percent of par value and on
 1943 such terms as the board may deem advisable. The board shall have
 1944 the right to provide for the payment thereof by pledging the
 1945 whole or any part of the funds, revenues, taxes, and assessments
 1946 of the district. The approval of the electors residing in the
 1947 district shall not be necessary except when required by the
 1948 State Constitution.

1949 (12) BONDS.--

1950 (a) Bonds may be sold in blocks or installments at
 1951 different times, or an entire issue or series may be sold at one
 1952 time. Bonds may be sold at public or private sale after such
 1953 advertisement, if any, as the board may deem advisable, but not

1954 in any event at less than 90 percent of the par value thereof,
 1955 together with accrued interest thereon. Bonds may be sold or
 1956 exchanged for refunding bonds. Special assessment and revenue
 1957 bonds may be delivered by the district as payment of the
 1958 purchase price of any project or part thereof, or a combination
 1959 of projects or parts thereof, or as the purchase price or
 1960 exchange for any property, real, personal, or mixed, including
 1961 franchises or services rendered by any contractor, engineer, or
 1962 other person, all at one time or in blocks from time to time, in
 1963 such manner and upon such terms as the board in its discretion
 1964 shall determine. The price or prices for any bonds sold,
 1965 exchanged, or delivered may be:

- 1966 1. The money paid for the bonds.
- 1967 2. The principal amount, plus accrued interest to the date
 1968 of redemption or exchange, or outstanding obligations exchanged
 1969 for refunding bonds.

- 1970 3. In the case of special assessment or revenue bonds, the
 1971 amount of any indebtedness to contractors or other persons paid
 1972 with such bonds, or the fair value of any properties exchanged
 1973 for the bonds, as determined by the board.

1974 (b) Any general obligation bonds, special assessment
 1975 bonds, or revenue bonds may be authorized by resolution or
 1976 resolutions of the board, which shall be adopted by a majority
 1977 of all the members thereof then in office. Such resolution or
 1978 resolutions may be adopted at the same meeting at which they are
 1979 introduced and need not be published or posted. The board may,
 1980 by resolution, authorize the issuance of bonds and fix the
 1981 aggregate amount of bonds to be issued; the purpose or purposes

1982 for which the moneys derived therefrom shall be expended,
 1983 including, but not limited to, payment of costs as defined in
 1984 section 2(6)(h); the rate or rates of interest, not to exceed
 1985 the maximum rate allowed by general law; the denomination of the
 1986 bonds; whether or not the bonds are to be issued in one or more
 1987 series; the date or dates of maturity, which shall not exceed 40
 1988 years from their respective dates of issuance; the medium of
 1989 payment; the place or places within or without the state where
 1990 payment shall be made; registration privileges; redemption terms
 1991 and privileges, whether with or without premium; the manner of
 1992 execution; the form of the bonds, including any interest coupons
 1993 to be attached thereto; the manner of execution of bonds and
 1994 coupons; and any and all other terms, covenants, and conditions
 1995 thereof and the establishment of revenue or other funds. Such
 1996 authorizing resolution or resolutions may further provide for
 1997 the contracts authorized by section 159.825(1)(f) and (g),
 1998 Florida Statutes, regardless of the tax treatment of such bonds
 1999 being authorized, subject to the finding by the board of a net
 2000 savings to the district resulting by reason thereof. Such
 2001 authorizing resolution may further provide that such bonds may
 2002 be executed in accordance with the Registered Public Obligations
 2003 Act, except that bonds not issued in registered form shall be
 2004 valid if manually countersigned by an officer designated by
 2005 appropriate resolution of the board. The seal of the district
 2006 may be affixed, lithographed, engraved, or otherwise reproduced
 2007 in facsimile on such bonds. In case any officer whose signature
 2008 appears on any bonds or coupons ceases to be such officer before
 2009 the delivery of such bonds, such signature or facsimile shall

2010 nevertheless be valid and sufficient for all purposes as if he
 2011 or she had remained in office until such delivery.

2012 (c) Pending the preparation of definitive bonds, the board
 2013 may issue interim certificates or receipts or temporary bonds,
 2014 in such form and with such provisions as the board may
 2015 determine, exchangeable for definitive bonds when such bonds
 2016 have been executed and are available for delivery. The board may
 2017 also provide for the replacement of any bonds which become
 2018 mutilated, lost, or destroyed.

2019 (d) Any bond issued under this act or any temporary bond,
 2020 in the absence of an express recital on the face thereof that it
 2021 is nonnegotiable, shall be fully negotiable and shall be and
 2022 constitute a negotiable instrument within the meaning and for
 2023 all purposes of the law merchant and the laws of the state.

2024 (e) The board may make such provision with respect to the
 2025 defeasance of the right, title, and interest of the holders of
 2026 any of the bonds and obligations of the district in any
 2027 revenues, funds, or other properties by which such bonds are
 2028 secured as the board deems appropriate and, without limitation
 2029 on the foregoing, may provide that when such bonds or
 2030 obligations become due and payable or are called for redemption
 2031 and the whole amount of the principal and interest and premium,
 2032 if any, due and payable upon the bonds or obligations then
 2033 outstanding is held in trust for such purpose and provision is
 2034 also made for paying all other sums payable in connection with
 2035 such bonds or other obligations, then the right, title, and
 2036 interest of the holders of the bonds in any revenues, funds, or
 2037 other properties by which such bonds are secured shall thereupon

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2038 cease, terminate, and become void; and the board may apply any
2039 surplus in any sinking fund established in connection with such
2040 bonds or obligations and all balances remaining in all other
2041 funds or accounts other than money held for the redemption or
2042 payment of the bonds or other obligations to any lawful purpose
2043 of the district as the board shall determine.

2044 (f) If the proceeds of any bonds are less than the cost of
2045 completing the project in connection with which such bonds were
2046 issued, the board may authorize the issuance of additional bonds
2047 upon such terms and conditions as the board may provide in the
2048 resolution authorizing the issuance thereof, but only in
2049 compliance with the resolution or other proceedings authorizing
2050 the issuance of the original bonds.

2051 (g) The district shall have the power to issue bonds to
2052 provide for the retirement or refunding of any bonds or
2053 obligations of the district that, at the time of such issuance,
2054 are or subsequently thereto become due and payable, or that at
2055 the time of issuance have been called or are or will be subject
2056 to call for redemption within 10 years thereafter, or the
2057 surrender of which can be procured from the holders thereof at
2058 prices satisfactory to the board. Refunding bonds may be issued
2059 at any time when, in the judgment of the board, such issuance
2060 will be advantageous to the district. No approval of the
2061 qualified electors residing in the district shall be required
2062 for the issuance of refunding bonds except in cases in which
2063 such approval is required by the State Constitution. The board
2064 may by resolution confer upon the holders of such refunding
2065 bonds all rights, powers, and remedies to which the holders

2066 would be entitled if they continued to be the owners and had
 2067 possession of the bonds for the refinancing of which such
 2068 refunding bonds are issued, including, but not limited to, the
 2069 preservation of the lien of such bonds on the revenues of any
 2070 project or on pledged funds, without extinguishment, impairment,
 2071 or diminution thereof. The provisions of this act pertaining to
 2072 bonds of the district shall, unless the context otherwise
 2073 requires, govern the issuance of refunding bonds, the form and
 2074 other details thereof, the rights of the holders thereof, and
 2075 the duties of the board with respect thereto.

