

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

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

35 |

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

37 |

38 | Section 1. The charter for the North River Ranch
 39 | Improvement Stewardship District is created to read:

40 | Section 1. This act may be cited as the "North River Ranch
 41 | Improvement Stewardship District Act."

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

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

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

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

51 for the North River Ranch Improvement Stewardship District lands
52 located within Manatee County to provide for a more
53 comprehensive community development approach, which will
54 facilitate an integral relationship among regional
55 transportation, land use, and urban design to provide for a
56 diverse mix of housing and regional employment and economic
57 development opportunities, rather than fragmented development
58 with underutilized infrastructure which is generally associated
59 with urban sprawl.

60 (c) There is a considerably long period of time during
61 which there is a significant burden to provide various systems,
62 facilities, and services to the initial landowners of the North
63 River Ranch Improvement Stewardship District lands, such that
64 there is a need for flexible management, sequencing, timing, and
65 financing of the various systems, facilities, and services to be
66 provided to these lands, taking into consideration absorption
67 rates, commercial viability, and related factors. Therefore,
68 extended control by the initial landowner with regard to the
69 provision of systems, facilities, and services for the North
70 River Ranch Improvement Stewardship District lands, coupled with
71 the special and single purpose of such district, is in the
72 public interest.

73 (d) While chapter 190, Florida Statutes, provides an
74 opportunity for previous community development services and
75 facilities to be provided by the continued use of community

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

92 | (e) The existence and use of a special and limited purpose
93 | local government for the North River Ranch Improvement
94 | Stewardship District lands, subject to the Manatee County
95 | comprehensive plan, will provide for a comprehensive and
96 | complete community development approach to promote a sustainable
97 | and efficient land use pattern for the North River Ranch
98 | Improvement Stewardship District lands with long-term planning
99 | for conservation and development; provide opportunities for the
100 | mitigation of impacts and development of infrastructure in an

101 orderly and timely manner; prevent the overburdening of the
102 local general purpose government and the taxpayers; and provide
103 an enhanced tax base and regional employment and economic
104 development opportunities.

105 (f) The creation and establishment of the special district
106 will encourage local government financial self-sufficiency in
107 providing public facilities and in identifying and implementing
108 fiscally sound, innovative, and cost-effective techniques to
109 provide and finance public facilities while encouraging
110 coordinated development of capital improvement plans by all
111 levels of government, in accordance with the goals of chapter
112 187, Florida Statutes.

113 (g) The creation and establishment of a special and single
114 purpose independent district is a legitimate supplemental and
115 alternative method available to manage, own, operate, construct,
116 and finance capital infrastructure systems, facilities, and
117 services.

118 (h) In order to be responsive to the critical timing
119 required through the exercise of its special management
120 functions, an independent special district requires financing of
121 those functions, including bondable lienable and nonlienable
122 revenue, with full and continuing public disclosure and
123 accountability, funded by landowners, both present and future,
124 and funded also by users of the systems, facilities, and
125 services provided to the land area by the special district,

126 without unduly burdening the taxpayers, citizens, and ratepayers
 127 of the state or Manatee County.

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

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

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

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

143 (a) "Ad valorem bonds" means bonds that are payable from
 144 the proceeds of ad valorem taxes levied on real and tangible
 145 personal property and that are generally referred to as general
 146 obligation bonds.

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

151 (c) "Assessment bonds" means special obligations of the
152 district which are payable solely from proceeds of the special
153 assessments or benefit special assessments levied for assessable
154 improvements, provided that, in lieu of issuing assessment bonds
155 to fund the costs of assessable improvements, the district may
156 issue revenue bonds for such purposes payable from assessments.

157 (d) "Assessments" means nonmillage district assessments
158 including special assessments, benefit special assessments, and
159 maintenance special assessments, and a nonmillage, non-ad
160 valorem maintenance tax if authorized by general law.

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

163 (f) "Board of supervisors" or "board" means the governing
164 body of the district or, if such board has been abolished, the
165 board, body, or commission assuming the principal functions
166 thereof or to whom the powers given to the board by this act
167 have been given by general law.

168 (g) "Bond" includes "certificate," and the provisions that
169 are applicable to bonds are equally applicable to certificates.
170 The term also includes any general obligation bond, assessment
171 bond, refunding bond, revenue bond, bond anticipation note, and
172 other such obligation in the nature of a bond as is provided for
173 in this act.

