

1                                   A bill to be entitled  
 2           An act relating to the East County Water Control District,  
 3           Lee and Hendry Counties; amending chapter 2000-423, Laws  
 4           of Florida, as amended; changing the name of the district  
 5           to the Improvement District of Lehigh Acres; amending the  
 6           boundaries of the district; providing for a board of  
 7           commissioners in lieu of a board of supervisors; providing  
 8           that the board may provide water and sewer services and  
 9           levy non-ad valorem assessments or user fees; revising  
 10          meeting attendance requirements for commissioners;  
 11          providing penalties for unexcused absences from meetings;  
 12          providing for a referendum; providing an effective date.

13

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

15

16           Section 1. The charter of the East County Water Control  
 17           District, as codified in section 3 of chapter 2000-423, Laws of  
 18           Florida, as amended by chapters 2003-315, 2005-308, and 2006-  
 19           319, Laws of Florida, is amended to read:

20           Section 1. Creation; Status; Charter amendments; District  
 21           boundaries.--

22           (1) The decree of the circuit court in and for the twelfth  
 23           (12th) judicial circuit, Lee County, entered in chancery no.  
 24           12,429 on May 5, 1958, created the East County Water Control  
 25           District, and the subsequent decree of the circuit court in and  
 26           for the twelfth (12th) judicial circuit, Lee County, extended  
 27           the boundaries of said District to include additional lands in  
 28           Lee County and Hendry County, said decree being entered in

29 | chancery no. 12,429 on May 26, 1961, together with all  
 30 | subsequent proceedings taken in said circuit court concerning  
 31 | said District which were ratified, confirmed, and approved by  
 32 | special act of the Legislature in 1963. The East County Water  
 33 | Control District, hereinafter renamed the "Improvement District  
 34 | of Lehigh Acres," is therefore declared to exist as an  
 35 | independent special district.

36 | (2) The boundaries of the District are hereby declared to  
 37 | be as follows:

38 | LANDS IN LEE COUNTY, FLORIDA  
 39 | TOWNSHIP 43 SOUTH, RANGE 26 EAST  
 40 | SECTION 25:

41 | The following portions of Section 25;  
 42 | The East 1/2 of the Northeast 1/4 of the Northeast  
 43 | 1/4, together with  
 44 | The Northeast 1/4 of the Southeast 1/4 of the  
 45 | Northeast 1/4

46 | TOWNSHIP 43 SOUTH, RANGE 27 EAST  
 47 | SECTION 19:

48 | Commencing at the Southeast corner of Government Lot 5  
 49 | of said Section 19, said point also being the  
 50 | Southeast Corner of the Southwest 1/4 South 1/4  
 51 | Section Corner of said Section 19; thence North 89°  
 52 | 32' 09" West along the South line of said Section 19,  
 53 | a distance of 941.17 ~~941.16~~ feet to the POINT OF  
 54 | BEGINNING, thence continuing along the south line of  
 55 | said Section 19 a distance of 623.70 feet; thence  
 56 | North 00°33' 48" West along the west line of lands

57 described in Book 4433, Page 952-953 of the Official  
 58 Records of Lee County, Florida a distance of 579.14  
 59 feet to a point on the southerly right-of-way of the  
 60 Caloosahatchee River Canal; thence North 72° 41' 35"  
 61 East along said right-of-way a distance of 264.64  
 62 feet; thence North 50°57' 38" East along said right-of-  
 63 way a distance of 399.11 feet; thence North 84°04' 34"  
 64 East along said right-of-way a distance of 57.98 feet  
 65 to the northeast corner of lands described in Book  
 66 3558, Page 3183-3185 of the Official Records of Lee  
 67 County, Florida; thence South 00° 33' 49" East along  
 68 the east line of said lands a distance of 920.30 feet  
 69 to the POINT OF BEGINNING and there terminate ~~of this~~  
 70 ~~description; thence North 00° 33' 49" West, a distance~~  
 71 ~~of 961.01 feet to the Southerly United States~~  
 72 ~~Government Easement line of the Caloosahatchee River;~~  
 73 ~~thence continuing North 00° 33' 48" West, a distance~~  
 74 ~~of 90 feet, more or less, to the Southerly waters edge~~  
 75 ~~of the said Caloosahatchee River; thence Southwesterly~~  
 76 ~~along the meanders of said Southerly waters edge of~~  
 77 ~~the Caloosahatchee River, a distance of 780 feet, more~~  
 78 ~~or less; thence South 00° 33' 48" East, a distance of~~  
 79 ~~50 feet, more or less, to the said Southerly United~~  
 80 ~~States Government Easement line of the Caloosahatchee~~  
 81 ~~River; thence continuing South 00° 33' 48" East, a~~  
 82 ~~distance of 578.75 feet to the said South line of~~  
 83 ~~Section 19; thence South 89° 32' 09" East along the~~  
 84 ~~said South line of Section 19 to the POINT OF~~

85 ~~BEGINNING, LESS the Easterly 35.80 feet of the above~~  
 86 ~~described parcel.~~

87 SECTION 30:

88 The following portions of Section 30;

89 That portion of the West 1/2 of said Section 30 lying  
 90 North of State Road 80, LESS the West 118.40 feet  
 91 thereof.