2076 (h)1. The district shall have the power to issue revenue
 2077 bonds from time to time without limitation as to amount. Such
 2078 revenue bonds may be secured by, or payable from, the gross or
 2079 net pledge of the revenues to be derived from any project or
 2080 combination of projects; from the rates, fees, or other charges
 2081 to be collected from the users of any project or projects; from
 2082 any revenue-producing undertaking or activity of the district;
 2083 from special assessments; from benefit special assessments; or
 2084 from any other source or pledged security. Such bonds shall not
 2085 constitute an indebtedness of the district, and the approval of
 2086 the qualified electors shall not be required unless such bonds
 2087 are additionally secured by the full faith and credit and taxing
 2088 power of the district.

2089 2. Any two or more projects may be combined and
 2090 consolidated into a single project and may be operated and
 2091 maintained as a single project. The revenue bonds authorized
 2092 herein may be issued to finance any one or more of such
 2093 projects, regardless of whether such projects have been combined

2094 and consolidated into a single project. If the board deems it
 2095 advisable, the proceedings authorizing such revenue bonds may
 2096 provide that the district may combine the projects then being
 2097 financed or theretofore financed with other projects to be
 2098 subsequently financed by the district and that revenue bonds to
 2099 be thereafter issued by the district shall be on parity with the
 2100 revenue bonds then being issued, all on such terms, conditions,
 2101 and limitations provided in the proceeding which authorized the
 2102 original bonds.

2103 (i)1. Subject to the limitations of this charter, the
 2104 district shall have the power from time to time to issue general
 2105 obligation bonds to finance or refinance capital projects or to
 2106 refund outstanding bonds in an aggregate principal amount of
 2107 bonds outstanding at any one time not in excess of 35 percent of
 2108 the assessed value of the taxable property within the district
 2109 as shown on the pertinent tax records at the time of the
 2110 authorization of the general obligation bonds for which the full
 2111 faith and credit of the district is pledged. Except for
 2112 refunding bonds, no general obligation bonds shall be issued
 2113 unless the bonds are issued to finance or refinance a capital
 2114 project and the issuance has been approved at an election held
 2115 in accordance with the requirements for such election as
 2116 prescribed by the State Constitution. Such elections shall be
 2117 called to be held in the district by the board of county
 2118 commissioners of the county upon the request of the board of the
 2119 district. The expenses of calling and holding an election shall
 2120 be at the expense of the district, and the district shall

2121 reimburse the county for any expenses incurred in calling or
 2122 holding such election.

2123 2. The district may pledge its full faith and credit for
 2124 the payment of the principal and interest on such general
 2125 obligation bonds and for any reserve funds provided therefor and
 2126 may unconditionally and irrevocably pledge itself to levy ad
 2127 valorem taxes on all taxable property in the district, to the
 2128 extent necessary for the payment thereof, without limitations as
 2129 to rate or amount.

2130 3. If the board determines to issue general obligation
 2131 bonds for more than one capital project, the approval of the
 2132 issuance of the bonds for each and all such projects may be
 2133 submitted to the electors on one and the same ballot. The
 2134 failure of the electors to approve the issuance of bonds for any
 2135 one or more capital projects shall not defeat the approval of
 2136 bonds for any capital project which has been approved by the
 2137 electors.

2138 4. In arriving at the amount of general obligation bonds
 2139 permitted to be outstanding at any one time pursuant to
 2140 subparagraph 1., there shall not be included any general
 2141 obligation bonds which are additionally secured by the pledge
 2142 of:

2143 a. Any assessments levied in an amount sufficient to pay
 2144 the principal and interest on the general obligation bonds so
 2145 additionally secured, which assessments have been equalized and
 2146 confirmed by resolution of the board pursuant to this act or
 2147 section 170.08, Florida Statutes.

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2148 b. Water revenues, sewer revenues, or water and sewer
2149 revenues of the district to be derived from user fees in an
2150 amount sufficient to pay the principal and interest on the
2151 general obligation bonds so additionally secured.

2152 c. Any combination of assessments and revenues described
2153 in subparagraphs a. and b.

2154 (j)1. Notwithstanding the provisions of any other law to
2155 the contrary, all bonds issued under the provisions of this act
2156 shall constitute legal investments for savings banks, banks,
2157 trust companies, insurance companies, executors, administrators,
2158 trustees, guardians, and other fiduciaries and for any board,
2159 body, agency, instrumentality, county, municipality, or other
2160 political subdivision of the state and shall be and constitute
2161 security which may be deposited by banks or trust companies as
2162 security for deposits of state, county, municipal, or other
2163 public funds or by insurance companies as required or voluntary
2164 statutory deposits.

2165 2. Any bonds issued by the district shall be incontestable
2166 in the hands of bona fide purchasers or holders for value and
2167 shall not be invalid because of any irregularity or defect in
2168 the proceedings for the issue and sale thereof.

2169 (k) Any resolution authorizing the issuance of bonds may
2170 contain such covenants as the board may deem advisable, and all
2171 such covenants shall constitute valid and legally binding and
2172 enforceable contracts between the district and the bondholders,
2173 regardless of the time of issuance thereof. Such covenants may
2174 include, without limitation, covenants concerning the
2175 disposition of the bond proceeds; the use and disposition of

2176 project revenues; the pledging of revenues, taxes, and
 2177 assessments; the obligations of the district with respect to the
 2178 operation of the project and the maintenance of adequate project
 2179 revenues; the issuance of additional bonds; the appointment,
 2180 powers, and duties of trustees and receivers; the acquisition of
 2181 outstanding bonds and obligations; restrictions on the
 2182 establishing of competing projects or facilities; restrictions
 2183 on the sale or disposal of the assets and property of the
 2184 district; the priority of assessment liens; the priority of
 2185 claims by bondholders on the taxing power of the district; the
 2186 maintenance of deposits to ensure the payment of revenues by
 2187 users of district facilities and services; the discontinuance of
 2188 district services by reason of delinquent payments; acceleration
 2189 upon default; the execution of necessary instruments; the
 2190 procedure for amending or abrogating covenants with the
 2191 bondholders; and such other covenants as may be deemed necessary
 2192 or desirable for the security of the bondholders.

2193 (l) The power of the district to issue bonds under the
 2194 provisions of this act may be determined, and any of the bonds
 2195 of the district maturing over a period of more than 5 years
 2196 shall be validated and confirmed, by court decree, under the
 2197 provisions of chapter 75, Florida Statutes.

2198 (m) To the extent allowed by general law, all bonds issued
 2199 hereunder and interest paid thereon and all fees, charges, and
 2200 other revenues derived by the district from the projects
 2201 provided by this act are exempt from all taxes by the state or
 2202 by any political subdivision, agency, or instrumentality
 2203 thereof; however, any interest, income, or profits on debt

2204 obligations issued hereunder are not exempt from the tax imposed
 2205 by chapter 220, Florida Statutes. Further, the district is not
 2206 exempt from the provisions of chapter 212, Florida Statutes.

