

1                                   A bill to be entitled  
2           An act relating to Osceola County; creating the  
3           Sunbridge Stewardship District; providing a short  
4           title; providing legislative findings and intent;  
5           providing definitions; stating legislative policy  
6           regarding creation of the district; establishing  
7           compliance with minimum requirements in s. 189.031(3),  
8           F.S., for creation of an independent special district;  
9           providing for creation and establishment of the  
10          district; establishing the legal boundaries of the  
11          district; providing for the jurisdiction and charter  
12          of the district; providing for a governing board and  
13          establishing membership criteria and election  
14          procedures; providing for board members' terms of  
15          office; providing for board meetings; providing for  
16          administrative duties of the board; providing a method  
17          for transition of the board from landowner control to  
18          control by the resident electors of the district;  
19          providing for a district manager and district  
20          personnel; providing for a district treasurer,  
21          selection of a public depository, and district budgets  
22          and financial reports; providing for the general  
23          powers of the district; providing for the special  
24          powers of the district to plan, finance, and provide  
25          community infrastructure and services within the

26 | district; providing for bonds; providing for  
 27 | borrowing; providing for future ad valorem taxation;  
 28 | providing for special assessments; providing for  
 29 | issuance of certificates of indebtedness; providing  
 30 | for tax liens; providing for competitive procurement;  
 31 | providing for fees and charges; providing for  
 32 | amendment to charter; providing for required notices  
 33 | to purchasers of residential units within the  
 34 | district; defining district public property; providing  
 35 | for construction; providing severability; providing  
 36 | for a referendum; providing an effective date.

37 |

38 | Be It Enacted by the Legislature of the State of Florida:

39 |

40 | Section 1. This act may be cited as the "Sunbridge  
 41 | Stewardship District Act."

42 | Section 2. Legislative findings and intent; definitions;  
 43 | policy.-

44 | (1) LEGISLATIVE INTENT AND PURPOSE OF THE DISTRICT.-

45 | (a) The extensive lands located wholly within Osceola  
 46 | County and covered by this act contain many opportunities for  
 47 | thoughtful, comprehensive, responsible, and consistent  
 48 | development over a long period.

49 | (b) There is a need to use a special and limited purpose  
 50 | independent special district unit of local government for the

51 Sunbridge Stewardship District lands located within Osceola  
52 County and covered by this act to provide for a more  
53 comprehensive communities development approach, which will  
54 facilitate an integral relationship between transportation, land  
55 use and urban design to provide for a diverse mix of housing and  
56 regional employment and economic development opportunities,  
57 rather than fragmented development with underutilized  
58 infrastructure generally associated with urban sprawl.

59 (c) The establishment of a special and limited purpose  
60 independent special district for the Sunbridge Stewardship  
61 District lands will allow for the responsible management of an  
62 area containing three watersheds and the intersection of the two  
63 largest water management districts in the state. The headwaters  
64 of the Econlockhatchee, St. Johns, and Kissimmee Rivers converge  
65 on the Sunbridge Stewardship District lands. The establishment  
66 of the district will further contribute to the ability to tailor  
67 water resource solutions to the needs of each watershed and  
68 basin to ensure the protection of the natural systems and  
69 achieve conservation goals while facilitating the highest and  
70 best use for the real property within the Sunbridge Stewardship  
71 District.

72 (d) There is a considerably long period of time during  
73 which there is a significant burden to provide various systems,  
74 facilities, and services on the initial landowners of these  
75 Sunbridge Stewardship District lands, such that there is a need

76 | for flexible management, sequencing, timing, and financing of  
77 | the various systems, facilities, and services to be provided to  
78 | these lands, taking into consideration absorption rates,  
79 | commercial viability, and related factors.

80 | (e) While chapter 190, Florida Statutes, provides an  
81 | opportunity for community development services and facilities to  
82 | be provided by the establishment of community development  
83 | districts in a manner that furthers the public interest, given  
84 | the size of the Sunbridge Stewardship District lands and the  
85 | duration of development and that the Sunbridge Stewardship  
86 | District lands are located within the headwaters of three major  
87 | river systems, establishing multiple community development  
88 | districts over these lands would result in an inefficient,  
89 | duplicative, and needless proliferation of local special purpose  
90 | government, contrary to the public interest and the  
91 | Legislature's findings in chapter 190, Florida Statutes.  
92 | Instead, it is in the public interest that the long-range  
93 | provision for, and management, financing, and long-term  
94 | maintenance, upkeep, and operation of, services and facilities  
95 | to be provided for ultimate development and conservation of the  
96 | lands covered by this act be under one coordinated entity. The  
97 | creation of a single district will assist in integrating the  
98 | management of state resources and allow for greater and more  
99 | coordinated stewardship of water, waste, energy, habitat and  
100 | natural system resources.

101 (f) Longer involvement of the initial landowner with  
102 regard to the provision of systems, facilities, and services for  
103 the Sunbridge Stewardship District lands, coupled with the  
104 special and limited purpose of the district, is in the public  
105 interest.

106 (g) The existence and use of such a special and limited  
107 purpose local government for the Sunbridge Stewardship District  
108 lands, subject to the Osceola County comprehensive plan, will  
109 provide for a comprehensive and complete communities development  
110 approach to promote a sustainable and efficient land use pattern  
111 for the Sunbridge Stewardship District lands with long-term  
112 planning for conservation, development, and agriculture and  
113 silviculture on a large scale; provide opportunities for the  
114 mitigation of impacts and development of infrastructure in an  
115 orderly and timely manner; prevent the overburdening of the  
116 local general purpose government and the taxpayers; and provide  
117 an enhanced tax base and regional employment and economic  
118 development opportunities.

119 (h) The creation and establishment of the special district  
120 will encourage local government financial self-sufficiency in  
121 providing public facilities and in identifying and implementing  
122 physically sound, innovative, and cost-effective techniques to  
123 provide and finance public facilities while encouraging  
124 development, use, and coordination of capital improvement plans

125 by all levels of government, in accordance with the goals of  
126 chapter 187, Florida Statutes.

127 (i) The creation and establishment of the special district  
128 will encourage and enhance cooperation among communities that  
129 have unique assets, irrespective of political boundaries, to  
130 bring the private and public sectors together for establishing  
131 an orderly and economically sound plan for current and future  
132 needs and growth.

133 (j) The creation and establishment of the special district  
134 is a legitimate supplemental and alternative method available to  
135 manage, own, operate, construct, and finance capital  
136 infrastructure systems, facilities, and services.

137 (k) In order to be responsive to the critical timing  
138 required through the exercise of its special management  
139 functions, an independent special district requires financing of  
140 those functions, including bondable lienable and nonlienable  
141 revenue, with full and continuing public disclosure and  
142 accountability, funded by landowners, both present and future,  
143 and funded also by users of the systems, facilities, and  
144 services provided to the land area by the special district,  
145 without unduly burdening the taxpayers, citizens, and ratepayers  
146 of the state, Osceola County, any municipality therein, or the  
147 Tohopekaliga Water Authority.

148 (l) The special district created and established by this  
149 act shall not have or exercise any comprehensive planning,

150 zoning, or development permitting power; the establishment of  
151 the special district shall not be considered a development order  
152 within the meaning of chapter 380, Florida Statutes; and all  
153 applicable planning and permitting laws, rules, regulations, and  
154 policies of Osceola County control the development of the land  
155 to be serviced by the special district.

156 (m) The creation by this act of the Sunbridge Stewardship  
157 District is not inconsistent with the Osceola County  
158 comprehensive plan.

159 (n) It is the legislative intent and purpose that no debt  
160 or obligation of the special district constitute a burden on any  
161 local general-purpose government or the Tohopekaliga Water  
162 Authority without its consent.

163 (2) DEFINITIONS.—As used in this act:

164 (a) "Ad valorem bonds" means bonds that are payable from  
165 the proceeds of ad valorem taxes levied on real and tangible  
166 personal property and that are generally referred to as general  
167 obligation bonds.

168 (b) "Assessable improvements" means, without limitation,  
169 any and all public improvements and community facilities that  
170 the district is empowered to provide in accordance with this act  
171 that provide a special benefit to property within the district.

172 (c) "Assessment bonds" means special obligations of the  
173 district which are payable solely from proceeds of the special  
174 assessments or benefit special assessments levied for assessable

175 improvements, provided that, in lieu of issuing assessment bonds  
176 to fund the costs of assessable improvements, the district may  
177 issue revenue bonds for such purposes payable from assessments.

178 (d) "Assessments" means those nonmillage district  
179 assessments which include special assessments, benefit special  
180 assessments, and maintenance special assessments and a  
181 nonmillage, non-ad valorem maintenance tax if authorized by  
182 general law.

183 (e) "Sunbridge Stewardship District" means the unit of  
184 special and limited purpose local government created and  
185 chartered by this act, and limited to the performance of those  
186 general and special powers authorized by its charter under this  
187 act, the boundaries of which are set forth by the act, the  
188 governing board of which is created and authorized to operate  
189 with legal existence by this act, and the purpose of which is as  
190 set forth in this act.

191 (f) "Benefit special assessments" are district assessments  
192 imposed, levied, and collected pursuant to the provisions of  
193 section 6(12)(b).

194 (g) "Board of supervisors" or "board" means the governing  
195 body of the district or, if such board has been abolished, the  
196 board, body, or commission assuming the principal functions  
197 thereof or to whom the powers given to the board by this act  
198 have been given by law.



199        (h) "Bond" includes "certificate," and the provisions that  
200 are applicable to bonds are equally applicable to certificates.  
201 The term also includes any general obligation bond, assessment  
202 bond, refunding bond, revenue bond, bond anticipation note, and  
203 other such obligation in the nature of a bond as is provided for  
204 in this act.

205        (i) "Cost" or "costs," when used with reference to any  
206 project, includes, but is not limited to:

207            1. The expenses of determining the feasibility or  
208 practicability of acquisition, construction, or reconstruction.

209            2. The cost of surveys, estimates, plans, and  
210 specifications.

211            3. The cost of improvements.

212            4. Engineering, architectural, fiscal, and legal expenses  
213 and charges.

214            5. The cost of all labor, materials, machinery, and  
215 equipment.

216            6. The cost of all lands, properties, rights, easements,  
217 and franchises acquired.

218            7. Financing charges.

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

220            9. Working capital.

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

224 completion of construction or acquisition as the board may  
225 determine.

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

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

230 13. The discount, if any, on the sale or exchange of  
231 bonds.

232 14. Administrative expenses.

233 15. Such other expenses as may be necessary or incidental  
234 to the acquisition, construction, or reconstruction of any  
235 project, or to the financing thereof, or to the development of  
236 any lands within the district.

237 16. Payments, contributions, dedications, and any other  
238 exactions required as a condition of receiving any governmental  
239 approval or permit necessary to accomplish any district purpose.

240 17. Any other expense or payment permitted by this act or  
241 allowable by law.

242 (j) "District" means the Sunbridge Stewardship District.

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

244 (l) "District roads" means highways, streets, roads,  
245 alleys, intersection improvements, sidewalks, crossings,  
246 landscaping, irrigation, signage, signalization, storm drains,  
247 bridges, multi-use trails, lighting, and thoroughfares of all  
248 kinds.

249        (m) "General obligation bonds" means bonds which are  
 250 secured by, or provide for their payment by, the pledge of the  
 251 full faith and credit and taxing power of the district.

252        (n) "Governing board member" means any member of the board  
 253 of supervisors.

254        (o) "Land development regulations" means those regulations  
 255 of general purpose local government, adopted under the Florida  
 256 Local Government Comprehensive Planning and Land Development  
 257 Regulation Act, codified as part II of chapter 163, Florida  
 258 Statutes, to which the district is subject and as to which the  
 259 district may not do anything that is inconsistent therewith.  
 260 Land development regulations shall not mean specific management,  
 261 engineering, operations, or capital improvement planning, needed  
 262 in the daily management, implementation, and supplying by the  
 263 district of systems, facilities, services, works, improvements,  
 264 projects, or infrastructure, so long as they remain subject to  
 265 and are not inconsistent with the applicable county codes.

266        (p) "Landowner" means the owner of a freehold estate as it  
 267 appears on the deed record, including a trustee, a private  
 268 corporation, and an owner of a condominium unit. "Landowner"  
 269 does not include a reversioner, remainderman, mortgagee, or any  
 270 governmental entity which shall not be counted and need not be  
 271 notified of proceedings under this act. "Landowner" also means  
 272 the owner of a ground lease from a governmental entity, which

273 leasehold interest has a remaining term, excluding all renewal  
274 options, in excess of 50 years.

275 (q) "General-purpose local government" means a county,  
276 municipality, or consolidated city-county government.

277 (r) "Maintenance special assessments" are assessments  
278 imposed, levied, and collected pursuant to the provisions of  
279 section 6(12)(d).

280 (s) "Non-ad valorem assessment" means only those  
281 assessments which are not based upon millage and which can  
282 become a lien against a homestead as permitted in s. 4, Art. X  
283 of the State Constitution.

284 (t) "Powers" means powers used and exercised by the board  
285 of supervisors to accomplish the special and limited purpose of  
286 the district, including:

287 1. "General powers," which means those organizational and  
288 administrative powers of the district as provided in its charter  
289 in order to carry out its special and limited purpose as a local  
290 government public corporate body politic.

291 2. "Special powers," which means those powers enumerated  
292 by the district charter to implement its specialized systems,  
293 facilities, services, projects, improvements, and infrastructure  
294 and related functions in order to carry out its special and  
295 limited purposes.

296 3. Any other powers, authority, or functions set forth in  
297 this act.

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

302 (v) "Qualified elector" means any person at least 18 years  
303 of age who is a citizen of the United States and a legal  
304 resident of the state and of the district and who registers to  
305 vote with the Supervisor of Elections in Osceola County and  
306 resides in Osceola County.

307 (w) "Reclaimed water" means water that has received at  
308 least secondary treatment and basic disinfection and is reused  
309 after flowing out of a domestic wastewater treatment facility.

310 (x) "Reclaimed water system" means any plant, system,  
311 facility, or property, and any addition, extension, or  
312 improvement thereto at any future time constructed or acquired  
313 as part thereof, useful, necessary, or having the present  
314 capacity for future use in connection with the development of  
315 sources, treatment, purification, or distribution of reclaimed  
316 water. The term includes franchises of any nature relating to  
317 any such system and necessary or convenient for the operation  
318 thereof.

319 (y) "Refunding bonds" means bonds issued to refinance  
320 outstanding bonds of any type and the interest and redemption  
321 premium thereon. Refunding bonds may be issuable and payable in  
322 the same manner as refinanced bonds, except that no approval by

323 the electorate shall be required unless required by the State  
324 Constitution.

325 (z) "Revenue bonds" means obligations of the district that  
326 are payable from revenues, including, but not limited to,  
327 special assessments and benefit special assessments, derived  
328 from sources other than ad valorem taxes on real or tangible  
329 personal property and that do not pledge the property, credit,  
330 or general tax revenue of the district.

331 (aa) "Sewer system" means any plant, system, facility, or  
332 property, and additions, extensions, and improvements thereto at  
333 any future time constructed or acquired as part thereof, useful  
334 or necessary or having the present capacity for future use in  
335 connection with the collection, treatment, purification, or  
336 disposal of sewage, including, but not limited to, industrial  
337 wastes resulting from any process of industry, manufacture,  
338 trade, or business or from the development of any natural  
339 resource. The term also includes treatment plants, pumping  
340 stations, lift stations, valves, force mains, intercepting  
341 sewers, laterals, pressure lines, mains, and all necessary  
342 appurtenances and equipment; all sewer mains, laterals, and  
343 other devices for the reception and collection of sewage from  
344 premises connected therewith; and all real and personal property  
345 and any interest therein, and rights, easements, and franchises  
346 of any nature relating to any such system and necessary or  
347 convenient for operation thereof.