92 That portion of the Northwest 1/4 of the Northeast 1/4  
 93 of Section 30 lying North of State Road 80.

94 That portion of Section 30 lying South of the  
 95 Southerly Right-of-Way line of State Road 80, LESS the  
 96 West 200.00 feet of said Section 30 lying South of  
 97 Hickey's Creek,

98 AND LESS lots 18 thru 28, Lots 31 and 32, Lots 37 and  
 99 38, Lots 41 thru 44 all as shown on Pine Creek Acres,  
 100 Unit No. 1 as recorded in Plat Book 10, Page 13 of the  
 101 Public Records of Lee County, Florida.

102 AND LESS Lot 1, Lots 23 and 24, Lots 27 and 28, the 50  
 103 foot Right-of-Way for Dixie Lane and that portion of  
 104 the 50 foot Right-of-Way for Pine Boulevard lying  
 105 Easterly of a line connecting the Northeast corner of  
 106 Lot 92 with the Southeast corner of Lot 35 all as  
 107 shown on Pine Creek Acres, Unit No. 2 as recorded in  
 108 Plat Book 10, Page 74 of the said Public Records,

109 AND LESS the following described parcel;

110 BEGINNING at the Northeast corner of Pine Creek Acres,  
 111 Unit No. 1 as recorded in Plat Book 10, Page 13 of the  
 112 said Public Records; thence South 00° 56' 00" East

113 along the East line of said Pine Creek Acres, Unit No.  
 114 1 and the Southerly projection thereof, a distance of  
 115 223.86 feet; thence North 89° 35' 20" East, a distance  
 116 of 166.20 feet; thence North 00° 24' 40" West, a  
 117 distance of 203.00 feet to the said Southerly Right-  
 118 of-Way line of State Road 80; thence North 82° 54' 00"  
 119 West along the said Southerly Right-of-Way line of  
 120 State Road 80 to the POINT OF BEGINNING,  
 121 AND LESS the following described parcel;  
 122 Commencing at the said Northeast corner of Pine Creek  
 123 Acres, Unit No. 1; thence South 82° 54' 00" East along  
 124 the said Southerly Right-of-Way line of State Road 80,  
 125 a distance of 307.31 ~~thence South 00° 56' 00" East~~  
 126 ~~along the said East line of Pine Creek Acres, Unit No.~~  
 127 ~~1 and the Southerly projection thereof, a distance of~~  
 128 ~~223.86 feet; thence North 89° 35' 20" East, a distance~~  
 129 ~~of 166.20 feet; thence North 00° 24' 40" West, a~~  
 130 ~~distance of 203.00 feet to the said Southerly Right-~~  
 131 ~~of Way line of State Road 80, thence South 82° 54' 00"~~  
 132 ~~East along the said Southerly Right of Way line of~~  
 133 ~~State Road 80, a distance of 137.61 feet to the POINT~~  
 134 ~~OF BEGINNING of this description; thence South 00° 24'~~  
 135 ~~40" East, a distance of 237.58 feet; thence North 89°~~  
 136 ~~35' 20" East, a distance of 209.19 feet; thence South~~  
 137 ~~00° 24' 40" East, a distance of 918.16 feet; thence~~  
 138 ~~North 89° 35' 20" East, a distance of 420.00 feet;~~  
 139 ~~thence North 00° 24" 40" West, a distance of 1069.39~~  
 140 ~~feet to the said Southerly Right-of-Way line of State~~

141 Road 80; thence Northwesterly along the said Southerly  
 142 Right-of-Way line of State Road 80 to the POINT OF  
 143 BEGINNING,  
 144 AND LESS the following described parcel;  
 145 BEGINNING at the intersection of the East line of the  
 146 Northwest 1/4 of the Northeast 1/4 of said Section 30  
 147 and the said Southerly Right-of-Way line of State Road  
 148 80; thence South 00° 24' 40" East along the East line  
 149 of the West 1/2 of the Northeast 1/4 of said Section  
 150 30 ~~to a point which is South 00° 24' 40" East,~~ a  
 151 distance of 129.00 feet from the Northwest corner of  
 152 the Southeast 1/4 of the Northeast 1/4 of said Section  
 153 30; thence South 89° 41' 55" East along a line  
 154 parallel with the North line of the said Southeast 1/4  
 155 of the Northeast 1/4, a distance of 337.00 feet;  
 156 thence North 00° 24' 40" West to the said Southerly  
 157 Right-of-Way line of State Road 80; thence North 81°  
 158 08' 00" West along the said Southerly Right-of-Way  
 159 line of State Road 80 to the POINT OF BEGINNING.