2207 (n) Bonds issued by the district shall meet the criteria
 2208 set forth in section 189.4085, Florida Statutes.

2209 (o) This act constitutes full and complete authority for
 2210 the issuance of bonds and the exercise of the powers of the
 2211 district provided herein. No procedures or proceedings,
 2212 publications, notices, consents, approvals, orders, acts, or
 2213 things by the board, or any board, officers, commission,
 2214 department, agency, or instrumentality of the district, other
 2215 than those required by this act, shall be required to perform
 2216 anything under this act, except that the issuance or sale of
 2217 bonds pursuant to the provisions of this act shall comply with
 2218 the general law requirements applicable to the issuance or sale
 2219 of bonds by the district. Nothing in this act shall be construed
 2220 to authorize the district to utilize bond proceeds to fund the
 2221 ongoing operations of the district.

2222 (p) The state pledges to the holders of any bonds issued
 2223 under this act that it will not limit or alter the rights of the
 2224 district to own, acquire, construct, reconstruct, improve,
 2225 maintain, operate, or furnish the projects or to levy and
 2226 collect the taxes, assessments, rentals, rates, fees, and other
 2227 charges provided for herein or to fulfill the terms of any
 2228 agreement made with the holders of such bonds or other
 2229 obligations and that it will not in any way impair the rights or
 2230 remedies of such holders.

2231 (g) A default on the bonds or obligations of a district
 2232 shall not constitute a debt or obligation of the state or any
 2233 local general-purpose government or the state.

2234 (13) TRUST AGREEMENTS.--Any issue of bonds shall be
 2235 secured by a trust agreement by and between the district and a
 2236 corporate trustee or trustees, which may be any trust company or
 2237 bank having the powers of a trust company within or without the
 2238 state. The resolution authorizing the issuance of the bonds or
 2239 such trust agreement may pledge the revenues to be received from
 2240 any projects of the district and may contain such provisions for
 2241 protecting and enforcing the rights and remedies of the
 2242 bondholders as the board may approve, including, without
 2243 limitation, covenants setting forth the duties of the district
 2244 in relation to the acquisition, construction, reconstruction,
 2245 improvement, maintenance, repair, operation, and insurance of
 2246 any projects; the fixing and revising of the rates, fees, and
 2247 charges; and the custody, safeguarding, and application of all
 2248 moneys and for the employment of consulting engineers in
 2249 connection with such acquisition, construction, reconstruction,
 2250 improvement, maintenance, repair, or operation. It shall be
 2251 lawful for any bank or trust company within or without the state
 2252 which may act as a depository of the proceeds of bonds or of
 2253 revenues to furnish such indemnifying bonds or to pledge such
 2254 securities as may be required by the district. Such resolution
 2255 or trust agreement may set forth the rights and remedies of the
 2256 bondholders and of the trustee, if any, and may restrict the
 2257 individual right of action by bondholders. The board may provide
 2258 for the payment of proceeds of the sale of the bonds and the

2259 revenues of any project to such officer, board, or depository as
 2260 it may designate for the custody thereof and may provide for the
 2261 method of disbursement thereof with such safeguards and
 2262 restrictions as it may determine. All expenses incurred in
 2263 carrying out the provisions of such resolution or trust
 2264 agreement may be treated as part of the cost of operation of the
 2265 project to which such trust agreement pertains.

2266 (14) AD VALOREM TAXES; ASSESSMENTS, BENEFIT SPECIAL
 2267 ASSESSMENTS, MAINTENANCE SPECIAL ASSESSMENTS, AND SPECIAL
 2268 ASSESSMENTS; MAINTENANCE TAXES.--

2269 (a) A board elected by and consisting of qualified
 2270 electors shall have the power to levy and assess an ad valorem
 2271 tax on all the taxable property in the district to construct,
 2272 operate, and maintain assessable improvements; to pay the
 2273 principal of, and interest on, any general obligation bonds of
 2274 the district; and to provide for any sinking or other funds
 2275 established in connection with any such bonds. An ad valorem tax
 2276 levied by the board for operating purposes, exclusive of debt
 2277 service on bonds, shall not exceed 3 mills. The ad valorem tax
 2278 provided for herein shall be in addition to county and all other
 2279 ad valorem taxes provided for by law. Such tax shall be
 2280 assessed, levied, and collected in the same manner and at the
 2281 same time as county taxes. The levy of ad valorem taxes shall be
 2282 approved by referendum when required by the State Constitution.

2283 (b) The board annually shall determine, order, and levy
 2284 the annual installment of the total benefit special assessments
 2285 for bonds issued for and expenses related to financing
 2286 assessable improvements. These assessments may be due and

2287 collected during each year that county taxes are due and
 2288 collected, in which case such annual installment and levy shall
 2289 be evidenced and certified to the property appraiser by the
 2290 board not later than August 31 of each year. Such assessment
 2291 shall be entered by the property appraiser on the county tax
 2292 rolls and shall be collected and enforced by the tax collector
 2293 in the same manner and at the same time as county taxes, and the
 2294 proceeds thereof shall be paid to the district. However, this
 2295 subsection shall not prohibit the district in its discretion
 2296 from using the method prescribed in either section 197.3632,
 2297 Florida Statutes, or chapter 173, Florida Statutes, for
 2298 collecting and enforcing these assessments. Each annual
 2299 installment of benefit special assessments shall be a lien on
 2300 the property against which assessed until paid and shall be
 2301 enforceable in a like manner as county taxes. The amount of the
 2302 assessment for the exercise of the district's powers under
 2303 subsections (8) and (9) shall be determined by the board based
 2304 upon a report by the district's engineer and assessed by the
 2305 board upon such lands, which may be part or all of the lands
 2306 within the district benefited by the improvement, apportioned
 2307 between benefited lands in proportion to the benefits received
 2308 by each tract of land. The board may, if it determines it is in
 2309 the best interests of the district, set forth in the proceedings
 2310 initially levying such benefit special assessments or in
 2311 subsequent proceedings a formula for the determination of an
 2312 amount, which, when paid by a taxpayer with respect to any tax
 2313 parcel, shall constitute a prepayment of all future annual
 2314 installments of such benefit special assessments and the payment

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2315 of which amount with respect to such tax parcel shall relieve
2316 and discharge such tax parcel of the lien of such benefit
2317 special assessments and any subsequent annual installment
2318 thereof. The board may provide further that upon delinquency in
2319 the payment of any annual installment of benefit special
2320 assessments, the prepayment amount of all future annual
2321 installments of benefit special assessments as determined in
2322 this paragraph shall be and become immediately due and payable
2323 together with such delinquent annual installment.