348        (bb) "Special assessments" means assessments as imposed,  
349 levied, and collected by the district for the costs of  
350 assessable improvements pursuant to the provisions of this act,  
351 chapter 170, Florida Statutes, and the additional authority  
352 under s. 197.3631, Florida Statutes, or other provisions of  
353 general law, now or hereinafter enacted, which provide or  
354 authorize a supplemental means to impose, levy, or collect  
355 special assessments.

356        (cc) "Taxes" or "tax" means those levies and impositions  
357 of the board of supervisors that support and pay for government  
358 and the administration of law and that may be:

359            1. Ad valorem or property taxes based upon both the  
360 appraised value of property and millage, at a rate uniform  
361 within the jurisdiction; or

362            2. If and when authorized by general law, non-ad valorem  
363 maintenance taxes not based on millage that are used to maintain  
364 district systems, facilities, and services.

365        (dd) "Water system" means any plant, system, facility, or  
366 property, and any addition, extension, or improvement thereto at  
367 any future time constructed or acquired as a part thereof,  
368 useful, necessary, or having the present capacity for future use  
369 in connection with the development of sources, treatment,  
370 purification, or distribution of water. The term also includes  
371 dams, reservoirs, storage tanks, mains, lines, valves, pumping  
372 stations, laterals, and pipes for the purpose of carrying water

373 to the premises connected with such system, and all rights,  
374 easements, and franchises of any nature relating to any such  
375 system and necessary or convenient for the operation thereof.

376 (3) POLICY.—Based upon its findings, ascertainments,  
377 determinations, intent, purpose, and definitions, the  
378 Legislature states its policy expressly:

379 (a) The district and the district charter, with its  
380 general and special powers, as created in this act, are  
381 essential and the best alternative for the residential,  
382 commercial, office, hotel, industrial, and other community uses,  
383 projects, or functions in the included portion of Osceola County  
384 consistent with the effective comprehensive plan, and designed  
385 to serve a lawful public purpose. Additionally, the district and  
386 the district charter are not in conflict with and shall not be  
387 interpreted in a manner that is inconsistent with the  
388 Tohopekaliga Water Authority Act.

389 (b) The district, which is a local government and a  
390 political subdivision, is limited to its special purpose as  
391 expressed in this act, with the power to provide, plan,  
392 implement, construct, maintain, and finance as a local  
393 government management entity systems, facilities, services,  
394 improvements, infrastructure, and projects, and possessing  
395 financing powers to fund its management power over the long term  
396 and with sustained levels of high quality.



397 (c) The creation of the Sunbridge Stewardship District by  
398 and pursuant to this act, and its exercise of its management and  
399 related financing powers to implement its limited, single, and  
400 special purpose, is not a development order and does not trigger  
401 or invoke any provision within the meaning of chapter 380,  
402 Florida Statutes, and all applicable governmental planning,  
403 environmental, and land development laws, regulations, rules,  
404 policies, and ordinances apply to all development of the land  
405 within the jurisdiction of the district as created by this act.

406 (d) The district shall operate and function subject to,  
407 and not inconsistent with, the applicable comprehensive plan of  
408 Osceola County and any applicable development orders (e.g.  
409 detailed specific area plan development orders), zoning  
410 regulations, and other land development regulations.

411 (e) The special and single purpose Sunbridge Stewardship  
412 District shall not have the power of a general-purpose local  
413 government to adopt a comprehensive plan or related land  
414 development regulation as those terms are defined in the  
415 Community Planning Act.

416 (f) This act may be amended, in whole or in part, only by  
417 special act of the Legislature. The board of supervisors of the  
418 district shall not ask the Legislature to amend this act without  
419 first obtaining a resolution or official statement from Osceola  
420 County as required by s. 189.031(2)(e)4., Florida Statutes, for  
421 creation of an independent special district. The board shall not

422 ask the Legislature to amend this act related to the delivery of  
423 potable and nonpotable water and wastewater services in Osceola  
424 County without first obtaining a resolution approving such  
425 amendment from the Tohopekaliga Water Authority or its  
426 successors.

427 (g) Nothing in this act is intended to, or shall be  
428 construed to, conflict with the Tohopekaliga Water Authority  
429 Act. Nothing in this act is intended to, or shall be construed  
430 to, limit the power of the Tohopekaliga Water Authority or its  
431 successors.

432 Section 3. Minimum charter requirements; creation and  
433 establishment; jurisdiction; construction; charter.-

434 (1) Pursuant to s. 189.031(3), Florida Statutes, the  
435 Legislature sets forth that the minimum requirements in  
436 paragraphs (a) through (o) have been met in the identified  
437 provisions of this act as follows:

438 (a) The purpose of the district is stated in the act in  
439 subsection (4) and in sections 2 and 3.

440 (b) The powers, functions, and duties of the district  
441 regarding ad valorem taxation, bond issuance, other revenue-  
442 raising capabilities, budget preparation and approval, liens and  
443 foreclosure of liens, use of tax deeds and tax certificates as  
444 appropriate for non-ad valorem assessments, and contractual  
445 agreements are set forth in section 6.

446        (c) The provisions for methods for establishing the  
447 district are in this section.

448        (d) The methods for amending the charter of the district  
449 are set forth in section 2.

450        (e) The provisions for the membership and organization of  
451 the governing body and the establishment of a quorum are in  
452 section 5.

453        (f) The provisions regarding maximum compensation of each  
454 board member are in section 5.

455        (g) The provisions regarding the administrative duties of  
456 the governing body are found in sections 5 and 6.

457        (h) The provisions applicable to financial disclosure,  
458 noticing, and reporting requirements generally are set forth in  
459 sections 5 and 6.

460        (i) The provisions regarding procedures and requirements  
461 for issuing bonds are set forth in section 6.

462        (j) The provisions regarding elections or referenda and  
463 the qualifications of an elector of the district are in sections  
464 2 and 5.

465        (k) The provisions regarding methods for financing the  
466 district are generally in section 6.

467        (l) Other than taxes levied for the payment of bonds and  
468 taxes levied for periods not longer than 2 years when authorized  
469 by vote of the electors of the district, the provisions for the

470 authority to levy ad valorem tax and the authorized millage rate  
471 are in section 6.

472 (m) The provisions for the method or methods of collecting  
473 non-ad valorem assessments, fees, or service charges are in  
474 section 6.

475 (n) The provisions for planning requirements are in this  
476 section and section 6.

477 (o) The provisions for geographic boundary limitations of  
478 the district are set forth in sections 4 and 6.

479 (2) The Sunbridge Stewardship District is created and  
480 incorporated as a public body corporate and politic, an  
481 independent special and limited purpose local government, an  
482 independent special district, under s. 189.031, Florida  
483 Statutes, as amended from time to time, and as defined in this  
484 act and in s. 189.012(3), Florida Statutes, as amended from time  
485 to time, in and for portions of Osceola County. Any amendments  
486 to chapter 190, Florida Statutes, after January 1, 2017,  
487 granting additional general powers, special powers, authorities,  
488 or projects to a community development district by amendment to  
489 its uniform charter, ss. 190.006-190.041, Florida Statutes,  
490 which are not inconsistent with the provisions of this act,  
491 shall constitute a general power, special power, authority, or  
492 function of the Sunbridge Stewardship District. All notices for  
493 the enactment by the Legislature of this special act have been  
494 provided pursuant to the State Constitution, the Laws of

495 Florida, and the Rules of the Florida House of Representatives  
496 and of the Florida Senate. No referendum subsequent to the  
497 effective date of this act is required as a condition of  
498 establishing the district. Therefore, the district, as created  
499 by this act, is established on the property described in this  
500 act.

501 (3) The territorial boundary of the district shall embrace  
502 and include all of that certain real property described in  
503 section 4.

504 (4) The jurisdiction of this district, in the exercise of  
505 its general and special powers, and in the carrying out of its  
506 special and limited purposes, is both within the external  
507 boundaries of the legal description of this district and  
508 extraterritorially when limited to, and as authorized expressly  
509 elsewhere in, the charter of the district as created in this act  
510 or applicable general law. This special and limited purpose  
511 district is created as a public body corporate and politic, and  
512 local government authority and power is limited by its charter,  
513 this act, and subject to the provisions of other general laws,  
514 including chapter 189, Florida Statutes, except that an  
515 inconsistent provision in this act shall control and the  
516 district has jurisdiction to perform such acts and exercise such  
517 authorities, functions, and powers as shall be necessary,  
518 convenient, incidental, proper, or reasonable for the  
519 implementation of its special and limited purpose regarding the

520 sound planning, provision, acquisition, development, operation,  
521 maintenance, and related financing of those public systems,  
522 facilities, services, improvements, projects, and infrastructure  
523 works as authorized herein, including those necessary and  
524 incidental thereto. The district shall exercise any of its  
525 powers extraterritorially within Osceola County upon execution  
526 of an interlocal agreement between the district and Osceola  
527 County consenting to the district's exercise of any of such  
528 powers within Osceola County or an applicable development order  
529 issued by Osceola County. The district shall exercise its power  
530 concerning the acquisition, development, operation, and  
531 management of a water system, reclaimed water system, and sewer  
532 system within the boundaries or the service area of the  
533 Tohopekaliga Water Authority upon execution of and in a manner  
534 consistent with an interlocal or similar agreement between the  
535 district and the Tohopekaliga Water Authority or an investor  
536 owned utility regulated by the Florida Public Service  
537 Commission.

538 (5) The exclusive charter of the Sunbridge Stewardship  
539 District is this act and, except as otherwise provided in  
540 subsection (2), may be amended only by special act of the  
541 Legislature.

542 Section 4. Legal description of the Sunbridge Stewardship  
543 District.—The metes and bounds legal description of the  
544 district, within which there are no parcels of property owned by

545 those who do not wish their property to be included within the  
546 district, is as follows:

547  
548 Sections 1, 2, 11, 12, 13, 14, 23 and 24, Township 25  
549 South, Range 31 East, Osceola County, Florida. AND:  
550 The Northwest one-quarter (NW 1/4), The Northeast one-  
551 quarter (NE 1/4) and all unsurveyed properties in the  
552 Northeast one-quarter (NE 1/4) of Section 25, Township  
553 25 South, Range 31 East, Osceola County, Florida. AND:  
554 The Northeast one-quarter (NE 1/4) of Section 27,  
555 Township 25 South, Range 31 East, Osceola County,  
556 Florida. AND: The West one-half (W 1/2) of the  
557 Northwest one-quarter (NW 1/4) of Section 26, Township  
558 25 South, Range 31 East, Osceola County, Florida. AND:  
559 Sections 5, 6, 7, 8, 16 17, 18, 19, 20, 21, 28, 29,  
560 30, 31, 32 and 33, Township 25 South, Range 32 East,  
561 Osceola County, Florida. AND: All lands in Sections 4,  
562 9, 10, 15, 22, 27 and 34, Township 25 South, Range 32  
563 East, Osceola County, Florida, lying West of the  
564 Easterly limits of the jurisdictional wetlands  
565 comprising the Econlockhatchee River Swamp.

566  
567 AND:

568

569 The South 1/2 of Section 36, Township 25 South, Range  
570 31 East, Osceola County, Florida.

571

572 All of New Eden on the Lakes, Unit 8, as filed and  
573 recorded in Plat Book 1, Page 336 of the Public  
574 Records of Osceola County, Florida.

575

576 All of New Eden on the Lakes, Replat of Unit 9, as  
577 filed and recorded in Plat Book 1, Page 341 of the  
578 Public Records of Osceola County, Florida, together  
579 with: Beginning at the Southeast corner of the NE 1/4  
580 of the NW 1/4 of Section 36, T25S, R31E, Osceola  
581 County, Florida, run N00°56'29"W, along the East line  
582 of the NW 1/4 of said Section 36, 1196.59 ft. to the  
583 South Right of Way line of State Road No. 532; run  
584 thence S86°43'09"W, along said South Right of Way  
585 line, 100.57 ft. to the Point of Curve of a 13596.54  
586 ft. Radius Curve to the Left; run thence along said  
587 Curve, 64.40 ft. (Chord bearing S86°35'01"W, Chord =  
588 64.40 ft.); run thence S03°13'22"E, 1191.61 ft. to the  
589 North line of New Eden on the Lakes, Replat of Unit 9,  
590 as filed and recorded in Plat Book 1, Page 341 of the  
591 Public Records of Osceola County, Florida; run thence  
592 N88°35'24"E, along said North line, 117.40 ft. to the  
593 Point of Beginning. Said land also described as Lot 1



594 of the unrecorded plat of a portion of the N 1/2 of  
595 the NW 1/4 of Section 36, T25S, R31E, Osceola County,  
596 Florida, done by Johnston's Engineers, Inc. under the  
597 date of March 29, 1966.

598  
599 AND:

600  
601 Lot 1, COUNTRY MEADOW NORTH, according to the plat  
602 thereof as recorded in Plat Book 2, Page 233 of the  
603 Public Records of Osceola County, Florida.

604  
605 LESS AND EXCEPT: The West thirty (30) feet of the  
606 Northwest quarter of the Southwest quarter (NW1/4 of  
607 SW1/4) of said Section Fourteen (14), Township twenty-  
608 five (25) South, Range thirty-one (31) East, Osceola  
609 County, Florida (Deed Book 95, Page 353).

610  
611 LESS AND EXCEPT: BEGIN at the Southwest corner of  
612 Section 23, Township 25 South, Range 31 East, Osceola  
613 County, Florida, thence run North 00°00'10" West along  
614 the West line of said Section 23, a distance of  
615 1,150.00 feet to a point; thence departing said West  
616 line run North 89°52'31" East, a distance of 465.00  
617 feet to a point; thence run South 00°00'10" East, a  
618 distance of 600.00 feet to a point; thence run South

619 89°52'31" West, a distance of 340.00 feet to a point;  
620 thence run South 00°00'10" East, a distance of 550.00  
621 feet to a point on the South line of said Section 23;  
622 thence run South 89°52'31" West along said South line,  
623 a distance of 125.00 feet to the POINT OF BEGINNING  
624 (Official Records Book 945, Page 2911).

625  
626 LESS AND EXCEPT: A Parcel of Land in that part of  
627 Section 1, Township 25 South, Range 31 East, Osceola  
628 County, Florida, lying within the right-of-way of  
629 Canal 30 as described in Official Records Book 12,  
630 Page 143, Osceola County, Florida, public records:  
631 said parcel of land being more specifically described  
632 as follows: From a 5" x 5" concrete monument marking  
633 the Northeast (NE) corner of the South one-half (S1/2)  
634 of said Section 1, the coordinates of which are X =  
635 448,239.56 and Y = 1,456,639.11, bear South 89°41'18"  
636 West, along the North line of the South one-half  
637 (S1/2) of said Section 1, a distance of 4190.40 feet  
638 to the intersection thereof with the Easterly right-  
639 of-way line of said Canal 30; Thence, South 0°05'45"  
640 East, along said Easterly right-of-way line, a  
641 distance of 756.08 feet to the point of beginning;  
642 Thence, continue South 0°05'45" East, along said  
643 Easterly right-of-way line, a distance of 196.57 feet;

644 Thence, South 89°54'15" West, a distance of 350.00  
645 feet to the intersection thereof with the Westerly  
646 right-of-way line of said Canal 30; Thence, North  
647 0°05'45" West, along said Westerly right-of-way line,  
648 a distance of 196.57 feet; Thence, North 89°54'15"  
649 East, along said Westerly right-of-way line a distance  
650 of 350.00 feet to the point of beginning. The bearings  
651 and coordinates in the above description refer to the  
652 standard plane rectangular coordinate system for the  
653 East Zone of Florida (Official Records Book 169, Page  
654 298).

655  
656 LESS AND EXCEPT: Jones Road Right-of-Way as described  
657 in Deed Book 155, Page 318 of the Public Records of  
658 Osceola County, Florida.

659  
660 LESS AND EXCEPT: County Road 532 (Nova Road) Right-of-  
661 Way as described in Official Records Book 118, Page 4  
662 of the Public Records of Osceola County, Florida.

663  
664 Being subject to any rights-of-way, restrictions and easements  
665 of record.

