

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

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

37

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

39

40 Section 1. Notwithstanding s. 189.031(2)(e), Florida
 41 Statutes, the North River Ranch Improvement Stewardship
 42 District, an independent special district in Manatee County, is
 43 created and established pursuant to chapter 189, Florida
 44 Statutes.

45 Section 2. The charter for the North River Ranch
 46 Improvement Stewardship District is created to read:

47 Section 1. This act may be cited as the "North River Ranch
 48 Improvement Stewardship District Act."

49 Section 2. Legislative findings and intent; definitions;
 50 policy.-

51 (1) LEGISLATIVE INTENT; PURPOSE OF THE DISTRICT.—

52 (a) The lands located wholly within Manatee County covered
53 by this act contain many opportunities for thoughtful,
54 comprehensive, responsible, and consistent development over a
55 long period.

56 (b) There is a need to use a single special and purpose
57 independent special district unit of special-purpose local
58 government for the North River Ranch Improvement Stewardship
59 District lands located within Manatee County for a more
60 comprehensive community development approach, which will
61 facilitate an integral relationship among regional
62 transportation, land use, and urban design to provide for a
63 diverse mix of housing and regional employment and economic
64 development opportunities, rather than fragmented development
65 with underutilized infrastructure which is generally associated
66 with urban sprawl.

67 (c) There is a considerably long period of time during
68 which there is a significant burden to provide various systems,
69 facilities, and services to the initial landowners of the North
70 River Ranch Improvement Stewardship District lands, such that
71 there is a need for flexible management, sequencing, timing, and
72 financing of the various systems, facilities, and services to be
73 provided to these lands, taking into consideration absorption
74 rates, commercial viability, and related factors. Therefore,
75 extended control by the initial landowner with regard to the

76 provision of systems, facilities, and services for the North
77 River Ranch Improvement Stewardship District lands, coupled with
78 the special and single purpose of such district, is in the
79 public interest.

80 (d) While chapter 190, Florida Statutes, provides an
81 opportunity for previous community development services and
82 facilities to be provided by the continued use of community
83 development districts in a manner that furthers the public
84 interest, given the size of the North River Ranch Improvement
85 Stewardship District lands and the duration of development
86 continuing to utilize multiple community development districts
87 over these lands which would result in an inefficient,
88 duplicative, and needless proliferation of local special purpose
89 governments, contrary to the public interest and the
90 Legislature's findings in chapter 190, Florida Statutes, it is
91 in the public interest that the long-range provision for, and
92 management, financing, and long-term maintenance, upkeep, and
93 operation of, services and facilities to be provided for
94 ultimate development and conservation of the lands covered by
95 this act be under one coordinated entity. The creation of an
96 independent special district will assist in integrating the
97 management of state resources and allow for greater and more
98 coordinated stewardship of natural resources.

99 (e) The existence and use of a special and limited purpose
100 local government for the North River Ranch Improvement

101 Stewardship District lands, subject to the Manatee County
102 comprehensive plan, will provide for a comprehensive and
103 complete community development approach to promote a sustainable
104 and efficient land use pattern for the North River Ranch
105 Improvement Stewardship District lands with long-term planning
106 for conservation and development; provide opportunities for the
107 mitigation of impacts and development of infrastructure in an
108 orderly and timely manner; prevent the overburdening of the
109 local general purpose government and the taxpayers; and provide
110 an enhanced tax base and regional employment and economic
111 development opportunities.

112 (f) The creation and establishment of the special district
113 will encourage local government financial self-sufficiency in
114 providing public facilities and in identifying and implementing
115 fiscally sound, innovative, and cost-effective techniques to
116 provide and finance public facilities while encouraging
117 coordinated development of capital improvement plans by all
118 levels of government, in accordance with the goals of chapter
119 187, Florida Statutes.

120 (g) The creation and establishment of a special and single
121 purpose independent district is a legitimate supplemental and
122 alternative method available to manage, own, operate, construct,
123 and finance capital infrastructure systems, facilities, and
124 services.

125 (h) In order to be responsive to the critical timing

126 required through the exercise of its special management
127 functions, an independent special district requires financing of
128 those functions, including bondable lienable and nonlienable
129 revenue, with full and continuing public disclosure and
130 accountability, funded by landowners, both present and future,
131 and funded also by users of the systems, facilities, and
132 services provided to the land area by the special district,
133 without unduly burdening the taxpayers, citizens, and ratepayers
134 of the state or Manatee County.

135 (i) The special district created and established by this
136 act shall not have or exercise any comprehensive planning,
137 zoning, or development permitting power; the establishment of
138 the special district is not considered a development order
139 within the meaning of part I of chapter 380, Florida Statutes;
140 and all applicable planning and permitting laws, rules,
141 regulations, and policies of Manatee County control the
142 development of the land to be serviced by the special district.

143 (j) The creation by this act of the North River Ranch
144 Improvement Stewardship District is not inconsistent with the
145 Manatee County comprehensive plan.

146 (k) It is the legislative intent and purpose that no debt
147 or obligation of the special district constitute a burden on
148 Manatee County.

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

150 (a) "Ad valorem bonds" means bonds that are payable from

151 the proceeds of ad valorem taxes levied on real and tangible
152 personal property and that are generally referred to as general
153 obligation bonds.

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

158 (c) "Assessment bonds" means special obligations of the
159 district which are payable solely from proceeds of the special
160 assessments or benefit special assessments levied for assessable
161 improvements, provided that, in lieu of issuing assessment bonds
162 to fund the costs of assessable improvements, the district may
163 issue revenue bonds for such purposes payable from assessments.

164 (d) "Assessments" means nonmillage district assessments
165 including special assessments, benefit special assessments, and
166 maintenance special assessments, and a nonmillage, non-ad
167 valorem maintenance tax if authorized by general law.

168 (e) "Benefit special assessments" are district assessments
169 imposed, levied, and collected pursuant to section 6.

170 (f) "Board of supervisors" or "board" means the governing
171 body of the district or, if such board has been abolished, the
172 board, body, or commission assuming the principal functions
173 thereof or to whom the powers given to the board by this act
174 have been given by general law.

175 (g) "Bond" includes "certificate," and the provisions that

176 are applicable to bonds are equally applicable to certificates.
177 The term also includes any general obligation bond, assessment
178 bond, refunding bond, revenue bond, bond anticipation note, and
179 other such obligation in the nature of a bond as is provided for
180 in this act.

181 (h) "Cost" or "costs," when used in reference to any
182 project, includes, but is not limited to:

183 1. The expenses of determining the feasibility or
184 practicability of acquisition, construction, or reconstruction.

185 2. The cost of surveys, estimates, plans, and
186 specifications.

187 3. The cost of improvements.

188 4. Engineering, architectural, fiscal, and legal expenses
189 and charges.

190 5. The cost of all labor, materials, machinery, and
191 equipment.

192 6. The cost of all lands, properties, rights, easements,
193 and franchises acquired.

194 7. Financing charges.

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

196 9. Working capital.

197 10. Interest charges incurred or estimated to be incurred
198 on money borrowed before and during construction and acquisition
199 and for such reasonable period of time after completion of
200 construction or acquisition as the board may determine.

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

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

205 13. The discount, if any, on the sale or exchange of
206 bonds.

207 14. Administrative expenses.

208 15. Such other expenses as may be necessary or incidental
209 to the acquisition, construction, or reconstruction of any
210 project, or to the financing thereof, or to the development of
211 any lands within the district.

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

215 17. Any other expense or payment permitted by this act or
216 allowable by general law.

217 (i) "District" means the North River Ranch Improvement
218 Stewardship District.

219 (j) "District manager" means the manager of the district.

220 (k) "District roads" means highways, streets, roads,
221 alleys, intersection improvements, sidewalks, crossings,
222 landscaping, irrigation, signage, signalization, storm drains,
223 bridges, multiuse trails, lighting, and thoroughfares of all
224 kinds.

225 (l) "General obligation bonds" means bonds which are

226 secured by, or provide for their payment by, the pledge of the
227 full faith and credit and taxing power of the district.

228 (m) "General-purpose local government" means a county,
229 municipality, or consolidated city-county government.

230 (n) "Governing board member" means any member of the board
231 of supervisors.

232 (o) "Land development regulations" means those regulations
233 of the general purpose local government, adopted under the
234 Community Planning Act, codified as part II of chapter 163,
235 Florida Statutes, to which the district is subject and as to
236 which the district may not do anything that is inconsistent
237 therewith. Land development regulations are not considered
238 specific management, engineering, operations, or capital
239 improvement planning, needed in the daily management,
240 implementation, and supplying by the district of systems,
241 facilities, services, works, improvements, projects, or
242 infrastructure, so long as they remain subject to and are not
243 inconsistent with the applicable county codes.

244 (p) "Landowner" means the owner of a freehold estate as it
245 appears on the deed record, including a trustee, a private
246 corporation, and an owner of a condominium unit. "Landowner"
247 does not include a reversioner, remainderman, mortgagee, or any
248 governmental entity which is not counted and does not need to be
249 notified of proceedings under this act. "Landowner" also means
250 the owner of a ground lease from a governmental entity, which

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

253 (q) "Maintenance special assessments" are assessments
254 imposed, levied, and collected pursuant to section 6.

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

259 (s) "North River Ranch Improvement Stewardship District"
260 means the special and single-purpose independent special
261 district unit of local government and political subdivision
262 created and chartered by this act, and limited to the
263 performance of those general and special powers authorized by
264 its charter under this act, the boundaries of which are set
265 forth by the act, the governing board of which is created and
266 authorized to operate with legal existence by this act, and the
267 purpose of which is as set forth in this act.

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

271 1. "General powers," which means those organizational and
272 administrative powers of the district as provided in its charter
273 in order to carry out its special and limited purposes as a
274 local government public corporate body politic.

275 2. "Special powers," which means those powers provided by

276 the district charter to implement its specialized systems,
277 facilities, services, projects, improvements, and infrastructure
278 and related functions in order to carry out its special and
279 limited purposes.

280 3. Any other powers, authority, or functions set forth in
281 this act.

282 (u) "Project" means any development, improvement,
283 property, power, utility, facility, enterprise, service, system,
284 works, or infrastructure now existing or hereafter undertaken or
285 established under this act.

286 (v) "Qualified elector" means any person at least 18 years
287 of age who is a citizen of the United States and a legal
288 resident of the state and of the district and who registers to
289 vote with the Supervisor of Elections in Manatee County and
290 resides in Manatee County.

291 (w) "Reclaimed water" means water, including from wells or
292 stormwater management facilities, that has received at least
293 secondary treatment and basic disinfection and is reused after
294 flowing out of a domestic wastewater treatment facility or
295 otherwise reused as an approved use of surface water or
296 groundwater by the water management district.

297 (x) "Reclaimed water system" means any plant, well,
298 system, facility, or property, and any addition, extension, or
299 improvement thereto at any future time constructed or acquired
300 as part thereof, useful, necessary, or having the present

301 capacity for future use in connection with the development of
302 sources, treatment, purification, or distribution of reclaimed
303 water. The term includes franchises of any nature relating to
304 any such system and necessary or convenient for the operation
305 thereof including for the district's own use or resale.

306 (y) "Refunding bonds" means bonds issued to refinance
307 outstanding bonds of any type and the interest and redemption
308 premium thereon. Refunding bonds may be issuable and payable in
309 the same manner as refinanced bonds, except that no approval by
310 the electorate shall be required unless required by the State
311 Constitution.

312 (z) "Revenue bonds" means obligations of the district that
313 are payable from revenues, including, but not limited to,
314 special assessments and benefit special assessments, derived
315 from sources other than ad valorem taxes on real or tangible
316 personal property and that do not pledge the property, credit,
317 or general tax revenue of the district.

318 (aa) "Sewer system" means any plant, system, facility, or
319 property, and additions, extensions, and improvements thereto at
320 any future time constructed or acquired as part thereof, useful
321 or necessary or having the present capacity for future use in
322 connection with the collection, treatment, purification, or
323 disposal of sewage, including, but not limited to, industrial
324 wastes resulting from any process of industry, manufacture,
325 trade, or business or from the development of any natural

326 resource. The term also includes treatment plants, pumping
327 stations, lift stations, valves, force mains, intercepting
328 sewers, laterals, pressure lines, mains, and all necessary
329 appurtenances and equipment; all sewer mains, laterals, and
330 other devices for the reception and collection of sewage from
331 premises connected therewith; and all real and personal property
332 and any interest therein, and rights, easements, and franchises
333 of any nature relating to any such system and necessary or
334 convenient for operation thereof.

335 (bb) "Special assessments" means assessments as imposed,
336 levied, and collected by the district for the costs of
337 assessable improvements pursuant to this act, chapter 170,
338 Florida Statutes, and the additional authority under s.
339 197.3631, Florida Statutes, or any other provision of general
340 law, now or hereinafter enacted, which provide or authorize a
341 supplemental means to impose, levy, or collect special
342 assessments.

343 (cc) "Taxes" or "tax" means those levies and impositions
344 of the board of supervisors that support and pay for government
345 and the administration of general law and that may be:

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

349 2. If and when authorized by general law, non-ad valorem
350 maintenance taxes not based on millage that are used to maintain

351 district systems, facilities, and services.

352 (dd) "Water system" means any plant, system, facility, or
353 property, and any addition, extension, or improvement thereto at
354 any future time constructed or acquired as a part thereof,
355 useful, necessary, or having the present capacity for future use
356 in connection with the development of sources, treatment,
357 purification, or distribution of water. The term also includes
358 dams, reservoirs, storage tanks, mains, lines, valves, pumping
359 stations, laterals, and pipes for the purpose of carrying water
360 to the premises connected with such system, and all rights,
361 easements, and franchises of any nature relating to any such
362 system and necessary or convenient for the operation thereof.

363 (3) POLICY.—Based upon its findings, ascertainments,
364 determinations, intent, purpose, and definitions, the
365 Legislature states its policy expressly:

366 (a) The district and the district charter, with its
367 general and special powers, as created in this act, are
368 essential and the best alternative for the residential,
369 commercial, office, hotel, health care, and other similar
370 community uses, projects, or functions in the included portion
371 of Manatee County consistent with the effective comprehensive
372 plan, and designed to serve a lawful public purpose.

373 (b) The district, which is a local government and a
374 political subdivision, is limited to its special purpose as
375 expressed in this act, with the power to provide, plan,

376 implement, construct, maintain, and finance as a local
377 government management entity systems, facilities, services,
378 improvements, infrastructure, and projects, and possessing
379 financing powers to fund its management power over the long term
380 and with sustained levels of high quality.

381 (c) The creation of the North River Ranch Improvement
382 Stewardship District by and pursuant to this act, and its
383 exercise of its management and related financing powers to
384 implement its limited, single, and special purpose, is not a
385 development order and does not trigger or invoke any provision
386 within the meaning of chapter 380, Florida Statutes, and all
387 applicable governmental planning, environmental, and land
388 development laws, regulations, rules, policies, and ordinances
389 apply to all development of the land within the jurisdiction of
390 the district as created by this act.

391 (d) The district shall operate and function subject to,
392 and not inconsistent with, the applicable comprehensive plan of
393 Manatee County and any applicable development orders (e.g.
394 detailed site plan development orders), zoning regulations, and
395 other land development regulations.

396 (e) The special and single purpose North River Ranch
397 Improvement Stewardship District does not have the power of a
398 general-purpose local government to adopt a comprehensive plan
399 or related land development regulation as those terms are
400 defined in the Community Planning Act.

401 (f) This act may be amended, in whole or in part, only by
402 special act of the Legislature. The board of supervisors of the
403 district may not ask the Legislature to amend this act without
404 first obtaining a resolution or official statement from the
405 district and Manatee County as provided in s. 189.031(2)(e)4.,
406 Florida Statutes, for the creation of an independent special
407 district.

408 Section 3. Minimum charter requirements; creation and
409 establishment; jurisdiction; construction; charter.-

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

414 (a) The purpose of the district is provided in subsection
415 (4) and this section.