2324 (c) If and when authorized by general law, to maintain and
2325 preserve the physical facilities and services constituting the
2326 works, improvements, or infrastructure provided by the district
2327 pursuant to this act, and to repair and restore any one or more
2328 of them, when needed, and for the purpose of defraying the
2329 current expenses of the district, including any sum which may be
2330 required to pay state and county ad valorem taxes on any lands
2331 which may have been purchased and which are held by the district
2332 under the provisions of this act, the board may, upon the
2333 completion of said systems, facilities, services, works,
2334 improvements, or infrastructure, in whole or in part, as may be
2335 certified to the board by the engineer of the board, levy
2336 annually a non-ad valorem and nonmillage tax upon each tract or
2337 parcel of land within the district, to be known as a
2338 "maintenance tax." This non-ad valorem maintenance tax shall be
2339 apportioned upon the basis of the net assessments of benefits
2340 assessed as accruing from the original construction and shall be
2341 evidenced and certified to the property appraiser by the board
2342 not later than June 1 of each year and shall be entered by the

2343 property appraiser on the tax roll of the property appraiser, as
 2344 certified by the property appraiser to the tax collector, and
 2345 collected by the tax collector on the merged collection roll of
 2346 the tax collector in the same manner and at the same time as
 2347 county ad valorem taxes, and the proceeds therefrom shall be
 2348 paid to the district. This non-ad valorem maintenance tax shall
 2349 be a lien until paid on the property against which assessed and
 2350 enforceable in like manner and of the same dignity as county ad
 2351 valorem taxes.

2352 (d) To maintain and preserve the facilities and projects
 2353 of the district, the board may levy a maintenance special
 2354 assessment. This assessment may be evidenced to and certified to
 2355 the property appraiser by the board not later than August 31 of
 2356 each year and shall be entered by the property appraiser on the
 2357 county tax rolls and shall be collected and enforced by the tax
 2358 collector in the same manner and at the same time as county
 2359 taxes, and the proceeds therefrom shall be paid to the district.
 2360 However, this subsection shall not prohibit the district in its
 2361 discretion from using the method prescribed in section 197.363,
 2362 section 197.3631, or section 197.3632, Florida Statutes, for
 2363 collecting and enforcing these assessments. These maintenance
 2364 special assessments shall be a lien on the property against
 2365 which assessed until paid and shall be enforceable in like
 2366 manner as county taxes. The amount of the maintenance special
 2367 assessment for the exercise of the district's powers under this
 2368 section shall be determined by the board based upon a report by
 2369 the district's engineer and assessed by the board upon such
 2370 lands, which may be all of the lands within the district

2371 benefited by the maintenance thereof, apportioned between the
 2372 benefited lands in proportion to the benefits received by each
 2373 tract of land.

2374 (e) The board shall have the power to levy and impose any
 2375 special assessments pursuant to subsection (15).

2376 (f) The collection and enforcement of all taxes levied by
 2377 the district shall be at the same time and in like manner as
 2378 county taxes, and the provisions of the Florida Statutes
 2379 relating to the sale of lands for unpaid and delinquent county
 2380 taxes; the issuance, sale, and delivery of tax certificates for
 2381 such unpaid and delinquent county taxes; the redemption thereof;
 2382 the issuance to individuals of tax deeds based thereon; and all
 2383 other procedures in connection therewith shall be applicable to
 2384 the district to the same extent as if such statutory provisions
 2385 were expressly set forth herein. All taxes shall be subject to
 2386 the same discounts as county taxes.

2387 (g) All taxes provided for in this act shall become
 2388 delinquent and bear penalties on the amount of such taxes in the
 2389 same manner as county taxes.

2390 (h) Benefit special assessments, maintenance special
 2391 assessments, and special assessments are hereby found and
 2392 determined to be non-ad valorem assessments as defined by
 2393 section 197.3632, Florida Statutes. Maintenance taxes are non-ad
 2394 valorem taxes and are not special assessments.

2395 (i) Any and all assessments, including special
 2396 assessments, benefit special assessments, and maintenance
 2397 special assessments authorized by this section; special
 2398 assessments as defined by section 2(6)(z) and granted and

2399 authorized by this subsection; and maintenance taxes if
 2400 authorized by general law, shall constitute a lien on the
 2401 property against which assessed from the date of levy and
 2402 imposition thereof until paid, coequal with the lien of state,
 2403 county, municipal, and school board taxes. These assessments may
 2404 be collected, at the district's discretion, under authority of
 2405 section 197.3631, Florida Statutes, by the tax collector
 2406 pursuant to the provisions of sections 197.3632 and 197.3635,
 2407 Florida Statutes, or in accordance with other collection
 2408 measures provided by law. In addition to, and not in limitation
 2409 of, any powers otherwise set forth herein or in general law,
 2410 these assessments may also be enforced pursuant to the
 2411 provisions of chapter 173, Florida Statutes.

2412 (j) Except as otherwise provided by law, no levy of ad
 2413 valorem taxes or non-ad valorem assessments under this act or
 2414 chapter 170 or chapter 197, Florida Statutes, or otherwise by a
 2415 board of a district on property of a governmental entity that is
 2416 subject to a ground lease as described in section 190.003(13),
 2417 Florida Statutes, shall constitute a lien or encumbrance on the
 2418 underlying fee interest of such governmental entity.

2419 (15) SPECIAL ASSESSMENTS.--

2420 (a) As an alternative method to the levy and imposition of
 2421 special assessments pursuant to chapter 170, Florida Statutes,
 2422 pursuant to the authority of section 197.3631, Florida Statutes,
 2423 or pursuant to other provisions of general law that provide a
 2424 supplemental means or authority to impose, levy, and collect
 2425 special assessments as otherwise authorized under this act, the
 2426 board may levy and impose special assessments to finance the

2427 exercise of any its powers permitted under this act using the
 2428 following uniform procedures:

2429 1. At a noticed meeting, the board shall consider and
 2430 review an engineer's report on the costs of the systems,
 2431 facilities, and services to be provided, a preliminary
 2432 assessment methodology, and a preliminary roll based on acreage
 2433 or platted lands, depending upon whether platting has occurred.

2434 2. The assessment methodology shall address and discuss,
 2435 and the board shall consider, whether the systems, facilities,
 2436 and services being contemplated will result in special benefits
 2437 peculiar to the property, different in kind and degree than
 2438 general benefits, as a logical connection between the property
 2439 and the systems, facilities, and services themselves, and
 2440 whether the duty to pay the assessments by the property owners
 2441 is apportioned in a manner that is fair and equitable and not in
 2442 excess of the special benefit received. It shall be fair and
 2443 equitable to designate a fixed proportion of the annual debt
 2444 service, together with interest thereon, on the aggregate
 2445 principal amount of bonds issued to finance such systems,
 2446 facilities, and services which give rise to unique, special, and
 2447 peculiar benefits to property of the same or similar
 2448 characteristics under the assessment methodology so long as such
 2449 fixed proportion does not exceed the unique, special, and
 2450 peculiar benefits enjoyed by such property from such systems,
 2451 facilities, and services.

2452 3. The engineer's cost report shall identify the nature of
 2453 the proposed systems, facilities, and services, their location,
 2454 and a cost breakdown plus a total estimated cost, including cost

2455 of construction or reconstruction, labor and materials, lands,
 2456 property, rights, easements, franchises or systems, facilities
 2457 and services to be acquired, cost of plans and specifications,
 2458 surveys of estimates of costs and of revenues, cost of
 2459 engineering, legal, and other professional consultation
 2460 services, and other expenses or costs necessary or incident to
 2461 determining the feasibility or practicability of such
 2462 construction, reconstruction, or acquisition, administrative
 2463 expenses, relationship to the authority and power of the
 2464 district in its charter, and such other expense or costs as may
 2465 be necessary or incident to the financing to be authorized by
 2466 the board.