160 SECTION 31:

161 The following portions of Section 31;  
 162 The West 1/2, together with  
 163 The West 1/2 of the Southeast 1/4, together with  
 164 The Southeast 1/4 of the Southeast 1/4, together with  
 165 The Southwest 1/4 of the Northeast 1/4, together with  
 166 The Southwest 1/4 of the Northwest 1/4 of the  
 167 Northeast 1/4, together with

168 | The Northeast 1/4 of the Northeast 1/4 of the  
 169 | Northeast 1/4  
 170 | SECTION 36:  
 171 | The East 1/2 of Section 36, LESS the Northwest 1/4 of  
 172 | the Northeast 1/4 thereof.  
 173 | TOWNSHIP 44 SOUTH, RANGE 26 EAST  
 174 | SECTION 1-3:  
 175 | All of Sections 1, 2 and 3.  
 176 | SECTION 4:  
 177 | The East 1/2 of Section 4.  
 178 | SECTION 10:  
 179 | The following portions of Section 10;  
 180 | The East 1/2 of the Southeast 1/4, together with  
 181 | The Northwest 1/4 of the Southeast 1/4.  
 182 | SECTIONS 11-14:  
 183 | All of Sections 11, 12, 13 and 14.  
 184 | SECTION 15:  
 185 | The East 1/2 of the East 1/2 of Section 15.  
 186 | SECTION 16:  
 187 | The following portions of Section 16;  
 188 | All of Units 1 through 5 of "Lehigh Acres" as recorded  
 189 | in Plat Book 27, Page 186 of the Public Records of Lee  
 190 | County, Florida together with,  
 191 | Lot 16, Block 36 of "Buckingham Park, Northwest  
 192 | Section" as recorded in Plat Book 9, Page 92 of the  
 193 | said Public Records.  
 194 | SECTION 19:  
 195 | The following portions of Section 19;

196 | The Southeast 1/4, together with  
 197 | That portion of the Northeast 1/4 of said Section 19  
 198 | lying South of Buckingham Road.  
 199 | SECTION 20:  
 200 | The following portions of Section 20;  
 201 | The South 1/2, together with  
 202 | That portion of the North 1/2 of said Section 20 lying  
 203 | South of Buckingham Road.  
 204 | SECTION 21:  
 205 | The following portions of "Buckingham Park, South  
 206 | Section" as recorded in Plat Book 9, Page 99 of the  
 207 | said Public Records being in Section 21;  
 208 | Lots 3 through 10 of Block 40,  
 209 | Lots 1 and 3 of Block 38,  
 210 | Lot 28 of Block 29,  
 211 | The North 40 feet of Lot 29 of Block 29,  
 212 | All of Tract "D",  
 213 | All of Block "E"  
 214 | together with,  
 215 | the Re-subdivision of that portion of Block "E" of  
 216 | said "Buckingham Park, South Section" as replatted on  
 217 | "Plat of Unit 3 Lehigh Park, a Subdivision of Lehigh  
 218 | Acres" as recorded in Plat Book 15, Page 66 of the  
 219 | said Public Records, together with  
 220 | That portion of said Section 21 lying Southwesterly of  
 221 | the centerline of a 60 foot easement as described in  
 222 | Miscellaneous Book 32, Page 335 of the said Public  
 223 | Records.

224 SECTION 22:  
 225 That portion of Section 22 lying South and  
 226 Southwesterly of Homestead Road as shown on Plat of  
 227 "Buckingham Park Entrance Roads" as recorded in Plat  
 228 Book 9, Page 97 of the said Public Records.  
 229 SECTIONS 23-29:  
 230 All of Sections 23, 24, 25, 26, 27, 28 and 29.  
 231 SECTION 30:  
 232 The following portions of Section 30;  
 233 The South 1/2, together with  
 234 ~~The Northeast 1/4, together with~~  
 235 The South 100 feet of the North 1/2 together with  
 236 The remainder of the Northeast 1/4.  
 237 SECTION 31:  
 238 That portion of said Section 31 lying Northeasterly of  
 239 State Road 82.  
 240 SECTIONS 32-36:  
 241 All of Sections 32, 33, 34, 35 and 36.  
 242 TOWNSHIP 44 SOUTH, RANGE 27 EAST  
 243 SECTION 1:  
 244 All of Section 1.  
 245 SECTION 2:  
 246 All of Section 2, LESS the Northwest 1/4 of the  
 247 Northwest 1/4 thereof.  
 248 SECTION 3:  
 249 All of Section 3, LESS the Northeast 1/4 thereof,  
 250 AND LESS the East 1/2 of the Northwest 1/4 thereof.  
 251 SECTIONS 4-6:

252 All of Sections 4, 5 and 6.

253 SECTION 7:

254 The following portions of Section 7;

255 The South 1/2, together with

256 The Northwest 1/4, together with

257 The Southwest 1/4 of the Northeast 1/4, together with

258 The North 1/2 of the Northeast 1/4, together with

259 The North 854 feet of the East 466 feet of the

260 Southeast 1/4 of the Northeast 1/4.

261 SECTION 8:

262 The following portions of Section 8;

263 The South 1/2, together with

264 ~~The Northwest 1/4 of the Northeast 1/4, together with~~

265 The West 1/2 of the Northeast 1/4, together with

266 The East 3/4 of the Southeast 1/4 of the Northwest

267 1/4.

268 SECTION 9:

269 All of said Section 9, LESS the Southwest 1/4 of the

270 Northeast 1/4 thereof.

271 SECTIONS 10-36:

272 All of Sections 10, 11, 12, 13, 14, 15, 16, 17, 18,

273 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31,

274 32, 33, 34, 35 and 36.