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

- 176 1. The expenses of determining the feasibility or
- 177 practicability of acquisition, construction, or reconstruction.
- 178 2. The cost of surveys, estimates, plans, and
- 179 specifications.
- 180 3. The cost of improvements.
- 181 4. Engineering, architectural, fiscal, and legal expenses
- 182 and charges.
- 183 5. The cost of all labor, materials, machinery, and
- 184 equipment.
- 185 6. The cost of all lands, properties, rights, easements,
- 186 and franchises acquired.
- 187 7. Financing charges.
- 188 8. The creation of initial reserve and debt service funds.
- 189 9. Working capital.
- 190 10. Interest charges incurred or estimated to be incurred
- 191 on money borrowed before and during construction and acquisition
- 192 and for such reasonable period of time after completion of
- 193 construction or acquisition as the board may determine.
- 194 11. The cost of issuance of bonds pursuant to this act,
- 195 including advertisements and printing.
- 196 12. The cost of any bond or tax referendum held pursuant
- 197 to this act and all other expenses of the issuance of bonds.
- 198 13. The discount, if any, on the sale or exchange of
- 199 bonds.
- 200 14. Administrative expenses.

201 15. Such other expenses as may be necessary or incidental
202 to the acquisition, construction, or reconstruction of any
203 project, or to the financing thereof, or to the development of
204 any lands within the district.

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

208 17. Any other expense or payment permitted by this act or
209 allowable by general law.

210 (i) "District" means the North River Ranch Improvement
211 Stewardship District.

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

213 (k) "District roads" means highways, streets, roads,
214 alleys, intersection improvements, sidewalks, crossings,
215 landscaping, irrigation, signage, signalization, storm drains,
216 bridges, multi-use trails, lighting, and thoroughfares of all
217 kinds.

218 (l) "General obligation bonds" means bonds which are
219 secured by, or provide for their payment by, the pledge of the
220 full faith and credit and taxing power of the district.

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

223 (n) "Governing board member" means any member of the board
224 of supervisors.

225 (o) "Land development regulations" means those regulations

226 of the general purpose local government, adopted under the
227 Community Planning Act, codified as part II of chapter 163,
228 Florida Statutes, to which the district is subject and as to
229 which the district may not do anything that is inconsistent
230 therewith. Land development regulations are not considered
231 specific management, engineering, operations, or capital
232 improvement planning, needed in the daily management,
233 implementation, and supplying by the district of systems,
234 facilities, services, works, improvements, projects, or
235 infrastructure, so long as they remain subject to and are not
236 inconsistent with the applicable county codes.

237 (p) "Landowner" means the owner of a freehold estate as it
238 appears on the deed record, including a trustee, a private
239 corporation, and an owner of a condominium unit. "Landowner"
240 does not include a reversioner, remainderman, mortgagee, or any
241 governmental entity which is not counted and does not need to be
242 notified of proceedings under this act. "Landowner" also means
243 the owner of a ground lease from a governmental entity, which
244 leasehold interest has a remaining term, excluding all renewal
245 options, in excess of 50 years.

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

248 (r) "Non-ad valorem assessment" means only those
249 assessments which are not based upon millage and which can
250 become a lien against a homestead as permitted in s. 4, Art. X

251 of the State Constitution.

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

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

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

268 2. "Special powers," which means those powers provided by
269 the district charter to implement its specialized systems,
270 facilities, services, projects, improvements, and infrastructure
271 and related functions in order to carry out its special and
272 limited purposes.

273 3. Any other powers, authority, or functions set forth in
274 this act.

275 (u) "Project" means any development, improvement,

276 property, power, utility, facility, enterprise, service, system,
277 works, or infrastructure now existing or hereafter undertaken or
278 established under this act.

279 (v) "Qualified elector" means any person at least 18 years
280 of age who is a citizen of the United States and a legal
281 resident of the state and of the district and who registers to
282 vote with the Supervisor of Elections in Manatee County and
283 resides in Manatee County.

284 (w) "Reclaimed water" means water, including from wells or
285 stormwater management facilities, that has received at least
286 secondary treatment and basic disinfection and is reused after
287 flowing out of a domestic wastewater treatment facility or
288 otherwise reused as an approved use of surface water or
289 groundwater by the water management district.