666

667           Section 5. Board of supervisors; members and meetings;  
668 organization; powers; duties; terms of office; related election  
669 requirements.—

670           (1) The board of the district shall exercise the powers  
671 granted to the district pursuant to this act. The board shall  
672 consist of five members, each of whom shall hold office for a  
673 term of 4 years, as provided in this section, except as  
674 otherwise provided herein for initial board members, and until a  
675 successor is chosen and qualified. The members of the board must  
676 be residents of the state and citizens of the United States.

677           (2) (a) Within 90 days after the effective date of this  
678 act, there shall be held a meeting of the landowners of the  
679 district for the purpose of electing five supervisors for the  
680 district. Notice of the landowners' meeting shall be published  
681 once a week for 2 consecutive weeks in a newspaper that is in  
682 general circulation in the area of the district, the last day of  
683 such publication to be not fewer than 14 days or more than 28  
684 days before the date of the election. The landowners, when  
685 assembled at such meeting, shall organize by electing a chair,  
686 who shall conduct the meeting. The chair may be any person  
687 present at the meeting. If the chair is a landowner or proxy  
688 holder of a landowner, he or she may nominate candidates and  
689 make and second motions. The landowners present at the meeting,  
690 in person or by proxy, shall constitute a quorum. At any  
691 landowners' meeting, 50 percent of the district acreage shall

692 not be required to constitute a quorum, and each governing board  
693 member elected by landowners shall be elected by a majority of  
694 the acreage represented either by owner or proxy present and  
695 voting at said meeting.

696 (b) At such meeting, each landowner shall be entitled to  
697 cast one vote per acre of land owned by him or her and located  
698 within the district for each person to be elected. A landowner  
699 may vote in person or by proxy in writing. Each proxy must be  
700 signed by one of the legal owners of the property for which the  
701 vote is cast and must contain the typed or printed name of the  
702 individual who signed the proxy; the street address, legal  
703 description of the property, or tax parcel identification  
704 number; and the number of authorized votes. If the proxy  
705 authorizes more than one vote, each property must be listed and  
706 the number of acres of each property must be included. The  
707 signature on a proxy need not be notarized. A fraction of an  
708 acre shall be treated as 1 acre, entitling the landowner to one  
709 vote with respect thereto. The three candidates receiving the  
710 highest number of votes shall each be elected for terms expiring  
711 November 17, 2020, and the two candidates receiving the next  
712 largest number of votes shall each be elected for terms expiring  
713 November 20, 2018, with the term of office for each successful  
714 candidate commencing upon election. The members of the first  
715 board elected by landowners shall serve their respective terms;  
716 however, the next election of board members shall be held on the

717 first Tuesday after the first Monday in November 2018.  
718 Thereafter, there shall be an election by landowners for the  
719 district every 2 years on the first Tuesday after the first  
720 Monday in November, which shall be noticed pursuant to paragraph  
721 (a). The second and subsequent landowners' election shall be  
722 announced at a public meeting of the board at least 90 days  
723 before the date of the landowners' meeting and shall also be  
724 noticed pursuant to paragraph (a). Instructions on how all  
725 landowners may participate in the election, along with sample  
726 proxies, shall be provided during the board meeting that  
727 announces the landowners' meeting. Each supervisor elected in or  
728 after November 2018 shall serve a 4-year term.

729 (3) (a) 1. The board may not exercise the ad valorem taxing  
730 power authorized by this act until such time as all members of  
731 the board are qualified electors who are elected by qualified  
732 electors of the district.

733 2.a. Regardless of whether the district has proposed to  
734 levy ad valorem taxes, board members shall begin being elected  
735 by qualified electors of the district as the district becomes  
736 populated with qualified electors. The transition shall occur  
737 such that the composition of the board, after the first general  
738 election following a trigger of the qualified elector population  
739 thresholds set forth below, shall be as follows:

740 (I) Once 10,000 qualified electors reside within the  
741 district, one governing board member shall be a person who is a

742 qualified elector of the district and who was elected by the  
743 qualified electors, and four governing board members shall be  
744 persons who were elected by the landowners.

745 (II) Once 20,000 qualified electors reside within the  
746 district, two governing board members shall be persons who are  
747 qualified electors of the district and who were elected by the  
748 qualified electors, and three governing board members shall be  
749 persons elected by the landowners.

750 (III) Once 30,000 qualified electors reside within the  
751 district, three governing board members shall be persons who are  
752 qualified electors of the district and who were elected by the  
753 qualified electors and two governing board members shall be  
754 persons who were elected by the landowners.

755 (IV) Once 40,000 qualified electors reside within the  
756 district, four governing board members shall be persons who are  
757 qualified electors of the district and who were elected by the  
758 qualified electors and one governing board member shall be a  
759 person who was elected by the landowners.

760 (V) Once 45,000 qualified electors reside within the  
761 district, all five governing board members shall be persons who  
762 are qualified electors of the district and who were elected by  
763 the qualified electors. In the event less than 45,000 qualified  
764 electors reside within the district, but the development of the  
765 district has completed the construction of 25,000 residential

766 units or more, all five governing board members shall be persons  
767 who were elected by the qualified electors.

768  
769 Nothing in this sub-subparagraph is intended to require an  
770 election prior to the expiration of an existing board member's  
771 term.

772 b. On or before June 1 of each election year, the board  
773 shall determine the number of qualified electors in the district  
774 as of the immediately preceding April 15. The board shall use  
775 and rely upon the official records maintained by the supervisor  
776 of elections and property appraiser or tax collector in Osceola  
777 County in making this determination. Such determination shall be  
778 made at a properly noticed meeting of the board and shall become  
779 a part of the official minutes of the district.

780 c. All governing board members elected by qualified  
781 electors shall be elected at large at an election occurring as  
782 provided in subsection (2) and this subsection.

783 d. All governing board members elected by qualified  
784 electors shall reside in the district.

785 e. Once the district qualifies to have any of its board  
786 members elected by the qualified electors of the district, the  
787 initial and all subsequent elections by the qualified electors  
788 of the district shall be held at the general election in  
789 November. The board shall adopt a resolution, if necessary, to  
790 implement this requirement. The transition process described



791 herein is intended to be in lieu of the process set forth in s.  
792 189.041, Florida Statutes.

793 (b) Elections of board members by qualified electors held  
794 pursuant to this subsection shall be nonpartisan and shall be  
795 conducted in the manner prescribed by law for holding general  
796 elections. Board members shall assume the office on the second  
797 Tuesday following their election.

798 (c) Candidates seeking election to office by qualified  
799 electors under this subsection shall conduct their campaigns in  
800 accordance with the provisions of chapter 106, Florida Statutes,  
801 and shall file qualifying papers and qualify for individual  
802 seats in accordance with s. 99.061, Florida Statutes. Candidates  
803 shall pay a qualifying fee, which shall consist of a filing fee,  
804 an election assessment, and party assessment, if levied, or, as  
805 an alternative, shall file a petition signed by not less than 1  
806 percent of the registered voters of the district, and take the  
807 oath required in s. 99.021, Florida Statutes, with the  
808 Supervisor of Elections of Osceola County. The amount of the  
809 filing fee is 3 percent of \$4,800; however, if the electors have  
810 provided for compensation, the amount of the filing fee is 3  
811 percent of the maximum annual compensation so provided. The  
812 amount of the election assessment is 1 percent of \$4,800;  
813 however, if the electors have provided for compensation, the  
814 amount of the election assessment is 1 percent of the maximum  
815 annual compensation so provided. The filing fee, election

816 assessment, and party assessment shall be distributed as  
817 provided in s. 105.031(3), Florida Statutes.

818 (d) The supervisor of elections shall appoint the  
819 inspectors and clerks of elections, prepare and furnish the  
820 ballots, designate polling places, and canvass the returns of  
821 the election of board members by qualified electors. The county  
822 canvassing board shall declare and certify the results of the  
823 election.

824 (4) Members of the board, regardless of how elected, shall  
825 be public officers, shall be known as supervisors, and, upon  
826 entering into office, shall take and subscribe to the oath of  
827 office as prescribed by s. 876.05, Florida Statutes. Members of  
828 the board shall be subject to ethics and conflict of interest  
829 laws of the state that apply to all local public officers. They  
830 shall hold office for the terms for which they were elected or  
831 appointed and until their successors are chosen and qualified.  
832 If, during the term of office, a vacancy occurs, the remaining  
833 members of the board shall fill each vacancy by an appointment  
834 for the remainder of the unexpired term.

835 (5) Any elected member of the board of supervisors may be  
836 removed by the Governor for malfeasance, misfeasance,  
837 dishonesty, incompetency, or failure to perform the duties  
838 imposed upon him or her by this act, and any vacancies that may  
839 occur in such office for such reasons shall be filled by the  
840 Governor as soon as practicable.

841       (6) A majority of the members of the board constitutes a  
842 quorum for the purposes of conducting its business and  
843 exercising its powers and for all other purposes. Action taken  
844 by the district shall be upon a vote of a majority of the  
845 members present unless general law or a rule of the district  
846 requires a greater number.

847       (7) As soon as practicable after each election or  
848 appointment, the board shall organize by electing one of its  
849 members as chair and by electing a secretary, who need not be a  
850 member of the board, and such other officers as the board may  
851 deem necessary.

852       (8) The board shall keep a permanent record book entitled  
853 "Record of Proceedings of Sunbridge Stewardship District," in  
854 which shall be recorded minutes of all meetings, resolutions,  
855 proceedings, certificates, bonds given by all employees, and any  
856 and all corporate acts. The record book and all other district  
857 records shall at reasonable times be opened to inspection in the  
858 same manner as state, county, and municipal records pursuant to  
859 chapter 119, Florida Statutes. The record book shall be kept at  
860 the office or other regular place of business maintained by the  
861 board in a designated location in Osceola County.

862       (9) Each supervisor shall be entitled to receive for his  
863 or her services an amount not to exceed \$200 per meeting of the  
864 board of supervisors, not to exceed \$4,800 per year per  
865 supervisor, or an amount established by the electors at

866 referendum. In addition, each supervisor shall receive travel  
867 and per diem expenses as set forth in s. 112.061, Florida  
868 Statutes.

869 (10) All meetings of the board shall be open to the public  
870 and governed by the provisions of chapter 286, Florida Statutes.

871 Section 6. Board of supervisors; general duties.—

872 (1) DISTRICT MANAGER AND EMPLOYEES.—The board shall employ  
873 and fix the compensation of a district manager, who shall have  
874 charge and supervision of the works of the district and shall be  
875 responsible for preserving and maintaining any improvement or  
876 facility constructed or erected pursuant to the provisions of  
877 this act, for maintaining and operating the equipment owned by  
878 the district, and for performing such other duties as may be  
879 prescribed by the board. It shall not be a conflict of interest  
880 under chapter 112, Florida Statutes, for a board member, the  
881 district manager, or another employee of the district to be a  
882 stockholder, officer, or employee of a landowner. The district  
883 manager may hire or otherwise employ and terminate the  
884 employment of such other persons, including, without limitation,  
885 professional, supervisory, and clerical employees, as may be  
886 necessary and authorized by the board. The compensation and  
887 other conditions of employment of the officers and employees of  
888 the district shall be as provided by the board.

889 (2) TREASURER.—The board shall designate a person who is a  
890 resident of the state as treasurer of the district, who shall

891 have charge of the funds of the district. Such funds shall be  
892 disbursed only upon the order of or pursuant to a resolution of  
893 the board by warrant or check countersigned by the treasurer and  
894 by such other person as may be authorized by the board. The  
895 board may give the treasurer such other or additional powers and  
896 duties as the board may deem appropriate and may fix his or her  
897 compensation. The board may require the treasurer to give a bond  
898 in such amount, on such terms, and with such sureties as may be  
899 deemed satisfactory to the board to secure the performance by  
900 the treasurer of his or her powers and duties. The financial  
901 records of the board shall be audited by an independent  
902 certified public accountant at least once a year.

903 (3) PUBLIC DEPOSITORY.—The board is authorized to select  
904 as a depository for its funds any qualified public depository as  
905 defined in s. 280.02, Florida Statutes, which meets all the  
906 requirements of chapter 280, Florida Statutes, and has been  
907 designated by the treasurer as a qualified public depository  
908 upon such terms and conditions as to the payment of interest by  
909 such depository upon the funds so deposited as the board may  
910 deem just and reasonable.

911 (4) BUDGET; REPORTS AND REVIEWS.—

912 (a) The district shall provide financial reports in such  
913 form and such manner as prescribed pursuant to this act and  
914 chapter 218, Florida Statutes, as amended from time to time.

915        (b) On or before July 15 of each year, the district  
916 manager shall prepare a proposed budget for the ensuing fiscal  
917 year to be submitted to the board for board approval. The  
918 proposed budget shall include at the direction of the board an  
919 estimate of all necessary expenditures of the district for the  
920 ensuing fiscal year and an estimate of income to the district  
921 from the taxes and assessments provided in this act. The board  
922 shall consider the proposed budget item by item and may either  
923 approve the budget as proposed by the district manager or modify  
924 the same in part or in whole. The board shall indicate its  
925 approval of the budget by resolution, which resolution shall  
926 provide for a hearing on the budget as approved. Notice of the  
927 hearing on the budget shall be published in a newspaper of  
928 general circulation in the area of the district once a week for  
929 two consecutive weeks, except that the first publication shall  
930 be no fewer than 15 days prior to the date of the hearing. The  
931 notice shall further contain a designation of the day, time, and  
932 place of the public hearing. At the time and place designated in  
933 the notice, the board shall hear all objections to the budget as  
934 proposed and may make such changes as the board deems necessary.  
935 At the conclusion of the budget hearing, the board shall, by  
936 resolution, adopt the budget as finally approved by the board.  
937 The budget shall be adopted prior to October 1 of each year.

938        (c) At least 60 days prior to adoption, the board of  
939 supervisors of the district shall submit to the Board of County

940 Commissioners of Osceola County, for purposes of disclosure and  
941 information only, the proposed annual budget for the ensuing  
942 fiscal year, and the board of county commissioners may submit  
943 written comments to the board of supervisors solely for the  
944 assistance and information of the board of supervisors of the  
945 district in adopting its annual district budget.

946 (d) The board of supervisors of the district shall submit  
947 annually a public facilities report to the Board of County  
948 Commissioners of Osceola County pursuant to Florida Statutes.  
949 The board of county commissioners may use and rely on the  
950 district's public facilities report in the preparation or  
951 revision of the Osceola County comprehensive plan.

952 (5) DISCLOSURE OF PUBLIC INFORMATION; WEB-BASED PUBLIC  
953 ACCESS.—The district shall take affirmative steps to provide for  
954 the full disclosure of information relating to the public  
955 financing and maintenance of improvements to real property  
956 undertaken by the district. Such information shall be made  
957 available to all existing residents and all prospective  
958 residents of the district. The district shall furnish each  
959 developer of a residential development within the district with  
960 sufficient copies of that information to provide each  
961 prospective initial purchaser of property in that development  
962 with a copy; and any developer of a residential development  
963 within the district, when required by law to provide a public  
964 offering statement, shall include a copy of such information

965 relating to the public financing and maintenance of improvements  
966 in the public offering statement. The district shall file the  
967 disclosure documents required by this subsection and any  
968 amendments thereto in the property records of each county in  
969 which the district is located. By the end of the first full  
970 fiscal year of the district's creation, the district shall  
971 maintain an official Internet website in accordance with s.  
972 189.069, Florida Statutes.

973 (6) GENERAL POWERS.—The district shall have, and the board  
974 may exercise, the following general powers:

975 (a) To sue and be sued in the name of the district; to  
976 adopt and use a seal and authorize the use of a facsimile  
977 thereof; to acquire, by purchase, gift, devise, or otherwise,  
978 and to dispose of, real and personal property, or any estate  
979 therein; and to make and execute contracts and other instruments  
980 necessary or convenient to the exercise of its powers.