416 (b) The powers, functions, and duties of the district
417 regarding ad valorem taxation, bond issuance, other revenue-
418 raising capabilities, budget preparation and approval, liens and
419 foreclosure of liens, use of tax deeds and tax certificates as
420 appropriate for non-ad valorem assessments, and contractual
421 agreements are provided in section 6.

422 (c) The methods for establishing the district are provided
423 in this section.

424 (d) The methods for amending the charter of the district
425 are provided in this section.

426 (e) The membership and organization of the governing body
427 and the establishment of a quorum are provided in section 5.

428 (f) The maximum compensation of board members is provided
429 in section 6.

430 (g) The administrative duties of the governing body are
431 provided in section 6.

432 (h) The requirements for financial disclosure, noticing,
433 and reporting are provided in section 6.

434 (i) The procedures and requirements for issuing bonds are
435 provided in section 6.

436 (j) The requirements for elections or referendums and
437 qualifications of an elector of the district are provided in
438 this section and section 6.

439 (k) The methods for financing the district are provided in
440 section 6.

441 (l) Other than taxes levied for the payment of bonds and
442 taxes levied for periods of up to 2 years when authorized by a
443 vote of the electors of the district, the authority to levy ad
444 valorem tax and the authorized millage rate are provided in
445 section 6.

446 (m) The methods for collecting non-ad valorem assessments,
447 fees, or service charges are provided in section 6.

448 (n) The requirements for planning are provided in this
449 section and section 6.

450 (o) The geographic boundary limitations of the district

451 are provided in sections 5 and 6.

452 (2) The North River Ranch Improvement Stewardship District
453 is created and incorporated as a public body corporate and
454 politic, an independent special and limited purpose local
455 government, an independent special district, under s. 189.031,
456 Florida Statutes, and as defined in this act and in s.
457 189.012(3), Florida Statutes, in and for portions of Manatee
458 County. Any amendments to chapter 190, Florida Statutes, after
459 January 1, 2020, granting additional general powers, special
460 powers, authorities, or projects to a community development
461 district by amendment to its uniform charter contained in ss.
462 190.006-190.041, Florida Statutes, which are not inconsistent
463 with this act, shall constitute a general power, special power,
464 authority, or function of the North River Ranch Improvement
465 Stewardship District. All notices for the enactment by the
466 Legislature of this special act have been provided pursuant to
467 the State Constitution, the Laws of Florida, and the rules of
468 the House of Representatives and of the Senate. A referendum
469 subsequent to the effective date of this act is not required as
470 a condition of establishing the district. Therefore, the
471 district, as created by this act, is established on the property
472 described in this act.

473 (3) The territorial boundary of the district shall embrace
474 and include all of that certain real property described in
475 section 6.

476 (4) The jurisdiction of the district, in the exercise of
477 its general and special powers, and in the carrying out of its
478 special and limited purposes, is both within the external
479 boundaries of the legal description of this district and
480 extraterritorial when limited to, and as authorized expressly
481 elsewhere in, the charter of the district as created in this act
482 or applicable general law. This special and limited purpose
483 district is created as a public body corporate and politic, and
484 local government authority and power is limited by its charter,
485 this act, and subject to other general laws, including chapter
486 189, Florida Statutes, except that an inconsistent provision in
487 this act shall control and the district has jurisdiction to
488 perform such acts and exercise such authorities, functions, and
489 powers as shall be necessary, convenient, incidental, proper, or
490 reasonable for the implementation of its special and limited
491 purpose regarding the sound planning, provision, acquisition,
492 development, operation, maintenance, and related financing of
493 those public systems, facilities, services, improvements,
494 projects, and infrastructure works as authorized herein,
495 including those necessary and incidental thereto. The district
496 shall only exercise any of its powers extraterritorially within
497 Manatee County after execution of an interlocal agreement
498 between the district and Manatee County consenting to the
499 district's exercise of any of such powers within Manatee County
500 or an applicable development order or as part of other land

501 development regulations issued by Manatee County.

502 (5) The exclusive charter of the North River Ranch
 503 Improvement Stewardship District is this act and, except as
 504 otherwise provided in subsection (2), may be amended only by
 505 special act of the Legislature.

506 Section 4. Formation; boundaries.—The North River Ranch
 507 Improvement Stewardship District, an independent special
 508 district, is created and incorporated in Manatee County and
 509 shall embrace and include the territory described as:

511 MORGAN'S GLEN PARCEL:
 512 BEGIN AT THE COMMON CORNER OF SECTIONS 19, 20, 29 AND
 513 30, TOWNSHIP 33 SOUTH, RANGE 19 EAST, MANATEE COUNTY,
 514 FLORIDA; THENCE, ALONG THE EAST LINE OF SAID SECTION
 515 30, S.00°06'50"W., FOR 540.98 FEET TO A LINE BEING 50
 516 FEET NORTH OF AND PARALLEL TO THE CENTERLINE OF A SCL
 517 RAILROAD RIGHT OF WAY, SAID LINE ALSO BEING THE SOUTH
 518 LINE OF LOT 1, BLOCK 1, MANATEE RIVER FARMS AS
 519 RECORDED IN PLAT BOOK 6, PAGE 45 OF THE PUBLIC RECORDS
 520 OF MANATEE COUNTY, FLORIDA; THENCE, ALONG SAID LINE,
 521 S.73°37'59"W., 670.12 FEET; THENCE N.00°06'17"E., FOR
 522 412.91 FEET; THENCE N.01°49'12"W., FOR 315.39 FEET TO
 523 THE SOUTH LINE OF SAID SECTION 19; THENCE, LEAVING
 524 SAID SOUTH LINE, N.00°34'28"W., FOR 441.76 FEET;
 525 THENCE N.01°53'22"E., FOR 220.56 FEET; THENCE

526 S.89°53'31"W., FOR 858.88 FEET; THENCE S.84°33'13"W.,
 527 FOR 104.29 FEET; THENCE S.76°54'28"W., FOR 377.88
 528 FEET; THENCE N.00°07'22"W., FOR 1,708.90 FEET TO THE
 529 SOUTH RIGHT OF WAY LINE OF MOCCASIN WALLOW ROAD;
 530 THENCE, ALONG SAID SOUTH RIGHT OF WAY LINE,
 531 S.89°15'16"E., FOR 1,980.23 FEET TO THE EAST LINE OF
 532 SAID SECTION 19, SAID LINE ALSO BEING THE WEST LINE OF
 533 SAID SECTION 20; THENCE, CONTINUE ALONG SAID SOUTH
 534 RIGHT OF WAY LINE, S.88°55'05"E., 666.19 FEET; THENCE,
 535 LEAVING SAID SOUTH RIGHT OF WAY LINE, S00°06'09"E.,
 536 FOR 397.02 FEET; THENCE S.89°16'25"E., FOR 135.94
 537 FEET; THENCE S.88°59'12"E., FOR 121.89 FEET; THENCE
 538 S.81°46'46"E., FOR 200.24 FEET; THENCE S.89°10'18"E.,
 539 FOR 210.00 FEET TO THE EAST LINE OF THE NORTHWEST 1/4
 540 OF THE SOUTHWEST 1/4 OF SAID SECTION 20; THENCE, ALONG
 541 SAID EAST LINE, S.00°04'54"E., FOR 673.99 FEET TO THE
 542 SOUTH LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4,
 543 SAID LINE ALSO BEING THE NORTH LINE OF THE SOUTHWEST
 544 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 20; THENCE,
 545 ALONG SAID LINE, N.89°31'56"W., FOR 665.68 FEET;
 546 THENCE, LEAVING SAID LINE, S.00°06'09"E., FOR 467.45
 547 FEET; THENCE N.89°51'11"E., FOR 59.49 FEET; THENCE
 548 S.00°06'09"E., FOR 663.67 FEET TO THE SOUTH LINE OF
 549 SECTION 20, TOWNSHIP 33 SOUTH, RANGE 19 EAST, MANATEE
 550 COUNTY, FLORIDA; THENCE, ALONG SAID SOUTH LINE,

551 S.89°51'11"W., FOR 724.73 FEET TO THE POINT OF
 552 BEGINNING.

553
 554 LESS AND EXCEPT THAT CERTAIN RIGHT-OF-WAY BEING MORE
 555 PARTICULARLY DESCRIBED AS FOLLOWS:

556
 557 A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORD
 558 BOOK 2066, PAGE 3027, PUBLIC RECORDS OF MANATEE
 559 COUNTY, FLORIDA, LYING IN SECTIONS 19 AND 30, TOWNSHIP
 560 33 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA,
 561 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

562
 563 COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 19;
 564 THENCE SOUTH 86°58'46" WEST, ALONG THE SOUTH LINE OF
 565 THE SOUTHEAST 1/4 OF SAID SECTION 19, A DISTANCE OF
 566 537.04 FEET TO THE POINT OF BEGINNING; THENCE SOUTH
 567 00°13'25" WEST, A DISTANCE OF 2.00 FEET TO A POINT ON
 568 A CURVE TO THE RIGHT; THENCE SOUTHERLY 171.21 FEET
 569 ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 860.00
 570 FEET, A CENTRAL ANGLE OF 11°24'23", AND A CHORD
 571 BEARING AND DISTANCE OF SOUTH 05°55'36" WEST 170.93
 572 FEET TO A POINT OF REVERSE CURVE TO THE LEFT; THENCE
 573 SOUTHERLY 148.63 FEET ALONG THE ARC OF SAID CURVE,
 574 HAVING A RADIUS OF 740.00 FEET, A CENTRAL ANGLE OF
 575 11°30'27", AND A CHORD BEARING AND DISTANCE OF SOUTH

576 05°52'34" WEST 148.38 FEET; THENCE SOUTH 00°07'20"
 577 WEST, A DISTANCE OF 359.62 FEET TO THE NORTH RIGHT OF
 578 WAY LINE OF FP & L RAILROAD; THENCE ALONG SAID NORTH
 579 RIGHT OF WAY LINE, SOUTH 73°37'35" WEST, A DISTANCE OF
 580 77.06 FEET; THENCE NORTH 01°01'42" WEST, A DISTANCE OF
 581 694.96 FEET; THENCE NORTH 00°13'25" EAST, A DISTANCE
 582 OF 724.64 FEET TO A POINT ON A CURVE TO THE LEFT;
 583 THENCE NORTHERLY 205.25 FEET ALONG THE ARC OF SAID
 584 CURVE, HAVING A RADIUS OF 560.00 FEET, A CENTRAL ANGLE
 585 OF 21°00'00", AND A CHORD BEARING AND DISTANCE OF
 586 NORTH 10°16'36" WEST 204.10 FEET; THENCE NORTH
 587 20°46'36" WEST, A DISTANCE OF 207.01 FEET TO A POINT
 588 ON A CURVE TO THE LEFT; THENCE NORTHWESTERLY 211.09
 589 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF
 590 940.00 FEET, A CENTRAL ANGLE OF 12°52'00", AND A CHORD
 591 BEARING AND DISTANCE OF NORTH 27°12'36" WEST 210.65
 592 FEET TO A POINT OF REVERSE CURVE TO THE RIGHT; THENCE
 593 NORTHERLY 622.42 FEET ALONG THE ARC OF SAID CURVE,
 594 HAVING A RADIUS OF 1,060.00 FEET, A CENTRAL ANGLE OF
 595 33°38'35", AND A CHORD BEARING AND DISTANCE OF NORTH
 596 16°49'18" WEST 613.51 FEET; THENCE NORTH 00°00'00"
 597 WEST, A DISTANCE OF 296.18 FEET; THENCE NORTH
 598 44°34'29" WEST, A DISTANCE OF 70.18 FEET; THENCE NORTH
 599 00°48'08" EAST, A DISTANCE OF 46.61 FEET TO THE SOUTH
 600 MAINTAINED RIGHT OF WAY LINE OF MOCCASIN WALLOW ROAD;

601 THENCE ALONG SAID SOUTH MAINTAINED RIGHT OF WAY LINE,
 602 SOUTH 89°11'52" EAST, A DISTANCE OF 230.02 FEET;
 603 THENCE, LEAVING SAID SOUTH MAINTAINED RIGHT OF WAY
 604 LINE, SOUTH 00°48'08" WEST, A DISTANCE OF 46.66 FEET;
 605 THENCE SOUTH 45°25'31" WEST, A DISTANCE OF 71.23 FEET;
 606 THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 236.20
 607 FEET; THENCE SOUTH 04°08'24" WEST, A DISTANCE OF
 608 114.31 FEET TO A POINT ON A NON-TANGENT CURVE TO THE
 609 LEFT; THENCE SOUTHERLY 494.62 FEET ALONG THE ARC OF
 610 SAID CURVE, HAVING A RADIUS OF 940.00 FEET, A CENTRAL
 611 ANGLE OF 30°08'55", AND A CHORD BEARING AND DISTANCE
 612 OF SOUTH 18°34'08" EAST 488.93 FEET TO A POINT OF
 613 REVERSE CURVE TO THE RIGHT; THENCE SOUTHEASTERLY
 614 238.04 FEET ALONG THE ARC OF SAID CURVE, HAVING A
 615 RADIUS OF 1,060.00 FEET, A CENTRAL ANGLE OF 12°52'00",
 616 AND A CHORD BEARING AND DISTANCE OF SOUTH 27°12'36"
 617 EAST 237.54 FEET; THENCE SOUTH 20°46'36" EAST, A
 618 DISTANCE OF 207.01 FEET TO A POINT ON A CURVE TO THE
 619 RIGHT; THENCE SOUTHERLY 249.23 FEET ALONG THE ARC OF
 620 SAID CURVE, HAVING A RADIUS OF 680.00 FEET, A CENTRAL
 621 ANGLE OF 21°00'00", AND A CHORD BEARING AND DISTANCE
 622 OF SOUTH 10°16'36" EAST 247.84 FEET; THENCE SOUTH
 623 00°13'25" WEST, A DISTANCE OF 718.08 FEET TO THE POINT
 624 OF BEGINNING.
 625 CONTAINING 129.475 ACRES, MORE OR LESS.