2467 4. The preliminary assessment roll will be prepared in
 2468 accordance with the method of assessment provided for in the
 2469 assessment methodology and as may be adopted by the board. The
 2470 assessment roll shall be completed as promptly as possible and
 2471 shall show the acreage, lots, lands, or plats assessed and the
 2472 amount of the fairly and reasonably apportioned assessment based
 2473 on special and peculiar benefit to the property, lot, parcel, or
 2474 acreage of land, and if the assessment against each such lot,
 2475 parcel, acreage, or portion of land is to be paid in
 2476 installments, the number of annual installments in which the
 2477 assessment is divided shall be entered into and shown upon the
 2478 assessment roll.

2479 5. The board may determine and declare by an initial
 2480 assessment resolution to levy and assess the assessments with
 2481 respect to assessable improvements stating the nature of the
 2482 systems, facilities, and services; improvements, projects, or

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2483 infrastructure constituting such assessable improvements; the
2484 information in the engineer's cost report; and the information
2485 in the assessment methodology as determined by the board at the
2486 noticed meeting and referencing and incorporating as part of the
2487 resolution the engineer's cost report, the preliminary
2488 assessment methodology, and the preliminary assessment roll as
2489 referenced exhibits to the resolution by reference. If the board
2490 determines to declare and levy the special assessments by the
2491 initial assessment resolution, the board shall also adopt and
2492 declare a notice resolution, which shall provide and cause the
2493 initial assessment resolution to be published once a week for a
2494 period of 2 weeks in a newspaper of general circulation
2495 published in Okeechobee County. The board shall, by the notice
2496 resolution, fix a time and place at which the owner or owners of
2497 the property to be assessed or any other persons interested
2498 therein may appear before the board and be heard as to the
2499 propriety and advisability of making such improvements, as to
2500 the costs thereof, as to the manner of payment therefor, and as
2501 to the amount thereof to be assessed against each property so
2502 improved. Thirty days' notice in writing of such time and place
2503 shall be given to such property owners. The notice shall include
2504 the amount of the assessment and shall be served by mailing a
2505 copy to each assessed property owner at his or her last known
2506 address, the names and addresses of such property owners to be
2507 obtained from the record of the property appraiser of the county
2508 political subdivision where the land is located or from such
2509 other sources as the district manager or engineer deems
2510 reliable. Proof of such mailing shall be made by the affidavit

2511 of the manager of the district or by the engineer, said proof to
 2512 be filed with the manager of the district, provided that failure
 2513 to mail said notice or notices shall not invalidate any of the
 2514 proceedings hereunder. It is provided further that the last
 2515 publication shall be at least 1 week prior to the date of the
 2516 hearing on the final assessment resolution. Said notice shall
 2517 describe the general areas to be improved and advise all persons
 2518 interested that the description of each property to be assessed
 2519 and the amount to be assessed to each piece, parcel, lot, or
 2520 acre of property may be ascertained at the office of the manager
 2521 of the district. Such service by publication shall be verified
 2522 by the affidavit of the publisher and filed with the manager of
 2523 the district. Moreover, the initial assessment resolution with
 2524 its attached, referenced, and incorporated engineer's cost
 2525 report, preliminary assessment methodology, and preliminary
 2526 assessment roll, along with the notice resolution, shall be
 2527 available for public inspection at the office of the manager and
 2528 the office of the engineer or any other office designated by the
 2529 board in the notice resolution. Notwithstanding the foregoing,
 2530 the landowners of all of the property which is proposed to be
 2531 assessed may give the district written notice of waiver of any
 2532 notice and publication provided for in this subparagraph, and
 2533 such notice and publication shall not be required; however, any
 2534 meeting of the board to consider such resolution shall be a
 2535 publicly noticed meeting.

2536 6. At the time and place named in the noticed resolution
 2537 as provided for in subparagraph 5., the board shall meet and
 2538 hear testimony from affected property owners as to the propriety

2539 and advisability of providing the systems, facilities, services,
 2540 projects, works, improvements, or infrastructure and funding
 2541 them with assessments referenced in the initial assessment
 2542 resolution on the property. Following the testimony and
 2543 questions from the members of the board or any professional
 2544 advisors to the district or the preparers of the engineer's cost
 2545 report, the assessment methodology, and the assessment roll, the
 2546 board shall make a final decision on whether to levy and assess
 2547 the particular assessments. Thereafter, the board shall meet as
 2548 an equalizing board to hear and consider any and all complaints
 2549 as to the particular assessments and shall adjust and equalize
 2550 the assessments on the basis of justice and right.

2551 7. When so equalized and approved by resolution or
 2552 ordinance by the board, to be called the final assessment
 2553 resolution, a final assessment roll shall be filed with the
 2554 manager of the board, and such assessment shall stand confirmed
 2555 and remain legal, valid, and binding first liens on the property
 2556 against which such assessments are made until paid, equal in
 2557 dignity to the first liens of ad valorem taxation of county
 2558 governments and school boards; however, upon completion of the
 2559 systems, facilities, services, projects, improvements, works, or
 2560 infrastructure, the district shall credit to each assessment the
 2561 difference in the assessment as originally made, approved,
 2562 levied, assessed, and confirmed and the proportionate part of
 2563 the actual cost of the improvement to be paid by the particular
 2564 special assessments as finally determined upon the completion of
 2565 the improvement, but in no event shall the final assessment
 2566 exceed the amount of the special and peculiar benefits as

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2567 apportioned fairly and reasonably to the property from the
2568 system, facility, or service being provided as originally
2569 assessed. Promptly after such confirmation, the assessment shall
2570 be recorded by the manager of the board in the minutes of the
2571 proceedings of the district, and the record of the lien in this
2572 set of minutes shall constitute prima facie evidence of its
2573 validity. The board, in its sole discretion, may by resolution
2574 grant a discount equal to all or a part of the payee's
2575 proportionate share of the cost of the project consisting of
2576 bond financing cost, such as capitalized interest, funded
2577 reserves, and bond discounts included in the estimated cost of
2578 the project, upon payment in full of any assessments during such
2579 period prior to the time such financing costs are incurred as
2580 may be specified by the board in such resolution.

2581 8. District assessments may be made payable in
2582 installments over no more than 30 years from the date of the
2583 payment of the first installment thereof and may bear interest
2584 at fixed or variable rates.

2585 (b) Notwithstanding any provision of this act or of
2586 chapter 170 or section 170.09, Florida Statutes, which provide
2587 that assessments may be paid without interest at any time within
2588 30 days after the improvement is completed and a resolution
2589 accepting the same has been adopted by the governing authority,
2590 such provision shall not be applicable to any district
2591 assessments, whether imposed, levied, and collected pursuant to
2592 the provisions of this act or other provisions of Florida law,
2593 including, but not limited to, chapter 170, Florida Statutes.