981 (b) To apply for coverage of its employees under the  
982 Florida Retirement System in the same manner as if such  
983 employees were state employees.

984 (c) To contract for the services of consultants to perform  
985 planning, engineering, legal, or other appropriate services of a  
986 professional nature. Such contracts shall be subject to public  
987 bidding or competitive negotiation requirements as set forth in  
988 general law applicable to independent special districts.



989        (d) To borrow money and accept gifts; to apply for and use  
 990 grants or loans of money or other property from the United  
 991 States, the state, a unit of local government, or any person for  
 992 any district purposes and enter into agreements required in  
 993 connection therewith; and to hold, use, and dispose of such  
 994 moneys or property for any district purposes in accordance with  
 995 the terms of the gift, grant, loan, or agreement relating  
 996 thereto.

997        (e) To adopt and enforce rules and orders pursuant to the  
 998 provisions of chapter 120, Florida Statutes, prescribing the  
 999 powers, duties, and functions of the officers of the district;  
 1000 the conduct of the business of the district; the maintenance of  
 1001 records; and the form of certificates evidencing tax liens and  
 1002 all other documents and records of the district. The board may  
 1003 also adopt and enforce administrative rules with respect to any  
 1004 of the projects of the district and define the area to be  
 1005 included therein. The board may also adopt resolutions which may  
 1006 be necessary for the conduct of district business.

1007        (f) To maintain an office at such place or places as the  
 1008 board of supervisors designates in Osceola County, and within  
 1009 the district when facilities are available.

1010        (g) To hold, control, and acquire by donation, purchase,  
 1011 or condemnation, or dispose of, any public easements,  
 1012 dedications to public use, platted reservations for public  
 1013 purposes, or any reservations for those purposes authorized by

1014 this act and to make use of such easements, dedications, or  
1015 reservations for the purposes authorized by this act.

1016 (h) To lease as lessor or lessee to or from any person,  
1017 firm, corporation, association, or body, public or private, any  
1018 projects of the type that the district is authorized to  
1019 undertake and facilities or property of any nature for the use  
1020 of the district to carry out the purposes authorized by this  
1021 act.

1022 (i) To borrow money and issue bonds, certificates,  
1023 warrants, notes, or other evidence of indebtedness as provided  
1024 herein; to levy such taxes and assessments as may be authorized;  
1025 and to charge, collect, and enforce fees and other user charges.

1026 (j) To raise, by user charges or fees authorized by  
1027 resolution of the board, amounts of money which are necessary  
1028 for the conduct of district activities and services and to  
1029 enforce their receipt and collection in the manner prescribed by  
1030 resolution not inconsistent with law.

1031 (k) To exercise all powers of eminent domain now or  
1032 hereafter conferred on counties in this state provided, however,  
1033 that such power of eminent domain may not be exercised outside  
1034 the territorial limits of the district unless the district  
1035 receives prior approval by vote of a resolution of the governing  
1036 body of the county if the taking will occur in an unincorporated  
1037 area in that county, or the governing body of the city if the  
1038 taking will occur in an incorporated area. The district shall

1039 not have the power to exercise eminent domain over municipal,  
 1040 county, state, or federal property. The powers hereinabove  
 1041 granted to the district shall be so construed to enable the  
 1042 district to fulfill the objects and purposes of the district as  
 1043 set forth in this act.

1044 (l) To cooperate with, or contract with, other  
 1045 governmental agencies as may be necessary, convenient,  
 1046 incidental, or proper in connection with any of the powers,  
 1047 duties, or purposes authorized by this act.

1048 (m) To assess and to impose upon lands in the district ad  
 1049 valorem taxes as provided by this act.

1050 (n) If and when authorized by general law, to determine,  
 1051 order, levy, impose, collect, and enforce maintenance taxes.

1052 (o) To determine, order, levy, impose, collect, and  
 1053 enforce assessments pursuant to this act and chapter 170,  
 1054 Florida Statutes, as amended from time to time, pursuant to  
 1055 authority granted in s. 197.3631, Florida Statutes, or pursuant  
 1056 to other provisions of general law now or hereinafter enacted  
 1057 which provide or authorize a supplemental means to order, levy,  
 1058 impose, or collect special assessments. Such special  
 1059 assessments, in the discretion of the district, may be collected  
 1060 and enforced pursuant to the provisions of ss. 197.3632 and  
 1061 197.3635, Florida Statutes, and chapters 170 and 173, Florida  
 1062 Statutes, as they may be amended from time to time, or as  
 1063 provided by this act, or by other means authorized by general

1064 law now or hereinafter enacted. The district may levy such  
1065 special assessments for the purposes enumerated in this act and  
1066 to pay special assessments imposed by Osceola County on lands  
1067 within the district.

1068 (p) To exercise such special powers and other express  
1069 powers as may be authorized and granted by this act in the  
1070 charter of the district, including powers as provided in any  
1071 interlocal agreement entered into pursuant to chapter 163,  
1072 Florida Statutes, or which shall be required or permitted to be  
1073 undertaken by the district pursuant to any development order,  
1074 including any detailed specific area plan development order, or  
1075 any interlocal service agreement with Osceola County for fair-  
1076 share capital construction funding for any certain capital  
1077 facilities or systems required of a developer pursuant to any  
1078 applicable development order or agreement.

1079 (q) To exercise all of the powers necessary, convenient,  
1080 incidental, or proper in connection with any other powers or  
1081 duties or the special and limited purpose of the district  
1082 authorized by this act.

1083  
1084 The provisions of this subsection shall be construed liberally  
1085 in order to carry out effectively the special and limited  
1086 purpose of this act.

1087 (7) SPECIAL POWERS.—The district shall have, and the board  
1088 may exercise, the following special powers to implement its

1089 lawful and special purpose and to provide, pursuant to that  
1090 purpose, systems, facilities, services, improvements, projects,  
1091 works, and infrastructure, each of which constitutes a lawful  
1092 public purpose when exercised pursuant to this charter, subject  
1093 to, and not inconsistent with, the regulatory jurisdiction and  
1094 permitting authority of all other applicable governmental  
1095 bodies, agencies, and any special districts having authority  
1096 with respect to any area included therein, and to plan,  
1097 establish, acquire, construct or reconstruct, enlarge or extend,  
1098 equip, operate, finance, fund, and maintain improvements,  
1099 systems, facilities, services, works, projects, and  
1100 infrastructure. Any or all of the following special powers are  
1101 granted by this act in order to implement the special and  
1102 limited purpose of the district:

1103 (a) To provide water management and control for the lands  
1104 within the district and to connect some or any of such  
1105 facilities with roads and bridges. In the event that the board  
1106 assumes the responsibility for providing water management and  
1107 control for the district which is to be financed by benefit  
1108 special assessments, the board shall adopt plans and assessments  
1109 pursuant to law or may proceed to adopt water management and  
1110 control plans, assess for benefits, and apportion and levy  
1111 special assessments, as follows:

1112 1. The board shall cause to be made by the district's  
1113 engineer, or such other engineer or engineers as the board may

1114 employ for that purpose, complete and comprehensive water  
1115 management and control plans for the lands located within the  
1116 district that will be improved in any part or in whole by any  
1117 system of facilities that may be outlined and adopted, and the  
1118 engineer shall make a report in writing to the board with maps  
1119 and profiles of said surveys and an estimate of the cost of  
1120 carrying out and completing the plans.

1121 2. Upon the completion of such plans, the board shall hold  
1122 a hearing thereon to hear objections thereto, shall give notice  
1123 of the time and place fixed for such hearing by publication once  
1124 each week for 2 consecutive weeks in a newspaper of general  
1125 circulation in the general area of the district, and shall  
1126 permit the inspection of the plan at the office of the district  
1127 by all persons interested. All objections to the plan shall be  
1128 filed at or before the time fixed in the notice for the hearing  
1129 and shall be in writing.

1130 3. After the hearing, the board shall consider the  
1131 proposed plan and any objections thereto and may modify, reject,  
1132 or adopt the plan or continue the hearing until a day certain  
1133 for further consideration of the proposed plan or modifications  
1134 thereof.

1135 4. When the board approves a plan, a resolution shall be  
1136 adopted and a certified copy thereof shall be filed in the  
1137 office of the secretary and incorporated by him or her into the  
1138 records of the district.

1139 5. The water management and control plan may be altered in  
1140 detail from time to time until the engineer's report pursuant to  
1141 s. 298.301, Florida Statutes, is filed but not in such manner as  
1142 to affect materially the conditions of its adoption. After the  
1143 engineer's report has been filed, no alteration of the plan  
1144 shall be made, except as provided by this act.

1145 6. Within 20 days after the final adoption of the plan by  
1146 the board, the board shall proceed pursuant to s. 298.301,  
1147 Florida Statutes.

1148 (b) To provide water supply, sewer, wastewater, and  
1149 reclaimed water management, reclamation, and reuse, or any  
1150 combination thereof, and any irrigation systems, facilities, and  
1151 services and to construct and operate water systems, sewer  
1152 systems, and reclaimed water systems such as connecting  
1153 intercepting or outlet sewers and sewer mains and pipes and  
1154 water mains, conduits, or pipelines in, along, and under any  
1155 street, alley, highway, or other public place or ways, and to  
1156 dispose of any effluent, residue, or other byproducts of such  
1157 water system, sewer system, or reclaimed water system and to  
1158 enter into interlocal agreements and other agreements with  
1159 public or private entities for the same. However, such authority  
1160 shall be subordinate and subject to the existing powers of the  
1161 Tohopekaliga Water Authority to provide water supply, sewer,  
1162 wastewater, and reclaimed water service within the Tohopekaliga  
1163 Water Authority's service area; and such authority shall be

1164 subordinate and subject to the existing powers of East Central  
1165 Florida Services, Inc., to provide water supply service within  
1166 its service area as set forth in its certificate from the  
1167 Florida Public Service Commission.

1168 (c) To provide bridges, culverts, wildlife corridors, or  
1169 road crossings that may be needed across any drain, ditch,  
1170 canal, floodway, holding basin, excavation, public highway,  
1171 tract, grade, fill, or cut and roadways over levees and  
1172 embankments, and to construct any and all of such works and  
1173 improvements across, through, or over any public right-of way,  
1174 highway, grade, fill, or cut.

1175 (d) To provide district roads equal to or exceeding the  
1176 specifications of the county in which such district roads are  
1177 located, and to provide street lights. This special power  
1178 includes, but is not limited to, roads, parkways, intersections,  
1179 bridges, landscaping, hardscaping, irrigation, bicycle lanes,  
1180 sidewalks, jogging paths, multiuse pathways and trails, street  
1181 lighting, traffic signals, regulatory or informational signage,  
1182 road striping, underground conduit, underground cable or fiber  
1183 or wire installed pursuant to an agreement with or tariff of a  
1184 retail provider of services, and all other customary elements of  
1185 a functioning modern road system in general or as tied to the  
1186 conditions of development approval for the area within the  
1187 district, and parking facilities that are freestanding or that  
1188 may be related to any innovative strategic intermodal system of



1189 transportation pursuant to applicable federal, state, and local  
1190 law and ordinance.

1191 (e) To provide buses, trolleys, rail access, mass transit  
1192 facilities, transit shelters, ridesharing facilities and  
1193 services, parking improvements, and related signage.

1194 (f) To provide investigation and remediation costs  
1195 associated with the cleanup of actual or perceived environmental  
1196 contamination within the district under the supervision or  
1197 direction of a competent governmental authority unless the  
1198 covered costs benefit any person who is a landowner within the  
1199 district and who caused or contributed to the contamination.

1200 (g) To provide observation areas, mitigation areas,  
1201 wetland creation areas, and wildlife habitat, including the  
1202 maintenance of any plant or animal species, and any related  
1203 interest in real or personal property.

1204 (h) Using its general and special powers as set forth in  
1205 this act, to provide any other project within or without the  
1206 boundaries of the district when the project is the subject of an  
1207 agreement between the district and the Board of County  
1208 Commissioners of Osceola County or with any other applicable  
1209 public or private entity, and is not inconsistent with the  
1210 effective local comprehensive plans.

1211 (i) To provide parks and facilities for indoor and outdoor  
1212 recreational, cultural, and educational uses.

1213 (j) To provide school buildings and related structures,  
1214 which may be leased, sold, or donated to the school district,  
1215 for use in the educational system when authorized by the  
1216 district school board.

1217 (k) To provide security, including electronic intrusion-  
1218 detection systems and patrol cars, when authorized by proper  
1219 governmental agencies, and may contract with the appropriate  
1220 local general-purpose government agencies for an increased level  
1221 of such services within the district boundaries.

1222 (l) To provide control and elimination of mosquitoes and  
1223 other arthropods of public health importance.

1224 (m) To enter into impact fee, mobility fee, or other  
1225 similar credit agreements with Osceola County or a landowner  
1226 developer and to sell or assign such credits, on such terms as  
1227 the district deems appropriate.

1228 (n) To provide buildings and structures for district  
1229 offices, maintenance facilities, meeting facilities, town  
1230 centers, or any other project authorized or granted by this act.

1231 (o) To establish and create, at noticed meetings, such  
1232 departments of the board of supervisors of the district, as well  
1233 as committees, task forces, boards, or commissions, or other  
1234 agencies under the supervision and control of the district, as  
1235 from time to time the members of the board may deem necessary or  
1236 desirable in the performance of the acts or other things  
1237 necessary to exercise the board's general or special powers to

1238 implement an innovative project to carry out the special and  
1239 limited purpose of the district as provided in this act and to  
1240 delegate the exercise of its powers to such departments, boards,  
1241 task forces, committees, or other agencies, and such  
1242 administrative duties and other powers as the board may deem  
1243 necessary or desirable, but only if there is a set of expressed  
1244 limitations for accountability, notice, and periodic written  
1245 reporting to the board that shall retain the powers of the  
1246 board.

1247 (p) To provide electrical, sustainable, or green  
1248 infrastructure improvements, facilities, and services,  
1249 including, but not limited to, recycling of natural resources,  
1250 reduction of energy demands, development and generation of  
1251 alternative or renewable energy sources and technologies,  
1252 mitigation of urban heat islands, sequestration, capping or  
1253 trading of carbon emissions or carbon emissions credits, LEED or  
1254 Florida Green Building Coalition certification, and development  
1255 of facilities and improvements for low-impact development and to  
1256 enter into joint ventures, public-private partnerships, and  
1257 other agreements and to grant such easements as may be necessary  
1258 to accomplish the foregoing. Nothing herein shall authorize the  
1259 district to provide electric service to retail customers or  
1260 otherwise act to impair electric utility franchise agreements.

1261 (q) To provide for any facilities or improvements that may  
1262 otherwise be provided for by any county or municipality,

1263 including, but not limited to, libraries, annexes, substations,  
1264 and other buildings to house public officials, staff, and  
1265 employees.

1266 (r) To provide waste collection and disposal, beginning  
1267 not earlier than October 1, 2018.

1268 (s) To provide for the construction and operation of  
1269 communications systems and related infrastructure for the  
1270 carriage and distribution of communications services, and to  
1271 enter into joint ventures, public-private partnerships, and  
1272 other agreements and to grant such easements as may be necessary  
1273 to accomplish the foregoing. Communications systems shall mean  
1274 all facilities, buildings, equipment, items, and methods  
1275 necessary or desirable in order to provide communications  
1276 services, including, without limitation, wires, cables,  
1277 conduits, wireless cell sites, computers, modems, satellite  
1278 antennae sites, transmission facilities, network facilities, and  
1279 appurtenant devices necessary and appropriate to support the  
1280 provision of communications services. Communications services  
1281 includes, without limitation, internet, voice telephone or  
1282 similar services provided by voice over internet protocol, cable  
1283 television, data transmission services, electronic security  
1284 monitoring services, and multi-channel video programming  
1285 distribution services. Communications services provided by the  
1286 district shall carry or include any governmental channel or  
1287 other media content created or produced by Osceola County.

1288 (t) To provide health care facilities and to enter into  
1289 public-private partnerships and agreements as may be necessary  
1290 to accomplish the foregoing.