290 (x) "Reclaimed water system" means any plant, well,
291 system, facility, or property, and any addition, extension, or
292 improvement thereto at any future time constructed or acquired
293 as part thereof, useful, necessary, or having the present
294 capacity for future use in connection with the development of
295 sources, treatment, purification, or distribution of reclaimed
296 water. The term includes franchises of any nature relating to
297 any such system and necessary or convenient for the operation
298 thereof including for the district's own use or resale.

299 (y) "Refunding bonds" means bonds issued to refinance
300 outstanding bonds of any type and the interest and redemption

301 premium thereon. Refunding bonds may be issuable and payable in
302 the same manner as refinanced bonds, except that no approval by
303 the electorate shall be required unless required by the State
304 Constitution.

305 (z) "Revenue bonds" means obligations of the district that
306 are payable from revenues, including, but not limited to,
307 special assessments and benefit special assessments, derived
308 from sources other than ad valorem taxes on real or tangible
309 personal property and that do not pledge the property, credit,
310 or general tax revenue of the district.

311 (aa) "Sewer system" means any plant, system, facility, or
312 property, and additions, extensions, and improvements thereto at
313 any future time constructed or acquired as part thereof, useful
314 or necessary or having the present capacity for future use in
315 connection with the collection, treatment, purification, or
316 disposal of sewage, including, but not limited to, industrial
317 wastes resulting from any process of industry, manufacture,
318 trade, or business or from the development of any natural
319 resource. The term also includes treatment plants, pumping
320 stations, lift stations, valves, force mains, intercepting
321 sewers, laterals, pressure lines, mains, and all necessary
322 appurtenances and equipment; all sewer mains, laterals, and
323 other devices for the reception and collection of sewage from
324 premises connected therewith; and all real and personal property
325 and any interest therein, and rights, easements, and franchises

326 | of any nature relating to any such system and necessary or
 327 | convenient for operation thereof.

328 | (bb) "Special assessments" means assessments as imposed,
 329 | levied, and collected by the district for the costs of
 330 | assessable improvements pursuant to this act, chapter 170,
 331 | Florida Statutes, and the additional authority under s.
 332 | 197.3631, Florida Statutes, or any other provision of general
 333 | law, now or hereinafter enacted, which provide or authorize a
 334 | supplemental means to impose, levy, or collect special
 335 | assessments.

336 | (cc) "Taxes" or "tax" means those levies and impositions
 337 | of the board of supervisors that support and pay for government
 338 | and the administration of general law and that may be:

339 | 1. Ad valorem or property taxes based upon both the
 340 | appraised value of property and millage, at a rate uniform
 341 | within the jurisdiction; or

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

345 | (dd) "Water system" means any plant, system, facility, or
 346 | property, and any addition, extension, or improvement thereto at
 347 | any future time constructed or acquired as a part thereof,
 348 | useful, necessary, or having the present capacity for future use
 349 | in connection with the development of sources, treatment,
 350 | purification, or distribution of water. The term also includes

351 dams, reservoirs, storage tanks, mains, lines, valves, pumping
352 stations, laterals, and pipes for the purpose of carrying water
353 to the premises connected with such system, and all rights,
354 easements, and franchises of any nature relating to any such
355 system and necessary or convenient for the operation thereof.

356 (3) POLICY.—Based upon its findings, ascertainments,
357 determinations, intent, purpose, and definitions, the
358 Legislature states its policy expressly:

359 (a) The district and the district charter, with its
360 general and special powers, as created in this act, are
361 essential and the best alternative for the residential,
362 commercial, office, hotel, health care, and other similar
363 community uses, projects, or functions in the included portion
364 of Manatee County consistent with the effective comprehensive
365 plan, and designed to serve a lawful public purpose.

366 (b) The district, which is a local government and a
367 political subdivision, is limited to its special purpose as
368 expressed in this act, with the power to provide, plan,
369 implement, construct, maintain, and finance as a local
370 government management entity systems, facilities, services,
371 improvements, infrastructure, and projects, and possessing
372 financing powers to fund its management power over the long term
373 and with sustained levels of high quality.