626 TOGETHER WITH NORTH RIVER RANCH - HAVAL FARMS:
627 A TRACT OF LAND, BEING A PORTION OF MANATEE RIVER
628 FARMS, UNIT 1, RECORDED IN PLAT BOOK 6, PAGE 45 OF THE
629 PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LYING IN
630 SECTIONS 7, 8, 9, 16, 17, 18, 19 AND 20, TOWNSHIP 33
631 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, BEING
632 MORE PARTICULARLY DESCRIBED AS FOLLOWS:
633
634 BEGIN AT THE SOUTHWEST CORNER OF THE ABOVE-MENTIONED
635 SECTION 7; THENCE N.00°13'29"E., ALONG THE WEST LINE
636 OF SECTION 7, A DISTANCE OF 1,809.08 FEET; THENCE
637 N.90°00'00"E., A DISTANCE OF 272.18 FEET TO THE POINT
638 OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS
639 1,000.00 FEET AND A CENTRAL ANGLE OF 48°54'32"; THENCE
640 NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE
641 OF 853.62 FEET TO THE POINT OF REVERSE CURVATURE OF A
642 CURVE TO THE RIGHT HAVING A RADIUS OF 1,962.46 FEET
643 AND A CENTRAL ANGLE OF 97°43'17"; THENCE EASTERLY
644 ALONG THE ARC OF SAID CURVE, A DISTANCE OF 3,347.09
645 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO
646 THE LEFT HAVING A RADIUS OF 1,500.00 FEET AND A
647 CENTRAL ANGLE OF 48°48'45"; THENCE SOUTHEASTERLY ALONG
648 THE ARC OF SAID CURVE, A DISTANCE OF 1,277.91 FEET TO
649 THE POINT OF TANGENCY OF SAID CURVE; THENCE
650 N.90°00'00"E., A DISTANCE OF 1,220.57 FEET TO THE

651 POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A
 652 RADIUS OF 1,100.00 FEET AND A CENTRAL ANGLE OF
 653 49°18'03"; THENCE NORTHEASTERLY ALONG THE ARC OF SAID
 654 CURVE, A DISTANCE OF 946.51 FEET TO THE POINT OF
 655 REVERSE CURVATURE OF A CURVE TO THE RIGHT HAVING A
 656 RADIUS OF 1,990.00 FEET AND A CENTRAL ANGLE OF
 657 108°30'13"; THENCE EASTERLY ALONG THE ARC OF SAID
 658 CURVE, A DISTANCE OF 3,768.56 FEET TO THE POINT OF
 659 REVERSE CURVATURE OF A CURVE TO THE LEFT HAVING A
 660 RADIUS OF 1,400.00 FEET AND A CENTRAL ANGLE OF
 661 67°34'16"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID
 662 CURVE, A DISTANCE OF 1,651.07 FEET TO THE POINT OF
 663 REVERSE CURVATURE OF A CURVE TO THE RIGHT HAVING A
 664 RADIUS OF 1,000.00 FEET AND A CENTRAL ANGLE OF
 665 44°28'10"; THENCE EASTERLY ALONG THE ARC OF SAID
 666 CURVE, A DISTANCE OF 776.14 FEET TO THE POINT OF
 667 TANGENCY OF SAID CURVE; THENCE S.53°53'56"E., A
 668 DISTANCE OF 509.73 FEET TO A POINT ON THE WESTERLY
 669 RIGHT-OF-WAY LINE OF U.S. 301; THENCE S.36°06'04"W., A
 670 DISTANCE OF 1,512.28 FEET; THENCE N.89°59'54"W., A
 671 DISTANCE OF 4,022.59 FEET; THENCE S.27°47'24"W., A
 672 DISTANCE OF 1,049.93 FEET; THENCE N.68°30'43"W., A
 673 DISTANCE OF 1,332.96 FEET; THENCE N.00°11'16"E., A
 674 DISTANCE OF 383.27 FEET; THENCE N.89°43'15"W., A
 675 DISTANCE OF 719.63 FEET; THENCE S.00°35'38" W., A

676 DISTANCE OF 2,551.98 FEET TO THE POINT OF CURVATURE OF
677 A CURVE TO THE RIGHT HAVING A RADIUS 795.00 FEET AND A
678 CENTRAL ANGLE OF 48°08'26"; THENCE SOUTHWESTERLY ALONG
679 THE ARC OF SAID CURVE, A DISTANCE OF 667.97 FEET TO
680 THE POINT OF TANGENCY OF SAID CURVE; THENCE
681 S.48°44'04" W., A DISTANCE OF 213.94 FEET TO THE POINT
682 OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS
683 1,355.00 FEET AND A CENTRAL ANGLE OF 33°22'52"; THENCE
684 SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE
685 OF 789.44 FEET; THE FOLLOWING FIVE (5) CALLS ARE ALONG
686 THE NORTHERLY LINE OF A SPECIFIC PURPOSE SURVEY FOR
687 TRACT 300FL-MA-010.000, PREPARED BY WILLBROS
688 ENGINEERS, INC., AND DATED OCTOBER 12, 2015: 1)
689 S.89°39'18"E., A DISTANCE OF 85.64 FEET; 2)
690 S.89°10'25"E., A DISTANCE OF 187.79 FEET; 3)
691 S.89°53'48"E., A DISTANCE OF 1,364.36 FEET; 4)
692 S.89°38'04"E., A DISTANCE OF 1,529.39 FEET; 5) THENCE
693 N.89°48'54"E., A DISTANCE OF 969.28 FEET TO A POINT ON
694 THE WEST LINE OF PARCEL DEEDED TO PEOPLES GAS SYSTEM;
695 THENCE S.00°02'24"W., ALONG THE WESTERLY LINE OF SAID
696 PARCEL, A DISTANCE OF 35.27 FEET TO THE SOUTH WEST
697 CORNER OF SAID PARCEL; THENCE S.89°57'36"E., ALONG THE
698 SOUTHERLY LINE OF SAID PARCEL, A DISTANCE OF 60.00
699 FEET TO A POINT ON A PARCEL AS DESCRIBED IN OFFICIAL
700 RECORDS BOOK 2207, PAGE 6256, SAID PUBLIC RECORDS;

701 THENCE ALONG SAID PARCEL FOR THE FOLLOWING TWO (2)
 702 CALLS; 1) S.00°02'21"W., A DISTANCE OF 24.79 FEET; 2)
 703 THENCE N.89°52'24"E., A DISTANCE OF 178.91 FEET TO THE
 704 NORTHWESTERLY RIGHT OF WAY LINE OF U.S. 301; THENCE
 705 SOUTHERLY ALONG SAID RIGHT OF WAY LINE THE FOLLOWING
 706 THREE (3) COURSES: 1) S.36°06'04"W., A DISTANCE OF
 707 472.43 FEET; 2) S.36°04'53"W., A DISTANCE OF 916.03
 708 FEET TO THE P.C. OF A CURVE TO THE LEFT WHOSE RADIUS
 709 POINT LIES SOUTH 53°53'38"EAST, A DISTANCE OF 1977.86
 710 FEET; 3) SOUTHERLY ALONG THE ARC OF SAID CURVE ALSO
 711 BEING SAID RIGHT OF WAY LINE, A DISTANCE OF 971.94
 712 FEET THROUGH A CENTRAL ANGLE OF 28°09'21"; THENCE
 713 N.89°26'34"W., A DISTANCE OF 1,282.99 FEET; THENCE
 714 S.00°06'08"E., A DISTANCE OF 1,300.10 FEET; TO THE
 715 NORTHERLY RIGHT OF WAY LINE OF MOCCASIN WALLOW RD;
 716 THENCE WESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE
 717 THE FOLLOWING FIVE (5) COURSES: 1) N.88°54'18"W., A
 718 DISTANCE OF 1,334.91 FEET; 2) N.89°08'58"W., A
 719 DISTANCE OF 2,271.84 FEET; 3) N.89°07'49"W., A
 720 DISTANCE OF 328.34 FEET; 4) N.89°07'50"W., A DISTANCE
 721 OF 2,693.55 FEET; 5) N.88°01'42"W., A DISTANCE OF
 722 16.92 FEET TO THE WEST LINE OF ABOVE-MENTIONED SECTION
 723 19; THENCE N.00°08'36"E. ALONG SAID WEST LINE, A
 724 DISTANCE OF 2,578.91 FEET; THENCE N.00°08'15"E. THE
 725 WEST LINE OF ABOVE-MENTIONED SECTION 18., A DISTANCE

726 OF 1,944.35 FEET; THENCE N.00°07'17"E. CONTINUE ALONG
727 SAID WEST LINE, A DISTANCE OF 3,366.32 FEET TO THE
728 POINT OF BEGINNING.

729 CONTAINING 1,883.092 ACRES, MORE OR LESS.

730 CONTAINING A TOTAL AREA OF 2,012.567 ACRES, MORE OR
731 LESS.

732 Being subject to any rights-of-way, restrictions, and
733 easements of record.

734

735 Section 5. Board of supervisors; members and meetings;
736 organization; powers; duties; terms of office; related election
737 requirements.—

738 (1) The board of the district shall exercise the powers
739 granted to the district pursuant to this act. The board shall
740 consist of five members, each of whom shall hold office for a
741 term of 4 years, as provided in this section, except as
742 otherwise provided herein for initial board members, and until a
743 successor is chosen and qualified. The members of the board must
744 be residents of the state and citizens of the United States.

745 (2) (a) Within 90 days after the effective date of this
746 act, there shall be held a meeting of the landowners of the
747 district for the purpose of electing five supervisors for the
748 district. Notice of the landowners' meeting shall be published
749 in a newspaper of general circulation in the general area of the
750 district once a week for 2 consecutive weeks, the last day of

751 such publication to be not fewer than 14 days nor more than 28
752 days before the date of the election. The landowners, when
753 assembled at such meeting, shall organize by electing a chair,
754 who shall conduct the meeting. The chair may be any person
755 present at the meeting. If the chair is a landowner or proxy
756 holder of a landowner, he or she may nominate candidates and
757 make and second motions. The landowners present at the meeting,
758 in person or by proxy, shall constitute a quorum. At any
759 landowners' meeting, 50 percent of the district acreage is not
760 required to constitute a quorum, and each governing board member
761 elected by landowners shall be elected by a majority of the
762 acreage represented either by owner or proxy present and voting
763 at said meeting.

764 (b) At such meeting, each landowner shall be entitled to
765 cast one vote per acre of land owned by him or her and located
766 within the district for each person to be elected. A landowner
767 may vote in person or by proxy in writing. Each proxy must be
768 signed by one of the legal owners of the property for which the
769 vote is cast and must contain the typed or printed name of the
770 individual who signed the proxy; the street address, legal
771 description of the property, or tax parcel identification
772 number; and the number of authorized votes. If the proxy
773 authorizes more than one vote, each property must be listed and
774 the number of acres of each property must be included. The
775 signature on a proxy need not be notarized. A fraction of an

776 acre shall be treated as 1 acre, entitling the landowner to one
777 vote with respect thereto. The three candidates receiving the
778 highest number of votes shall each be elected for terms expiring
779 November 17, 2024, and the two candidates receiving the next
780 largest number of votes shall each be elected for terms expiring
781 November 20, 2022, with the term of office for each successful
782 candidate commencing upon election. The members of the first
783 board elected by landowners shall serve their respective terms;
784 however, the next election of board members shall be held on the
785 first Tuesday after the first Monday in November 2022.
786 Thereafter, there shall be an election by landowners for the
787 district every 2 years on the first Tuesday after the first
788 Monday in November, which shall be noticed pursuant to paragraph
789 (a). The second and subsequent landowners' election shall be
790 announced at a public meeting of the board at least 90 days
791 before the date of the landowners' meeting and shall also be
792 noticed pursuant to paragraph (a). Instructions on how all
793 landowners may participate in the election, along with sample
794 proxies, shall be provided during the board meeting that
795 announces the landowners' meeting. Each supervisor elected in or
796 after November 2020 shall serve a 4-year term.

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

801 2.a. Regardless of whether the district has proposed to
802 levy ad valorem taxes, board members shall be elected by
803 qualified electors of the district as the district becomes
804 populated with qualified electors. The transition shall occur
805 such that the composition of the board, after the first general
806 election following a trigger of the qualified elector population
807 thresholds set forth below, shall be as follows:

808 (I) Once 3,463 qualified electors reside within the
809 district, one governing board member shall be a person who is a
810 qualified elector of the district and who was elected by the
811 qualified electors, and four governing board members shall be
812 persons who were elected by the landowners.

813 (II) Once 6,926 qualified electors reside within the
814 district, two governing board members shall be persons who are
815 qualified electors of the district and who were elected by the
816 qualified electors, and three governing board members shall be
817 persons elected by the landowners.

818 (III) Once 10,389 qualified electors reside within the
819 district, three governing board members shall be persons who are
820 qualified electors of the district and who were elected by the
821 qualified electors and two governing board members shall be
822 persons who were elected by the landowners.

823 (IV) Once 13,852 qualified electors reside within the
824 district, four governing board members shall be persons who are
825 qualified electors of the district and who were elected by the

826 qualified electors and one governing board member shall be a
827 person who was elected by the landowners.

828 (V) Once 15,000 qualified electors reside within the
829 district, all five governing board members shall be persons who
830 are qualified electors of the district and who were elected by
831 the qualified electors.

832
833 Nothing in this sub-subparagraph is intended to require an
834 election before the expiration of an existing board member's
835 term.

836 b. On or before June 1 of each election year, the board
837 shall determine the number of qualified electors in the district
838 as of the immediately preceding April 15. The board shall use
839 and rely upon the official records maintained by the supervisor
840 of elections and property appraiser or tax collector in Manatee
841 County in making this determination. Such determination shall be
842 made at a properly noticed meeting of the board and shall become
843 a part of the official minutes of the district.

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

847 d. All governing board members elected by qualified
848 electors shall reside in the district.

849 e. Once the district qualifies to have any of its board
850 members elected by the qualified electors of the district, the

851 initial and all subsequent elections by the qualified electors
852 of the district shall be held at the general election in
853 November. The board shall adopt a resolution, if necessary, to
854 implement this requirement. The transition process described
855 herein is intended to be in lieu of the process set forth in s.
856 189.041, Florida Statutes.

857 (b) Elections of board members by qualified electors held
858 pursuant to this subsection shall be nonpartisan and shall be
859 conducted in the manner prescribed by general law for holding
860 general elections. Board members shall assume the office on the
861 second Tuesday following their election.

862 (c) Candidates seeking election to office by qualified
863 electors under this subsection shall conduct their campaigns in
864 accordance with chapter 106, Florida Statutes, and shall file
865 qualifying papers and qualify for individual seats in accordance
866 with s. 99.061, Florida Statutes.

867 (d) The supervisor of elections shall appoint the
868 inspectors and clerks of elections, prepare and furnish the
869 ballots, designate polling places, and canvass the returns of
870 the election of board members by qualified electors. The county
871 canvassing board shall declare and certify the results of the
872 election.

873 (4) Members of the board, regardless of how elected, shall
874 be public officers, shall be known as supervisors, and, upon
875 entering into office, shall take and subscribe to the oath of

876 office as prescribed by s. 876.05, Florida Statutes. Members of
877 the board shall be subject to ethics and conflict of interest
878 laws of the state that apply to all local public officers. They
879 shall hold office for the terms for which they were elected or
880 appointed and until their successors are chosen and qualified.
881 If, during the term of office, a vacancy occurs, the remaining
882 members of the board shall fill each vacancy by an appointment
883 for the remainder of the unexpired term.

884 (5) Any elected member of the board of supervisors may be
885 removed by the Governor for malfeasance, misfeasance,
886 dishonesty, incompetency, or failure to perform the duties
887 imposed upon him or her by this act, and any vacancies that may
888 occur in such office for such reasons shall be filled by the
889 Governor as soon as practicable.

890 (6) A majority of the members of the board constitutes a
891 quorum for the purposes of conducting its business and
892 exercising its powers and for all other purposes. Action taken
893 by the district shall be upon a vote of a majority of the
894 members present unless general law or a rule of the district
895 requires a greater number.

896 (7) As soon as practicable after each election or
897 appointment, the board shall organize by electing one of its
898 members as chair and by electing a secretary, who need not be a
899 member of the board, and such other officers as the board may
900 deem necessary.

901 (8) The board shall keep a permanent record book entitled
902 "Record of Proceedings of North River Ranch Improvement
903 Stewardship District," in which shall be recorded minutes of all
904 meetings, resolutions, proceedings, certificates, bonds given by
905 all employees, and any and all corporate acts. The record book
906 and all other district records shall at reasonable times be
907 opened to inspection in the same manner as state, county, and
908 municipal records pursuant to chapter 119, Florida Statutes. The
909 record book shall be kept at the office or other regular place
910 of business maintained by the board in a designated location in
911 Manatee County.

912 (9) Each supervisor may not be entitled to receive
913 compensation for his or her services in excess of the limits
914 established in s. 190.006(8), Florida Statutes, or any other
915 provision of general law; however, each supervisor shall receive
916 travel and per diem expenses as set forth in s. 112.061, Florida
917 Statutes.

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

920 Section 6. Board of supervisors; general duties.-

921 (1) DISTRICT MANAGER AND EMPLOYEES.-The board shall employ
922 and fix the compensation of a district manager, who shall have
923 charge and supervision of the works of the district and shall be
924 responsible for preserving and maintaining any improvement or
925 facility constructed or erected pursuant to this act, for

926 maintaining and operating the equipment owned by the district,
927 and for performing such other duties as may be prescribed by the
928 board. It is not a conflict of interest or an abuse of public
929 position under chapter 112, Florida Statutes, for a board
930 member, the district manager, or another employee of the
931 district to be a stockholder, officer, or employee of a
932 landowner. The district manager may hire or otherwise employ and
933 terminate the employment of such other persons, including,
934 without limitation, professional, supervisory, and clerical
935 employees, as may be necessary and authorized by the board. The
936 compensation and other conditions of employment of the officers
937 and employees of the district shall be as provided by the board.

