



878498

LEGISLATIVE ACTION

Senate

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House

Senator Young moved the following:

Senate Amendment

Delete lines 322 - 633

and insert:

(bb) "Water Street Tampa Improvement District" means the special and limited purpose independent special district unit of local government created and chartered by this act, and limited to the performance of those general and special powers authorized by its charter under this act, the boundaries of which are set forth by the act, the governing board of which is created and authorized to operate with legal existence by this



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12 act, and the purpose of which is as set forth in this act.

13 (cc) "Water system" means any plant, system, facility, or
14 property, and any addition, extension, or improvement thereto at
15 any future time constructed or acquired as a part thereof,
16 useful, necessary, or having the present capacity for future use
17 in connection with the development of sources, treatment,
18 purification, or distribution of water. The term includes dams,
19 reservoirs, storage tanks, mains, lines, valves, hydrants,
20 pumping stations, chilled water distribution systems, laterals,
21 and pipes for the purpose of carrying water to the premises
22 connected with such system, and all rights, easements, and
23 franchises of any nature relating to any such system and
24 necessary or convenient for the operation thereof.

25 (3) POLICY.—Based upon its findings, ascertainments,
26 determinations, intent, purpose, and definitions, the
27 Legislature states its policy expressly:

28 (a) The district and the district charter, with its general
29 and special powers, as created in this act, are essential and
30 the best alternative for the residential, commercial, office,
31 hotel, industrial, and other community uses, projects, or
32 functions in the included portion of the City of Tampa and
33 Hillsborough County consistent with the effective comprehensive
34 plan and designed to serve a lawful public purpose.

35 (b) The district, which is a special purpose local
36 government and a political subdivision, is limited to its
37 special purpose as expressed in this act, with the power to
38 provide, plan, implement, construct, maintain, and finance as a
39 local government management entity systems, facilities,
40 services, improvements, infrastructure, and projects, and



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41 possessing financing powers to fund its management power over
42 the long term and with sustained levels of high quality.

43 (c) The creation of the Water Street Tampa Improvement
44 District by and pursuant to this act, and its exercise of its
45 management and related financing powers to implement its
46 limited, single, and special purpose, is not a development order
47 and does not trigger or invoke any provision within the meaning
48 of chapter 380, Florida Statutes, and all applicable
49 governmental planning, environmental, and land development laws,
50 regulations, rules, policies, and ordinances apply to all
51 development of the land within the jurisdiction of the district
52 as created by this act.

53 (d) The district shall operate and function subject to, and
54 not inconsistent with, the applicable comprehensive plan of the
55 City of Tampa and any applicable development orders (e.g.
56 detailed specific area plan development orders), zoning
57 regulations, and other land development regulations.

58 (e) The special and limited purpose Water Street Tampa
59 Improvement District does not have the power of a general-
60 purpose local government to adopt a comprehensive plan or
61 related land development regulation as those terms are defined
62 in the Community Planning Act pursuant to s. 163.3164, Florida
63 Statutes.

64 (f) This act may be amended, in whole or in part, only by
65 special act of the Legislature.

66 Section 3. Minimum charter requirements; creation and
67 establishment; jurisdiction; construction; charter.-

68 (1) Pursuant to s. 189.031(3), Florida Statutes, the
69 Legislature sets forth that the minimum requirements in



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70 paragraphs (3)(a) through (o) of that section have been met in
71 the identified provisions of this act as follows:

72 (a) The purpose of the district is stated in the act in
73 subsection (4) of this section and in section 2.

74 (b) The powers, functions, and duties of the district
75 regarding ad valorem taxation, bond issuance, other revenue-
76 raising capabilities, budget preparation and approval, liens and
77 foreclosure of liens, use of tax deeds and tax certificates as
78 appropriate for non-ad valorem assessments, and contractual
79 agreements are set forth in section 6.

80 (c) The provisions for methods for establishing the
81 district are in this section.

82 (d) The methods for amending the charter of the district
83 are set forth in this section.

84 (e) The provisions for the membership and organization of
85 the governing body and the establishment of a quorum are in
86 section 5.

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

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

91 (h) The provisions applicable to financial disclosure,
92 noticing, and reporting requirements generally are set forth in
93 sections 5 and 6.

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

96 (j) The provisions regarding elections or referenda and the
97 qualifications of an elector of the district are in sections 2
98 and 5.



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

101 (l) Other than taxes levied for the payment of bonds and
102 taxes levied for periods not longer than 2 years when authorized
103 by vote of the electors of the district, the provisions for the
104 authority to levy ad valorem tax and the authorized millage rate
105 are in section 6.

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

109 (n) The provisions for planning requirements are in this
110 section and section 6.