1291 (u) To coordinate, work with, and, as the board deems  
1292 appropriate, enter into interlocal agreements with any public or  
1293 private entity for the provision of an institution or  
1294 institutions of higher education.

1295 (v) To coordinate, work with, and as the board deems  
1296 appropriate, enter into public-private partnerships and  
1297 agreements as may be necessary or useful to effectuate the  
1298 purposes of this act.

1299  
1300 The enumeration of special powers herein shall not be deemed  
1301 exclusive or restrictive but shall be deemed to incorporate all  
1302 powers express or implied necessary or incident to carrying out  
1303 such enumerated special powers, including also the general  
1304 powers provided by this special act charter to the district to  
1305 implement its purposes. The district shall not initiate any  
1306 service during a fiscal year, if such service is then provided  
1307 by Osceola County and funded by Osceola County from the proceeds  
1308 of special assessments imposed within the district or from ad  
1309 valorem taxes levied within a municipal service taxing unit that  
1310 includes all or any portion of the district, unless notice is  
1311 provided to Osceola County not later than April 1 of the fiscal  
1312 year prior to initiating such service identifying such service

1313 and the geographic area of the district in which such service  
1314 will be provided. Following the provision of such notice, the  
1315 district and Osceola County shall enter into an interlocal  
1316 agreement providing for a service transition that is revenue-  
1317 neutral for Osceola County prior to initiation of any such  
1318 service by the district. Further, the provisions of this  
1319 subsection shall be construed liberally in order to carry out  
1320 effectively the special and limited purpose of this district  
1321 under this act.

1322 (8) ISSUANCE OF BOND ANTICIPATION NOTES.—In addition to  
1323 the other powers provided for in this act, and not in limitation  
1324 thereof, the district shall have the power, at any time and from  
1325 time to time after the issuance of any bonds of the district  
1326 shall have been authorized, to borrow money for the purposes for  
1327 which such bonds are to be issued in anticipation of the receipt  
1328 of the proceeds of the sale of such bonds and to issue bond  
1329 anticipation notes in a principal sum not in excess of the  
1330 authorized maximum amount of such bond issue. Such notes shall  
1331 be in such denomination or denominations, bear interest at such  
1332 rate as the board may determine not to exceed the maximum rate  
1333 allowed by general law, mature at such time or times not later  
1334 than 5 years from the date of issuance, and be in such form and  
1335 executed in such manner as the board shall prescribe. Such notes  
1336 may be sold at either public or private sale or, if such notes  
1337 shall be renewal notes, may be exchanged for notes then

1338 outstanding on such terms as the board shall determine. Such  
1339 notes shall be paid from the proceeds of such bonds when issued.  
1340 The board may, in its discretion, in lieu of retiring the notes  
1341 by means of bonds, retire them by means of current revenues or  
1342 from any taxes or assessments levied for the payment of such  
1343 bonds, but, in such event, a like amount of the bonds authorized  
1344 shall not be issued.

1345 (9) BORROWING.—The district at any time may obtain loans,  
1346 in such amount and on such terms and conditions as the board may  
1347 approve, for the purpose of paying any of the expenses of the  
1348 district or any costs incurred or that may be incurred in  
1349 connection with any of the projects of the district, which loans  
1350 shall bear interest as the board determines, not to exceed the  
1351 maximum rate allowed by general law, and may be payable from and  
1352 secured by a pledge of such funds, revenues, taxes, and  
1353 assessments as the board may determine, subject, however, to the  
1354 provisions contained in any proceeding under which bonds were  
1355 theretofore issued and are then outstanding. For the purpose of  
1356 defraying such costs and expenses, the district may issue  
1357 negotiable notes, warrants, or other evidences of debt to be  
1358 payable at such times and to bear such interest as the board may  
1359 determine, not to exceed the maximum rate allowed by general  
1360 law, and to be sold or discounted at such price or prices not  
1361 less than 95 percent of par value and on such terms as the board  
1362 may deem advisable. The board shall have the right to provide

1363 for the payment thereof by pledging the whole or any part of the  
1364 funds, revenues, taxes, and assessments of the district or by  
1365 covenanting to budget and appropriate from such funds. The  
1366 approval of the electors residing in the district shall not be  
1367 necessary except when required by the State Constitution.

1368 (10) BONDS.—

1369 (a) Sale of bonds.—Bonds may be sold in blocks or  
1370 installments at different times, or an entire issue or series  
1371 may be sold at one time. Bonds may be sold at public or private  
1372 sale after such advertisement, if any, as the board may deem  
1373 advisable, but not in any event at less than 90 percent of the  
1374 par value thereof, together with accrued interest thereon. Bonds  
1375 may be sold or exchanged for refunding bonds. Special assessment  
1376 and revenue bonds may be delivered by the district as payment of  
1377 the purchase price of any project or part thereof, or a  
1378 combination of projects or parts thereof, or as the purchase  
1379 price or exchange for any property, real, personal, or mixed,  
1380 including franchises or services rendered by any contractor,  
1381 engineer, or other person, all at one time or in blocks from  
1382 time to time, in such manner and upon such terms as the board in  
1383 its discretion shall determine. The price or prices for any  
1384 bonds sold, exchanged, or delivered may be:

1385 1. The money paid for the bonds.



1386        2. The principal amount, plus accrued interest to the date  
1387 of redemption or exchange, or outstanding obligations exchanged  
1388 for refunding bonds.

1389        3. In the case of special assessment or revenue bonds, the  
1390 amount of any indebtedness to contractors or other persons paid  
1391 with such bonds, or the fair value of any properties exchanged  
1392 for the bonds, as determined by the board.

1393        (b) Authorization and form of bonds.—Any general  
1394 obligation bonds, special assessment bonds, or revenue bonds may  
1395 be authorized by resolution or resolutions of the board which  
1396 shall be adopted by a majority of all the members thereof then  
1397 in office. Such resolution or resolutions may be adopted at the  
1398 same meeting at which they are introduced and need not be  
1399 published or posted. The board may, by resolution, authorize the  
1400 issuance of bonds and fix the aggregate amount of bonds to be  
1401 issued; the purpose or purposes for which the moneys derived  
1402 therefrom shall be expended, including, but not limited to,  
1403 payment of costs as defined in section 2(2)(i); the rate or  
1404 rates of interest, not to exceed the maximum rate allowed by  
1405 general law; the denomination of the bonds; whether or not the  
1406 bonds are to be issued in one or more series; the date or dates  
1407 of maturity, which shall not exceed 40 years from their  
1408 respective dates of issuance; the medium of payment; the place  
1409 or places within or without the state at which payment shall be  
1410 made; registration privileges; redemption terms and privileges,

1411 whether with or without premium; the manner of execution; the  
1412 form of the bonds, including any interest coupons to be attached  
1413 thereto; the manner of execution of bonds and coupons; and any  
1414 and all other terms, covenants, and conditions thereof and the  
1415 establishment of revenue or other funds. Such authorizing  
1416 resolution or resolutions may further provide for the contracts  
1417 authorized by s. 159.825(1)(f) and (g), Florida Statutes,  
1418 regardless of the tax treatment of such bonds being authorized,  
1419 subject to the finding by the board of a net saving to the  
1420 district resulting by reason thereof. Such authorizing  
1421 resolution may further provide that such bonds may be executed  
1422 in accordance with the Registered Public Obligations Act, except  
1423 that bonds not issued in registered form shall be valid if  
1424 manually countersigned by an officer designated by appropriate  
1425 resolution of the board. The seal of the district may be  
1426 affixed, lithographed, engraved, or otherwise reproduced in  
1427 facsimile on such bonds. In case any officer whose signature  
1428 shall appear on any bonds or coupons shall cease to be such  
1429 officer before the delivery of such bonds, such signature or  
1430 facsimile shall nevertheless be valid and sufficient for all  
1431 purposes the same as if he or she had remained in office until  
1432 such delivery.

1433 (c) Interim certificates; replacement certificates.-  
1434 Pending the preparation of definitive bonds, the board may issue  
1435 interim certificates or receipts or temporary bonds, in such

1436 form and with such provisions as the board may determine,  
1437 exchangeable for definitive bonds when such bonds have been  
1438 executed and are available for delivery. The board may also  
1439 provide for the replacement of any bonds which become mutilated,  
1440 lost, or destroyed.

1441 (d) Negotiability of bonds.—Any bond issued under this act  
1442 or any temporary bond, in the absence of an express recital on  
1443 the face thereof that it is nonnegotiable, shall be fully  
1444 negotiable and shall be and constitute a negotiable instrument  
1445 within the meaning and for all purposes of the law merchant and  
1446 the laws of the state.

1447 (e) Defeasance.—The board may make such provision with  
1448 respect to the defeasance of the right, title, and interest of  
1449 the holders of any of the bonds and obligations of the district  
1450 in any revenues, funds, or other properties by which such bonds  
1451 are secured as the board deems appropriate and, without  
1452 limitation on the foregoing, may provide that when such bonds or  
1453 obligations become due and payable or shall have been called for  
1454 redemption and the whole amount of the principal and interest  
1455 and premium, if any, due and payable upon the bonds or  
1456 obligations then outstanding shall be held in trust for such  
1457 purpose, and provision shall also be made for paying all other  
1458 sums payable in connection with such bonds or other obligations,  
1459 then and in such event the right, title, and interest of the  
1460 holders of the bonds in any revenues, funds, or other properties

1461 by which such bonds are secured shall thereupon cease,  
1462 terminate, and become void; and the board may apply any surplus  
1463 in any sinking fund established in connection with such bonds or  
1464 obligations and all balances remaining in all other funds or  
1465 accounts other than moneys held for the redemption or payment of  
1466 the bonds or other obligations to any lawful purpose of the  
1467 district as the board shall determine.

1468 (f) Issuance of additional bonds.—If the proceeds of any  
1469 bonds are less than the cost of completing the project in  
1470 connection with which such bonds were issued, the board may  
1471 authorize the issuance of additional bonds, upon such terms and  
1472 conditions as the board may provide in the resolution  
1473 authorizing the issuance thereof, but only in compliance with  
1474 the resolution or other proceedings authorizing the issuance of  
1475 the original bonds.

1476 (g) Refunding bonds.—The district shall have the power to  
1477 issue bonds to provide for the retirement or refunding of any  
1478 bonds or obligations of the district that at the time of such  
1479 issuance are or subsequent thereto become due and payable, or  
1480 that at the time of issuance have been called or are, or will  
1481 be, subject to call for redemption within 10 years thereafter,  
1482 or the surrender of which can be procured from the holders  
1483 thereof at prices satisfactory to the board. Refunding bonds may  
1484 be issued at any time that in the judgment of the board such  
1485 issuance will be advantageous to the district. No approval of

1486 the qualified electors residing in the district shall be  
 1487 required for the issuance of refunding bonds except in cases in  
 1488 which such approval is required by the State Constitution. The  
 1489 board may by resolution confer upon the holders of such  
 1490 refunding bonds all rights, powers, and remedies to which the  
 1491 holders would be entitled if they continued to be the owners and  
 1492 had possession of the bonds for the refinancing of which such  
 1493 refunding bonds are issued, including, but not limited to, the  
 1494 preservation of the lien of such bonds on the revenues of any  
 1495 project or on pledged funds, without extinguishment, impairment,  
 1496 or diminution thereof. The provisions of this act pertaining to  
 1497 bonds of the district shall, unless the context otherwise  
 1498 requires, govern the issuance of refunding bonds, the form and  
 1499 other details thereof, the rights of the holders thereof, and  
 1500 the duties of the board with respect to them.

1501 (h) Revenue bonds.—

1502 1. The district shall have the power to issue revenue  
 1503 bonds from time to time without limitation as to amount. Such  
 1504 revenue bonds may be secured by, or payable from, the gross or  
 1505 net pledge of the revenues to be derived from any project or  
 1506 combination of projects; from the rates, fees, or other charges  
 1507 to be collected from the users of any project or projects; from  
 1508 any revenue-producing undertaking or activity of the district;  
 1509 from special assessments; or from benefit special assessments;  
 1510 or from any other source or pledged security. Such bonds shall

1511 not constitute an indebtedness of the district, and the approval  
1512 of the qualified electors shall not be required unless such  
1513 bonds are additionally secured by the full faith and credit and  
1514 taxing power of the district.

1515 2. Any two or more projects may be combined and  
1516 consolidated into a single project and may hereafter be operated  
1517 and maintained as a single project. The revenue bonds authorized  
1518 herein may be issued to finance any one or more of such  
1519 projects, regardless of whether or not such projects have been  
1520 combined and consolidated into a single project. If the board  
1521 deems it advisable, the proceedings authorizing such revenue  
1522 bonds may provide that the district may thereafter combine the  
1523 projects then being financed or theretofore financed with other  
1524 projects to be subsequently financed by the district and that  
1525 revenue bonds to be thereafter issued by the district shall be  
1526 on parity with the revenue bonds then being issued, all on such  
1527 terms, conditions, and limitations as shall have been provided  
1528 in the proceeding which authorized the original bonds.

1529 (i) General obligation bonds.—

1530 1. Subject to the limitations of this charter, the  
1531 district shall have the power from time to time to issue general  
1532 obligation bonds to finance or refinance capital projects or to  
1533 refund outstanding bonds in an aggregate principal amount of  
1534 bonds outstanding at any one time not in excess of 35 percent of  
1535 the assessed value of the taxable property within the district

1536 as shown on the pertinent tax records at the time of the  
1537 authorization of the general obligation bonds for which the full  
1538 faith and credit of the district is pledged. Except for  
1539 refunding bonds, no general obligation bonds shall be issued  
1540 unless the bonds are issued to finance or refinance a capital  
1541 project and the issuance has been approved at an election held  
1542 in accordance with the requirements for such election as  
1543 prescribed by the State Constitution. Such elections shall be  
1544 called to be held in the district by the Board of County  
1545 Commissioners of Osceola County upon the request of the board of  
1546 the district. The expenses of calling and holding an election  
1547 shall be at the expense of the district and the district shall  
1548 reimburse the county for any expenses incurred in calling or  
1549 holding such election.

1550 2. The district may pledge its full faith and credit for  
1551 the payment of the principal and interest on such general  
1552 obligation bonds and for any reserve funds provided therefor and  
1553 may unconditionally and irrevocably pledge itself to levy ad  
1554 valorem taxes on all taxable property in the district, to the  
1555 extent necessary for the payment thereof, without limitation as  
1556 to rate or amount.

1557 3. If the board determines to issue general obligation  
1558 bonds for more than one capital project, the approval of the  
1559 issuance of the bonds for each and all such projects may be  
1560 submitted to the electors on one and the same ballot. The

1561 failure of the electors to approve the issuance of bonds for any  
1562 one or more capital projects shall not defeat the approval of  
1563 bonds for any capital project which has been approved by the  
1564 electors.

1565 4. In arriving at the amount of general obligation bonds  
1566 permitted to be outstanding at any one time pursuant to  
1567 subparagraph 1., there shall not be included any general  
1568 obligation bonds that are additionally secured by the pledge of:

1569 a. Any assessments levied in an amount sufficient to pay  
1570 the principal and interest on the general obligation bonds so  
1571 additionally secured, which assessments have been equalized and  
1572 confirmed by resolution of the board pursuant to this act or s.  
1573 170.08, Florida Statutes.

1574 b. Water revenues, sewer revenues, or water and sewer  
1575 revenues of the district to be derived from user fees in an  
1576 amount sufficient to pay the principal and interest on the  
1577 general obligation bonds so additionally secured.

1578 c. Any combination of assessments and revenues described  
1579 in sub-subparagraphs a. and b.

1580 (j) Bonds as legal investment or security.-

1581 1. Notwithstanding any provisions of any other law to the  
1582 contrary, all bonds issued under the provisions of this act  
1583 shall constitute legal investments for savings banks, banks,  
1584 trust companies, insurance companies, executors, administrators,  
1585 trustees, guardians, and other fiduciaries and for any board,



1586 body, agency, instrumentality, county, municipality, or other  
1587 political subdivision of the state and shall be and constitute  
1588 security which may be deposited by banks or trust companies as  
1589 security for deposits of state, county, municipal, or other  
1590 public funds or by insurance companies as required or voluntary  
1591 statutory deposits.