275 TOWNSHIP 45 SOUTH, RANGE 26 EAST

276 SECTIONS 1-3:

277 All of Section 1, 2 and 3.

278 SECTION 4:

279 | All that portion of Section 4 lying North of State  
 280 | Road 82.  
 281 | SECTION 5:  
 282 | All that portion of Section 5 lying North of State  
 283 | Road 82.  
 284 | SECTION 6:  
 285 | All that portion of Section 6 lying North of State  
 286 | Road 82.  
 287 | SECTION 9:  
 288 | All that portion of Section 9 lying North of State  
 289 | Road 82.  
 290 | SECTION 10:  
 291 | All that portion of Section 10 lying North of State  
 292 | Road 82.  
 293 | SECTION 11:  
 294 | All that portion of Section 11 lying North of State  
 295 | Road 82.  
 296 | SECTION 12:  
 297 | All of Section 12.  
 298 | SECTION 13:  
 299 | All that portion of Section 13 lying North of State  
 300 | Road 82.  
 301 | SECTION 14:  
 302 | All that portion of Section 14 lying North of State  
 303 | Road 82.  
 304 | TOWNSHIP 45 SOUTH, RANGE 27 EAST  
 305 | SECTIONS 1-3 :  
 306 | All of Sections 1, 2 and 3.

307 SECTION 4:  
308 All of Section 4, LESS the Southeast 1/4 of the  
309 Southeast 1/4 thereof,  
310 AND LESS the South 1/2 of the Northeast 1/4 of the  
311 Southeast 1/4 of said Section 4.  
312 AND LESS the South 1/2 of the Northeast 1/4 of the  
313 Northeast 1/4 of the Southeast 1/4 of said Section 4,  
314 AND LESS the Northwest 1/4 of the Northeast 1/4 of the  
315 Southeast 1/4 of said Section 4.

316 SECTION 5:  
317 The following portions of Section 5;  
318 The Northwest 1/4, together with  
319 The East 3/4 of the North 1/2 of the Southwest 1/4,  
320 together with The South 1/2 of the Southwest 1/4,  
321 together with  
322 The Southwest 1/4 of the Southeast 1/4 LESS the South  
323 175 feet of the East 125 feet thereof, together with  
324 The following described parcel being in the Northeast  
325 1/4 of the Northeast 1/4 of said Section 5; Commencing  
326 at the Northeast corner of said Section 5; thence  
327 Westerly along the North line of said Section 5, said  
328 North line of Section 5 being the South line of Units  
329 7 and 18 of "Leeland Heights" as shown on plat  
330 recorded in Plat Book 12, Page 53 of the said Public  
331 Records, a distance of 116.51 feet to the Southwest  
332 corner of Lot 10 of Block 87 of said "Leeland Heights"  
333 and the POINT OF BEGINNING of this description; thence  
334 continuing Westerly along the said North line of

335 Section 5, a distance of 1208.55 feet to the Northwest  
 336 corner of the Northeast 1/4 of the Northeast 1/4 of  
 337 said Section 5; thence South 01° 35' 34" East along  
 338 the West line of the said Northeast 1/4 of the  
 339 Northeast 1/4 of Section 5, a distance of 1149.72  
 340 feet; thence Easterly along a line parallel with the  
 341 said North line of Section 5, a distance of 1268.07  
 342 feet to a point of intersection with a line parallel  
 343 with and 60 feet Westerly of (as measured at right  
 344 angles) the East line of said Section 5; thence North  
 345 01° 44' 40" West along said parallel line, a distance  
 346 of 1089.78 feet to a point of intersection with a line  
 347 parallel with and 60 feet Southerly of (as measured at  
 348 right angles) the said North line of Section 5; thence  
 349 Westerly along said line parallel with and 60 feet  
 350 Southerly of the North line of Section 5, a distance  
 351 of 58.31 feet to a point of intersection with the  
 352 Southerly prolongation of the West line of said Lot 10  
 353 of Block 87 of "Leeland Heights"; thence Northerly  
 354 along said Southerly prolongation, a distance of 60.00  
 355 feet to the POINT OF BEGINNING. Bearings in last  
 356 described parcel relative to said Plat of Units 7 and  
 357 18 of "Leeland Heights".

358 SECTION 6:  
 359 All of Section 6, LESS the following described parcel,  
 360 BEGINNING at the Southwest corner of Government Lot 5  
 361 of said Section 6; thence Northerly along the West  
 362 line of said Government Lot 5, a distance of 466.70

363 feet; thence Easterly along a line parallel with the  
 364 South line of said Government Lot 5, a distance of  
 365 466.70 feet; thence Southerly along a line parallel  
 366 with the said West line of Government Lot 5, a  
 367 distance of 466.70 feet; thence Westerly along the  
 368 South line of said Government Lot 5, a distance of  
 369 466.70 feet to the POINT OF BEGINNING.