2594 (c) In addition, the district is authorized expressly in
 2595 the exercise of its rulemaking power to promulgate a rule or
 2596 rules providing for notice, levy, imposition, equalization, and
 2597 collection of assessments.

2598 (16) ISSUANCE OF CERTIFICATES OF INDEBTEDNESS BASED ON
 2599 ASSESSMENTS FOR ASSESSABLE IMPROVEMENTS; ASSESSMENT BONDS.--

2600 (a) The board may, after any special assessments or
 2601 benefit special assessments for assessable improvements are
 2602 made, determined, and confirmed as provided in this act, issue
 2603 certificates of indebtedness for the amount so assessed against
 2604 the abutting property or property otherwise benefited, as the
 2605 case may be. Separate certificates shall be issued against each
 2606 part or parcel of land or property assessed, which certificates
 2607 shall state the general nature of the improvement for which the
 2608 assessment is made. The certificates shall be payable in annual
 2609 installments in accordance with the installments of the special
 2610 assessment for which they are issued. The board may determine
 2611 the interest to be borne by such certificates, not to exceed the
 2612 maximum rate allowed by general law, and may sell such
 2613 certificates at either private or public sale and determine the
 2614 form, manner of execution, and other details of such
 2615 certificates. The certificates shall recite that they are
 2616 payable only from the special assessments levied and collected
 2617 from the part or parcel of land or property against which they
 2618 are issued. The proceeds of such certificates may be pledged for
 2619 the payment of principal of and interest on any revenue bonds or
 2620 general obligation bonds issued to finance in whole or in part
 2621 such assessable improvements, or, if not so pledged, may be used

2622 to pay the cost or part of the cost of such assessable
 2623 improvements.

2624 (b) The district may also issue assessment bonds, revenue
 2625 bonds, or other obligations payable from a special fund into
 2626 which such certificates of indebtedness referred to in the
 2627 preceding paragraph may be deposited; or, if such certificates
 2628 of indebtedness have not been issued, the district may assign to
 2629 such special fund for the benefit of the holders of such
 2630 assessment bonds or other obligations, or to a trustee for such
 2631 bondholders, the assessment liens provided for in this act
 2632 unless such certificates of indebtedness or assessment liens
 2633 have been theretofore pledged for any bonds or other obligations
 2634 authorized hereunder. In the event of the creation of such
 2635 special fund and the issuance of such assessment bonds or other
 2636 obligations, the proceeds of such certificates of indebtedness
 2637 or assessment liens deposited therein shall be used only for the
 2638 payment of the assessment bonds or other obligations issued as
 2639 provided in this section. The district is authorized to covenant
 2640 with the holders of such assessment bonds, revenue bonds, or
 2641 other obligations that it will diligently and faithfully enforce
 2642 and collect all the special assessments and interest and
 2643 penalties thereon for which such certificates of indebtedness or
 2644 assessment liens have been deposited in or assigned to such
 2645 fund; to foreclose such assessment liens so assigned to such
 2646 special fund or represented by the certificates of indebtedness
 2647 deposited in the special fund, after such assessment liens have
 2648 become delinquent, and deposit the proceeds derived from such
 2649 foreclosure, including interest and penalties, in such special

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2650 fund; and to make any other covenants deemed necessary or
2651 advisable in order to properly secure the holders of such
2652 assessment bonds or other obligations.

2653 (c) The assessment bonds, revenue bonds, or other
2654 obligations issued pursuant to this section shall have such
2655 dates of issue and maturity as shall be deemed advisable by the
2656 board; however, the maturities of such assessment bonds or other
2657 obligations shall not be more than 2 years after the due date of
2658 the last installment which will be payable on any of the special
2659 assessments for which such assessment liens, or the certificates
2660 of indebtedness representing such assessment liens, are assigned
2661 to or deposited in such special fund.

2662 (d) Such assessment bonds, revenue bonds, or other
2663 obligations issued under this section shall bear such interest
2664 as the board may determine, not to exceed the maximum rate
2665 allowed by general law, and shall be executed, shall have such
2666 provisions for redemption prior to maturity, and shall be sold
2667 in the manner of and be subject to all of the applicable
2668 provisions contained in this act for revenue bonds, except as
2669 the same may be inconsistent with the provisions of this
2670 section.

2671 (e) All assessment bonds, revenue bonds, or other
2672 obligations issued under the provisions of this section shall be
2673 and constitute and shall have all the qualities and incidents of
2674 negotiable instruments under the law merchant and the laws of
2675 the state.

2676 (17) TAX LIENS.--All taxes of the district provided for in
2677 this act, except together with all penalties for default in the

2678 payment of the same and all costs in collecting the same,
 2679 including a reasonable attorney's fee fixed by the court and
 2680 taxed as a cost in the action brought to enforce payment, shall,
 2681 from January 1 for each year the property is liable to
 2682 assessment and until paid, constitute a lien of equal dignity
 2683 with the liens for state and county taxes and other taxes of
 2684 equal dignity with state and county taxes upon all the lands
 2685 against which such taxes shall be levied. A sale of any of the
 2686 real property within the district for state and county or other
 2687 taxes shall not operate to relieve or release the property so
 2688 sold from the lien for subsequent district taxes or installments
 2689 of district taxes, which lien may be enforced against such
 2690 property as though no such sale thereof had been made. In
 2691 addition to, and not in limitation of, the preceding sentence,
 2692 for purposes of section 197.552, Florida Statutes, the lien of
 2693 all special assessments levied by the district shall constitute
 2694 a lien of record held by a municipal or county governmental
 2695 unit. The provisions of sections 194.171, 197.122, 197.333, and
 2696 197.432, Florida Statutes, as each may be amended from time to
 2697 time, shall be applicable to district taxes with the same force
 2698 and effect as if such provisions were expressly set forth in
 2699 this act.

2700 (18) PAYMENT OF TAXES AND REDEMPTION OF TAX LIENS BY THE
 2701 DISTRICT; SHARING IN PROCEEDS OF TAX SALE.--

2702 (a) The district shall have the power and right to:

- 2703 1. Pay any delinquent state, county, district, municipal,
 2704 or other tax or assessment upon lands located wholly or
 2705 partially within the boundaries of the district; and

2706 2. Redeem or purchase any tax sales certificates issued or
 2707 sold on account of any state, county, district, municipal, or
 2708 other taxes or assessments upon lands located wholly or
 2709 partially within the boundaries of the district.

2710 (b) Delinquent taxes paid, or tax sales certificates
 2711 redeemed or purchased, by the district, together with all
 2712 penalties for the default in payment of the same, all costs in
 2713 collecting the same, and a reasonable attorney's fee, shall
 2714 constitute a lien in favor of the district of equal dignity with
 2715 the liens of state and county taxes and other taxes of equal
 2716 dignity with state and county taxes upon all the real property
 2717 against which the taxes were levied. The lien of the district
 2718 may be foreclosed in the manner provided in this act.

2719 (c) In any sale of land pursuant to section 197.542,
 2720 Florida Statutes, as may be amended from time to time, the
 2721 district may certify to the clerk of the circuit court of the
 2722 county holding such sale the amount of taxes due to the district
 2723 upon the lands sought to be sold, and the district shall share
 2724 in the disbursement of the sales proceeds in accordance with the
 2725 provisions of this act and under the laws of the state.