938 (2) TREASURER.—The board shall designate a person who is a
939 resident of the state as treasurer of the district, who shall
940 have charge of the funds of the district. Such funds shall be
941 disbursed only upon the order of or pursuant to a resolution of
942 the board by warrant or check countersigned by the treasurer and
943 by such other person as may be authorized by the board. The
944 board may give the treasurer such other or additional powers and
945 duties as the board may deem appropriate and may fix his or her
946 compensation. The board may require the treasurer to give a bond
947 in such amount, on such terms, and with such sureties as may be
948 deemed satisfactory to the board to secure the performance by
949 the treasurer of his or her powers and duties. The financial
950 records of the board shall be audited by an independent

951 certified public accountant in accordance with the requirements
952 of general law.

953 (3) PUBLIC DEPOSITORY.—The board is authorized to select
954 as a depository for its funds any qualified public depository as
955 defined in s. 280.02, Florida Statutes, which meets all the
956 requirements of chapter 280, Florida Statutes, and has been
957 designated by the treasurer as a qualified public depository
958 upon such terms and conditions as to the payment of interest by
959 such depository upon the funds so deposited as the board may
960 deem just and reasonable.

961 (4) BUDGET; REPORTS AND REVIEWS.—

962 (a) The district shall provide financial reports in such
963 form and such manner as prescribed pursuant to this act and
964 chapter 218, Florida Statutes.

965 (b) On or before July 15 of each year, the district
966 manager shall prepare a proposed budget for the ensuing fiscal
967 year to be submitted to the board for board approval. The
968 proposed budget shall include at the direction of the board an
969 estimate of all necessary expenditures of the district for the
970 ensuing fiscal year and an estimate of income to the district
971 from the taxes and assessments provided in this act. The board
972 shall consider the proposed budget item by item and may either
973 approve the budget as proposed by the district manager or modify
974 the same in part or in whole. The board shall indicate its
975 approval of the budget by resolution, which resolution shall

976 provide for a hearing on the budget as approved. Notice of the
977 hearing on the budget shall be published in a newspaper of
978 general circulation in the general area of the district once a
979 week for 2 consecutive weeks, except that the first publication
980 shall be no fewer than 15 days before the date of the hearing.
981 The notice shall further contain a designation of the day, time,
982 and place of the public hearing. At the day, time, and place
983 designated in the notice, the board shall hear all objections to
984 the budget as proposed and may make such changes as the board
985 deems necessary. At the conclusion of the budget hearing, the
986 board shall, by resolution, adopt the budget as finally approved
987 by the board. The budget shall be adopted before October 1 of
988 each year.

989 (c) At least 60 days before adoption, the board of
990 supervisors of the district shall submit to the Board of County
991 Commissioners of Manatee County, for purposes of disclosure and
992 information only, the proposed annual budget for the ensuing
993 fiscal year, and the board of county commissioners may submit
994 written comments to the board of supervisors solely for the
995 assistance and information of the board of supervisors in
996 adopting its annual district budget.

997 (d) The board of supervisors shall submit annually a
998 public facilities report to the Board of County Commissioners of
999 Manatee County pursuant to s. 189.08, Florida Statutes. The
1000 board of county commissioners may use and rely on the district's

1001 public facilities report in the preparation or revision of the
 1002 Manatee County comprehensive plan.

1003 (5) DISCLOSURE OF PUBLIC INFORMATION; WEB-BASED PUBLIC
 1004 ACCESS.—The district shall take affirmative steps to provide for
 1005 the full disclosure of information relating to the public
 1006 financing and maintenance of improvements to real property
 1007 undertaken by the district. Such information shall be made
 1008 available to all existing and prospective residents of the
 1009 district. The district shall furnish each developer of a
 1010 residential development within the district with sufficient
 1011 copies of that information to provide each prospective initial
 1012 purchaser of property in that development with a copy; and any
 1013 developer of a residential development within the district, when
 1014 required by general law to provide a public offering statement,
 1015 shall include a copy of such information relating to the public
 1016 financing and maintenance of improvements in the public offering
 1017 statement. The district shall file the disclosure documents
 1018 required by this subsection and any amendments thereto in the
 1019 property records of each county in which the district is
 1020 located. By the end of the first full fiscal year of the
 1021 district's creation, the district shall maintain an official
 1022 Internet website in accordance with s. 189.069, Florida
 1023 Statutes.

1024 (6) GENERAL POWERS.—The district shall have, and the board
 1025 may exercise, the following general powers:

1026 (a) To sue and be sued in the name of the district; to
1027 adopt and use a seal and authorize the use of a facsimile
1028 thereof; to acquire, by purchase, gift, devise, or otherwise,
1029 and to dispose of, real and personal property, or any estate
1030 therein; and to make and execute contracts and other instruments
1031 necessary or convenient to the exercise of its powers.

1032 (b) To apply for coverage of its employees under the
1033 Florida Retirement System in the same manner as if such
1034 employees were state employees.

1035 (c) To contract for the services of consultants to perform
1036 planning, engineering, legal, or other appropriate services of a
1037 professional nature. Such contracts shall be subject to public
1038 bidding or competitive negotiation requirements as set forth in
1039 general law applicable to independent special districts.

1040 (d) To borrow money and accept gifts; to apply for and use
1041 grants or loans of money or other property from the United
1042 States, the state, a unit of local government, or any person for
1043 any district purposes and enter into agreements required in
1044 connection therewith; and to hold, use, and dispose of such
1045 moneys or property for any district purposes in accordance with
1046 the terms of the gift, grant, loan, or agreement relating
1047 thereto.

1048 (e) To adopt and enforce rules and orders pursuant to
1049 chapter 120, Florida Statutes, prescribing the powers, duties,
1050 and functions of the officers of the district; the conduct of

1051 the business of the district; the maintenance of the records of
1052 the district; and the form of certificates evidencing tax liens
1053 of the district and all other documents and records of the
1054 district. The board may also adopt and enforce administrative
1055 rules with respect to any of the projects of the district and
1056 define the area to be included therein. The board may also adopt
1057 resolutions which may be necessary for the conduct of district
1058 business.

1059 (f) To maintain an office at such place or places as the
1060 board of supervisors designates in Manatee County and within the
1061 district when facilities are available.

1062 (g) To hold, control, and acquire by donation, purchase,
1063 or condemnation, or dispose of, any public easements,
1064 dedications to public use, platted reservations for public
1065 purposes, or any reservations for those purposes authorized by
1066 this act and to make use of such easements, dedications, or
1067 reservations for the purposes authorized by this act.

1068 (h) To lease as lessor or lessee to or from any person,
1069 firm, corporation, association, or body, public or private, any
1070 projects of the type that the district is authorized to
1071 undertake and facilities or property of any nature for the use
1072 of the district to carry out the purposes authorized by this
1073 act.

1074 (i) To borrow money and issue bonds, certificates,
1075 warrants, notes, or other evidence of indebtedness as provided

1076 herein; to levy such taxes and assessments as may be authorized;
1077 and to charge, collect, and enforce fees and other user charges.

1078 (j) To raise, by user charges or fees authorized by
1079 resolution of the board, amounts of money which are necessary
1080 for the conduct of district activities and services and to
1081 enforce their receipt and collection in the manner prescribed by
1082 resolution not inconsistent with general law.

1083 (k) To exercise all powers of eminent domain now or
1084 hereafter conferred on counties in this state; provided,
1085 however, that such power of eminent domain may not be exercised
1086 outside the territorial limits of the district unless the
1087 district receives prior approval by vote of a resolution of the
1088 governing body of the county if the taking will occur in an
1089 unincorporated area in that county, or the governing body of the
1090 city if the taking will occur in an incorporated area. The
1091 district does not have the power to exercise eminent domain over
1092 municipal, county, state, or federal property. The powers
1093 hereinabove granted to the district shall be so construed to
1094 enable the district to fulfill the objects and purposes of the
1095 district as set forth in this act.

1096 (l) To cooperate with, or contract with, other
1097 governmental agencies as may be necessary, convenient,
1098 incidental, or proper in connection with any of the powers,
1099 duties, or purposes authorized by this act.

1100 (m) To assess and to impose upon lands in the district ad

1101 valorem taxes as provided by this act.

1102 (n) If and when authorized by general law, to determine,
1103 order, levy, impose, collect, and enforce maintenance taxes.

1104 (o) To determine, order, levy, impose, collect, and
1105 enforce assessments pursuant to this act and chapter 170,
1106 Florida Statutes, pursuant to authority granted in s. 197.3631,
1107 Florida Statutes, or pursuant to other provisions of general law
1108 now or hereinafter enacted which provide or authorize a
1109 supplemental means to order, levy, impose, or collect special
1110 assessments. Such special assessments, at the discretion of the
1111 district, may be collected and enforced pursuant to ss. 197.3632
1112 and 197.3635, Florida Statutes, and chapters 170 and 173,
1113 Florida Statutes, as they may be amended from time to time, or
1114 as provided by this act, or by other means authorized by general
1115 law now or hereinafter enacted. The district may levy such
1116 special assessments for the purposes provided in this act and to
1117 pay special assessments imposed by Manatee County on lands
1118 within the district.

1119 (p) To exercise such special powers and other express
1120 powers as may be authorized and granted by this act in the
1121 charter of the district, including powers as provided in any
1122 interlocal agreement entered into pursuant to chapter 163,
1123 Florida Statutes, or which shall be required or permitted to be
1124 undertaken by the district pursuant to any development order,
1125 including any detailed specific area plan development order, or

1126 any interlocal service agreement with Manatee County for fair-
1127 share capital construction funding for any certain capital
1128 facilities or systems required of a developer pursuant to any
1129 applicable development order or agreement.

1130 (q) To exercise all of the powers necessary, convenient,
1131 incidental, or proper in connection with any other powers or
1132 duties or the special and limited purpose of the district
1133 authorized by this act.

1134
1135 This subsection shall be construed liberally in order to
1136 effectively carry out the special and limited purpose of this
1137 act.

1138 (7) SPECIAL POWERS.—The district shall have, and the board
1139 may exercise, the following special powers to implement its
1140 lawful and special purpose and to provide, pursuant to that
1141 purpose, systems, facilities, services, improvements, projects,
1142 works, and infrastructure, each of which constitutes a lawful
1143 public purpose when exercised pursuant to this charter, subject
1144 to, and not inconsistent with, general law regarding utility
1145 providers' territorial and service agreements; the regulatory
1146 jurisdiction and permitting authority of all other applicable
1147 governmental bodies, agencies, and any special districts having
1148 authority with respect to any area included therein; and to
1149 plan, establish, acquire, construct or reconstruct, enlarge or
1150 extend, equip, operate, finance, fund, and maintain

1151 improvements, systems, facilities, services, works, projects,
1152 and infrastructure. Any or all of the following special powers
1153 are granted by this act in order to implement the special and
1154 limited purpose of the district but do not constitute
1155 obligations to undertake such improvements, systems, facilities,
1156 services, works, projects, or infrastructure:

1157 (a) To provide water management and control for the lands
1158 within the district, including irrigation systems and
1159 facilities, and to connect some or any of such facilities with
1160 roads and bridges. In the event that the board assumes the
1161 responsibility for providing water management and control for
1162 the district which is to be financed by benefit special
1163 assessments, the board shall adopt plans and assessments
1164 pursuant to general law or may proceed to adopt water management
1165 and control plans, assess for benefits, and apportion and levy
1166 special assessments as follows:

1167 1. The board shall cause to be made by the district's
1168 engineer, or such other engineer or engineers as the board may
1169 employ for that purpose, complete and comprehensive water
1170 management and control plans for the lands located within the
1171 district that will be improved in any part or in whole by any
1172 system of facilities that may be outlined and adopted, and the
1173 engineer shall make a report in writing to the board with maps
1174 and profiles of said surveys and an estimate of the cost of
1175 carrying out and completing the plans.

1176 2. Upon the completion of such plans, the board shall hold
1177 a hearing thereon to hear objections thereto, shall give notice
1178 of the time and place fixed for such hearing by publication in a
1179 newspaper of general circulation in the general area of the
1180 district once a week for 2 consecutive weeks, and shall permit
1181 the inspection of the plan at the office of the district by all
1182 persons interested. All objections to the plan shall be filed at
1183 or before the time fixed in the notice for the hearing and shall
1184 be in writing.

1185 3. After the hearing, the board shall consider the
1186 proposed plan and any objections thereto and may modify, reject,
1187 or adopt the plan or continue the hearing until a day certain
1188 for further consideration of the proposed plan or modifications
1189 thereof.

1190 4. When the board approves a plan, a resolution shall be
1191 adopted and a certified copy thereof shall be filed in the
1192 office of the secretary and incorporated by him or her into the
1193 records of the district.

1194 5. The water management and control plan may be altered in
1195 detail from time to time until the engineer's report pursuant to
1196 s. 298.301, Florida Statutes, is filed, but not in such manner
1197 as to materially affect the conditions of its adoption. After
1198 the engineer's report has been filed, the plan may not be
1199 altered except as provided by this act.

1200 6. Within 20 days after the final adoption of the plan by

1201 the board, the board shall proceed pursuant to s. 298.301,
1202 Florida Statutes.

1203 (b) To provide water supply, sewer, wastewater, and
1204 reclaimed water management, reclamation, and reuse, or any
1205 combination thereof, and any irrigation systems, facilities, and
1206 services and to construct and operate water systems, sewer
1207 systems, irrigation systems, and reclaimed water systems such as
1208 connecting intercepting or outlet sewers and sewer mains and
1209 pipes and water mains, conduits, or pipelines in, along, and
1210 under any street, alley, highway, or other public place or way,
1211 and to dispose of any water, effluent, residue, or other
1212 byproduct of such water system, sewer system, irrigation system
1213 or reclaimed water system and to enter into interlocal
1214 agreements and other agreements with public or private entities
1215 for the same.

1216 (c) To provide any necessary bridges, culverts, wildlife
1217 corridors, or road crossings across any drain, ditch, canal,
1218 floodway, holding basin, excavation, public highway, tract,
1219 grade, fill, or cut and roadways over levees and embankments,
1220 and to construct any and all of such works and improvements
1221 across, through, or over any public right-of way, highway,
1222 grade, fill, or cut.

1223 (d) To provide district or other roads equal to or
1224 exceeding the specifications of the county in which such
1225 district or other roads are located, and to provide street

1226 lighting. This special power includes, but is not limited to,
1227 roads, parkways, intersections, bridges, landscaping,
1228 hardscaping, irrigation, bicycle lanes, sidewalks, jogging
1229 paths, multiuse pathways and trails, street lighting, traffic
1230 signals, regulatory or informational signage, road striping,
1231 underground conduit, underground cable or fiber or wire
1232 installed pursuant to an agreement with or tariff of a retail
1233 provider of services, and all other customary elements of a
1234 functioning modern road system in general or as tied to the
1235 conditions of development approval for the area within and
1236 without the district, and parking facilities that are
1237 freestanding or that may be related to any innovative strategic
1238 intermodal system of transportation pursuant to applicable
1239 federal, state, and local laws and ordinances.

1240 (e) To provide buses, trolleys, rail access, mass transit
1241 facilities, transit shelters, ridesharing facilities and
1242 services, parking improvements, and related signage.

1243 (f) To provide investigation and remediation costs
1244 associated with the cleanup of actual or perceived environmental
1245 contamination within the district under the supervision or
1246 direction of a competent governmental authority unless the
1247 covered costs benefit any person who is a landowner within the
1248 district and who caused or contributed to the contamination.

1249 (g) To provide observation, mitigation, wetland creation,
1250 and wildlife habitat areas, including the maintenance of any

1251 plant or animal species, and any related interest in real or
1252 personal property.

1253 (h) Using its general and special powers as set forth in
1254 this act, to provide any other project within or without the
1255 boundaries of the district when the project is the subject of an
1256 agreement between the district and the Board of County
1257 Commissioners of Manatee County or with any other applicable
1258 public or private entity and is not inconsistent with the
1259 effective local comprehensive plans.

1260 (i) To provide parks and facilities for indoor and outdoor
1261 recreational, cultural, and educational uses.

1262 (j) To provide school buildings and related structures,
1263 which may be leased, sold, or donated to the school district,
1264 for use in the educational system when authorized by the
1265 district school board.

1266 (k) To provide security, including electronic intrusion-
1267 detection systems and patrol cars, when authorized by proper
1268 governmental agencies, and to contract with the appropriate
1269 local general-purpose government agencies for an increased level
1270 of such services within the district boundaries.