374 (c) The creation of the North River Ranch Improvement
375 Stewardship District by and pursuant to this act, and its

376 exercise of its management and related financing powers to
 377 implement its limited, single, and special purpose, is not a
 378 development order and does not trigger or invoke any provision
 379 within the meaning of chapter 380, Florida Statutes, and all
 380 applicable governmental planning, environmental, and land
 381 development laws, regulations, rules, policies, and ordinances
 382 apply to all development of the land within the jurisdiction of
 383 the district as created by this act.

384 (d) The district shall operate and function subject to,
 385 and not inconsistent with, the applicable comprehensive plan of
 386 Manatee County and any applicable development orders (e.g.
 387 detailed site plan development orders), zoning regulations, and
 388 other land development regulations.

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

394 (f) This act may be amended, in whole or in part, only by
 395 special act of the Legislature. The board of supervisors of the
 396 district may not ask the Legislature to amend this act without
 397 first obtaining a resolution or official statement from the
 398 district and Manatee County as provided in s. 189.031(2)(e)4.,
 399 Florida Statutes, for the creation of an independent special
 400 district.

401 Section 3. Minimum charter requirements; creation and
402 establishment; jurisdiction; construction; charter.—

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

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

409 (b) The powers, functions, and duties of the district
410 regarding ad valorem taxation, bond issuance, other revenue-
411 raising capabilities, budget preparation and approval, liens and
412 foreclosure of liens, use of tax deeds and tax certificates as
413 appropriate for non-ad valorem assessments, and contractual
414 agreements are provided in section 6.

415 (c) The methods for establishing the district are provided
416 in this section.

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

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

421 (f) The maximum compensation of board members is provided
422 in section 6.

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

425 (h) The requirements for financial disclosure, noticing,

426 and reporting are provided in section 6.

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

429 (j) The requirements for elections or referendums and
430 qualifications of an elector of the district are provided in
431 this section and section 6.

432 (k) The methods for financing the district are provided in
433 section 6.

434 (l) Other than taxes levied for the payment of bonds and
435 taxes levied for periods of up to 2 years when authorized by a
436 vote of the electors of the district, the authority to levy ad
437 valorem tax and the authorized millage rate are provided in
438 section 6.

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

441 (n) The requirements for planning are provided in this
442 section and section 6.

443 (o) The geographic boundary limitations of the district
444 are provided in sections 5 and 6.

445 (2) The North River Ranch Improvement Stewardship District
446 is created and incorporated as a public body corporate and
447 politic, an independent special and limited purpose local
448 government, an independent special district, under s. 189.031,
449 Florida Statutes, and as defined in this act and in s.
450 189.012(3), Florida Statutes, in and for portions of Manatee

451 County. Any amendments to chapter 190, Florida Statutes, after
452 January 1, 2020, granting additional general powers, special
453 powers, authorities, or projects to a community development
454 district by amendment to its uniform charter contained in ss.
455 190.006-190.041, Florida Statutes, which are not inconsistent
456 with this act, shall constitute a general power, special power,
457 authority, or function of the North River Ranch Improvement
458 Stewardship District. All notices for the enactment by the
459 Legislature of this special act have been provided pursuant to
460 the State Constitution, the Laws of Florida, and the rules of
461 the House of Representatives and of the Senate. A referendum
462 subsequent to the effective date of this act is not required as
463 a condition of establishing the district. Therefore, the
464 district, as created by this act, is established on the property
465 described in this act.

466 (3) The territorial boundary of the district shall embrace
467 and include all of that certain real property described in
468 section 6.

469 (4) The jurisdiction of the district, in the exercise of
470 its general and special powers, and in the carrying out of its
471 special and limited purposes, is both within the external
472 boundaries of the legal description of this district and
473 extraterritorially when limited to, and as authorized expressly
474 elsewhere in, the charter of the district as created in this act
475 or applicable general law. This special and limited purpose

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

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

499 Section 4. Formation; boundaries.—The North River Ranch
 500 Improvement Stewardship District, an independent special

501 district, is created and incorporated in Manatee County and
 502 shall embrace and include the territory described as:

503
 504 MORGAN'S GLEN PARCEL:
 505 BEGIN AT THE COMMON CORNER OF SECTIONS 19, 20, 29 AND 30,
 506 TOWNSHIP 33 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA;
 507 THENCE, ALONG THE EAST LINE OF SAID SECTION 30,
 508 S.00°06'50"W., FOR 540.98 FEET TO A LINE BEING 50 FEET
 509 NORTH OF AND PARALLEL TO THE CENTERLINE OF A SCL RAILROAD
 510 RIGHT OF WAY, SAID LINE ALSO BEING THE SOUTH LINE OF LOT 1,
 511 BLOCK 1, MANATEE RIVER FARMS AS RECORDED IN PLAT BOOK 6,
 512 PAGE 45 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA;
 513 THENCE, ALONG SAID LINE, S.73°37'59"W., 670.12 FEET; THENCE
 514 N.00°06'17"E., FOR 412.91 FEET; THENCE N.01°49'12"W., FOR
 515 315.39 FEET TO THE SOUTH LINE OF SAID SECTION 19; THENCE,
 516 LEAVING SAID SOUTH LINE, N.00°34'28"W., FOR 441.76 FEET;
 517 THENCE N.01°53'22"E., FOR 220.56 FEET; THENCE
 518 S.89°53'31"W., FOR 858.88 FEET; THENCE S.84°33'13"W., FOR
 519 104.29 FEET; THENCE S.76°54'28"W., FOR 377.88 FEET; THENCE
 520 N.00°07'22"W., FOR 1,708.90 FEET TO THE SOUTH RIGHT OF WAY
 521 LINE OF MOCCASIN WALLOW ROAD; THENCE, ALONG SAID SOUTH
 522 RIGHT OF WAY LINE, S.89°15'16"E., FOR 1,980.23 FEET TO THE
 523 EAST LINE OF SAID SECTION 19, SAID LINE ALSO BEING THE WEST
 524 LINE OF SAID SECTION 20; THENCE, CONTINUE ALONG SAID SOUTH
 525 RIGHT OF WAY LINE, S.88°55'05"E., 666.19 FEET; THENCE,

526 LEAVING SAID SOUTH RIGHT OF WAY LINE, S00°06'09"E., FOR
 527 397.02 FEET; THENCE S.89°16'25"E., FOR 135.94 FEET; THENCE
 528 S.88°59'12"E., FOR 121.89 FEET; THENCE S.81°46'46"E., FOR
 529 200.24 FEET; THENCE S.89°10'18"E., FOR 210.00 FEET TO THE
 530 EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID
 531 SECTION 20; THENCE, ALONG SAID EAST LINE, S.00°04'54"E.,
 532 FOR 673.99 FEET TO THE SOUTH LINE OF SAID NORTHWEST 1/4 OF
 533 THE SOUTHWEST 1/4, SAID LINE ALSO BEING THE NORTH LINE OF
 534 THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 20;
 535 THENCE, ALONG SAID LINE, N.89°31'56"W., FOR 665.68 FEET;
 536 THENCE, LEAVING SAID LINE, S.00°06'09"E., FOR 467.45 FEET;
 537 THENCE N.89°51'11"E., FOR 59.49 FEET; THENCE S.00°06'09"E.,
 538 FOR 663.67 FEET TO THE SOUTH LINE OF SECTION 20, TOWNSHIP
 539 33 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA; THENCE,
 540 ALONG SAID SOUTH LINE, S.89°51'11"W., FOR 724.73 FEET TO
 541 THE POINT OF BEGINNING.

542
 543 LESS AND EXCEPT THAT CERTAIN RIGHT-OF-WAY BEING MORE
 544 PARTICULARLY DESCRIBED AS FOLLOWS:

545
 546 A PORTION OF THOSE LANDS DESCRIBED IN OFFICIAL RECORD BOOK
 547 2066, PAGE 3027, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA,
 548 LYING IN SECTIONS 19 AND 30, TOWNSHIP 33 SOUTH, RANGE 19
 549 EAST, MANATEE COUNTY, FLORIDA, BEING MORE PARTICULARLY
 550 DESCRIBED AS FOLLOWS:

551
552 COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 19;
553 THENCE SOUTH 86°58'46" WEST, ALONG THE SOUTH LINE OF THE
554 SOUTHEAST 1/4 OF SAID SECTION 19, A DISTANCE OF 537.04 FEET
555 TO THE POINT OF BEGINNING; THENCE SOUTH 00°13'25" WEST, A
556 DISTANCE OF 2.00 FEET TO A POINT ON A CURVE TO THE RIGHT;
557 THENCE SOUTHERLY 171.21 FEET ALONG THE ARC OF SAID CURVE,
558 HAVING A RADIUS OF 860.00 FEET, A CENTRAL ANGLE OF
559 11°24'23", AND A CHORD BEARING AND DISTANCE OF SOUTH
560 05°55'36" WEST 170.93 FEET TO A POINT OF REVERSE CURVE TO
561 THE LEFT; THENCE SOUTHERLY 148.63 FEET ALONG THE ARC OF
562 SAID CURVE, HAVING A RADIUS OF 740.00 FEET, A CENTRAL ANGLE
563 OF 11°30'27", AND A CHORD BEARING AND DISTANCE OF SOUTH
564 05°52'34" WEST 148.38 FEET; THENCE SOUTH 00°07'20" WEST, A
565 DISTANCE OF 359.62 FEET TO THE NORTH RIGHT OF WAY LINE OF
566 FP & L RAILROAD; THENCE ALONG SAID NORTH RIGHT OF WAY LINE,
567 SOUTH 73°37'35" WEST, A DISTANCE OF 77.06 FEET; THENCE
568 NORTH 01°01'42" WEST, A DISTANCE OF 694.96 FEET; THENCE
569 NORTH 00°13'25" EAST, A DISTANCE OF 724.64 FEET TO A POINT
570 ON A CURVE TO THE LEFT; THENCE NORTHERLY 205.25 FEET ALONG
571 THE ARC OF SAID CURVE, HAVING A RADIUS OF 560.00 FEET, A
572 CENTRAL ANGLE OF 21°00'00", AND A CHORD BEARING AND
573 DISTANCE OF NORTH 10°16'36" WEST 204.10 FEET; THENCE NORTH
574 20°46'36" WEST, A DISTANCE OF 207.01 FEET TO A POINT ON A
575 CURVE TO THE LEFT; THENCE NORTHWESTERLY 211.09 FEET ALONG

576 THE ARC OF SAID CURVE, HAVING A RADIUS OF 940.00 FEET, A
 577 CENTRAL ANGLE OF 12°52'00", AND A CHORD BEARING AND
 578 DISTANCE OF NORTH 27°12'36" WEST 210.65 FEET TO A POINT OF
 579 REVERSE CURVE TO THE RIGHT; THENCE NORTHERLY 622.42 FEET
 580 ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1,060.00
 581 FEET, A CENTRAL ANGLE OF 33°38'35", AND A CHORD BEARING AND
 582 DISTANCE OF NORTH 16°49'18" WEST 613.51 FEET; THENCE NORTH
 583 00°00'00" WEST, A DISTANCE OF 296.18 FEET; THENCE NORTH
 584 44°34'29" WEST, A DISTANCE OF 70.18 FEET; THENCE NORTH
 585 00°48'08" EAST, A DISTANCE OF 46.61 FEET TO THE SOUTH
 586 MAINTAINED RIGHT OF WAY LINE OF MOCCASIN WALLOW ROAD;
 587 THENCE ALONG SAID SOUTH MAINTAINED RIGHT OF WAY LINE, SOUTH
 588 89°11'52" EAST, A DISTANCE OF 230.02 FEET; THENCE, LEAVING
 589 SAID SOUTH MAINTAINED RIGHT OF WAY LINE, SOUTH 00°48'08"
 590 WEST, A DISTANCE OF 46.66 FEET; THENCE SOUTH 45°25'31"
 591 WEST, A DISTANCE OF 71.23 FEET; THENCE SOUTH 00°00'00"
 592 EAST, A DISTANCE OF 236.20 FEET; THENCE SOUTH 04°08'24"
 593 WEST, A DISTANCE OF 114.31 FEET TO A POINT ON A NON-TANGENT
 594 CURVE TO THE LEFT; THENCE SOUTHERLY 494.62 FEET ALONG THE
 595 ARC OF SAID CURVE, HAVING A RADIUS OF 940.00 FEET, A
 596 CENTRAL ANGLE OF 30°08'55", AND A CHORD BEARING AND
 597 DISTANCE OF SOUTH 18°34'08" EAST 488.93 FEET TO A POINT OF
 598 REVERSE CURVE TO THE RIGHT; THENCE SOUTHEASTERLY 238.04
 599 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF
 600 1,060.00 FEET, A CENTRAL ANGLE OF 12°52'00", AND A CHORD