2726 (19) FORECLOSURE OF LIENS.--Any lien in favor of the
 2727 district arising under this act may be foreclosed by the
 2728 district by foreclosure proceedings in the name of the district
 2729 in a court of competent jurisdiction as provided by general law
 2730 in like manner as is provided in chapter 173, Florida Statutes,
 2731 and amendments thereto; the provisions of that chapter shall be
 2732 applicable to such proceedings with the same force and effect as
 2733 if those provisions were expressly set forth in this act. Any

2734 act required or authorized to be done by or on behalf of a
 2735 municipality in foreclosure proceedings under chapter 173,
 2736 Florida Statutes, may be performed by such officer or agent of
 2737 the district as the board may designate. Such foreclosure
 2738 proceedings may be brought at any time after the expiration of 1
 2739 year from the date any tax, or installment thereof, becomes
 2740 delinquent; however, no lien shall be foreclosed against any
 2741 political subdivision or agency of the state. Other legal
 2742 remedies shall remain available.

2743 (20) MANDATORY USE OF CERTAIN DISTRICT SYSTEMS,
 2744 FACILITIES, AND SERVICES.--To the full extent permitted by law,
 2745 the district shall require all lands, buildings, premises,
 2746 persons, firms, and corporations within the district to use the
 2747 water management and control facilities and water and sewer
 2748 facilities of the district.

2749 (21) COMPETITIVE PROCUREMENT; BIDS; NEGOTIATIONS; RELATED
 2750 PROVISIONS REQUIRED.--

2751 (a) No contract shall be let by the board for any goods,
 2752 supplies, or materials to be purchased when the amount thereof
 2753 to be paid by the district shall exceed the amount provided in
 2754 section 287.017, Florida Statutes, for category four unless
 2755 notice of bids shall be advertised once in a newspaper of
 2756 general circulation in Okeechobee County. Any board seeking to
 2757 construct or improve a public building or structure or other
 2758 public works shall comply with the bidding procedures of section
 2759 255.20, Florida Statutes, and other applicable general law. In
 2760 each case, the bid of the lowest responsive and responsible
 2761 bidder shall be accepted unless all bids are rejected because

2762 the bids are too high or because the board determines it is in
 2763 the best interests of the district to reject all bids. The board
 2764 may require the bidders to furnish bond with a responsible
 2765 surety to be approved by the board. Nothing in this section
 2766 shall prevent the board from undertaking and performing the
 2767 construction, operation, and maintenance of any project or
 2768 facility authorized by this act by the employment of labor,
 2769 material, and machinery.

2770 (b) The provisions of the Consultants' Competitive
 2771 Negotiation Act, section 287.055, Florida Statutes, apply to
 2772 contracts for engineering, architecture, landscape architecture,
 2773 or registered surveying and mapping services let by the board.

2774 (c) Contracts for maintenance services for any district
 2775 facility or project shall be subject to competitive bidding
 2776 requirements when the amount thereof to be paid by the district
 2777 exceeds the amount provided in section 287.017, Florida
 2778 Statutes, for category four. The district shall adopt rules,
 2779 policies, or procedures establishing competitive bidding
 2780 procedures for maintenance services. Contracts for other
 2781 services shall not be subject to competitive bidding unless the
 2782 district adopts a rule, policy, or procedure applying
 2783 competitive bidding procedures to said contracts.

2784 (22) FEES, RENTALS, AND CHARGES; PROCEDURE FOR ADOPTION
 2785 AND MODIFICATIONS; MINIMUM REVENUE REQUIREMENTS.--

2786 (a) The district is authorized to prescribe, fix,
 2787 establish, and collect rates, fees, rentals, or other charges,
 2788 hereinafter sometimes referred to as "revenues," and to revise
 2789 the same from time to time, for the systems, facilities, and

2790 services furnished by the district within the limits of the
 2791 district, including, but not limited to, recreational
 2792 facilities, water management and control facilities, and water
 2793 and sewer systems; to recover the costs of making connection
 2794 with any district service, facility, or system; and to provide
 2795 for reasonable penalties against any user or property for any
 2796 such rates, fees, rentals, or other charges that are delinquent.

2797 (b) No such rates, fees, rentals, or other charges for any
 2798 of the facilities or services of the district shall be fixed
 2799 until after a public hearing at which all the users of the
 2800 proposed facility or service or owners, tenants, or occupants
 2801 served or to be served thereby and all other interested persons
 2802 shall have an opportunity to be heard concerning the proposed
 2803 rates, fees, rentals, or other charges. Rates, fees, rentals,
 2804 and other charges shall be adopted under the administrative
 2805 rulemaking authority of the district but shall not apply to
 2806 district leases. Notice of such public hearing setting forth the
 2807 proposed schedule or schedules of rates, fees, rentals, and
 2808 other charges shall have been published in a newspaper of
 2809 general circulation in Okeechobee County at least once and at
 2810 least 10 days prior to such public hearing. The rulemaking
 2811 hearing may be adjourned from time to time. After such hearing,
 2812 such schedule or schedules, either as initially proposed or as
 2813 modified or amended, may be finally adopted. A copy of the
 2814 schedule or schedules of such rates, fees, rentals, or charges
 2815 as finally adopted shall be kept on file in an office designated
 2816 by the board and shall be open at all reasonable times to public
 2817 inspection. The rates, fees, rentals, or charges so fixed for

2818 any class of users or property served shall be extended to cover
 2819 any additional users or properties thereafter served which shall
 2820 fall in the same class, without the necessity of any notice or
 2821 hearing.

2822 (c) Such rates, fees, rentals, and charges shall be just,
 2823 equitable, and uniform for users of the same class and, when
 2824 appropriate, may be based or computed either upon the amount of
 2825 service furnished, upon the number of average number of persons
 2826 residing or working in or otherwise occupying the premises
 2827 served, upon any other factor affecting the use of the
 2828 facilities furnished, or upon any combination of the foregoing
 2829 factors, as may be determined by the board on an equitable
 2830 basis.

2831 (d) The rates, fees, rentals, or other charges prescribed
 2832 shall be such as will produce revenues, together with any other
 2833 assessments, taxes, revenues, or funds available or pledged for
 2834 such purpose, at least sufficient to provide for the following
 2835 items, but not necessarily in the order stated:

2836 1. All expenses of operation and maintenance of such
 2837 facility or service;

2838 2. Payment, when due, of all bonds and interest thereon
 2839 for the payment of which such revenues are, or shall have been,
 2840 pledged or encumbered, including reserves for such purpose; and

2841 3. Any other funds which may be required under the
 2842 resolution or resolutions authorizing the issuance of bonds
 2843 pursuant to this act.

2844 (e) The board shall have the power to enter into contracts
 2845 for the use of the projects of the district and with respect to

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2846 the services, systems, and facilities furnished or to be
2847 furnished by the district.