1271 (l) To provide control and elimination of mosquitoes and
1272 other arthropods of public health importance.

1273 (m) To enter into impact fee, mobility fee, or other
1274 similar credit agreements with Manatee County or other
1275 governmental bodies or a landowner developer and to sell or

1276 assign such credits on such terms as the district deems
1277 appropriate.

1278 (n) To provide buildings and structures for district
1279 offices, maintenance facilities, meeting facilities, town
1280 centers, stadiums, or any other projects authorized or granted
1281 by this act.

1282 (o) To establish and create, at noticed meetings, such
1283 departments of the board of supervisors of the district, as well
1284 as committees, task forces, boards, or commissions, or other
1285 agencies under the supervision and control of the district, as
1286 from time to time the members of the board may deem necessary or
1287 desirable in the performance of the acts or other things
1288 necessary to exercise the board's general or special powers to
1289 implement an innovative project to carry out the special and
1290 limited purpose of the district as provided in this act and to
1291 delegate the exercise of its powers to such departments, boards,
1292 task forces, committees, or other agencies, and such
1293 administrative duties and other powers as the board may deem
1294 necessary or desirable, but only if there is a set of expressed
1295 limitations for accountability, notice, and periodic written
1296 reporting to the board that shall retain the powers of the
1297 board.

1298 (p) To provide electrical, sustainable, or green
1299 infrastructure improvements, facilities, and services,
1300 including, but not limited to, recycling of natural resources,

1301 reduction of energy demands, development and generation of
1302 alternative or renewable energy sources and technologies,
1303 mitigation of urban heat islands, sequestration, capping or
1304 trading of carbon emissions or carbon emissions credits, LEED or
1305 Florida Green Building Coalition certification, and development
1306 of facilities and improvements for low-impact development; to
1307 enter into joint ventures, public-private partnerships, and
1308 other agreements; and to grant such easements as may be
1309 necessary to accomplish the foregoing. Nothing herein shall
1310 authorize the district to provide electric service to retail
1311 customers or otherwise act to impair electric utility franchise
1312 agreements.

1313 (q) To provide for any facilities or improvements that may
1314 otherwise be provided for by any county or municipality,
1315 including, but not limited to, libraries, annexes, substations,
1316 and other buildings to house public officials, staff, and
1317 employees.

1318 (r) To provide waste collection and disposal.

1319 (s) To provide for the construction and operation of
1320 communications systems and related infrastructure for the
1321 carriage and distribution of communications services; to enter
1322 into joint ventures, public-private partnerships, and other
1323 agreements; and to grant such easements as may be necessary to
1324 accomplish the foregoing. For purposes of this paragraph,
1325 communications systems means all facilities, buildings,

1326 equipment, items, and methods necessary or desirable in order to
1327 provide communications services, including, without limitation,
1328 wires, cables, conduits, wireless cell sites, computers, modems,
1329 satellite antennae sites, transmission facilities, network
1330 facilities, and appurtenant devices necessary and appropriate to
1331 support the provision of communications services. Communications
1332 services includes, without limitation, Internet, voice
1333 telephone, or similar services provided by voice over Internet
1334 protocol, cable television, data transmission services,
1335 electronic security monitoring services, and multi-channel video
1336 programming distribution services. Nothing herein shall
1337 authorize the district to provide communications services to
1338 retail customers or otherwise act to impair existing service
1339 provider franchise agreements. However, the district may
1340 contract with such providers for resale purposes.

1341 (t) To provide health care facilities and to enter into
1342 public-private partnerships and agreements as may be necessary
1343 to accomplish the foregoing.

1344 (u) To coordinate, work with, and, as the board deems
1345 appropriate, enter into interlocal agreements with any public or
1346 private entity for the provision of an institution or
1347 institutions of higher education.

1348 (v) To coordinate, work with, and, as the board deems
1349 appropriate, enter into public-private partnerships and
1350 agreements as may be necessary or useful to effectuate the

1351 purposes of this act.

1352

1353 The special powers provided in this act may not be deemed
1354 exclusive or restrictive but shall be deemed to incorporate all
1355 powers express or implied necessary or incident to carrying out
1356 such special powers, including the general powers provided by
1357 this act to the district to implement its purposes. This
1358 subsection shall be construed liberally in order to effectively
1359 carry out the special and limited purpose of the district under
1360 this act.

1361 (8) ISSUANCE OF BOND ANTICIPATION NOTES.—In addition to
1362 the other powers provided for in this act, and not in limitation
1363 thereof, the district shall have the power, at any time and from
1364 time to time after the issuance of any bonds of the district are
1365 authorized, to borrow money for the purposes for which such
1366 bonds are to be issued in anticipation of the receipt of the
1367 proceeds of the sale of such bonds and to issue bond
1368 anticipation notes in a principal sum not in excess of the
1369 authorized maximum amount of such bond issue. Such notes shall
1370 be in such denomination or denominations, bear interest at such
1371 rate as the board may determine, not to exceed the maximum rate
1372 allowed by general law, mature at such time or times not later
1373 than 5 years after the date of issuance, and be in such form and
1374 executed in such manner as the board shall prescribe. Such notes
1375 may be sold at either public or private sale or, if such notes

1376 shall be renewal notes, may be exchanged for notes then
1377 outstanding on such terms as the board shall determine. Such
1378 notes shall be paid from the proceeds of such bonds when issued.
1379 The board may, in its discretion, in lieu of retiring the notes
1380 by means of bonds, retire them by means of current revenues or
1381 from any taxes or assessments levied for the payment of such
1382 bonds, but, in such event, a like amount of the bonds authorized
1383 may not be issued.

1384 (9) BORROWING.—The district at any time may obtain loans,
1385 in such amount and on such terms and conditions as the board may
1386 approve, for the purpose of paying any of the expenses of the
1387 district or any costs incurred or that may be incurred in
1388 connection with any of the projects of the district, which loans
1389 shall bear such interest as the board determines, not to exceed
1390 the maximum rate allowed by general law, and may be payable from
1391 and secured by a pledge of such funds, revenues, taxes, and
1392 assessments as the board may determine; provided, however, that
1393 the provisions contained in any proceeding under which bonds
1394 were theretofore issued and are then outstanding. For the
1395 purpose of defraying such costs and expenses, the district may
1396 issue negotiable notes, warrants, or other evidences of debt to
1397 be payable at such times and to bear such interest as the board
1398 may determine, not to exceed the maximum rate allowed by general
1399 law, and to be sold or discounted at such price or prices not
1400 less than 95 percent of par value and on such terms as the board

1401 may deem advisable. The board shall have the right to provide
1402 for the payment thereof by pledging the whole or any part of the
1403 funds, revenues, taxes, and assessments of the district or by
1404 covenanting to budget and appropriate from such funds. The
1405 approval of the electors residing in the district is only
1406 necessary when required by the State Constitution.

1407 (10) BONDS.—

1408 (a) Sale of bonds.—Bonds may be sold in blocks or
1409 installments at different times, or an entire issue or series
1410 may be sold at one time. Bonds may be sold at public or private
1411 sale after such advertisement, if any, as the board may deem
1412 advisable, but not in any event at less than 90 percent of the
1413 par value thereof, together with accrued interest thereon. Bonds
1414 may be sold or exchanged for refunding bonds. Special assessment
1415 and revenue bonds may be delivered by the district as payment of
1416 the purchase price of any project or part thereof, or a
1417 combination of projects or parts thereof, or as the purchase
1418 price or exchange for any property, real, personal, or mixed,
1419 including franchises or services rendered by any contractor,
1420 engineer, or other person, all at one time or in blocks from
1421 time to time, in such manner and upon such terms as the board at
1422 its discretion shall determine. The price or prices for any
1423 bonds sold, exchanged, or delivered may be:

1424 1. The money paid for the bonds.

1425 2. The principal amount, plus accrued interest to the date

1426 of redemption or exchange, or outstanding obligations exchanged
1427 for refunding bonds.

1428 3. In the case of special assessment or revenue bonds, the
1429 amount of any indebtedness to contractors or other persons paid
1430 with such bonds, or the fair value of any properties exchanged
1431 for the bonds, as determined by the board.

1432 (b) Authorization and form of bonds.—Any general
1433 obligation bonds, special assessment bonds, or revenue bonds may
1434 be authorized by resolution or resolutions of the board which
1435 shall be adopted by a majority of all the members thereof then
1436 in office. Such resolution or resolutions may be adopted at the
1437 same meeting at which they are introduced and need not be
1438 published or posted. The board may, by resolution, authorize the
1439 issuance of bonds and fix the aggregate amount of bonds to be
1440 issued; the purpose or purposes for which the moneys derived
1441 therefrom shall be expended, including, but not limited to,
1442 payment of costs as defined in section 3; the rate or rates of
1443 interest, not to exceed the maximum rate allowed by general law;
1444 the denomination of the bonds; whether the bonds are to be
1445 issued in one or multiple series; the date or dates of maturity,
1446 which may not exceed 40 years after their respective dates of
1447 issuance; the medium of payment; the place or places within or
1448 without the state at which payment shall be made; registration
1449 privileges; redemption terms and privileges, whether with or
1450 without premium; the manner of execution; the form of the bonds,

1451 including any interest coupons to be attached thereto; the
1452 manner of execution of bonds and coupons; and any and all other
1453 terms, covenants, and conditions thereof and the establishment
1454 of revenue or other funds. Such authorizing resolution or
1455 resolutions may further provide for the contracts authorized by
1456 s. 159.825(1) (f) and (g), Florida Statutes, regardless of the
1457 tax treatment of such bonds being authorized, subject to the
1458 finding by the board of a net saving to the district resulting
1459 by reason thereof. Such authorizing resolution may further
1460 provide that such bonds may be executed in accordance with the
1461 Registered Public Obligations Act, except that bonds not issued
1462 in registered form shall be valid if manually countersigned by
1463 an officer designated by appropriate resolution of the board.
1464 The seal of the district may be affixed, lithographed, engraved,
1465 or otherwise reproduced in facsimile on such bonds. In case any
1466 officer whose signature shall appear on any bonds or coupons
1467 shall cease to be such officer before the delivery of such
1468 bonds, such signature or facsimile shall nevertheless be valid
1469 and sufficient for all purposes as if he or she had remained in
1470 office until such delivery.

1471 (c) *Interim certificates; replacement certificates.*
1472 Pending the preparation of definitive bonds, the board may issue
1473 interim certificates or receipts or temporary bonds, in such
1474 form and with such provisions as the board may determine,
1475 exchangeable for definitive bonds when such bonds have been

1476 executed and are available for delivery. The board may also
1477 provide for the replacement of any bonds which become mutilated,
1478 lost, or destroyed.

1479 (d) *Negotiability of bonds.*—Any bond issued under this act
1480 or any temporary bond, in the absence of an express recital on
1481 the face thereof that it is nonnegotiable, shall be fully
1482 negotiable and shall be and constitute a negotiable instrument
1483 within the meaning and for all purposes of the law merchant and
1484 general law.

1485 (e) *Defeasance.*—The board may make such provision with
1486 respect to the defeasance of the right, title, and interest of
1487 the holders of any of the bonds and obligations of the district
1488 in any revenues, funds, or other properties by which such bonds
1489 are secured as the board deems appropriate and, without
1490 limitation on the foregoing, may provide that when such bonds or
1491 obligations become due and payable or shall have been called for
1492 redemption and the whole amount of the principal and interest
1493 and premium, if any, due and payable upon the bonds or
1494 obligations then outstanding shall be held in trust for such
1495 purpose, and provision shall also be made for paying all other
1496 sums payable in connection with such bonds or other obligations,
1497 and in such event the right, title, and interest of the holders
1498 of the bonds in any revenues, funds, or other properties by
1499 which such bonds are secured shall thereupon cease, terminate,
1500 and become void; and the board may apply any surplus in any

1501 sinking fund established in connection with such bonds or
1502 obligations and all balances remaining in all other funds or
1503 accounts other than moneys held for the redemption or payment of
1504 the bonds or other obligations to any lawful purpose of the
1505 district as the board shall determine.

1506 (f) Issuance of additional bonds.—If the proceeds of any
1507 bonds are less than the cost of completing the project in
1508 connection with which such bonds were issued, the board may
1509 authorize the issuance of additional bonds, upon such terms and
1510 conditions as the board may provide in the resolution
1511 authorizing the issuance thereof, but only in compliance with
1512 the resolution or other proceedings authorizing the issuance of
1513 the original bonds.

1514 (g) Refunding bonds.—The district is authorized to issue
1515 bonds to provide for the retirement or refunding of any bonds or
1516 obligations of the district that at the time of such issuance
1517 are or subsequent thereto become due and payable, or that at the
1518 time of issuance have been called or are, or will be, subject to
1519 call for redemption within 10 years thereafter, or the surrender
1520 of which can be procured from the holders thereof at prices
1521 satisfactory to the board. Refunding bonds may be issued at any
1522 time that in the judgment of the board such issuance will be
1523 advantageous to the district. Approval of the qualified electors
1524 residing in the district is not required for the issuance of
1525 refunding bonds except in cases in which such approval is

1526 required by the State Constitution. The board may by resolution
1527 confer upon the holders of such refunding bonds all rights,
1528 powers, and remedies to which the holders would be entitled if
1529 they continued to be the owners and had possession of the bonds
1530 for the refinancing of which such refunding bonds are issued,
1531 including, but not limited to, the preservation of the lien of
1532 such bonds on the revenues of any project or on pledged funds,
1533 without extinguishment, impairment, or diminution thereof. The
1534 provisions of this act relating to bonds of the district shall,
1535 unless the context otherwise requires, govern the issuance of
1536 refunding bonds, the form and other details thereof, the rights
1537 of the holders thereof, and the duties of the board with respect
1538 to such bonds.

1539 (h) Revenue bonds.—

1540 1. The district shall have the power to issue revenue
1541 bonds from time to time without limitation as to amount. Such
1542 revenue bonds may be secured by, or payable from, the gross or
1543 net pledge of the revenues to be derived from any project or
1544 combination of projects; from the rates, fees, or other charges
1545 to be collected from the users of any project or projects; from
1546 any revenue-producing undertaking or activity of the district;
1547 from special assessments; from benefit special assessments; or
1548 from any other source or pledged security. Such bonds do not
1549 constitute an indebtedness of the district and the approval of
1550 the qualified electors is not required unless such bonds are

1551 additionally secured by the full faith and credit and taxing
1552 power of the district.

1553 2. Any two or more projects may be combined and
1554 consolidated into a single project and may hereafter be operated
1555 and maintained as a single project. The revenue bonds authorized
1556 herein may be issued to finance any one or more of such
1557 projects, regardless of whether such projects have been combined
1558 and consolidated into a single project. If the board deems it
1559 advisable, the proceedings authorizing such revenue bonds may
1560 provide that the district may thereafter combine the projects
1561 then being financed or theretofore financed with other projects
1562 to be subsequently financed by the district and that revenue
1563 bonds to be thereafter issued by the district shall be on parity
1564 with the revenue bonds then being issued, all on such terms,
1565 conditions, and limitations as shall have been provided in the
1566 proceeding which authorized the original bonds.

1567 (i) General obligation bonds.—

1568 1. Subject to the limitations of this charter, the
1569 district shall have the power to issue general obligation bonds
1570 to finance or refinance capital projects or to refund
1571 outstanding bonds in an aggregate principal amount of bonds
1572 outstanding at any one time not in excess of 35 percent of the
1573 assessed value of the taxable property within the district as
1574 shown on the pertinent tax records at the time of the
1575 authorization of the general obligation bonds for which the full

1576 faith and credit of the district is pledged. Except for
1577 refunding bonds, general obligation bonds may not be issued
1578 unless the bonds are issued to finance or refinance a capital
1579 project and the issuance has been approved at an election held
1580 in accordance with the requirements for such election as
1581 prescribed by the State Constitution. Such elections shall be
1582 called to be held in the district by the Board of County
1583 Commissioners of Manatee County upon the request of the board of
1584 the district. The expenses of calling and holding an election
1585 shall be at the expense of the district and the district shall
1586 reimburse the county for any expenses incurred in calling or
1587 holding such election.

