

1 A bill to be entitled
 2 An act relating to East County Water Control District,
 3 Hendry and Lee Counties; amending chapter 2000-423,
 4 Laws of Florida; authorizing the board of
 5 commissioners to exercise additional powers relating
 6 to public improvements and community facilities and
 7 their funding; providing for applicability; providing
 8 an effective date.

9
 10 Be It Enacted by the Legislature of the State of Florida:

11
 12 Section 1. Subsections (4) and (5) are added to section 7
 13 of section 3 of chapter 2000-423, Laws of Florida, to read:

14 Section 7. Public improvements and community facilities.—
 15 In addition to the powers provided in chapter 298, Florida
 16 Statutes, the District shall have, and the Board may exercise,
 17 subject to the regulatory jurisdiction and permitting authority
 18 of all applicable governmental bodies, agencies, and special
 19 districts having authority with respect to any area included
 20 therein, any or all of the following special powers relating to
 21 public improvements and community facilities authorized by this
 22 act:

23 (4) Street lighting and sidewalk facilities.—The power to
 24 finance, fund, plan, establish, design, acquire, install,
 25 construct or reconstruct, enlarge or extend, equip, operate, and
 26 maintain at the District's discretion:

27 (a) Street lights and associated facilities and
 28 appurtenances thereto, including electrical utilities required
 29 for their operation.

30 (b) Sidewalk facilities that complement or are situated
 31 within or adjacent to public road rights-of-way.

32
 33 The special powers relating to public improvements and community
 34 facilities described in this subsection do not apply within any
 35 portion of Hendry County.

36 (5) Funding.—In order for the District to initially
 37 commence the assessment and subsequent levy or multiple year
 38 levies of non-ad valorem assessments in order to fund, on a per-
 39 project basis, the acquisition, installation, construction, or
 40 maintenance of improvements and facilities described in
 41 subsection (4), the District shall, for each such project:

42 (a) Conclude the selection between and comply with the
 43 applicable implementation provisions of:

44 1. Sections 190.021(2) through (10) and 190.022, Florida
 45 Statutes; or

46 2. Sections 298.225 and 298.301, Florida Statutes.

47 (b) Obtain approval from a majority of the qualified
 48 electors who will be benefited and obligated to pay such
 49 subsequently levied non-ad valorem assessments with the process
 50 by which such approval is demonstrated to be determined by the
 51 Board of Commissioners.

52
 53 Prior to the District having the powers described in subsection
 54 (2), the additional power granted to the District must receive

HB 1281

2013

55 approval by a majority vote of the qualified electors of the
56 district voting in a referendum election to be called by the
57 District at the next general election, with the exception of the
58 following three parks:

59 (a) Lake Camille Park

60 (b) Williams Park

61 (c) Eco Park.

62 Section 2. This act shall take effect upon becoming a law.