

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.

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

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

38 (a) Conclude the selection between and comply with the  
39 applicable implementation provisions of:

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

42 2. Sections 298.225 and 298.301, Florida Statutes.

43 (b) Obtain approval from a majority of the qualified  
44 electors who will be benefited and obligated to pay such  
45 subsequently levied non-ad valorem assessments with the process  
46 by which such approval is demonstrated to be determined by the  
47 Board of Commissioners in accordance with chapter 189, Florida  
48 Statutes.

49  
50 The special powers relating to public improvements and community  
51 facilities described in subsections (4) and (5) do not apply  
52 within any portion of Hendry County. Prior to the District  
53 having the powers described in subsection (2), the additional  
54 power granted to the District must receive approval by a

CS/HB 1281

2013

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