1592 2. Any bonds issued by the district shall be incontestable  
1593 in the hands of bona fide purchasers or holders for value and  
1594 shall not be invalid because of any irregularity or defect in  
1595 the proceedings for the issue and sale thereof.

1596 (k) Covenants.—Any resolution authorizing the issuance of  
1597 bonds may contain such covenants as the board may deem  
1598 advisable, and all such covenants shall constitute valid and  
1599 legally binding and enforceable contracts between the district  
1600 and the bondholders, regardless of the time of issuance thereof.  
1601 Such covenants may include, without limitation, covenants  
1602 concerning the disposition of the bond proceeds; the use and  
1603 disposition of project revenues; the pledging of revenues,  
1604 taxes, and assessments; the obligations of the district with  
1605 respect to the operation of the project and the maintenance of  
1606 adequate project revenues; the issuance of additional bonds; the  
1607 appointment, powers, and duties of trustees and receivers; the  
1608 acquisition of outstanding bonds and obligations; restrictions  
1609 on the establishing of competing projects or facilities;  
1610 restrictions on the sale or disposal of the assets and property

1611 of the district; the priority of assessment liens; the priority  
1612 of claims by bondholders on the taxing power of the district;  
1613 the maintenance of deposits to ensure the payment of revenues by  
1614 users of district facilities and services; the discontinuance of  
1615 district services by reason of delinquent payments; acceleration  
1616 upon default; the execution of necessary instruments; the  
1617 procedure for amending or abrogating covenants with the  
1618 bondholders; and such other covenants as may be deemed necessary  
1619 or desirable for the security of the bondholders.

1620 (l) Validation proceedings.—The power of the district to  
1621 issue bonds under the provisions of this act may be determined,  
1622 and any of the bonds of the district maturing over a period of  
1623 more than 5 years shall be validated and confirmed, by court  
1624 decree, under the provisions of chapter 75, Florida Statutes,  
1625 and laws amendatory thereof or supplementary thereto.

1626 (m) Tax exemption.—To the extent allowed by general law,  
1627 all bonds issued hereunder and interest paid thereon and all  
1628 fees, charges, and other revenues derived by the district from  
1629 the projects provided by this act are exempt from all taxes by  
1630 the state or by any political subdivision, agency, or  
1631 instrumentality thereof; however, any interest, income, or  
1632 profits on debt obligations issued hereunder are not exempt from  
1633 the tax imposed by chapter 220, Florida Statutes. Further, the  
1634 district is not exempt from the provisions of chapter 212,  
1635 Florida Statutes.

1636        (n) Application of s. 189.051, Florida Statutes.—Bonds  
1637 issued by the district shall meet the criteria set forth in s.  
1638 189.051, Florida Statutes.

1639        (o) Act furnishes full authority for issuance of bonds.—  
1640 This act constitutes full and complete authority for the  
1641 issuance of bonds and the exercise of the powers of the district  
1642 provided herein. No procedures or proceedings, publications,  
1643 notices, consents, approvals, orders, acts, or things by the  
1644 board, or any board, officer, commission, department, agency, or  
1645 instrumentality of the district, other than those required by  
1646 this act, shall be required to perform anything under this act,  
1647 except that the issuance or sale of bonds pursuant to the  
1648 provisions of this act shall comply with the general law  
1649 requirements applicable to the issuance or sale of bonds by the  
1650 district. Nothing in this act shall be construed to authorize  
1651 the district to utilize bond proceeds to fund the ongoing  
1652 operations of the district.

1653        (p) Pledge by the state to the bondholders of the  
1654 district.—The state pledges to the holders of any bonds issued  
1655 under this act that it will not limit or alter the rights of the  
1656 district to own, acquire, construct, reconstruct, improve,  
1657 maintain, operate, or furnish the projects or to levy and  
1658 collect the taxes, assessments, rentals, rates, fees, and other  
1659 charges provided for herein and to fulfill the terms of any  
1660 agreement made with the holders of such bonds or other

1661 obligations and that it will not in any way impair the rights or  
1662 remedies of such holders.

1663 (q) Default.—A default on the bonds or obligations of a  
1664 district shall not constitute a debt or obligation of the state  
1665 or any general-purpose local government or the state. In the  
1666 event of a default or dissolution of the district, no local  
1667 general-purpose government shall be required to assume the  
1668 property of the district, the debts of the district, or the  
1669 district's obligations to complete any infrastructure  
1670 improvements or provide any services to the district. The  
1671 provisions of s. 189.076(2), Florida Statutes, shall not apply  
1672 to the district.

1673 (11) TRUST AGREEMENTS.—Any issue of bonds shall be secured  
1674 by a trust agreement or resolution by and between the district  
1675 and a corporate trustee or trustees, which may be any trust  
1676 company or bank having the powers of a trust company within or  
1677 without the state. The resolution authorizing the issuance of  
1678 the bonds or such trust agreement may pledge the revenues to be  
1679 received from any projects of the district and may contain such  
1680 provisions for protecting and enforcing the rights and remedies  
1681 of the bondholders as the board may approve, including, without  
1682 limitation, covenants setting forth the duties of the district  
1683 in relation to: the acquisition, construction, reconstruction,  
1684 improvement, maintenance, repair, operation, and insurance of  
1685 any projects; the fixing and revising of the rates, fees, and

1686 charges; and the custody, safeguarding, and application of all  
1687 moneys and for the employment of consulting engineers in  
1688 connection with such acquisition, construction, reconstruction,  
1689 improvement, maintenance, repair, or operation. It shall be  
1690 lawful for any bank or trust company within or without the state  
1691 which may act as a depository of the proceeds of bonds or of  
1692 revenues to furnish such indemnifying bonds or to pledge such  
1693 securities as may be required by the district. Such resolution  
1694 or trust agreement may set forth the rights and remedies of the  
1695 bondholders and of the trustee, if any, and may restrict the  
1696 individual right of action by bondholders. The board may provide  
1697 for the payment of proceeds of the sale of the bonds and the  
1698 revenues of any project to such officer, board, or depository as  
1699 it may designate for the custody thereof and may provide for the  
1700 method of disbursement thereof with such safeguards and  
1701 restrictions as it may determine. All expenses incurred in  
1702 carrying out the provisions of such resolution or trust  
1703 agreement may be treated as part of the cost of operation of the  
1704 project to which such trust agreement pertains.

1705 (12) AD VALOREM TAXES; ASSESSMENTS, BENEFIT SPECIAL  
1706 ASSESSMENTS, MAINTENANCE SPECIAL ASSESSMENTS, AND SPECIAL  
1707 ASSESSMENTS; MAINTENANCE TAXES.—

1708 (a) Ad valorem taxes.—At such time as all members of the  
1709 board are qualified electors who are elected by qualified  
1710 electors of the district, the board shall have the power to levy

1711 and assess an ad valorem tax on all the taxable property in the  
1712 district to construct, operate, and maintain assessable  
1713 improvements; to pay the principal of, and interest on, any  
1714 general obligation bonds of the district; and to provide for any  
1715 sinking or other funds established in connection with any such  
1716 bonds. An ad valorem tax levied by the board for operating  
1717 purposes, exclusive of debt service on bonds, shall not exceed 3  
1718 mills. The ad valorem tax provided for herein shall be in  
1719 addition to county and all other ad valorem taxes provided for  
1720 by law. Such tax shall be assessed, levied, and collected in the  
1721 same manner and at the same time as county taxes. The levy of ad  
1722 valorem taxes must be approved by referendum as required by  
1723 Section 9 of Article VII of the State Constitution.

1724 (b) Benefit special assessments.—The board annually shall  
1725 determine, order, and levy the annual installment of the total  
1726 benefit special assessments for bonds issued and related  
1727 expenses to finance assessable improvements. These assessments  
1728 may be due and collected during each year county taxes are due  
1729 and collected, in which case such annual installment and levy  
1730 shall be evidenced to and certified to the property appraiser by  
1731 the board not later than August 31 of each year. Such assessment  
1732 shall be entered by the property appraiser on the county tax  
1733 rolls and shall be collected and enforced by the tax collector  
1734 in the same manner and at the same time as county taxes, and the  
1735 proceeds thereof shall be paid to the district. However, this

1736 subsection shall not prohibit the district in its discretion  
1737 from using the method prescribed in either s. 197.3632 or  
1738 chapter 173, Florida Statutes, as each may be amended from time  
1739 to time, for collecting and enforcing these assessments. Each  
1740 annual installment of benefit special assessments shall be a  
1741 lien on the property against which assessed until paid and shall  
1742 be enforceable in like manner as county taxes. The amount of the  
1743 assessment for the exercise of the district's powers under  
1744 subsections (6) and (7) shall be determined by the board based  
1745 upon a report of the district's engineer and assessed by the  
1746 board upon such lands, which may be part or all of the lands  
1747 within the district benefited by the improvement, apportioned  
1748 between benefited lands in proportion to the benefits received  
1749 by each tract of land. The board may, if it determines it is in  
1750 the best interests of the district, set forth in the proceedings  
1751 initially levying such benefit special assessments or in  
1752 subsequent proceedings a formula for the determination of an  
1753 amount, which when paid by a taxpayer with respect to any tax  
1754 parcel, shall constitute a prepayment of all future annual  
1755 installments of such benefit special assessments and that the  
1756 payment of which amount with respect to such tax parcel shall  
1757 relieve and discharge such tax parcel of the lien of such  
1758 benefit special assessments and any subsequent annual  
1759 installment thereof. The board may provide further that upon  
1760 delinquency in the payment of any annual installment of benefit

1761 special assessments, the prepayment amount of all future annual  
1762 installments of benefit special assessments as determined in the  
1763 preceding sentence shall be and become immediately due and  
1764 payable together with such delinquent annual installment.

1765 (c) Non-ad valorem maintenance taxes.-If and when  
1766 authorized by general law, to maintain and to preserve the  
1767 physical facilities and services constituting the works,  
1768 improvements, or infrastructure owned by the district pursuant  
1769 to this act, to repair and restore any one or more of them, when  
1770 needed, and to defray the current expenses of the district,  
1771 including any sum which may be required to pay state and county  
1772 ad valorem taxes on any lands which may have been purchased and  
1773 which are held by the district under the provisions of this act,  
1774 the board of supervisors may, upon the completion of said  
1775 systems, facilities, services, works, improvements, or  
1776 infrastructure, in whole or in part, as may be certified to the  
1777 board by the engineer of the board, levy annually a non-ad  
1778 valorem and nonmillage tax upon each tract or parcel of land  
1779 within the district, to be known as a "maintenance tax." This  
1780 non-ad valorem maintenance tax shall be apportioned upon the  
1781 basis of the net assessments of benefits assessed as accruing  
1782 from the original construction and shall be evidenced to and  
1783 certified by the board of supervisors of the district not later  
1784 than June 1 of each year to the Osceola County tax collector and  
1785 shall be extended on the tax rolls and collected by the tax



1786 collector on the merged collection roll of the tax collector in  
1787 the same manner and at the same time as county ad valorem taxes,  
1788 and the proceeds therefrom shall be paid to the district. This  
1789 non-ad valorem maintenance tax shall be a lien until paid on the  
1790 property against which assessed and enforceable in like manner  
1791 and of the same dignity as county ad valorem taxes.

1792 (d) Maintenance special assessments.—To maintain and  
1793 preserve the facilities and projects of the district, the board  
1794 may levy a maintenance special assessment. This assessment may  
1795 be evidenced to and certified to the tax collector by the board  
1796 of supervisors not later than August 31 of each year and shall  
1797 be entered by the property appraiser on the county tax rolls and  
1798 shall be collected and enforced by the tax collector in the same  
1799 manner and at the same time as county taxes, and the proceeds  
1800 therefrom shall be paid to the district. However, this  
1801 subsection shall not prohibit the district in its discretion  
1802 from using the method prescribed in s. 197.363, s. 197.3631, or  
1803 s. 197.3632, Florida Statutes, for collecting and enforcing  
1804 these assessments. These maintenance special assessments shall  
1805 be a lien on the property against which assessed until paid and  
1806 shall be enforceable in like manner as county taxes. The amount  
1807 of the maintenance special assessment for the exercise of the  
1808 district's powers under this section shall be determined by the  
1809 board based upon a report of the district's engineer and  
1810 assessed by the board upon such lands, which may be all of the

1811 lands within the district benefited by the maintenance thereof,  
1812 apportioned between the benefited lands in proportion to the  
1813 benefits received by each tract of land.

1814 (e) Special assessments.—The board may levy and impose any  
1815 special assessments pursuant to this subsection.

1816 (f) Enforcement of taxes.—The collection and enforcement  
1817 of all taxes levied by the district shall be at the same time  
1818 and in like manner as county taxes, and the provisions of the  
1819 laws of Florida relating to the sale of lands for unpaid and  
1820 delinquent county taxes; the issuance, sale, and delivery of tax  
1821 certificates for such unpaid and delinquent county taxes; the  
1822 redemption thereof; the issuance to individuals of tax deeds  
1823 based thereon; and all other procedures in connection therewith  
1824 shall be applicable to the district to the same extent as if  
1825 such statutory provisions were expressly set forth herein. All  
1826 taxes shall be subject to the same discounts as county taxes.

1827 (g) When unpaid tax is delinquent; penalty.—All taxes  
1828 provided for in this act shall become delinquent and bear  
1829 penalties on the amount of such taxes in the same manner as  
1830 county taxes.

1831 (h) Status of assessments.—Benefit special assessments,  
1832 maintenance special assessments, and special assessments are  
1833 hereby found and determined to be non-ad valorem assessments as  
1834 defined by s. 197.3632, Florida Statutes. Maintenance taxes are  
1835 non-ad valorem taxes and are not special assessments.

1836        (i) Assessments constitute liens; collection.—Any and all  
1837 assessments, including special assessments, benefit special  
1838 assessments, and maintenance special assessments authorized by  
1839 this section, and including special assessments as defined by  
1840 section 2(2)(z) and granted and authorized by this subsection,  
1841 and including maintenance taxes if authorized by general law,  
1842 shall constitute a lien on the property against which assessed  
1843 from the date of levy and imposition thereof until paid, coequal  
1844 with the lien of state, county, municipal, and school board  
1845 taxes. These assessments may be collected, at the district's  
1846 discretion, under authority of s. 197.3631, Florida Statutes, as  
1847 amended from time to time, by the tax collector pursuant to the  
1848 provisions of ss. 197.3632 and 197.3635, Florida Statutes, as  
1849 amended from time to time, or in accordance with other  
1850 collection measures provided by law. In addition to, and not in  
1851 limitation of, any powers otherwise set forth herein or in  
1852 general law, these assessments may also be enforced pursuant to  
1853 the provisions of chapter 173, Florida Statutes, as amended from  
1854 time to time.

1855        (j) Land owned by governmental entity.—Except as otherwise  
1856 provided by law, no levy of ad valorem taxes or non-ad valorem  
1857 assessments under this act or chapter 170 or chapter 197,  
1858 Florida Statutes, as each may be amended from time to time, or  
1859 otherwise, by a board of the district, on property of a  
1860 governmental entity that is subject to a ground lease as

1861 described in s. 190.003(14), Florida Statutes, shall constitute  
1862 a lien or encumbrance on the underlying fee interest of such  
1863 governmental entity.