1588 2. The district may pledge its full faith and credit for
1589 the payment of the principal and interest on such general
1590 obligation bonds and for any reserve funds provided therefor and
1591 may unconditionally and irrevocably pledge itself to levy ad
1592 valorem taxes on all taxable property in the district, to the
1593 extent necessary for the payment thereof, without limitation as
1594 to rate or amount.

1595 3. If the board determines to issue general obligation
1596 bonds for more than one capital project, the approval of the
1597 issuance of the bonds for each and all such projects may be
1598 submitted to the electors on one ballot. The failure of the
1599 electors to approve the issuance of bonds for any one or more
1600 capital projects does not defeat the approval of bonds for any

1601 capital project which has been approved by the electors.

1602 4. In arriving at the amount of general obligation bonds

1603 permitted to be outstanding at any one time pursuant to

1604 subparagraph 1., there may not be included any general

1605 obligation bonds that are additionally secured by the pledge of:

1606 a. Any assessments levied in an amount sufficient to pay

1607 the principal and interest on the general obligation bonds so

1608 additionally secured, which assessments have been equalized and

1609 confirmed by resolution of the board pursuant to this act or s.

1610 170.08, Florida Statutes.

1611 b. Water revenues, sewer revenues, or water and sewer

1612 revenues of the district to be derived from user fees in an

1613 amount sufficient to pay the principal and interest on the

1614 general obligation bonds so additionally secured.

1615 c. Any combination of assessments and revenues described

1616 in sub-subparagraphs a. and b.

1617 (j) Bonds as legal investment or security.—

1618 1. Notwithstanding any other provision of law to the

1619 contrary, all bonds issued under this act shall constitute legal

1620 investments for savings banks, banks, trust companies, insurance

1621 companies, executors, administrators, trustees, guardians, and

1622 other fiduciaries and for any board, body, agency,

1623 instrumentality, county, municipality, or other political

1624 subdivision of the state and shall be and constitute security

1625 which may be deposited by banks or trust companies as security

1626 for deposits of state, county, municipal, or other public funds
1627 or by insurance companies as required or voluntary statutory
1628 deposits.

1629 2. Any bonds issued by the district shall be incontestable
1630 in the hands of bona fide purchasers or holders for value and
1631 are not invalid because of any irregularity or defect in the
1632 proceedings for the issue and sale thereof.

1633 (k) Covenants.—Any resolution authorizing the issuance of
1634 bonds may contain such covenants as the board may deem
1635 advisable, and all such covenants shall constitute valid and
1636 legally binding and enforceable contracts between the district
1637 and the bondholders, regardless of the time of issuance thereof.
1638 Such covenants may include, without limitation, covenants
1639 concerning the disposition of the bond proceeds; the use and
1640 disposition of project revenues; the pledging of revenues,
1641 taxes, and assessments; the obligations of the district with
1642 respect to the operation of the project and the maintenance of
1643 adequate project revenues; the issuance of additional bonds; the
1644 appointment, powers, and duties of trustees and receivers; the
1645 acquisition of outstanding bonds and obligations; restrictions
1646 on the establishment of competing projects or facilities;
1647 restrictions on the sale or disposal of the assets and property
1648 of the district; the priority of assessment liens; the priority
1649 of claims by bondholders on the taxing power of the district;
1650 the maintenance of deposits to ensure the payment of revenues by

1651 users of district facilities and services; the discontinuance of
1652 district services by reason of delinquent payments; acceleration
1653 upon default; the execution of necessary instruments; the
1654 procedure for amending or abrogating covenants with the
1655 bondholders; and such other covenants as may be deemed necessary
1656 or desirable for the security of the bondholders.

1657 (l) Validation proceedings.—The power of the district to
1658 issue bonds under this act may be determined, and any of the
1659 bonds of the district maturing over a period of more than 5
1660 years shall be validated and confirmed, by court decree, under
1661 chapter 75, Florida Statutes, and laws amendatory thereof or
1662 supplementary thereto.

1663 (m) Tax exemption.—To the extent allowed by general law,
1664 all bonds issued hereunder and interest paid thereon and all
1665 fees, charges, and other revenues derived by the district from
1666 the projects provided by this act are exempt from all taxes by
1667 the state or by any political subdivision, agency, or
1668 instrumentality thereof; however, any interest, income, or
1669 profits on debt obligations issued hereunder are not exempt from
1670 the tax imposed by chapter 220, Florida Statutes. Further, the
1671 district is not exempt from chapter 212, Florida Statutes.

1672 (n) Application of s. 189.051, Florida Statutes.—Bonds
1673 issued by the district shall meet the criteria set forth in s.
1674 189.051, Florida Statutes.

1675 (o) Act furnishes full authority for issuance of bonds.—

1676 This act constitutes full and complete authority for the
1677 issuance of bonds and the exercise of the powers of the district
1678 provided herein. Procedures or proceedings, publications,
1679 notices, consents, approvals, orders, acts, or things by the
1680 board, or by any board, officer, commission, department, agency,
1681 or instrumentality of the district, other than those required by
1682 this act, are not required to perform anything under this act,
1683 except that the issuance or sale of bonds pursuant to this act
1684 shall comply with the general law requirements applicable to the
1685 issuance or sale of bonds by the district. This act does not
1686 authorize the district to utilize bond proceeds to fund the
1687 ongoing operations of the district.

1688 (p) Pledge by the state to the bondholders of the
1689 district.—The state pledges to the holders of any bonds issued
1690 under this act that it will not limit or alter the rights of the
1691 district to own, acquire, construct, reconstruct, improve,
1692 maintain, operate, or furnish the projects or to levy and
1693 collect the taxes, assessments, rentals, rates, fees, and other
1694 charges provided for herein and to fulfill the terms of any
1695 agreement made with the holders of such bonds or other
1696 obligations and that it will not in any way impair the rights or
1697 remedies of such holders.

1698 (q) Default.—A default on the bonds or obligations of the
1699 district does not constitute a debt or obligation of the state
1700 or any general-purpose local government of the state. In the

1701 event of a default or dissolution of the district, a general-
1702 purpose local government is not required to assume the property
1703 of the district, the debts of the district, or the district's
1704 obligations to complete any infrastructure improvements or
1705 provide any services to the district. Section 189.076(2),
1706 Florida Statutes, does not apply to the district.

1707 (11) TRUST AGREEMENTS.—Any issue of bonds shall be secured
1708 by a trust agreement or resolution by and between the district
1709 and a corporate trustee or trustees, which may be any trust
1710 company or bank having the powers of a trust company within or
1711 without the state. The resolution authorizing the issuance of
1712 the bonds or such trust agreement may pledge the revenues to be
1713 received from any projects of the district and may contain such
1714 provisions for protecting and enforcing the rights and remedies
1715 of the bondholders as the board may approve, including, without
1716 limitation, covenants setting forth the duties of the district
1717 in relation to the acquisition, construction, reconstruction,
1718 improvement, maintenance, repair, operation, and insurance of
1719 any projects; the fixing and revising of the rates, fees, and
1720 charges; and the custody, safeguarding, and application of all
1721 moneys and for the employment of consulting engineers in
1722 connection with such acquisition, construction, reconstruction,
1723 improvement, maintenance, repair, operation, or insurance. It
1724 shall be lawful for any bank or trust company within or without
1725 the state which may act as a depository of the proceeds of bonds

1726 or of revenues to furnish such indemnifying bonds or to pledge
1727 such securities as may be required by the district. Such
1728 resolution or trust agreement may set forth the rights and
1729 remedies of the bondholders and of the trustee, if any, and may
1730 restrict the individual right of action by bondholders. The
1731 board may provide for the payment of proceeds of the sale of the
1732 bonds and the revenues of any project to such officer, board, or
1733 depository as it may designate for the custody thereof and may
1734 provide for the method of disbursement thereof with such
1735 safeguards and restrictions as it may determine. All expenses
1736 incurred in carrying out such resolution or trust agreement may
1737 be treated as part of the cost of operation of the project to
1738 which such trust agreement pertains.

1739 (12) AD VALOREM TAXES; ASSESSMENTS, BENEFIT SPECIAL
1740 ASSESSMENTS, MAINTENANCE SPECIAL ASSESSMENTS, AND SPECIAL
1741 ASSESSMENTS; MAINTENANCE TAXES.-

1742 (a) Ad valorem taxes.-At such time as all members of the
1743 board are qualified electors who are elected by qualified
1744 electors of the district, the board shall have the power to levy
1745 and assess an ad valorem tax on all the taxable property in the
1746 district to construct, operate, and maintain assessable
1747 improvements; to pay the principal of, and interest on, any
1748 general obligation bonds of the district; and to provide for any
1749 sinking or other funds established in connection with any such
1750 bonds. An ad valorem tax levied by the board for operating

1751 purposes, exclusive of debt service on bonds, may not exceed 3
1752 mills. The ad valorem tax provided for herein shall be in
1753 addition to county and all other ad valorem taxes provided for
1754 by general law. Such tax shall be assessed, levied, and
1755 collected in the same manner and at the same time as county
1756 taxes. The levy of ad valorem taxes must be approved by
1757 referendum as required by Section 9, Article VII of the State
1758 Constitution.

1759 (b) *Benefit special assessments.*—The board annually shall
1760 determine, order, and levy the annual installment of the total
1761 benefit special assessments for bonds issued and related
1762 expenses to finance assessable improvements. These assessments
1763 may be due and collected during each year county taxes are due
1764 and collected, in which case such annual installment and levy
1765 shall be evidenced to and certified to the property appraiser by
1766 the board not later than August 31 of each year. Such assessment
1767 shall be entered by the property appraiser on the county tax
1768 rolls and shall be collected and enforced by the tax collector
1769 in the same manner and at the same time as county taxes, and the
1770 proceeds thereof shall be paid to the district. However, this
1771 subsection does not prohibit the district in its discretion from
1772 using the method provided in s. 197.3632, Florida Statutes, or
1773 chapter 173, Florida Statutes, as each may be amended from time
1774 to time, for collecting and enforcing these assessments. Each
1775 annual installment of benefit special assessments shall be a

1776 lien on the property against which assessed until paid and shall
1777 be enforceable in like manner as county taxes. The amount of the
1778 assessment for the exercise of the district's powers under
1779 subsections (6) and (7) shall be determined by the board based
1780 upon a report of the district's engineer and assessed by the
1781 board upon such lands, which may be part or all of the lands
1782 within the district benefited by the improvement, apportioned
1783 between benefited lands in proportion to the benefits received
1784 by each tract of land. The board may, if it determines it is in
1785 the best interests of the district, set forth in the proceedings
1786 initially levying such benefit special assessments or in
1787 subsequent proceedings a formula for the determination of an
1788 amount which, when paid by a taxpayer with respect to any tax
1789 parcel, shall constitute a prepayment of all future annual
1790 installments of such benefit special assessments. The payment of
1791 which amount with respect to such tax parcel shall relieve and
1792 discharge such tax parcel of the lien of such benefit special
1793 assessments and any subsequent annual installment thereof. The
1794 board may provide further that upon delinquency in the payment
1795 of any annual installment of benefit special assessments, such
1796 prepayment amount of all future annual installments of benefit
1797 special assessments shall be and become immediately due and
1798 payable together with such delinquent annual installment.

1799 (c) *Non-ad valorem maintenance taxes.*—If and when
1800 authorized by general law, to maintain and to preserve the

1801 physical facilities and services constituting the works,
1802 improvements, or infrastructure owned by the district pursuant
1803 to this act, to repair and restore any one or more of them, when
1804 needed, and to defray the current expenses of the district,
1805 including any sum which may be required to pay state and county
1806 ad valorem taxes on any lands which may have been purchased and
1807 which are held by the district under this act, the board of
1808 supervisors may, upon the completion of said systems,
1809 facilities, services, works, improvements, or infrastructure, in
1810 whole or in part, as may be certified to the board by the
1811 engineer of the board, levy annually a non-ad valorem and
1812 nonmillage tax upon each tract or parcel of land within the
1813 district, to be known as a "maintenance tax." A maintenance tax
1814 shall be apportioned upon the basis of the net assessments of
1815 benefits assessed as accruing from the original construction and
1816 shall be evidenced to and certified by the board of supervisors
1817 of the district not later than June 1 of each year to the
1818 Manatee County tax collector and shall be extended on the tax
1819 rolls and collected by the tax collector on the merged
1820 collection roll of the tax collector in the same manner and at
1821 the same time as county ad valorem taxes, and the proceeds
1822 therefrom shall be paid to the district. The maintenance tax
1823 shall be a lien until paid on the property against which
1824 assessed and enforceable in like manner and of the same dignity
1825 as county ad valorem taxes.

1826 (d) Maintenance special assessments.—To maintain and
1827 preserve the facilities and projects of the district, the board
1828 may levy a maintenance special assessment. This assessment may
1829 be evidenced to and certified to the tax collector by the board
1830 of supervisors not later than August 31 of each year and shall
1831 be entered by the property appraiser on the county tax rolls and
1832 shall be collected and enforced by the tax collector in the same
1833 manner and at the same time as county taxes, and the proceeds
1834 therefrom shall be paid to the district. However, this
1835 subsection does not prohibit the district in its discretion from
1836 using the method prescribed in s. 197.363, s. 197.3631, or s.
1837 197.3632, Florida Statutes, for collecting and enforcing these
1838 assessments. These maintenance special assessments shall be a
1839 lien on the property against which assessed until paid and shall
1840 be enforceable in like manner as county taxes. The amount of the
1841 maintenance special assessment for the exercise of the
1842 district's powers under this section shall be determined by the
1843 board based upon a report of the district's engineer and
1844 assessed by the board upon such lands, which may be all of the
1845 lands within the district benefited by the maintenance thereof,
1846 apportioned between the benefited lands in proportion to the
1847 benefits received by each tract of land.

1848 (e) Special assessments.—The board may levy and impose any
1849 special assessments pursuant to this subsection.

1850 (f) Enforcement of taxes.—The collection and enforcement

1851 of all taxes levied by the district shall be at the same time
1852 and in like manner as county taxes and the provisions of general
1853 law relating to the sale of lands for unpaid and delinquent
1854 county taxes; the issuance, sale, and delivery of tax
1855 certificates for such unpaid and delinquent county taxes; the
1856 redemption thereof; the issuance to individuals of tax deeds
1857 based thereon; and all other procedures in connection therewith
1858 shall be applicable to the district to the same extent as if
1859 such statutory provisions were expressly set forth in this act.
1860 All taxes shall be subject to the same discounts as county
1861 taxes.

1862 (g) *When unpaid tax is delinquent; penalty.*—All taxes
1863 provided for in this act shall become delinquent and bear
1864 penalties on the amount of such taxes in the same manner as
1865 county taxes.

1866 (h) *Status of assessments.*—Benefit special assessments,
1867 maintenance special assessments, and special assessments are
1868 hereby found and determined to be non-ad valorem assessments as
1869 defined in s. 197.3632(1), Florida Statutes. Maintenance taxes
1870 are non-ad valorem taxes and are not special assessments.

1871 (i) *Assessments constitute liens; collection.*—Any and all
1872 assessments, including special assessments, benefit special
1873 assessments, and maintenance special assessments authorized and
1874 granted by this subsection and maintenance taxes if authorized
1875 by general law, shall constitute a lien on the property against

1876 which assessed from the date of levy and imposition thereof
 1877 until paid, coequal with the lien of state, county, municipal,
 1878 and school board taxes. These assessments may be collected, at
 1879 the district's discretion, under authority of s. 197.3631,
 1880 Florida Statutes, as amended from time to time, by the tax
 1881 collector pursuant to ss. 197.3632 and 197.3635, Florida
 1882 Statutes, as amended from time to time, or in accordance with
 1883 other collection measures provided by general law. In addition
 1884 to, and not in limitation of, any powers otherwise set forth
 1885 herein or in general law, these assessments may also be enforced
 1886 pursuant to chapter 173, Florida Statutes, as amended from time
 1887 to time.