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

113 (2) The Water Street Tampa Improvement District is created
114 and incorporated as a public body corporate and politic, an
115 independent special and limited purpose local government, an
116 independent special district, under s. 189.031, Florida
117 Statutes, and as defined in this act and in s. 189.012, Florida
118 Statutes, in and for portions of Hillsborough County and the
119 City of Tampa. All notices for the enactment by the Legislature
120 of this special act have been provided pursuant to the State
121 Constitution, the Laws of Florida, and the rules of the House of
122 Representatives and the Senate. No referendum subsequent to the
123 effective date of this act is required as a condition of
124 establishing the district. Therefore, the district, as created
125 by this act, is established on the property described in this
126 act.

127 (3) The territorial boundary of the district shall embrace



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128 and include all of that certain real property described in
129 section 4.

130 (4) The jurisdiction of the district, in the exercise of
131 its general and special powers, and in the carrying out of its
132 special and limited purposes, is both within the external
133 boundaries of the legal description of this district and
134 extraterritorial when limited to, and as authorized expressly
135 elsewhere in, the charter of the district as created in this act
136 or applicable general law. This special and limited purpose
137 district is created as a public body corporate and politic, and
138 local government authority and power is limited by its charter,
139 this act, and subject to the provisions of other general laws,
140 including chapter 189, Florida Statutes, except that an
141 inconsistent provision in this act shall control and the
142 district has jurisdiction to perform such acts and exercise such
143 authorities, functions, and powers as shall be necessary,
144 convenient, incidental, proper, or reasonable for the
145 implementation of its special and limited purpose regarding the
146 sound planning, provision, acquisition, development, operation,
147 maintenance, and related financing of those public systems,
148 facilities, services, improvements, projects, and infrastructure
149 works as authorized herein, including those necessary and
150 incidental thereto.

151 (5) The exclusive charter of the Water Street Tampa
152 Improvement District is this act and, except as otherwise
153 provided in subsection (2), may be amended only by special act
154 of the Legislature.

155 Section 4. Legal description of the Water Street Tampa
156 Improvement District.-The metes and bounds legal description of



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157 the district, within which there are no parcels of property
158 owned by those who do not wish their property to be included
159 within the district, is as follows:

160
161 That part of Section 24, Township 29 South, Range 18
162 East, and Section 19, Township 29 South, Range 19
163 East, all lying within the City of Tampa, Hillsborough
164 County, Florida, lying within the following described
165 boundaries to wit:

166
167 Begin at the intersection of the Centerline of Morgan
168 Street and the Centerline of Garrison Avenue as shown
169 on HENDRY & KNIGHT'S MAP OF THE GARRISON, per map or
170 plat thereof as recorded in Plat Book 2, page 73, of
171 the Public Records of Hillsborough County, Florida;
172 run thence Easterly, along the centerline of said
173 Garrison Avenue, (the same being an un-named street
174 shown on REVISED MAP OF BELL'S ADDITION TO TAMPA per
175 map or plat thereof as recorded in Plat Book 1, page
176 96 of the Public Records of Hillsborough County,
177 Florida), to the Southerly projection of the Easterly
178 boundary of the Tampa South Crosstown Expressway; run
179 thence Northerly and Northeasterly, along said
180 Easterly boundary as established by Official Record
181 Book 3530, page 157, City of Tampa Ordinance 97-240,
182 Official Record Book 3510, page 1148, Official Record
183 Book 3509, page 108, City of Tampa Ordinance 2001-128,
184 and Official Record Book 3826, page 184, of the Public
185 Records of Hillsborough County, Florida, to the



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186 Northern-most corner of said Official Record Book
187 3826, page 184, said point lying on the West boundary
188 of Nebraska Avenue as shown on aforementioned REVISED
189 MAP OF BELL'S ADDITION TO TAMPA; run thence Easterly
190 to the Centerline of said Nebraska avenue, the same
191 being shown as Governor Avenue on MAP OF FINLEY AND
192 CAESAR SUBDIVISION per map or plat thereof as recorded
193 in Plat Book 1, page 84, of the Public Records of
194 Hillsborough County, Florida; run thence Northerly to
195 the Centerline of Finley Street as shown on said MAP
196 OF FINLEY AND CAESAR SUBDIVISION; run thence East to
197 the West boundary of Tangent Avenue (being shown as on
198 un-named Avenue on said MAP OF FINLEY AND CAESAR
199 SUBDIVISION; run thence Southerly, along said West
200 boundary, to the Southeast corner of Lot 13, Block 15
201 of said Subdivision; run thence Southerly to the
202 Northeast corner of Lot 6, Block 1 of A.W. GILCHRIST'S
203 OAK GROVE ADDITION TO TAMPA per map or plat thereof as
204 recorded in Plat Book 2, page 31, of the Public
205 Records of Hillsborough County, Florida); run thence
206 South, along the East boundary of Lots 6 and 16, Block
207 1, Lots 6 and 16, Block 4, and Lot 6, Block 5, and the
208 projections thereof to the Easterly projection of the
209 Centerline of Carew Avenue (also formerly known as
210 Platt Street), as shown on CHAMBERLINS SUBDIVISION per
211 map or plat thereof as recorded in Plat Book 1, page
212 104, of the Public Records of Hillsborough County,
213 Florida; (the same being shown on HENDRY & KNIGHT'S
214 MAP OF CHAMBERLAINS per map or plat thereof as