370 SECTION 7:

371 All of Section 7.

372 SECTION 8:

373 All of Section 8, LESS the Southwest 1/4 of the  
 374 Southeast 1/4 thereof.

375 SECTION 9:

376 The following portions of Section 9;  
 377 The West 1/2 of the Southwest 1/4, together with  
 378 The Southeast 1/4, together with  
 379 The West 1/2 of the Northeast 1/4, together with  
 380 The Southeast 1/4 of the Northeast 1/4.

381 SECTIONS 10-17:

382 All of Sections 10, 11, 12, 13, 14, 15, 16 and 17.

383 SECTION 18:

384 All of Section 18, LESS the 200 foot Right-of-Way for  
 385 State Road 82 thereof,  
 386 AND LESS the Westerly 25 feet of that portion of said  
 387 Section 18 lying Northerly of said State Road 82, said  
 388 25 foot strip as conveyed to Lee County for roadway  
 389 purposes by deed recorded in Official Record Book 147,  
 390 Page 73 of the said Public Records of Lee County.

391 SECTION 19:  
 392 All of Section 19, LESS the 200 foot Right-of-Way for  
 393 State Road 82 thereof,  
 394 AND LESS the following described parcel, BEGINNING at  
 395 the Northeast corner of said Section 19; thence South  
 396 89°55'00" West with the North line of said Section 19,  
 397 a distance of 1327.50 feet to the Northwest corner of  
 398 the East 1/2 of the Northeast 1/4 of Section 19;  
 399 thence South 49°30'50" West a distance of 465.93 feet  
 400 to the Northern Right-of Way line of State Road 82;  
 401 thence Southeasterly with the said Northern Right-of-  
 402 Way line to the East line of Section 19; thence North  
 403 00834'00" West along the East line of Section 19 ~~South~~  
 404 ~~00° 34' 00" East along the East line of said Section~~  
 405 ~~19 to the East 1/4 Section corner of said Section 19;~~  
 406 ~~thence South 89° 53' 40" West along the East/West 1/4~~  
 407 ~~Section line of said Section 19, a distance of 1479.38~~  
 408 ~~feet; thence North 00° 39' 20" West along a line~~  
 409 ~~parallel with and 156.00 feet Westerly of (as measured~~  
 410 ~~at right angles) the West line of the East 1/2 of the~~  
 411 ~~Northeast 1/4 of said Section 19, a distance of~~  
 412 ~~2019.77 feet to a point of intersection with the~~  
 413 ~~Southwesterly Right of Way line of said State Road 82;~~  
 414 ~~thence South 64° 06' 00" East along the said~~  
 415 ~~Southwesterly right of Way line of State Road 82, a~~  
 416 ~~distance of 174.40 feet to a point of intersection~~  
 417 ~~with the said West line of the East 1/2 of the~~  
 418 ~~Northeast 1/4 of Section 19; thence North 00° 39' 20"~~

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

419 ~~West along the said West line of the East 1/2 of the~~  
 420 ~~Northeast 1/4 of Section 19, a distance of 223.58 feet~~  
 421 ~~to a point of intersection with the Northeasterly~~  
 422 ~~Right of Way line of State Road 82; thence North 64°~~  
 423 ~~06' 00" West along the said Northeasterly Right-of-Way~~  
 424 ~~line of State Road 82, a distance of 400.00 feet;~~  
 425 ~~thence North 49° 30' 50" East, a distance of 465.93~~  
 426 ~~feet to the Northwest corner of the said East 1/2 of~~  
 427 ~~the Northeast 1/4 of Section 19; thence North 89° 55'~~  
 428 ~~00" East along the North line of said Section 19, a~~  
 429 ~~distance of 1327.50 feet to the POINT OF BEGINNING.~~

430 SECTION 20:

431 All of Section 20, LESS the 200 foot Right-of-Way for  
 432 State Road 82 thereof,  
 433 AND LESS the following described parcel, BEGINNING at  
 434 the Northwest corner of said Section 20; thence North  
 435 89° 15' 50" East along the North line of said Section  
 436 20, a distance of 227.46 feet; thence South 00° 34'  
 437 00" East along a line parallel with the West line of  
 438 said Section 20, a distance of 1516.82 feet to a point  
 439 of intersection with the Northerly Right-of-Way line  
 440 of State Road 82; thence North 49° 52' 20" West along  
 441 the said Northerly Right-of-Way line of State Road 82,  
 442 a distance of 300.00 feet to a point of intersection  
 443 with the West line of said Section 20; thence North  
 444 00° 34' 00" East along the said West line of Section  
 445 20 to the POINT OF BEGINNING

446 AND LESS the following described parcel, BEGINNING at  
 447 the intersection of the Southwesterly Right-of-Way  
 448 line of State Road 82 and the South line of said  
 449 Section 20; thence North 24° 51' 40" West along the  
 450 said Southwesterly Right-of-Way line of State Road 82,  
 451 a distance of 1000.00 feet; thence South 32° 24' 30"  
 452 West, a distance of 1081.39 feet to a point of  
 453 intersection with the said South line of Section 20;  
 454 thence North 89° 40' 40" East along the said South  
 455 line of Section 20, a distance of 1000.00 feet to the  
 456 POINT OF BEGINNING. Last described parcel being  
 457 recorded in Deed Book 306, Page 153 of the said Public  
 458 Records of Lee County.