1888 (j) Land owned by governmental entity.—Except as otherwise
 1889 provided by general law, a levy of ad valorem taxes or non-ad
 1890 valorem assessments under this act or chapter 170 or chapter
 1891 197, Florida Statutes, or otherwise by the board of the district
 1892 on property of a governmental entity that is subject to a ground
 1893 lease as described in s. 190.003(14), Florida Statutes, does not
 1894 constitute a lien or encumbrance on the underlying fee interest
 1895 of such governmental entity.

1896 (13) SPECIAL ASSESSMENTS.—

1897 (a) As an alternative method to the levy and imposition of
 1898 special assessments pursuant to chapter 170, Florida Statutes,
 1899 pursuant to the authority under s. 197.3631, Florida Statutes,
 1900 or pursuant to other provisions of general law, now or hereafter

1901 enacted, which provide a supplemental means or authority to
1902 impose, levy, and collect special assessments as otherwise
1903 authorized under this act, the board may levy and impose special
1904 assessments to finance the exercise of any of its powers
1905 permitted under this act using the following uniform procedures:

1906 1. At a noticed meeting, the board of supervisors of the
1907 district may consider and review an engineer's report on the
1908 costs of the systems, facilities, and services to be provided, a
1909 preliminary special assessment methodology, and a preliminary
1910 roll based on acreage or platted lands, depending upon whether
1911 platting has occurred.

1912 a. The special assessment methodology shall address and
1913 discuss and the board shall consider whether the systems,
1914 facilities, and services being contemplated will result in
1915 special benefits peculiar to the property, different in kind and
1916 degree than general benefits, as a logical connection between
1917 the systems, facilities, and services themselves and the
1918 property, and whether the duty to pay the special assessments by
1919 the property owners is apportioned in a manner that is fair and
1920 equitable and not in excess of the special benefit received. It
1921 shall be fair and equitable to designate a fixed proportion of
1922 the annual debt service, together with interest thereon, on the
1923 aggregate principal amount of bonds issued to finance such
1924 systems, facilities, and services which give rise to unique,
1925 special, and peculiar benefits to property of the same or

1926 similar characteristics under the special assessment methodology
1927 so long as such fixed proportion does not exceed the unique,
1928 special, and peculiar benefits enjoyed by such property from
1929 such systems, facilities, and services.

1930 b. The engineer's cost report shall identify the nature of
1931 the proposed systems, facilities, and services, their location,
1932 a cost breakdown plus a total estimated cost, including cost of
1933 construction or reconstruction, labor, and materials, lands,
1934 property, rights, easements, franchises, or systems, facilities,
1935 and services to be acquired; cost of plans and specifications
1936 and surveys of estimates of costs and revenues; costs of
1937 engineering, legal, and other professional consultation
1938 services; and other expenses or costs necessary or incident to
1939 determining the feasibility or practicability of such
1940 construction, reconstruction, or acquisition, administrative
1941 expenses, relationship to the authority and power of the
1942 district in its charter, and such other expenses or costs as may
1943 be necessary or incident to the financing to be authorized by
1944 the board of supervisors.

1945 c. The preliminary special assessment roll shall be in
1946 accordance with the assessment methodology as may be adopted by
1947 the board of supervisors; the special assessment roll shall be
1948 completed as promptly as possible and shall show the acreage,
1949 lots, lands, or plats assessed and the amount of the fairly and
1950 reasonably apportioned assessment based on special and peculiar

1951 benefit to the property, lot, parcel, or acreage of land; and,
1952 if the special assessment against such lot, parcel, acreage, or
1953 portion of land is to be paid in installments, the number of
1954 annual installments in which the special assessment is divided
1955 shall be entered into and shown upon the special assessment
1956 roll.

1957 2. The board of supervisors of the district may determine
1958 and declare by an initial special assessment resolution to levy
1959 and assess the special assessments with respect to assessable
1960 improvements stating the nature of the systems, facilities, and
1961 services, improvements, projects, or infrastructure constituting
1962 such assessable improvements, the information in the engineer's
1963 cost report, the information in the special assessment
1964 methodology as determined by the board at the noticed meeting
1965 and referencing and incorporating as part of the resolution the
1966 engineer's cost report, the preliminary special assessment
1967 methodology, and the preliminary special assessment roll as
1968 referenced exhibits to the resolution by reference. If the board
1969 determines to declare and levy the special assessments by the
1970 initial special assessment resolution, the board shall also
1971 adopt and declare a notice resolution which shall provide and
1972 cause the initial special assessment resolution to be published
1973 in a newspaper of general circulation in Manatee County once a
1974 week for 2 consecutive weeks and said board shall by the same
1975 resolution fix a time and place at which the owner or owners of

1976 | the property to be assessed or any other persons interested
1977 | therein may appear before said board and be heard as to the
1978 | propriety and advisability of making such improvements, as to
1979 | the costs thereof, as to the manner of payment therefor, and as
1980 | to the amount thereof to be assessed against each property so
1981 | improved. Thirty days' notice in writing of such time and place
1982 | shall be given to such property owners. The notice shall include
1983 | the amount of the special assessment and shall be served by
1984 | mailing a copy to each assessed property owner at his or her
1985 | last known address, the names and addresses of such property
1986 | owners to be obtained from the record of the property appraiser
1987 | of the county political subdivision in which the land is located
1988 | or from such other sources as the district manager or engineer
1989 | deems reliable. Proof of such mailing shall be made by the
1990 | affidavit of the manager of the district or by the engineer,
1991 | said proof to be filed with the district manager. Failure to
1992 | mail said notice or notices does not invalidate any of the
1993 | proceedings hereunder. It is provided further that the last
1994 | publication shall be at least 1 week before the date of the
1995 | hearing on the final special assessment resolution. Said notice
1996 | shall describe the general areas to be improved and advise all
1997 | persons interested that the description of each property to be
1998 | assessed and the amount to be assessed to each piece, parcel,
1999 | lot, or acre of property may be ascertained at the office of the
2000 | manager of the district. Such service by publication shall be

2001 verified by the affidavit of the publisher and filed with the
2002 manager of the district. Moreover, the initial special
2003 assessment resolution with its attached, referenced, and
2004 incorporated engineer's cost report, preliminary special
2005 assessment methodology, and preliminary special assessment roll,
2006 along with the notice resolution, shall be available for public
2007 inspection at the office of the manager and the office of the
2008 engineer or any other office designated by the board of
2009 supervisors in the notice resolution. Notwithstanding the
2010 foregoing, the landowners of all of the property which is
2011 proposed to be assessed may give the district written notice of
2012 waiver of any notice and publication provided for in this
2013 subparagraph. However, such notice and publication is not
2014 required, provided that any meeting of the board of supervisors
2015 to consider such resolution is a publicly noticed meeting.

2016 3. At the time and place named in the noticed resolution
2017 as provided for in subparagraph 2., the board of supervisors of
2018 the district shall meet and hear testimony from affected
2019 property owners as to the propriety and advisability of making
2020 the systems, facilities, services, projects, works,
2021 improvements, or infrastructure and funding them with
2022 assessments referenced in the initial special assessment
2023 resolution on the property. Following the testimony and
2024 questions from the members of the board or any professional
2025 advisors to the district of the preparers of the engineer's cost

2026 report, the special assessment methodology, and the special
2027 assessment roll, the board of supervisors shall make a final
2028 decision on whether to levy and assess the particular special
2029 assessments. Thereafter, the board of supervisors shall meet as
2030 an equalizing board to hear and to consider any and all
2031 complaints as to the particular special assessments and shall
2032 adjust and equalize the special assessments to ensure proper
2033 assessment based on the benefit conferred on the property.

2034 4. When so equalized and approved by resolution or
2035 ordinance by the board of supervisors, to be called the final
2036 special assessment resolution, a final special assessment roll
2037 shall be filed with the clerk of the board and such special
2038 assessment shall stand confirmed and remain legal, valid, and
2039 binding first liens on the property against which such special
2040 assessments are made until paid, equal in dignity to the first
2041 liens of ad valorem taxation of county and municipal governments
2042 and school boards. However, upon completion of the systems,
2043 facilities, services, projects, improvements, works, or
2044 infrastructure, the district shall credit to each of the
2045 assessments the difference in the special assessment as
2046 originally made, approved, levied, assessed, and confirmed and
2047 the proportionate part of the actual cost of the improvement to
2048 be paid by the particular special assessments as finally
2049 determined upon the completion of the improvement; but in no
2050 event shall the final special assessment exceed the amount of

2051 the special and peculiar benefits as apportioned fairly and
2052 reasonably to the property from the system, facility, or service
2053 being provided as originally assessed. Promptly after such
2054 confirmation, the special assessment shall be recorded by the
2055 clerk of the district in the minutes of the proceedings of the
2056 district, and the record of the lien in this set of minutes
2057 shall constitute prima facie evidence of its validity. The board
2058 of supervisors, in its sole discretion, may, by resolution,
2059 grant a discount equal to all or a part of the payee's
2060 proportionate share of the cost of the project consisting of
2061 bond financing cost, such as capitalized interest, funded
2062 reserves, and bond discounts included in the estimated cost of
2063 the project, upon payment in full of any special assessments
2064 during such period before the time such financing costs are
2065 incurred as may be specified by the board of supervisors in such
2066 resolution.

2067 5. District special assessments may be made payable in
2068 installments over no more than 40 years after the date of the
2069 payment of the first installment thereof and may bear interest
2070 at fixed or variable rates.

2071 (b) Notwithstanding any provision of this act or chapter
2072 170, Florida Statutes, that portion of s. 170.09, Florida
2073 Statutes, which provides that special assessments may be paid
2074 without interest at any time within 30 days after the
2075 improvement is completed and a resolution accepting the same has

2076 been adopted by the governing authority is not applicable to any
2077 district special assessments, whether imposed, levied, and
2078 collected pursuant to this act or any other provision of general
2079 law, including, but not limited to, chapter 170, Florida
2080 Statutes.

2081 (c) In addition, the district is authorized expressly in
2082 the exercise of its rulemaking power to adopt rules that provide
2083 for notice, levy, imposition, equalization, and collection of
2084 assessments.

2085 (14) ISSUANCE OF CERTIFICATES OF INDEBTEDNESS BASED ON
2086 ASSESSMENTS FOR ASSESSABLE IMPROVEMENTS; ASSESSMENT BONDS.—

2087 (a) The board may, after any special assessments or
2088 benefit special assessments for assessable improvements are
2089 made, determined, and confirmed as provided in this act, issue
2090 certificates of indebtedness for the amount so assessed against
2091 the abutting property or property otherwise benefited, as the
2092 case may be, and separate certificates shall be issued against
2093 each part or parcel of land or property assessed, which
2094 certificates shall state the general nature of the improvement
2095 for which the assessment is made. The certificates shall be
2096 payable in annual installments in accordance with the
2097 installments of the special assessment for which they are
2098 issued. The board may determine the interest to be borne by such
2099 certificates, not to exceed the maximum rate allowed by general
2100 law, and may sell such certificates at either private or public

2101 sale and determine the form, manner of execution, and other
2102 details of such certificates. The certificates shall recite that
2103 they are payable only from the special assessments levied and
2104 collected from the part or parcel of land or property against
2105 which they are issued. The proceeds of such certificates may be
2106 pledged for the payment of principal of and interest on any
2107 revenue bonds or general obligation bonds issued to finance in
2108 whole or in part such assessable improvement or, if not so
2109 pledged, may be used to pay the cost or part of the cost of such
2110 assessable improvements.

2111 (b) The district may also issue assessment bonds, revenue
2112 bonds, or other obligations payable from a special fund into
2113 which such certificates of indebtedness referred to in paragraph
2114 (a) may be deposited or, if such certificates of indebtedness
2115 have not been issued, may assign to such special fund for the
2116 benefit of the holders of such assessment bonds or other
2117 obligations, or to a trustee for such bondholders, the
2118 assessment liens provided for in this act unless such
2119 certificates of indebtedness or assessment liens have been
2120 theretofore pledged for any bonds or other obligations
2121 authorized hereunder. In the event of the creation of such
2122 special fund and the issuance of such assessment bonds or other
2123 obligations, the proceeds of such certificates of indebtedness
2124 or assessment liens deposited therein shall be used only for the
2125 payment of the assessment bonds or other obligations issued as

2126 provided in this section. The district is authorized to covenant
2127 with the holders of such assessment bonds, revenue bonds, or
2128 other obligations that it will diligently and faithfully enforce
2129 and collect all the special assessments, and interest and
2130 penalties thereon, for which such certificates of indebtedness
2131 or assessment liens have been deposited in or assigned to such
2132 fund; to foreclose such assessment liens so assigned to such
2133 special fund or represented by the certificates of indebtedness
2134 deposited in the special fund, after such assessment liens have
2135 become delinquent, and deposit the proceeds derived from such
2136 foreclosure, including interest and penalties, in such special
2137 fund; and to make any other covenants deemed necessary or
2138 advisable in order to properly secure the holders of such
2139 assessment bonds or other obligations.

2140 (c) The assessment bonds, revenue bonds, or other
2141 obligations issued pursuant to this subsection shall have such
2142 dates of issuance and maturity as deemed advisable by the board;
2143 however, the maturities of such assessment bonds or other
2144 obligations may not be more than 2 years after the due date of
2145 the last installment that will be payable on any of the special
2146 assessments for which such assessment liens, or the certificates
2147 of indebtedness representing such assessment liens, are assigned
2148 to or deposited in such special fund.

2149 (d) Such assessment bonds, revenue bonds, or other
2150 obligations issued under this subsection shall bear such

2151 interest as the board may determine, not to exceed the maximum
2152 rate allowed by general law, and shall be executed, shall have
2153 such provisions for redemption before maturity, shall be sold in
2154 such manner, and shall be subject to all of the applicable
2155 provisions contained in this act for revenue bonds, except as
2156 the same may be inconsistent with this subsection.

2157 (e) All assessment bonds, revenue bonds, or other
2158 obligations issued under this subsection shall be, shall
2159 constitute, and shall have all the qualities and incidents of
2160 negotiable instruments under the law merchant and general laws.

2161 (15) TAX LIENS.—All taxes of the district provided for in
2162 this act, together with all penalties for default in the payment
2163 of the same and all costs in collecting the same, including a
2164 reasonable attorney fee fixed by the court and taxed as a cost
2165 in the action brought to enforce payment, shall, from January 1
2166 of each year the property is liable to assessment and until
2167 paid, constitute a lien of equal dignity with the liens for
2168 state and county taxes and other taxes of equal dignity with
2169 state and county taxes upon all the lands against which such
2170 taxes shall be levied. A sale of any of the real property within
2171 the district for state and county or other taxes may not operate
2172 to relieve or release the property so sold from the lien for
2173 subsequent district taxes or installments of district taxes,
2174 which lien may be enforced against such property as though no
2175 such sale thereof had been made. In addition, for purposes of s.

2176 197.552, Florida Statutes, the lien of all special assessments
 2177 levied by the district shall constitute a lien of record held by
 2178 a municipal or county governmental unit. Sections 194.171,
 2179 197.122, 197.333, and 197.432, Florida Statutes, are applicable
 2180 to district taxes with the same force and effect as if such
 2181 sections were expressly provided in this act.

2182 (16) PAYMENT OF TAXES AND REDEMPTION OF TAX LIENS BY THE
 2183 DISTRICT; SHARING IN PROCEEDS OF TAX SALE.-

2184 (a) The district shall have the power and right to:

2185 1. Pay any delinquent state, county, district, municipal,
 2186 or other tax or assessment upon lands located wholly or
 2187 partially within the boundaries of the district.

2188 2. Redeem or purchase any tax sales certificates issued or
 2189 sold on account of any state, county, district, municipal, or
 2190 other taxes or assessments upon lands located wholly or
 2191 partially within the boundaries of the district.

2192 (b) Delinquent taxes paid, or tax sales certificates
 2193 redeemed or purchased, by the district, together with all
 2194 penalties for the default in payment of the same and all costs
 2195 in collecting the same and a reasonable attorney fee, shall
 2196 constitute a lien in favor of the district of equal dignity with
 2197 the liens of state and county taxes and other taxes of equal
 2198 dignity with state and county taxes upon all the real property
 2199 against which the taxes were levied. The lien of the district
 2200 may be foreclosed in the manner provided in this act.