601 BEARING AND DISTANCE OF SOUTH 27°12'36" EAST 237.54 FEET;
 602 THENCE SOUTH 20°46'36" EAST, A DISTANCE OF 207.01 FEET TO A
 603 POINT ON A CURVE TO THE RIGHT; THENCE SOUTHERLY 249.23 FEET
 604 ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 680.00
 605 FEET, A CENTRAL ANGLE OF 21°00'00", AND A CHORD BEARING AND
 606 DISTANCE OF SOUTH 10°16'36" EAST 247.84 FEET; THENCE SOUTH
 607 00°13'25" WEST, A DISTANCE OF 718.08 FEET TO THE POINT OF
 608 BEGINNING.
 609 CONTAINING 129.475 ACRES, MORE OR LESS.
 610 TOGETHER WITH NORTH RIVER RANCH - HAVAL FARMS:
 611 A TRACT OF LAND, BEING A PORTION OF MANATEE RIVER FARMS,
 612 UNIT 1, RECORDED IN PLAT BOOK 6, PAGE 45 OF THE PUBLIC
 613 RECORDS OF MANATEE COUNTY, FLORIDA, LYING IN SECTIONS 7, 8,
 614 9, 16, 17, 18, 19 AND 20, TOWNSHIP 33 SOUTH, RANGE 19 EAST,
 615 MANATEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED
 616 AS FOLLOWS:
 617
 618 BEGIN AT THE SOUTHWEST CORNER OF THE ABOVE-MENTIONED
 619 SECTION 7; THENCE N.00°13'29"E., ALONG THE WEST LINE OF
 620 SECTION 7, A DISTANCE OF 1,809.08 FEET; THENCE
 621 N.90°00'00"E., A DISTANCE OF 272.18 FEET TO THE POINT OF
 622 CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS 1,000.00
 623 FEET AND A CENTRAL ANGLE OF 48°54'32"; THENCE NORTHEASTERLY
 624 ALONG THE ARC OF SAID CURVE, A DISTANCE OF 853.62 FEET TO
 625 THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT

626 HAVING A RADIUS OF 1,962.46 FEET AND A CENTRAL ANGLE OF
 627 97°43'17"; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, A
 628 DISTANCE OF 3,347.09 FEET TO THE POINT OF REVERSE CURVATURE
 629 OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,500.00 FEET AND
 630 A CENTRAL ANGLE OF 48°48'45"; THENCE SOUTHEASTERLY ALONG
 631 THE ARC OF SAID CURVE, A DISTANCE OF 1,277.91 FEET TO THE
 632 POINT OF TANGENCY OF SAID CURVE; THENCE N.90°00'00"E., A
 633 DISTANCE OF 1,220.57 FEET TO THE POINT OF CURVATURE OF A
 634 CURVE TO THE LEFT HAVING A RADIUS OF 1,100.00 FEET AND A
 635 CENTRAL ANGLE OF 49°18'03"; THENCE NORTHEASTERLY ALONG THE
 636 ARC OF SAID CURVE, A DISTANCE OF 946.51 FEET TO THE POINT
 637 OF REVERSE CURVATURE OF A CURVE TO THE RIGHT HAVING A
 638 RADIUS OF 1,990.00 FEET AND A CENTRAL ANGLE OF 108°30'13";
 639 THENCE EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF
 640 3,768.56 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE
 641 TO THE LEFT HAVING A RADIUS OF 1,400.00 FEET AND A CENTRAL
 642 ANGLE OF 67°34'16"; THENCE SOUTHEASTERLY ALONG THE ARC OF
 643 SAID CURVE, A DISTANCE OF 1,651.07 FEET TO THE POINT OF
 644 REVERSE CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS
 645 OF 1,000.00 FEET AND A CENTRAL ANGLE OF 44°28'10"; THENCE
 646 EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 776.14
 647 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE
 648 S.53°53'56"E., A DISTANCE OF 509.73 FEET TO A POINT ON THE
 649 WESTERLY RIGHT-OF-WAY LINE OF U.S. 301; THENCE
 650 S.36°06'04"W., A DISTANCE OF 1,512.28 FEET; THENCE