459 SECTIONS 21-26:

460 All of Sections 21, 22, 23, 24, 25 and 26.

461 SECTION 27:

462 All of Section 27 lying NORTH of State Road 82.

463 SECTION 28:

464 All of Section 28 lying North of State Road 82.

465 SECTION 29:

466 All of Section 29 lying North of State Road 82.

467 SECTION 34:

468 All of Section 34 lying North of State Road 82.

469 SECTION 35:

470 All of Section 35 lying North of State Road 82.

471 SECTION 36:

472 All of Section 36 LESS the 200 foot Right-of-Way for  
 473 State Road 82 thereof.

474 LANDS IN HENDRY COUNTY, FLORIDA.  
 475 TOWNSHIP 43 SOUTH, RANGE 28 EAST  
 476 SECTION 30:  
 477 The following portions of Section 30;  
 478 The West 400.00 feet of the Southwest 1/4 less the  
 479 right-of-way for State Road 80, together with  
 480 The parcel commencing at the West 1/4 corner of  
 481 Section 30; thence along the West Section line North  
 482 01° 01' 11" West, a distance of 164.01 feet to the  
 483 North right-of-way line of State Road 80 and the POINT  
 484 OF BEGINNING; thence continuing North 01° 01' 11"  
 485 West, a distance of 1156.17 feet to the South Right-  
 486 of-Way line for the Caloosahatchee River (C-43 canal);  
 487 thence along said South Right-of-Way line North 78°  
 488 07' 28" East, a distance of 162.92 feet; thence South  
 489 01° 01' 11" East, a distance of 415.55 feet; thence  
 490 South 45° 02' 36" East, a distance of 345.35 feet;  
 491 thence South 01° 01' 11" East, a distance of 520.42  
 492 feet to the North Right-of-Way for State Road 80;  
 493 thence along said right-of-way South 88° 36' 43" West,  
 494 a distance of 400.00 feet to the POINT OF BEGINNING  
 495 SECTION 31:  
 496 The following portions of Section 31;  
 497 The Southeast 1/4 of the Northwest 1/4, together with  
 498 The East 1/2 of the Southwest 1/4, together with,  
 499 The South 185.00 feet of the North 1/2 of the  
 500 Northwest 1/4 less the West 1189.24 feet of the East  
 501 1439.25 feet of the South 25.00 feet thereof;

502 Together with the West 660.76 feet of the North 30.00  
 503 feet of the Southwest 1/4 of the Northwest 1/4,  
 504 Together with the West 400.00 feet of the Northwest  
 505 1/4 of the Northwest 1/4.

506 TOWNSHIP 44 SOUTH, RANGE 28 EAST

507 SECTION 6:

508 The West 1/2 of Section 6.

509 SECTION 7:

510 The West 1/2 of Section 7.

511 SECTION 18:

512 The West 1/2 of Section 18.

513 SECTION 19:

514 The West 1/2 of Section 19.

515 SECTION 30:

516 The West 1/2 of Section 30.

517 SECTION 31:

518 The West 1/2 of Section 31.

519 Section 2. Installment assessments and the collection  
 520 thereof.--Annual installment assessments, which are levied under  
 521 section 298.36, Florida Statutes, shall become due and be  
 522 collected during each year at the same time that county taxes  
 523 are due and collected, pursuant to section 298.36, Florida  
 524 Statutes, chapter 197, Florida Statutes, and this act. Said  
 525 assessments shall be a lien until paid on the property against  
 526 which assessed, and enforceable in like manner as county taxes.

527 Section 3. Maintenance assessments.--Maintenance  
 528 assessments as provided for under section 298.54, Florida  
 529 Statutes, shall be apportioned upon the basis of the net

530 assessments of benefits assessed as accruing from original  
 531 construction and any subsequent improvements, and shall be due  
 532 and collected pursuant to section 298.54, Florida Statutes,  
 533 chapter 197, Florida Statutes, and this act. Provided, nothing  
 534 herein shall prevent the Board of Commissioners ~~Supervisors~~ from  
 535 apportioning maintenance taxes for the maintenance of the  
 536 district facilities equally to all benefited acres if the Board  
 537 of Commissioners ~~Supervisors~~ determines that benefits are  
 538 substantially equal for benefited acreage throughout the  
 539 District. Said assessments shall be a lien until paid on the  
 540 property against which assessed and enforceable in like manner  
 541 as county taxes.

542 Section 4. Water and sewer powers and duties; non-ad  
 543 valorem assessments; user charges and fees.--

544 (1) The district shall have, and the board may exercise,  
 545 subject to the regulatory jurisdiction and permitting authority  
 546 of all applicable governmental bodies, agencies, and special  
 547 districts having authority with respect to any area included  
 548 therein, the power to provide water supply, sewer, and  
 549 wastewater management, reclamation, and reuse or any combination  
 550 thereof, and to construct and operate connecting, intercepting,  
 551 or outlet sewers and sewer mains and pipes and water mains,  
 552 conduits, or pipelines in, along, and under any public street,  
 553 alley, highway, or other public place or way, and to dispose of  
 554 any effluent, residue, or other byproducts of such system or  
 555 sewer system. The district shall also have the authority to  
 556 require and enforce the use of its facilities whenever and  
 557 wherever they are accessible.