2201 (c) In any sale of land pursuant to s. 197.542, Florida
2202 Statutes, as may be amended from time to time, the district may
2203 certify to the clerk of the circuit court of the county holding
2204 such sale the amount of taxes due to the district upon the lands
2205 sought to be sold, and the district shall share in the
2206 disbursement of the sales proceeds in accordance with this act
2207 and under general law.

2208 (17) FORECLOSURE OF LIENS.—Any lien in favor of the
2209 district arising under this act may be foreclosed by the
2210 district by foreclosure proceedings in the name of the district
2211 in a court of competent jurisdiction as provided by general law
2212 in like manner as is provided in chapter 170 or chapter 173,
2213 Florida Statutes, and any amendments thereto, and those chapters
2214 shall be applicable to such proceedings with the same force and
2215 effect as if those chapters were expressly provided in this act.
2216 Any act required or authorized to be done by or on behalf of a
2217 municipality in foreclosure proceedings under chapter 170 or
2218 chapter 173, Florida Statutes, may be performed by such officer
2219 or agent of the district as the board of supervisors may
2220 designate. Such foreclosure proceedings may be brought at any
2221 time after the expiration of 1 year from the date any tax, or
2222 installment thereof, becomes delinquent; however, no lien shall
2223 be foreclosed against any political subdivision or agency of the
2224 state. Other legal remedies shall remain available.

2225 (18) MANDATORY USE OF CERTAIN DISTRICT SYSTEMS,

2226 FACILITIES, AND SERVICES.—To the full extent permitted by
2227 general law, the district shall require all lands, buildings,
2228 premises, persons, firms, and corporations within the district
2229 to use the facilities of the district.

2230 (19) COMPETITIVE PROCUREMENT; BIDS; NEGOTIATIONS; RELATED
2231 PROVISIONS REQUIRED.—

2232 (a) A contract may not be let by the board for any goods,
2233 supplies, or materials to be purchased when the amount thereof
2234 to be paid by the district shall exceed the amount provided in
2235 s. 287.017, Florida Statutes, for category four, unless notice
2236 of bids shall be published in a newspaper of general circulation
2237 in Manatee County at least once. Any board seeking to construct
2238 or improve a public building, structure, or other public works
2239 shall comply with the bidding procedures of s. 255.20, Florida
2240 Statutes, as amended from time to time, and other applicable
2241 general law. In each case, the bid of the lowest responsive and
2242 responsible bidder shall be accepted unless all bids are
2243 rejected because the bids are too high or the board determines
2244 it is in the best interests of the district to reject all bids.
2245 The board may require the bidders to furnish bond with a
2246 responsible surety to be approved by the board. Nothing in this
2247 subsection shall prevent the board from undertaking and
2248 performing the construction, operation, and maintenance of any
2249 project or facility authorized by this act by the employment of
2250 labor, material, and machinery.

2251 (b) The Consultants' Competitive Negotiation Act, s.
2252 287.055, Florida Statutes, applies to contracts for engineering,
2253 architecture, landscape architecture, or registered surveying
2254 and mapping services let by the board.

2255 (c) Contracts for maintenance services for any district
2256 facility or project shall be subject to competitive bidding
2257 requirements when the amount thereof to be paid by the district
2258 exceeds the amount provided in s. 287.017, Florida Statutes, as
2259 amended from time to time, for category four. The district shall
2260 adopt rules, policies, or procedures establishing competitive
2261 bidding procedures for maintenance services. Contracts for other
2262 services may not be subject to competitive bidding unless the
2263 district adopts a rule, policy, or procedure applying
2264 competitive bidding procedures to said contracts. Nothing herein
2265 shall preclude the use of requests for proposal instead of
2266 invitations to bid as determined by the district to be in its
2267 best interest.

2268 (20) FEES, RENTALS, AND CHARGES; PROCEDURE FOR ADOPTION
2269 AND MODIFICATIONS; MINIMUM REVENUE REQUIREMENTS.—

2270 (a) The district is authorized to prescribe, fix,
2271 establish, and collect rates, fees, rentals, or other charges,
2272 hereinafter sometimes referred to as "revenues," and to revise
2273 the same from time to time, for the systems, facilities, and
2274 services furnished by the district, within the limits of the
2275 district, including, but not limited to, recreational

2276 facilities, water management and control facilities, and water
2277 and sewer systems; to recover the costs of making connection
2278 with any district service, facility, or system; and to provide
2279 for reasonable penalties against any user or property for any
2280 such rates, fees, rentals, or other charges that are delinquent.

2281 (b) No such rates, fees, rentals, or other charges for any
2282 of the facilities or services of the district shall be fixed
2283 until after a public hearing at which all the users of the
2284 proposed facility or services or owners, tenants, or occupants
2285 served or to be served thereby and all other interested persons
2286 shall have an opportunity to be heard concerning the proposed
2287 rates, fees, rentals, or other charges. Rates, fees, rentals,
2288 and other charges shall be adopted under the administrative
2289 rulemaking authority of the district, but do not apply to
2290 district leases. Notice of such public hearing setting forth the
2291 proposed schedule or schedules of rates, fees, rentals, and
2292 other charges shall have been published in a newspaper of
2293 general circulation in Manatee County at least once and at least
2294 10 days before such public hearing. The rulemaking hearing may
2295 be adjourned from time to time. After such hearing, such
2296 schedule or schedules, either as initially proposed or as
2297 modified or amended, may be finally adopted. A copy of the
2298 schedule or schedules of such rates, fees, rentals, or charges
2299 as finally adopted shall be kept on file in an office designated
2300 by the board and shall be open at all reasonable times to public

2301 inspection. The rates, fees, rentals, or charges so fixed for
2302 any class of users or property served shall be extended to cover
2303 any additional users or properties thereafter served which shall
2304 fall in the same class, without the necessity of any notice or
2305 hearing.

2306 (c) Such rates, fees, rentals, and charges shall be just
2307 and equitable and uniform for users of the same class, and when
2308 appropriate may be based or computed either upon the amount of
2309 service furnished, upon the average number of persons residing
2310 or working in or otherwise occupying the premises served, or
2311 upon any other factor affecting the use of the facilities
2312 furnished, or upon any combination of the foregoing factors, as
2313 may be determined by the board on an equitable basis.

2314 (d) The rates, fees, rentals, or other charges prescribed
2315 shall be such as will produce revenues, together with any other
2316 assessments, taxes, revenues, or funds available or pledged for
2317 such purpose, at least sufficient to provide for the following
2318 items, but not necessarily in the order stated:

2319 1. To provide for all expenses of operation and
2320 maintenance of such facility or service.

2321 2. To pay when due all bonds and interest thereon for the
2322 payment of which such revenues are, or shall have been, pledged
2323 or encumbered, including reserves for such purpose.

2324 3. To provide for any other funds which may be required
2325 under the resolution or resolutions authorizing the issuance of

2326 | bonds pursuant to this act.

2327 | (e) The board shall have the power to enter into contracts
 2328 | for the use of the projects of the district and with respect to
 2329 | the services, systems, and facilities furnished or to be
 2330 | furnished by the district.

2331 | (21) RECOVERY OF DELINQUENT CHARGES.—In the event that any
 2332 | rates, fees, rentals, charges, or delinquent penalties are not
 2333 | paid as and when due and are in default for 60 days or more, the
 2334 | unpaid balance thereof and all interest accrued thereon,
 2335 | together with reasonable attorney fees and costs, may be
 2336 | recovered by the district in a civil action.

2337 | (22) DISCONTINUANCE OF SERVICES OR FACILITIES.—In the
 2338 | event the fees, rentals, or other charges for district services
 2339 | or facilities are not paid when due, the board shall have the
 2340 | power, under such reasonable rules and regulations as the board
 2341 | may adopt, to discontinue and shut off such services or
 2342 | facilities until such fees, rentals, or other charges, including
 2343 | interest, penalties, and charges for the shutting off and
 2344 | discontinuance and the restoration of such services or
 2345 | facilities, are fully paid; and, for such purposes, the board
 2346 | may enter on any lands, waters, or premises of any person, firm,
 2347 | corporation, or body, public or private, within the district
 2348 | limits. Such delinquent fees, rentals, or other charges,
 2349 | together with interest, penalties, and charges for the shutting
 2350 | off and discontinuance and the restoration of such services or

2351 facilities and reasonable attorney fees and other expenses, may
2352 be recovered by the district, which may also enforce payment of
2353 such delinquent fees, rentals, or other charges by any other
2354 lawful method of enforcement.

2355 (23) ENFORCEMENT AND PENALTIES.—The board or any aggrieved
2356 person may have recourse to such remedies in general law and at
2357 equity as may be necessary to ensure compliance with this act,
2358 including injunctive relief to enjoin or restrain any person
2359 violating this act or any bylaws, resolutions, regulations,
2360 rules, codes, or orders adopted under this act. In case any
2361 building or structure is erected, constructed, reconstructed,
2362 altered, repaired, converted, or maintained, or any building,
2363 structure, land, or water is used, in violation of this act or
2364 of any code, order, resolution, or other regulation made under
2365 authority conferred by this act or under general law, the board
2366 or any citizen residing in the district may institute any
2367 appropriate action or proceeding to prevent such unlawful
2368 erection, construction, reconstruction, alteration, repair,
2369 conversion, maintenance, or use; to restrain, correct, or avoid
2370 such violation; to prevent the occupancy of such building,
2371 structure, land, or water; and to prevent any illegal act,
2372 conduct, business, or use in or about such premises, land, or
2373 water.

2374 (24) SUITS AGAINST THE DISTRICT.—Any suit or action
2375 brought or maintained against the district for damages arising

2376 out of tort, including, without limitation, any claim arising
2377 upon account of an act causing an injury or loss of property,
2378 personal injury, or death, shall be subject to the limitations
2379 provided in s. 768.28, Florida Statutes.

2380 (25) EXEMPTION OF DISTRICT PROPERTY FROM EXECUTION.—All
2381 district property shall be exempt from levy and sale by virtue
2382 of an execution, and no execution or other judicial process
2383 shall issue against such property, nor shall any judgment
2384 against the district be a charge or lien on its property or
2385 revenues; however, nothing contained herein shall apply to or
2386 limit the rights of bondholders to pursue any remedy for the
2387 enforcement of any lien or pledge given by the district in
2388 connection with any of the bonds or obligations of the district.

2389 (26) TERMINATION, CONTRACTION, OR EXPANSION OF DISTRICT.—

2390 (a) The board of supervisors of the district may not ask
2391 the Legislature to repeal or amend this act to expand or to
2392 contract the boundaries of the district or otherwise cause the
2393 merger or termination of the district without first obtaining a
2394 resolution or official statement from Manatee County as required
2395 by s. 189.031(2)(e)4., Florida Statutes, for creation of an
2396 independent special district. The district's consent may be
2397 evidenced by a resolution or other official written statement of
2398 the district.

2399 (b) The district shall remain in existence until:

2400 1. The district is terminated and dissolved pursuant to

2401 amendment to this act by the Legislature.

2402 2. The district has become inactive pursuant to s.
2403 189.062, Florida Statutes.

2404 (27) MERGER WITH COMMUNITY DEVELOPMENT DISTRICTS.—The
2405 district may merge with one or more community development
2406 districts situated wholly within its boundaries. The district
2407 shall be the surviving entity of the merger. Any mergers shall
2408 commence upon each such community development district filing a
2409 written request for merger with the district. A copy of the
2410 written request shall also be filed with Manatee County. The
2411 district, subject to the direction of its board of supervisors,
2412 shall enter into a merger agreement which shall provide for the
2413 proper allocation of debt, the manner in which such debt shall
2414 be retired, the transition of the community development district
2415 board, and the transfer of all financial obligations and
2416 operating and maintenance responsibilities to the district. The
2417 execution of the merger agreement by the district and each
2418 community development district constitutes consent of the
2419 landowners within each district. The district and each community
2420 development district requesting merger shall hold a public
2421 hearing within its boundaries to provide information about and
2422 take public comment on the proposed merger in the merger
2423 agreement. The public hearing shall be held within 45 days after
2424 the execution of the merger agreement by all parties thereto.
2425 Notice of the public hearing shall be published in a newspaper

2426 of general circulation in Manatee County at least 14 days before
2427 the hearing. At the conclusion of the public hearing, each
2428 district shall consider a resolution approving or disapproving
2429 the proposed merger. If the district and each community
2430 development district which is a party to the merger agreement
2431 adopt a resolution approving the proposed merger, the
2432 resolutions and the merger agreement shall be filed with Manatee
2433 County. Upon receipt of the resolutions approving the merger and
2434 the merger agreement, Manatee County shall adopt a nonemergency
2435 ordinance dissolving each community development district
2436 pursuant to s. 190.046(10), Florida Statutes.

2437 (28) INCLUSION OF TERRITORY.—The inclusion of any or all
2438 territory of the district within a municipality does not change,
2439 alter, or affect the boundary, territory, existence, or
2440 jurisdiction of the district.

2441 (29) SALE OF REAL ESTATE WITHIN THE DISTRICT; REQUIRED
2442 DISCLOSURE TO PURCHASER.—Subsequent to the creation of this
2443 district under this act, each contract for the initial sale of a
2444 parcel of real property and each contract for the initial sale
2445 of a residential unit within the district shall include,
2446 immediately before the space reserved in the contract for the
2447 signature of the purchaser, the following disclosure statement
2448 in boldfaced and conspicuous type which is larger than the type
2449 in the remaining text of the contract: "THE NORTH RIVER RANCH
2450 IMPROVEMENT STEWARDSHIP DISTRICT MAY IMPOSE AND LEVY TAXES OR

2451 ASSESSMENTS, OR BOTH TAXES AND ASSESSMENTS, ON THIS PROPERTY.
 2452 THESE TAXES AND ASSESSMENTS PAY FOR THE CONSTRUCTION, OPERATION,
 2453 AND MAINTENANCE COSTS OF CERTAIN PUBLIC SYSTEMS, FACILITIES, AND
 2454 SERVICES OF THE DISTRICT AND ARE SET ANNUALLY BY THE GOVERNING
 2455 BOARD OF THE DISTRICT. THESE TAXES AND ASSESSMENTS ARE IN
 2456 ADDITION TO COUNTY AND OTHER LOCAL GOVERNMENTAL TAXES AND
 2457 ASSESSMENTS AND ALL OTHER TAXES AND ASSESSMENTS PROVIDED FOR BY
 2458 GENERAL LAW."

2459 (30) NOTICE OF CREATION AND ESTABLISHMENT.—Within 30 days
 2460 after the election of the first board of supervisors creating
 2461 the district, the district shall cause to be recorded in the
 2462 grantor-grantee index of the property records in Manatee County
 2463 a "Notice of Creation and Establishment of the North River Ranch
 2464 Improvement Stewardship District." The notice shall, at a
 2465 minimum, include the legal description of the territory
 2466 described in this act.

2467 (31) DISTRICT PROPERTY PUBLIC; FEES.—Any system, facility,
 2468 service, works, improvement, project, or other infrastructure
 2469 owned by the district, or funded by federal tax exempt bonding
 2470 issued by the district, is public; and the district by rule may
 2471 regulate, and may impose reasonable charges or fees for, the use
 2472 thereof, but not to the extent that such regulation or
 2473 imposition of such charges or fees constitutes denial of
 2474 reasonable access.

2475 Section 3. If any provision of this act or its application

2476 to any person or circumstance is held invalid, the invalidity
2477 does not affect the remaining provisions or applications of the
2478 act which can be given effect without the invalid provision or
2479 application, and to this end the provisions of this act are
2480 severable.

2481 Section 4. This act shall take effect upon becoming a law
2482 except that the provisions of this act which authorize the levy
2483 of ad valorem taxation shall take effect only upon express
2484 approval by a majority vote of those qualified electors of the
2485 North River Ranch Improvement Stewardship District, as required
2486 by Section 9, Article VII of the State Constitution, voting in a
2487 referendum election held at such time as all members of the
2488 board are qualified electors who are elected by qualified
2489 electors of the district as provided in this act.

2490 Section 5. This act shall take effect upon becoming a law.