2848 (23) RECOVERY OF DELINQUENT CHARGES.--In the event that
2849 any rates, fees, rentals, charges, or delinquent penalties are
2850 not paid as and when due and are in default for 60 days or more,
2851 the unpaid balance thereof and all interest accrued thereon,
2852 together with reasonable attorney's fees and costs, may be
2853 recovered by the district in a civil action.

2854 (24) DISCONTINUANCE OF SERVICE.--In the event the fees,
2855 rentals, or other charges for water and sewer services, or
2856 either of them, are not paid when due, the board shall have the
2857 power, under such reasonable rules and regulations as the board
2858 may adopt, to discontinue and shut off both water and sewer
2859 services until such fees, rentals, or other charges, including
2860 interest, penalties, and charges for the shutting off and
2861 discontinuance of or restoration of such water and sewer
2862 services, or both, are fully paid; for such purposes, the board
2863 may enter on any lands, waters, or premises of any person, firm,
2864 corporation, or body, public or private, within the district
2865 limits. Such delinquent fees, rentals, or other charges,
2866 together with interest, penalties, and charges for the shutting
2867 off and discontinuance of or restoration of such services and
2868 facilities, reasonable attorney's fees, and other expenses, may
2869 be recovered by the district, which may also enforce payment of
2870 such delinquent fees, rentals, or other charges by any other
2871 lawful method of enforcement.

2872 (25) ENFORCEMENT AND PENALTIES.--The board or any
2873 aggrieved person may have recourse to such remedies in law and

2874 at equity as may be necessary to ensure compliance with the
 2875 provisions of this act, including injunctive relief to enjoin or
 2876 restrain any person violating the provisions of this act or any
 2877 bylaws, resolutions, regulations, rules, codes, or orders
 2878 adopted under this act. In case any building or structure is
 2879 erected, constructed, reconstructed, altered, repaired,
 2880 converted, or maintained, or any building, structure, land, or
 2881 water is used, in violation of this act or of any code, order,
 2882 resolution, or other regulation made under authority conferred
 2883 by this act or under law, the board or any citizen residing in
 2884 the district may institute any appropriate action or proceeding
 2885 to prevent such unlawful erection, construction, reconstruction,
 2886 alteration, repair, conversion, maintenance, or use; to
 2887 restrain, correct, or avoid such violation; to prevent the
 2888 occupancy of such building, structure, land, or water; and to
 2889 prevent any illegal act, conduct, business, or use in or about
 2890 such premises, land, or water.

2891 (26) SUITS AGAINST THE DISTRICT.--Any suit or action
 2892 brought or maintained against the district for damages arising
 2893 out of tort, including, without limitation, any claim arising
 2894 upon account of an act causing an injury or loss of property,
 2895 personal injury, or death, shall be subject to the limitations
 2896 provided in section 768.28, Florida Statutes.

2897 (27) EXEMPTION OF DISTRICT PROPERTY FROM EXECUTION.--All
 2898 district property shall be exempt from levy and sale by virtue
 2899 of an execution, and no execution or other judicial process
 2900 shall issue against such property, nor shall any judgment
 2901 against the district be a charge or lien on its property or

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2902 revenues; however, nothing contained herein shall apply to or
 2903 limit the rights of bondholders to pursue any remedy for the
 2904 enforcement of any lien or pledge given by the district in
 2905 connection with any of the bonds or obligations of the district.

2906 (28) TERMINATION, CONTRACTION, OR EXPANSION OF DISTRICT.--

2907 (a) The board may ask the Legislature through its local
 2908 legislative delegation in and for Okeechobee County to amend
 2909 this act to contract or expand the boundaries of the district by
 2910 amendment of subsection (2).

2911 (b) The district shall remain in existence until:

2912 1. The district is terminated and dissolved pursuant to
 2913 amendment to this act by the Legislature; or

2914 2. The district has become inactive pursuant to section
 2915 189.4044, Florida Statutes.

2916 (29) INCLUSION OF TERRITORY.--The inclusion of any or all
 2917 territory of the district within a municipality does not change,
 2918 alter, or affect the boundary, territory, existence, or
 2919 jurisdiction of the district.

2920 (30) SALE OF REAL ESTATE WITHIN A DISTRICT; REQUIRED
 2921 DISCLOSURE TO PURCHASER.--Subsequent to the creation of this
 2922 district under this act, each contract for the initial sale of a
 2923 parcel of real property and each contract for the initial sale
 2924 of a residential unit within the district shall include,
 2925 immediately prior to the space reserved in the contract for the
 2926 signature of the purchaser, the following disclosure statement
 2927 in boldfaced and conspicuous type which is larger than the type
 2928 in the remaining text of the contract: "THE GROVE COMMUNITY
 2929 DISTRICT MAY IMPOSE AND LEVY TAXES OR ASSESSMENTS, OR BOTH TAXES

2930 AND ASSESSMENTS, ON THIS PROPERTY. THESE TAXES AND ASSESSMENTS
 2931 PAY THE CONSTRUCTION, OPERATION, AND MAINTENANCE COSTS OF
 2932 CERTAIN PUBLIC SYSTEMS, FACILITIES, AND SERVICES OF THE DISTRICT
 2933 AND ARE SET ANNUALLY BY THE GOVERNING BOARD OF THE DISTRICT.
 2934 THESE TAXES AND ASSESSMENTS ARE IN ADDITION TO COUNTY AND OTHER
 2935 LOCAL GOVERNMENTAL TAXES AND ASSESSMENTS AND ALL OTHER TAXES AND
 2936 ASSESSMENTS PROVIDED FOR BY LAW."

2937 (31) NOTICE OF CREATION AND ESTABLISHMENT.--Within 30 days
 2938 after the election of the first board members, the district
 2939 shall cause to be recorded in the property records in the county
 2940 in which it is located a "Notice of Creation and Establishment
 2941 of the Grove Community District." The notice shall, at a
 2942 minimum, include the legal description of the property of the
 2943 landowners who have consented to establishment of this district
 2944 and a copy of the disclosure statement specified in subsection
 2945 (30).

2946 (32) PUBLIC ACCESS.--Any system, facility, service, works,
 2947 improvement, project, or other infrastructure owned by the
 2948 district or funded by federal tax-exempt bonding issued by the
 2949 district is public; the district by rule may regulate, and may
 2950 impose reasonable charges or fees for, the use thereof but not
 2951 to the extent that such regulation or imposition of such charges
 2952 or fees constitutes denial of reasonable access.

2953 Section 5. Severability.--If any provision of this act is
 2954 determined unconstitutional or otherwise determined invalid by a
 2955 court of law, all the rest and remainder of the act shall remain
 2956 in full force and effect as the law of Florida.

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2957 Section 6. This act shall take effect upon becoming a law,
2958 except that the provisions of paragraph (a) of subsection (14)
2959 of section 4 which authorize the levy of ad valorem assessments
2960 shall only take effect upon express approval by a majority vote
2961 of those qualified electors of the district, as required by
2962 Section 9 of Article VII of the State Constitution, voting in a
2963 referendum to be called by the Supervisor of Elections of
2964 Okeechobee County and held by the Board of Supervisors of the
2965 Grove Community District. Such election shall be held in
2966 accordance with the provisions of law relating to elections in
2967 force at the time the referendum is held.