558       (2) Non-ad valorem assessments, user charges, or fees,  
559 including impact fees, authorized by the Board of Commissioners  
560 may be levied to finance, fund, plan, establish, acquire,  
561 construct, operate, and maintain systems, facilities, and basic  
562 infrastructure for water supply, sewer, and wastewater  
563 management, reclamation, and reuse and to construct and operate  
564 connecting, intercepting, or outlet sewers and sewer mains and  
565 pipes and water mains, conduits, or pipelines in, along, and  
566 under any public street, alley, highway, or other public place  
567 or way, and to dispose of any effluent, residue, or other  
568 byproducts of such system or sewer system. Non-ad valorem  
569 assessments may be levied and collected pursuant to chapter 197  
570 or chapter 170, Florida Statutes. The receipt and collection of  
571 these charges or fees shall be in the manner prescribed by board  
572 resolution not inconsistent with general law.

573       (3) Any exercise of the powers and authority granted in  
574 subsections (1) and (2) which is necessary to provide any  
575 proposed facilities, services, or charges within Lee County  
576 shall be subject to prior approval by the adoption of a  
577 resolution by a majority of the Lee County Commission in session  
578 at a duly advertised public hearing. Any exercise of the powers  
579 and authority as granted in subsections (1) and (2) which is  
580 necessary to provide any proposed facilities, services, or  
581 charges within Hendry County shall be subject to prior approval  
582 by the adoption of a resolution by a majority vote of the Hendry  
583 County Commission in session at a duly advertised public  
584 hearing.

585 Section 5.4. Board of Commissioners ~~Supervisors~~;  
 586 elections; candidate qualifications; powers and duties.--The  
 587 provisions of chapter 298, Florida Statutes, to the contrary  
 588 notwithstanding, the following provisions, to the extent of any  
 589 conflict, shall control the Improvement District of Lehigh Acres  
 590 ~~East County Water Control District~~:

591 (1) The Board of Commissioners ~~Supervisors~~ of the  
 592 Improvement District of Lehigh Acres ~~East County Water Control~~  
 593 ~~District~~ shall be composed of five members who shall be  
 594 registered voters and residents of the District. The Board of  
 595 Commissioners ~~Supervisors~~ shall be elected at large by the  
 596 electors residing in the District. Terms of all commissioners  
 597 ~~supervisors~~ shall be for 4 years.

598 (2) All District Commissioner ~~Supervisor~~ elections shall  
 599 be held on the first Tuesday after the first Monday in November  
 600 of even-numbered years. All District Commissioners ~~Supervisors~~  
 601 shall be elected at large by nonpartisan plurality vote with the  
 602 candidate who receives the highest number of votes for each seat  
 603 winning the election. Only registered voters residing within the  
 604 District shall be permitted to vote. The cost of any election  
 605 shall be borne by the District. Terms of all commissioners  
 606 ~~supervisors~~ shall begin with the first regularly scheduled board  
 607 meeting after certification of ~~on the day after~~ the election by  
 608 the Secretary of State ~~as established by this act~~. The terms of  
 609 the Board of Commissioners ~~Supervisors~~ of the Improvement  
 610 District of Lehigh Acres ~~East County Water Control District~~  
 611 serving on May 27, 1998, shall be extended for one year to the  
 612 first Tuesday after the first Monday in November of the even-

613 numbered year following the year in which their term is  
 614 currently due to expire.

615 (3) Qualifying for the position of District Commissioner  
 616 ~~Supervisor~~ shall be coordinated by the supervisors of elections  
 617 of the counties within which the District is located. Methods of  
 618 qualifying shall be uniform pursuant to section 99.092, Florida  
 619 Statutes. Candidates shall be required to open depositories and  
 620 appoint treasurers prior to accepting any contributions or  
 621 expending any funds.

622 (4) Vacancies on the Board shall be filled pursuant to  
 623 chapter 100, section 298.12, Florida Statutes.

624 (5) The members of the Board shall be reimbursed for their  
 625 expenses pursuant to section 112.061, Florida Statutes, and paid  
 626 a salary flat fee of \$250 per calendar ~~calendar~~ month during  
 627 term of office as established herein. The Board may remove any  
 628 member who has three consecutive, unexcused absences from  
 629 regularly scheduled meetings. In addition, commissioners shall  
 630 not be paid for any unexcused absences from regularly scheduled  
 631 meetings. The Board shall adopt policies by resolution defining  
 632 excused and unexcused absences, provided however, the flat fee  
 633 of \$250 per calendar month shall only be payable in the event  
 634 the member of the Board attends at least one (1) full regularly  
 635 scheduled session of the Board during the subject calendar  
 636 month.

637 (6) Each year, the Board of Commissioners ~~Supervisors~~  
 638 shall hold an annual organizational meeting, at which a Chair,  
 639 Vice-Chair, Secretary and Treasurer shall be elected, whose  
 640 duties shall be established by Resolution of the Board.