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215 recorded in Plat Book 5, page 10, of the Public
216 Records of Hillsborough County, Florida); thence
217 Easterly along said Centerline projection, to the
218 Northeasterly projection of the Easterly boundary of
219 Water Lot 70 of aforementioned HENDRY & KNIGHT'S MAP
220 OF CHAMBERLAINS; run thence Southwesterly along said
221 projection, Easterly boundary, and its Southwesterly
222 projection, to the Centerline of Garrison Channel per
223 the Tampa Port Authority Bulkhead Lines as established
224 by Hillsborough County Port Authority on September 15,
225 1960, December 5, 1961, and April 5, 1963, and filed
226 for record in Plat Book 42, page 37, of the Public
227 Records of Hillsborough County, Florida; run thence
228 Southwesterly along said Centerline to the Southerly
229 projection of the Centerline of Franklin Street as
230 shown on aforementioned HENDRY & KNIGHT'S MAP OF THE
231 GARRISON; run thence Northwesterly along said
232 projection, and said Centerline, to the centerline of
233 Water Street as shown on said HENDRY & KNIGHT'S MAP OF
234 THE GARRISON; run thence Northeasterly along said
235 Centerline to the Centerline of Florida Avenue as
236 shown on said HENDRY & KNIGHT'S MAP OF THE GARRISON;
237 run thence Northwesterly along said Centerline to the
238 Centerline of Carew Avenue as shown on said HENDRY &
239 KNIGHT'S MAP OF THE GARRISON; run thence Northeasterly
240 along said Centerline to the Centerline of Morgan
241 Street as shown on said HENDRY & KNIGHT'S MAP OF THE
242 GARRISON; run thence Northwesterly along said
243 Centerline to a point of intersection with the



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244 Southeasterly projection of the Southwesterly boundary
245 of those lands described in Official Record Book 3166,
246 page 225 of the Public Records of Hillsborough County,
247 Florida; run thence along said projection and said
248 Southwesterly boundary, to the Northwest corner of
249 said lands; run thence along the Northerly boundary of
250 said lands, and its Northeasterly projection, to the
251 Centerline of aforementioned Morgan Street; run thence
252 Northwesterly along said Centerline to the Centerline
253 of Hampton Avenue (now known as Brorein Street) as
254 shown on said HENDRY & KNIGHT'S MAP OF THE GARRISON;
255 run thence Southwesterly along said Centerline to the
256 Southerly projection of the Easterly boundary of those
257 lands described in Official Record Book 22204, page
258 1038 of the Public Records of Hillsborough County,
259 Florida; run thence Northwesterly along said
260 projection and said Easterly Boundary, to the
261 Northeast corner of said lands; run thence
262 Southwesterly along the Northerly boundary of said
263 lands, and its Westerly projection, to the Centerline
264 of Florida Avenue as shown on said HENDRY & KNIGHT'S
265 MAP OF THE GARRISON; run thence Northwesterly along
266 said Centerline to the Westerly projection of the
267 Southerly boundary of those lands shown on map of
268 survey prepared by Curtis G. Humphreys (Sullivan,
269 Humphreys & Sullivan), dated November 13, 1958 (Order
270 No. C2592), said map being on file with the City Tampa
271 Survey Department, said boundary, being the some line
272 as the North boundary of those lands described in



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273 Official Record Book 3565, page 1895, and Official
274 Record Book 4041, page 1405, of the Public Records of
275 Hillsborough County, Florida; run thence
276 Northeasterly, along said boundary and its Easterly
277 projection, to the Centerline of Morgan Street as
278 shown on aforementioned REVISED MAP OF BELL'S ADDITION
279 TO TAMPA; run thence Southeasterly along said
280 Centerline to the centerline of aforementioned
281 Garrison Avenue; run thence East, 2.0 feet, more or
282 less, to the Point of Beginning.

283
284 LESS AND EXCEPT THEREFROM:

285 Block 99 of HENDRY & KNIGHT'S MAP OF THE GARRISON, per
286 map or plat thereof as recorded in Plat Book 2, page
287 73, of the Public Records of Hillsborough County,
288 Florida, less that portion thereof conveyed to Tampa-
289 Hillsborough County Expressway Authority by deed
290 recorded in Official Record Book 3036, page 1173, of
291 the Public Records of Hillsborough County, Florida.

292
293 ALSO LESS AND EXCEPT THEREFROM:

294 Lots 6, 8, and 10 through 15, inclusive, of Block 11,
295 MAP OF FINLEY AND CAESAR SUBDIVISION per map or plat
296 thereof as recorded in Plat Book 1, page 84, of the
297 Public Records of Hillsborough County, Florida,
298 together with those portions of Finley Street and
299 vacated alleys abutting thereon.

300
301 Notwithstanding anything herein to the contrary, the boundary of



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302 the district shall not include any residential unit subjected to
303 condominium ownership, as created by recording a condominium
304 declaration in the public records of Hillsborough County.