1864 (13) SPECIAL ASSESSMENTS.—

1865 (a) As an alternative method to the levy and imposition of  
1866 special assessments pursuant to chapter 170, Florida Statutes,  
1867 pursuant to the authority of s. 197.3631, Florida Statutes, or  
1868 pursuant to other provisions of general law, now or hereafter  
1869 enacted, which provide a supplemental means or authority to  
1870 impose, levy, and collect special assessments as otherwise  
1871 authorized under this act, the board may levy and impose special  
1872 assessments to finance the exercise of any of its powers  
1873 permitted under this act using the following uniform procedures:

1874 1. At a noticed meeting, the board of supervisors of the  
1875 district may consider and review an engineer's report on the  
1876 costs of the systems, facilities, and services to be provided, a  
1877 preliminary special assessment methodology, and a preliminary  
1878 roll based on acreage or platted lands, depending upon whether  
1879 platting has occurred.

1880 a. The special assessment methodology shall address and  
1881 discuss and the board shall consider whether the systems,  
1882 facilities, and services being contemplated will result in  
1883 special benefits peculiar to the property, different in kind and  
1884 degree than general benefits, as a logical connection between  
1885 the systems, facilities, and services themselves and the

1886 property, and whether the duty to pay the special assessments by  
1887 the property owners is apportioned in a manner that is fair and  
1888 equitable and not in excess of the special benefit received. It  
1889 shall be fair and equitable to designate a fixed proportion of  
1890 the annual debt service, together with interest thereon, on the  
1891 aggregate principal amount of bonds issued to finance such  
1892 systems, facilities, and services which give rise to unique,  
1893 special, and peculiar benefits to property of the same or  
1894 similar characteristics under the special assessment methodology  
1895 so long as such fixed proportion does not exceed the unique,  
1896 special, and peculiar benefits enjoyed by such property from  
1897 such systems, facilities, and services.

1898 b. The engineer's cost report shall identify the nature of  
1899 the proposed systems, facilities, and services, their location,  
1900 a cost breakdown plus a total estimated cost, including cost of  
1901 construction or reconstruction, labor, and materials, lands,  
1902 property, rights, easements, franchises, or systems, facilities,  
1903 and services to be acquired, cost of plans and specifications,  
1904 surveys of estimates of costs and revenues, costs of  
1905 engineering, legal, and other professional consultation  
1906 services, and other expenses or costs necessary or incident to  
1907 determining the feasibility or practicability of such  
1908 construction, reconstruction, or acquisition, administrative  
1909 expenses, relationship to the authority and power of the  
1910 district in its charter, and such other expenses or costs as may

1911 be necessary or incident to the financing to be authorized by  
1912 the board of supervisors.

1913 c. The preliminary special assessment roll will be in  
1914 accordance with the assessment methodology as may be adopted by  
1915 the board of supervisors; the special assessment roll shall be  
1916 completed as promptly as possible and shall show the acreage,  
1917 lots, lands, or plats assessed and the amount of the fairly and  
1918 reasonably apportioned assessment based on special and peculiar  
1919 benefit to the property, lot, parcel, or acreage of land; and,  
1920 if the special assessment against such lot, parcel, acreage, or  
1921 portion of land is to be paid in installments, the number of  
1922 annual installments in which the special assessment is divided  
1923 shall be entered into and shown upon the special assessment  
1924 roll.

1925 2. The board of supervisors of the district may determine  
1926 and declare by an initial special assessment resolution to levy  
1927 and assess the special assessments with respect to assessable  
1928 improvements stating the nature of the systems, facilities, and  
1929 services, improvements, projects, or infrastructure constituting  
1930 such assessable improvements, the information in the engineer's  
1931 cost report, the information in the special assessment  
1932 methodology as determined by the board at the noticed meeting  
1933 and referencing and incorporating as part of the resolution the  
1934 engineer's cost report, the preliminary special assessment  
1935 methodology, and the preliminary special assessment roll as

1936 referenced exhibits to the resolution by reference. If the board  
1937 determines to declare and levy the special assessments by the  
1938 initial special assessment resolution, the board shall also  
1939 adopt and declare a notice resolution which shall provide and  
1940 cause the initial special assessment resolution to be published  
1941 once a week for a period of 2 weeks in newspapers of general  
1942 circulation published in Osceola County and said board shall by  
1943 the same resolution fix a time and place at which the owner or  
1944 owners of the property to be assessed or any other persons  
1945 interested therein may appear before said board and be heard as  
1946 to the propriety and advisability of making such improvements,  
1947 as to the costs thereof, as to the manner of payment therefor,  
1948 and as to the amount thereof to be assessed against each  
1949 property so improved. Thirty days' notice in writing of such  
1950 time and place shall be given to such property owners. The  
1951 notice shall include the amount of the special assessment and  
1952 shall be served by mailing a copy to each assessed property  
1953 owner at his or her last known address, the names and addresses  
1954 of such property owners to be obtained from the record of the  
1955 property appraiser of the county political subdivision in which  
1956 the land is located or from such other sources as the district  
1957 manager or engineer deems reliable, and proof of such mailing  
1958 shall be made by the affidavit of the manager of the district or  
1959 by the engineer, said proof to be filed with the district  
1960 manager, provided that failure to mail said notice or notices

1961 shall not invalidate any of the proceedings hereunder. It is  
1962 provided further that the last publication shall be at least 1  
1963 week prior to the date of the hearing on the final special  
1964 assessment resolution. Said notice shall describe the general  
1965 areas to be improved and advise all persons interested that the  
1966 description of each property to be assessed and the amount to be  
1967 assessed to each piece, parcel, lot, or acre of property may be  
1968 ascertained at the office of the manager of the district. Such  
1969 service by publication shall be verified by the affidavit of the  
1970 publisher and filed with the manager of the district. Moreover,  
1971 the initial special assessment resolution with its attached,  
1972 referenced, and incorporated engineer's cost report, preliminary  
1973 special assessment methodology, and preliminary special  
1974 assessment roll, along with the notice resolution, shall be  
1975 available for public inspection at the office of the manager and  
1976 the office of the engineer or any other office designated by the  
1977 board of supervisors in the notice resolution. Notwithstanding  
1978 the foregoing, the landowners of all of the property which is  
1979 proposed to be assessed may give the district written notice of  
1980 waiver of any notice and publication provided for in this  
1981 subparagraph and such notice and publication shall not be  
1982 required, provided, however, that any meeting of the board of  
1983 supervisors to consider such resolution shall be a publicly  
1984 noticed meeting.



1985           3. At the time and place named in the noticed resolution  
1986 as provided for in subparagraph 2., the board of supervisors of  
1987 the district shall meet and hear testimony from affected  
1988 property owners as to the propriety and advisability of making  
1989 the systems, facilities, services, projects, works,  
1990 improvements, or infrastructure and funding them with  
1991 assessments referenced in the initial special assessment  
1992 resolution on the property. Following the testimony and  
1993 questions from the members of the board or any professional  
1994 advisors to the district of the preparers of the engineer's cost  
1995 report, the special assessment methodology, and the special  
1996 assessment roll, the board of supervisors shall make a final  
1997 decision on whether to levy and assess the particular special  
1998 assessments. Thereafter, the board of supervisors shall meet as  
1999 an equalizing board to hear and to consider any and all  
2000 complaints as to the particular special assessments and shall  
2001 adjust and equalize the special assessments to ensure proper  
2002 assessment based on the benefit conferred on the property.

2003           4. When so equalized and approved by resolution or  
2004 ordinance by the board of supervisors, to be called the final  
2005 special assessment resolution, a final special assessment roll  
2006 shall be filed with the clerk of the board and such special  
2007 assessment shall stand confirmed and remain legal, valid, and  
2008 binding first liens on the property against which such special  
2009 assessments are made until paid, equal in dignity to the first

2010 liens of ad valorem taxation of county and municipal governments  
2011 and school boards. However, upon completion of the systems,  
2012 facilities, service, project, improvement, works, or  
2013 infrastructure, the district shall credit to each of the  
2014 assessments the difference in the special assessment as  
2015 originally made, approved, levied, assessed, and confirmed and  
2016 the proportionate part of the actual cost of the improvement to  
2017 be paid by the particular special assessments as finally  
2018 determined upon the completion of the improvement; but in no  
2019 event shall the final special assessment exceed the amount of  
2020 the special and peculiar benefits as apportioned fairly and  
2021 reasonably to the property from the system, facility, or service  
2022 being provided as originally assessed. Promptly after such  
2023 confirmation, the special assessment shall be recorded by the  
2024 clerk of the district in the minutes of the proceedings of the  
2025 district, and the record of the lien in this set of minutes  
2026 shall constitute prima facie evidence of its validity. The board  
2027 of supervisors, in its sole discretion, may, by resolution grant  
2028 a discount equal to all or a part of the payee's proportionate  
2029 share of the cost of the project consisting of bond financing  
2030 cost, such as capitalized interest, funded reserves, and bond  
2031 discounts included in the estimated cost of the project, upon  
2032 payment in full of any special assessments during such period  
2033 prior to the time such financing costs are incurred as may be  
2034 specified by the board of supervisors in such resolution.

2035 5. District special assessments may be made payable in  
2036 installments over no more than 40 years from the date of the  
2037 payment of the first installment thereof and may bear interest  
2038 at fixed or variable rates.

2039 (b) Notwithstanding any provision of this act or chapter  
2040 170, Florida Statutes, that portion of s. 170.09, Florida  
2041 Statutes, that provides that special assessments may be paid  
2042 without interest at any time within 30 days after the  
2043 improvement is completed and a resolution accepting the same has  
2044 been adopted by the governing authority shall not be applicable  
2045 to any district special assessments, whether imposed, levied,  
2046 and collected pursuant to the provisions of this act or other  
2047 provisions of Florida law, including, but not limited to,  
2048 chapter 170, Florida Statutes.

2049 (c) In addition, the district is authorized expressly in  
2050 the exercise of its rulemaking power to adopt a rule or rules  
2051 which provides or provide for notice, levy, imposition,  
2052 equalization, and collection of assessments.

2053 (14) ISSUANCE OF CERTIFICATES OF INDEBTEDNESS BASED ON  
2054 ASSESSMENTS FOR ASSESSABLE IMPROVEMENTS; ASSESSMENT BONDS.—

2055 (a) The board may, after any special assessments or  
2056 benefit special assessments for assessable improvements are  
2057 made, determined, and confirmed as provided in this act, issue  
2058 certificates of indebtedness for the amount so assessed against  
2059 the abutting property or property otherwise benefited, as the

2060 case may be, and separate certificates shall be issued against  
2061 each part or parcel of land or property assessed, which  
2062 certificates shall state the general nature of the improvement  
2063 for which the assessment is made. The certificates shall be  
2064 payable in annual installments in accordance with the  
2065 installments of the special assessment for which they are  
2066 issued. The board may determine the interest to be borne by such  
2067 certificates, not to exceed the maximum rate allowed by general  
2068 law, and may sell such certificates at either private or public  
2069 sale and determine the form, manner of execution, and other  
2070 details of such certificates. The certificates shall recite that  
2071 they are payable only from the special assessments levied and  
2072 collected from the part or parcel of land or property against  
2073 which they are issued. The proceeds of such certificates may be  
2074 pledged for the payment of principal of and interest on any  
2075 revenue bonds or general obligation bonds issued to finance in  
2076 whole or in part such assessable improvement, or, if not so  
2077 pledged, may be used to pay the cost or part of the cost of such  
2078 assessable improvements.

2079 (b) The district may also issue assessment bonds, revenue  
2080 bonds, or other obligations payable from a special fund into  
2081 which such certificates of indebtedness referred to in paragraph  
2082 (a) may be deposited or, if such certificates of indebtedness  
2083 have not been issued, the district may assign to such special  
2084 fund for the benefit of the holders of such assessment bonds or

2085 other obligations, or to a trustee for such bondholders, the  
2086 assessment liens provided for in this act unless such  
2087 certificates of indebtedness or assessment liens have been  
2088 theretofore pledged for any bonds or other obligations  
2089 authorized hereunder. In the event of the creation of such  
2090 special fund and the issuance of such assessment bonds or other  
2091 obligations, the proceeds of such certificates of indebtedness  
2092 or assessment liens deposited therein shall be used only for the  
2093 payment of the assessment bonds or other obligations issued as  
2094 provided in this section. The district is authorized to covenant  
2095 with the holders of such assessment bonds, revenue bonds, or  
2096 other obligations that it will diligently and faithfully enforce  
2097 and collect all the special assessments, and interest and  
2098 penalties thereon, for which such certificates of indebtedness  
2099 or assessment liens have been deposited in or assigned to such  
2100 fund; to foreclose such assessment liens so assigned to such  
2101 special fund or represented by the certificates of indebtedness  
2102 deposited in the special fund, after such assessment liens have  
2103 become delinquent, and deposit the proceeds derived from such  
2104 foreclosure, including interest and penalties, in such special  
2105 fund; and to make any other covenants deemed necessary or  
2106 advisable in order to properly secure the holders of such  
2107 assessment bonds or other obligations.

2108 (c) The assessment bonds, revenue bonds, or other  
2109 obligations issued pursuant to this section shall have such

2110 dates of issue and maturity as shall be deemed advisable by the  
2111 board; however, the maturities of such assessment bonds or other  
2112 obligations shall not be more than 2 years after the due date of  
2113 the last installment which will be payable on any of the special  
2114 assessments for which such assessment liens, or the certificates  
2115 of indebtedness representing such assessment liens, are assigned  
2116 to or deposited in such special fund.

2117 (d) Such assessment bonds, revenue bonds, or other  
2118 obligations issued under this section shall bear such interest  
2119 as the board may determine, not to exceed the maximum rate  
2120 allowed by general law, and shall be executed, shall have such  
2121 provisions for redemption prior to maturity, shall be sold in  
2122 the manner, and shall be subject to all of the applicable  
2123 provisions contained in this act for revenue bonds, except as  
2124 the same may be inconsistent with the provisions of this  
2125 section.

2126 (e) All assessment bonds, revenue bonds, or other  
2127 obligations issued under the provisions of this section shall  
2128 be, shall constitute, and shall have all the qualities and  
2129 incidents of negotiable instruments under the law merchant and  
2130 the laws of the state.

2131 (15) TAX LIENS.—All taxes of the district provided for in  
2132 this act, together with all penalties for default in the payment  
2133 of the same and all costs in collecting the same, including a  
2134 reasonable attorney fee fixed by the court and taxed as a cost

2135 in the action brought to enforce payment, shall, from January 1  
2136 for each year the property is liable to assessment and until  
2137 paid, constitute a lien of equal dignity with the liens for  
2138 state and county taxes and other taxes of equal dignity with  
2139 state and county taxes upon all the lands against which such  
2140 taxes shall be levied. A sale of any of the real property within  
2141 the district for state and county or other taxes shall not  
2142 operate to relieve or release the property so sold from the lien  
2143 for subsequent district taxes or installments of district taxes,  
2144 which lien may be enforced against such property as though no  
2145 such sale thereof had been made. In addition to, and not in  
2146 limitation of, the preceding sentence, for purposes of s.  
2147 197.552, Florida Statutes, the lien of all special assessments  
2148 levied by the district shall constitute a lien of record held by  
2149 a municipal or county governmental unit. The provisions of ss.  
2150 194.171, 197.122, 197.333, and 197.432, Florida Statutes, shall  
2151 be applicable to district taxes with the same force and effect  
2152 as if such provisions were expressly set forth in this act.

2153 (16) PAYMENT OF TAXES AND REDEMPTION OF TAX LIENS BY THE  
2154 DISTRICT; SHARING IN PROCEEDS OF TAX SALE.-

2155 (a) The district shall have the power and right to:  
2156 1. Pay any delinquent state, county, district, municipal,  
2157 or other tax or assessment upon lands located wholly or  
2158 partially within the boundaries of the district.

2159 2. Redeem or purchase any tax sales certificates issued or  
2160 sold on account of any state, county, district, municipal, or  
2161 other taxes or assessments upon lands located wholly or  
2162 partially within the boundaries of the district.

2163 (b) Delinquent taxes paid, or tax sales certificates  
2164 redeemed or purchased, by the district, together with all  
2165 penalties for the default in payment of the same and all costs  
2166 in collecting the same and a reasonable attorney fee, shall  
2167 constitute a lien in favor of the district of equal dignity with  
2168 the liens of state and county taxes and other taxes of equal  
2169 dignity with state and county taxes upon all the real property  
2170 against which the taxes were levied. The lien of the district  
2171 may be foreclosed in the manner provided in this act.