641           (7) The Board of Commissioners ~~Supervisors~~ shall have the  
642 power to employ a person to be designated General Manager of the  
643 District and to vest in him or her such authority and to  
644 delegate to him or her the performance of such duties and to  
645 provide such compensation as may be determined by the Board of  
646 Commissioners ~~Supervisors~~. The Board may require the General  
647 Manager to furnish bond with good and sufficient surety in such  
648 amount as the Board may by resolution determine.

649           (8) The District shall have and the Board may exercise and  
650 hold all powers, functions, and duties set forth in this act and  
651 chapters 189, 197, and 298, Florida Statutes, as they may be  
652 amended from time to time, including, but not limited to, non-ad  
653 valorem assessments, bond issuance, other revenue-raising  
654 capabilities, budget preparation and approval, liens and  
655 foreclosure of liens, use of tax deeds and tax certificates as  
656 appropriate for non-ad valorem assessments, and contractual  
657 agreements.

658           (9) The methods for assessing and collecting non-ad  
659 valorem assessments, fees, or service charges shall be as set  
660 forth in chapter 189, chapter 197, or chapter 298, Florida  
661 Statutes, as amended from time to time.

662           (10) The District's planning requirements shall be as set  
663 forth in this act and chapters 189 and 298, Florida Statutes, as  
664 amended from time to time.

665           (11) Requirements for financial disclosure, meeting  
666 notices, reporting, public records maintenance, and per diem  
667 expenses for officers and employees shall be as set forth in

668 chapters 112, 119, 189, 286, and 298, Florida Statutes, as  
 669 amended from time to time.

670 (12) The District shall have the authority to sell, lease,  
 671 or otherwise encumber surplus real property owned by the  
 672 District for the benefit of the District, except for  
 673 environmentally sensitive property as designated by the Florida  
 674 Department of Environmental Protection.

675 Section 6.5- Bonds issuable for 40 years.--Notwithstanding  
 676 the provisions of section 298.47, Florida Statutes, the Board of  
 677 Commissioners ~~Supervisors~~ may issue bonds maturing at annual  
 678 intervals within 40 years.

679 Section 7.6- Assessment records.--Notwithstanding the  
 680 provisions of section 298.36(2), Florida Statutes, the secretary  
 681 of the Board of Commissioners ~~Supervisors~~, as soon as said total  
 682 assessment is levied, shall, at the expense of the District,  
 683 prepare a list of all assessments levied, said list to be stored  
 684 in electronic format.

685 Section 8.7- Public improvements and community  
 686 facilities.--In addition to the powers provided in chapter 298,  
 687 Florida Statutes, the District shall have, and the Board may  
 688 exercise, subject to the regulatory jurisdiction and permitting  
 689 authority of all applicable governmental bodies, agencies, and  
 690 special districts having authority with respect to any area  
 691 included therein, any or all of the following special powers  
 692 relating to public improvements and community facilities  
 693 authorized by this act:

694 (1) Conservation, mitigation, and wildlife habitat.--The  
 695 power to finance, fund, plan, establish, acquire, construct or

696 reconstruct, enlarge or extend, equip, operate, and maintain  
 697 systems, facilities, and basic infrastructure for conservation  
 698 areas, mitigation areas, and wildlife habitat, including the  
 699 maintenance of any plant or animal species, and any related  
 700 interest in real or personal property;

701 (2) Recreational, cultural, and educational.--After the  
 702 Board has obtained the consent of the local general purpose  
 703 government within the jurisdiction of which the specified power  
 704 is to be exercised, the power to plan, establish, acquire,  
 705 construct or reconstruct, enlarge or extend, equip, operate and  
 706 maintain additional systems and facilities for parks and  
 707 facilities for indoor and outdoor recreational, cultural, and  
 708 educational uses; and

709 (3) Navigational and boating facilities.--The power to  
 710 construct and maintain navigational and boating facilities in  
 711 its canals, including, but not limited to, locks and dams, to  
 712 widen and deepen its canals, to make them usable for navigation  
 713 and boating, and to regulate in all respects the use of its  
 714 canals for navigation and boating, including, but not limited  
 715 to, the size of boats, their speed and hours of use. ~~Prior to~~  
 716 ~~the District having the powers described in subsection (2), the~~  
 717 ~~additional power granted to the District must receive approval~~  
 718 ~~by a majority vote of the qualified electors of the district~~  
 719 ~~voting in a referendum election to be called by the District at~~  
 720 ~~the next general election, with the exception of the following~~  
 721 ~~three parks:~~

- 722 (a) ~~Lake Camille Park~~
- 723 (b) ~~Williams Park~~

HB 1425

2008

724           ~~(c) Eco Park.~~

725           Section 2. This act shall take effect upon becoming a law,  
726 except that new section 4 of the charter, as created in section  
727 1 of this act, shall take effect only upon the approval by a  
728 majority vote of those qualified electors of the district, as  
729 set forth in section 1 of the charter as amended and renamed in  
730 section 1 of this act, voting in a referendum to be held by the  
731 district in conjunction with the next primary, general, special,  
732 or other election to be held in the district.