2172 (c) In any sale of land pursuant to s. 197.542, Florida  
2173 Statutes, as may be amended from time to time, the district may  
2174 certify to the clerk of the circuit court of the county holding  
2175 such sale the amount of taxes due to the district upon the lands  
2176 sought to be sold, and the district shall share in the  
2177 disbursement of the sales proceeds in accordance with the  
2178 provisions of this act and under the laws of the state.

2179 (17) FORECLOSURE OF LIENS.—Any lien in favor of the  
2180 district arising under this act may be foreclosed by the  
2181 district by foreclosure proceedings in the name of the district  
2182 in a court of competent jurisdiction as provided by general law  
2183 in like manner as is provided in chapter 170 or chapter 173,



2184 Florida Statutes, and amendments thereto and the provisions of  
2185 those chapters shall be applicable to such proceedings with the  
2186 same force and effect as if those provisions were expressly set  
2187 forth in this act. Any act required or authorized to be done by  
2188 or on behalf of a municipality in foreclosure proceedings under  
2189 chapter 170 or chapter 173, Florida Statutes, may be performed  
2190 by such officer or agent of the district as the board of  
2191 supervisors may designate. Such foreclosure proceedings may be  
2192 brought at any time after the expiration of 1 year from the date  
2193 any tax, or installment thereof, becomes delinquent; however, no  
2194 lien shall be foreclosed against any political subdivision or  
2195 agency of the state. Other legal remedies shall remain  
2196 available.

2197 (18) MANDATORY USE OF CERTAIN DISTRICT SYSTEMS,  
2198 FACILITIES, AND SERVICES.—To the full extent permitted by law,  
2199 the district shall require all lands, buildings, premises,  
2200 persons, firms, and corporations within the district to use the  
2201 facilities of the district.

2202 (19) COMPETITIVE PROCUREMENT; BIDS; NEGOTIATIONS; RELATED  
2203 PROVISIONS REQUIRED.—

2204 (a) No contract shall be let by the board for any goods,  
2205 supplies, or materials to be purchased when the amount thereof  
2206 to be paid by the district shall exceed the amount provided in  
2207 s. 287.017, Florida Statutes, as amended from time to time, for  
2208 category four, unless notice of bids shall be advertised once in

2209 a newspaper in general circulation in Osceola County. Any board  
 2210 seeking to construct or improve a public building, structure, or  
 2211 other public works shall comply with the bidding procedures of  
 2212 s. 255.20, Florida Statutes, as amended from time to time, and  
 2213 other applicable general law. In each case, the bid of the  
 2214 lowest responsive and responsible bidder shall be accepted  
 2215 unless all bids are rejected because the bids are too high or  
 2216 the board determines it is in the best interests of the district  
 2217 to reject all bids. The board may require the bidders to furnish  
 2218 bond with a responsible surety to be approved by the board.  
 2219 Nothing in this subsection shall prevent the board from  
 2220 undertaking and performing the construction, operation, and  
 2221 maintenance of any project or facility authorized by this act by  
 2222 the employment of labor, material, and machinery.

2223 (b) The provisions of the Consultants' Competitive  
 2224 Negotiation Act, s. 287.055, Florida Statutes, apply to  
 2225 contracts for engineering, architecture, landscape architecture,  
 2226 or registered surveying and mapping services let by the board.

2227 (c) Contracts for maintenance services for any district  
 2228 facility or project shall be subject to competitive bidding  
 2229 requirements when the amount thereof to be paid by the district  
 2230 exceeds the amount provided in s. 287.017, Florida Statutes, as  
 2231 amended from time to time, for category four. The district shall  
 2232 adopt rules, policies, or procedures establishing competitive  
 2233 bidding procedures for maintenance services. Contracts for other

2234 services shall not be subject to competitive bidding unless the  
2235 district adopts a rule, policy, or procedure applying  
2236 competitive bidding procedures to said contracts. Nothing herein  
2237 shall preclude the use of requests for proposal instead of  
2238 invitations to bid as determined by the district to be in its  
2239 best interest.

2240 (20) FEES, RENTALS, AND CHARGES; PROCEDURE FOR ADOPTION  
2241 AND MODIFICATIONS; MINIMUM REVENUE REQUIREMENTS.-

2242 (a) The district is authorized to prescribe, fix,  
2243 establish, and collect rates, fees, rentals, or other charges,  
2244 hereinafter sometimes referred to as "revenues," and to revise  
2245 the same from time to time, for the systems, facilities, and  
2246 services furnished by the district, within the limits of the  
2247 district, including, but not limited to, recreational  
2248 facilities, water management and control facilities, and water  
2249 and sewer systems; to recover the costs of making connection  
2250 with any district service, facility, or system; and to provide  
2251 for reasonable penalties against any user or property for any  
2252 such rates, fees, rentals, or other charges that are delinquent.

2253 (b) No such rates, fees, rentals, or other charges for any  
2254 of the facilities or services of the district shall be fixed  
2255 until after a public hearing at which all the users of the  
2256 proposed facility or services or owners, tenants, or occupants  
2257 served or to be served thereby and all other interested persons  
2258 shall have an opportunity to be heard concerning the proposed

2259 rates, fees, rentals, or other charges. Rates, fees, rentals,  
2260 and other charges shall be adopted under the administrative  
2261 rulemaking authority of the district, but shall not apply to  
2262 district leases. Notice of such public hearing setting forth the  
2263 proposed schedule or schedules of rates, fees, rentals, and  
2264 other charges shall have been published in a newspaper of  
2265 general circulation in Osceola County at least once and at least  
2266 10 days prior to such public hearing. The rulemaking hearing may  
2267 be adjourned from time to time. After such hearing, such  
2268 schedule or schedules, either as initially proposed or as  
2269 modified or amended, may be finally adopted. A copy of the  
2270 schedule or schedules of such rates, fees, rentals, or charges  
2271 as finally adopted shall be kept on file in an office designated  
2272 by the board and shall be open at all reasonable times to public  
2273 inspection. The rates, fees, rentals, or charges so fixed for  
2274 any class of users or property served shall be extended to cover  
2275 any additional users or properties thereafter served which shall  
2276 fall in the same class, without the necessity of any notice or  
2277 hearing.

2278 (c) Such rates, fees, rentals, and charges shall be just  
2279 and equitable and uniform for users of the same class, and when  
2280 appropriate may be based or computed either upon the amount of  
2281 service furnished, upon the average number of persons residing  
2282 or working in or otherwise occupying the premises served, or  
2283 upon any other factor affecting the use of the facilities

2284 furnished, or upon any combination of the foregoing factors, as  
 2285 may be determined by the board on an equitable basis.

2286 (d) The rates, fees, rentals, or other charges prescribed  
 2287 shall be such as will produce revenues, together with any other  
 2288 assessments, taxes, revenues, or funds available or pledged for  
 2289 such purpose, at least sufficient to provide for the items  
 2290 hereinafter listed, but not necessarily in the order stated:

2291 1. To provide for all expenses of operation and  
 2292 maintenance of such facility or service.

2293 2. To pay when due all bonds and interest thereon for the  
 2294 payment of which such revenues are, or shall have been, pledged  
 2295 or encumbered, including reserves for such purpose.

2296 3. To provide for any other funds which may be required  
 2297 under the resolution or resolutions authorizing the issuance of  
 2298 bonds pursuant to this act.

2299 (e) The board shall have the power to enter into contracts  
 2300 for the use of the projects of the district and with respect to  
 2301 the services, systems, and facilities furnished or to be  
 2302 furnished by the district.

2303 (21) RECOVERY OF DELINQUENT CHARGES.-In the event that any  
 2304 rates, fees, rentals, charges, or delinquent penalties shall not  
 2305 be paid as and when due and shall be in default for 60 days or  
 2306 more, the unpaid balance thereof and all interest accrued  
 2307 thereon, together with reasonable attorney fees and costs, may  
 2308 be recovered by the district in a civil action.

2309        (22) DISCONTINUANCE OF SERVICE.—In the event the fees,  
2310 rentals, or other charges for district services or facilities  
2311 are not paid when due, the board shall have the power, under  
2312 such reasonable rules and regulations as the board may adopt, to  
2313 discontinue and shut off such services until such fees, rentals,  
2314 or other charges, including interest, penalties, and charges for  
2315 the shutting off and discontinuance and the restoration of such  
2316 services, are fully paid; and, for such purposes, the board may  
2317 enter on any lands, waters, or premises of any person, firm,  
2318 corporation, or body, public or private, within the district  
2319 limits. Such delinquent fees, rentals, or other charges,  
2320 together with interest, penalties, and charges for the shutting  
2321 off and discontinuance and the restoration of such services and  
2322 facilities and reasonable attorney fees and other expenses, may  
2323 be recovered by the district, which may also enforce payment of  
2324 such delinquent fees, rentals, or other charges by any other  
2325 lawful method of enforcement.

2326        (23) ENFORCEMENT AND PENALTIES.—The board or any aggrieved  
2327 person may have recourse to such remedies in law and at equity  
2328 as may be necessary to ensure compliance with the provisions of  
2329 this act, including injunctive relief to enjoin or restrain any  
2330 person violating the provisions of this act or any bylaws,  
2331 resolutions, regulations, rules, codes, or orders adopted under  
2332 this act. In case any building or structure is erected,  
2333 constructed, reconstructed, altered, repaired, converted, or

2334 maintained, or any building, structure, land, or water is used,  
 2335 in violation of this act or of any code, order, resolution, or  
 2336 other regulation made under authority conferred by this act or  
 2337 under law, the board or any citizen residing in the district may  
 2338 institute any appropriate action or proceeding to prevent such  
 2339 unlawful erection, construction, reconstruction, alteration,  
 2340 repair, conversion, maintenance, or use; to restrain, correct,  
 2341 or avoid such violation; to prevent the occupancy of such  
 2342 building, structure, land, or water; and to prevent any illegal  
 2343 act, conduct, business, or use in or about such premises, land,  
 2344 or water.

2345 (24) SUITS AGAINST THE DISTRICT.—Any suit or action  
 2346 brought or maintained against the district for damages arising  
 2347 out of tort, including, without limitation, any claim arising  
 2348 upon account of an act causing an injury or loss of property,  
 2349 personal injury, or death, shall be subject to the limitations  
 2350 provided in s. 768.28, Florida Statutes.

2351 (25) EXEMPTION OF DISTRICT PROPERTY FROM EXECUTION.—All  
 2352 district property shall be exempt from levy and sale by virtue  
 2353 of an execution, and no execution or other judicial process  
 2354 shall issue against such property, nor shall any judgment  
 2355 against the district be a charge or lien on its property or  
 2356 revenues; however, nothing contained herein shall apply to or  
 2357 limit the rights of bondholders to pursue any remedy for the

2358 enforcement of any lien or pledge given by the district in  
 2359 connection with any of the bonds or obligations of the district.

2360 (26) TERMINATION, CONTRACTION, OR EXPANSION OF DISTRICT.—

2361 (a) The board of supervisors of the district shall not ask  
 2362 the Legislature to repeal or amend this act to expand or to  
 2363 contract the boundaries of the district or otherwise cause the  
 2364 merger or termination of the district without first obtaining a  
 2365 resolution or official statement from the Tohopekaliga Water  
 2366 Authority and Osceola County as required by s. 189.031(2) (e)4.,  
 2367 Florida Statutes, for creation of an independent special  
 2368 district.

2369 (b) The district shall remain in existence until:

2370 1. The district is terminated and dissolved pursuant to  
 2371 amendment to this act by the Legislature.

2372 2. The district has become inactive pursuant to s.  
 2373 189.062, Florida Statutes.

2374 (27) INCLUSION OF TERRITORY.—

2375 (a) The inclusion of any or all territory of the district  
 2376 within a municipality does not change, alter, or affect the  
 2377 boundary, territory, existence, or jurisdiction of the district.

2378 (b) The creation and establishment of the district shall  
 2379 not impair or alter the authority, power, obligations, or  
 2380 purpose of the Tohopekaliga Water Authority or its successors in  
 2381 providing water or wastewater services and facilities under the  
 2382 Tohopekaliga Water Authority Act.



2383 (c) The creation and establishment of the district shall  
2384 not impair or alter the authority, power, obligations, or  
2385 purpose of East Central Florida Services, Inc., to provide water  
2386 services or facilities pursuant to its Florida Public Service  
2387 Commission issued certificate of service.

2388 (28) SALE OF REAL ESTATE WITHIN THE DISTRICT; REQUIRED  
2389 DISCLOSURE TO PURCHASER.—Subsequent to the creation of this  
2390 district under this act, each contract for the initial sale of a  
2391 parcel of real property and each contract for the initial sale  
2392 of a residential unit within the district shall include,  
2393 immediately prior to the space reserved in the contract for the  
2394 signature of the purchaser, the following disclosure statement  
2395 in boldfaced and conspicuous type which is larger than the type  
2396 in the remaining text of the contract: "THE SUNBRIDGE  
2397 STEWARDSHIP DISTRICT MAY IMPOSE AND LEVY TAXES OR ASSESSMENTS,  
2398 OR BOTH TAXES AND ASSESSMENTS, ON THIS PROPERTY. THESE TAXES AND  
2399 ASSESSMENTS PAY FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE  
2400 COSTS OF CERTAIN PUBLIC SYSTEMS, FACILITIES, AND SERVICES OF THE  
2401 DISTRICT AND ARE SET ANNUALLY BY THE GOVERNING BOARD OF THE  
2402 DISTRICT. THESE TAXES AND ASSESSMENTS ARE IN ADDITION TO COUNTY  
2403 AND OTHER LOCAL GOVERNMENTAL TAXES AND ASSESSMENTS AND ALL OTHER  
2404 TAXES AND ASSESSMENTS PROVIDED FOR BY LAW."

2405 (29) NOTICE OF CREATION AND ESTABLISHMENT.—Within 30 days  
2406 after the election of the first board of supervisors creating  
2407 this district, the district shall cause to be recorded in the

2408 grantor-grantee index of the property records in Osceola County  
 2409 a "Notice of Creation and Establishment of the Sunbridge  
 2410 Stewardship District." The notice shall, at a minimum, include  
 2411 the legal description of the property covered by this act.

2412 (30) DISTRICT PROPERTY PUBLIC; FEES.—Any system, facility,  
 2413 service, works, improvement, project, or other infrastructure  
 2414 owned by the district, or funded by federal tax exempt bonding  
 2415 issued by the district, is public; and the district by rule may  
 2416 regulate, and may impose reasonable charges or fees for, the use  
 2417 thereof, but not to the extent that such regulation or  
 2418 imposition of such charges or fees constitutes denial of  
 2419 reasonable access.

2420 Section 7. This act being for the purpose of developing  
 2421 and promoting the public good and welfare of Osceola County, the  
 2422 territory included in the district, and the service area  
 2423 authorized to be served by the Tohopekaliga Water Authority, and  
 2424 the citizens, inhabitants, ratepayers, and taxpayers residing  
 2425 therein, shall be liberally construed to effect the purposes of  
 2426 the act as consistent with, cumulative, and supplemental to the  
 2427 powers of the county and the Tohopekaliga Water Authority.

2428 Section 8. If any provision of this act is determined  
 2429 unconstitutional or otherwise determined invalid by a court of  
 2430 law, all the rest and remainder of the act shall remain in full  
 2431 force and effect as the law of this state.

2432           Section 9. This act shall take effect upon becoming a law  
2433 except that the provisions of this act which authorize the levy  
2434 of ad valorem taxation shall take effect only upon express  
2435 approval by a majority vote of those qualified electors of the  
2436 Sunbridge Stewardship District, as required by Section 9 of  
2437 Article VII of the State Constitution, voting in a referendum  
2438 election held at such time as all members of the board are  
2439 qualified electors who are elected by qualified electors of the  
2440 district as provided in this act.