651 N.89°59'54"W., A DISTANCE OF 4,022.59 FEET; THENCE
 652 S.27°47'24"W., A DISTANCE OF 1,049.93 FEET; THENCE
 653 N.68°30'43"W., A DISTANCE OF 1,332.96 FEET; THENCE
 654 N.00°11'16"E., A DISTANCE OF 383.27 FEET; THENCE
 655 N.89°43'15"W., A DISTANCE OF 719.63 FEET; THENCE
 656 S.00°35'38" W., A DISTANCE OF 2,551.98 FEET TO THE POINT OF
 657 CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS 795.00
 658 FEET AND A CENTRAL ANGLE OF 48°08'26"; THENCE SOUTHWESTERLY
 659 ALONG THE ARC OF SAID CURVE, A DISTANCE OF 667.97 FEET TO
 660 THE POINT OF TANGENCY OF SAID CURVE; THENCE S.48°44'04" W.,
 661 A DISTANCE OF 213.94 FEET TO THE POINT OF CURVATURE OF A
 662 CURVE TO THE LEFT HAVING A RADIUS 1,355.00 FEET AND A
 663 CENTRAL ANGLE OF 33°22'52"; THENCE SOUTHWESTERLY ALONG THE
 664 ARC OF SAID CURVE, A DISTANCE OF 789.44 FEET; THE FOLLOWING
 665 FIVE (5) CALLS ARE ALONG THE NORTHERLY LINE OF A SPECIFIC
 666 PURPOSE SURVEY FOR TRACT 300FL-MA-010.000, PREPARED BY
 667 WILLBROS ENGINEERS, INC., AND DATED OCTOBER 12, 2015: 1)
 668 S.89°39'18"E., A DISTANCE OF 85.64 FEET; 2) S.89°10'25"E.,
 669 A DISTANCE OF 187.79 FEET; 3) S.89°53'48"E., A DISTANCE OF
 670 1,364.36 FEET; 4) S.89°38'04"E., A DISTANCE OF 1,529.39
 671 FEET; 5) THENCE N.89°48'54"E., A DISTANCE OF 969.28 FEET TO
 672 A POINT ON THE WEST LINE OF PARCEL DEEDED TO PEOPLES GAS
 673 SYSTEM; THENCE S.00°02'24"W., ALONG THE WESTERLY LINE OF
 674 SAID PARCEL, A DISTANCE OF 35.27 FEET TO THE SOUTH WEST
 675 CORNER OF SAID PARCEL; THENCE S.89°57'36"E., ALONG THE

676 SOUTHERLY LINE OF SAID PARCEL, A DISTANCE OF 60.00 FEET TO
677 A POINT ON A PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK
678 2207, PAGE 6256, SAID PUBLIC RECORDS; THENCE ALONG SAID
679 PARCEL FOR THE FOLLOWING TWO (2) CALLS; 1) S.00°02'21"W., A
680 DISTANCE OF 24.79 FEET; 2) THENCE N.89°52'24"E., A DISTANCE
681 OF 178.91 FEET TO THE NORTHWESTERLY RIGHT OF WAY LINE OF
682 U.S. 301; THENCE SOUTHERLY ALONG SAID RIGHT OF WAY LINE THE
683 FOLLOWING THREE (3) COURSES: 1) S.36°06'04"W., A DISTANCE
684 OF 472.43 FEET; 2) S.36°04'53"W., A DISTANCE OF 916.03 FEET
685 TO THE P.C. OF A CURVE TO THE LEFT WHOSE RADIUS POINT LIES
686 SOUTH 53°53'38"EAST, A DISTANCE OF 1977.86 FEET; 3)
687 SOUTHERLY ALONG THE ARC OF SAID CURVE ALSO BEING SAID RIGHT
688 OF WAY LINE, A DISTANCE OF 971.94 FEET THROUGH A CENTRAL
689 ANGLE OF 28°09'21"; THENCE N.89°26'34"W., A DISTANCE OF
690 1,282.99 FEET; THENCE S.00°06'08"E., A DISTANCE OF 1,300.10
691 FEET; TO THE NORTHERLY RIGHT OF WAY LINE OF MOCCASIN WALLOW
692 RD; THENCE WESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE
693 THE FOLLOWING FIVE (5) COURSES: 1) N.88°54'18"W., A
694 DISTANCE OF 1,334.91 FEET; 2) N.89°08'58"W., A DISTANCE OF
695 2,271.84 FEET; 3) N.89°07'49"W., A DISTANCE OF 328.34 FEET;
696 4) N.89°07'50"W., A DISTANCE OF 2,693.55 FEET; 5)
697 N.88°01'42"W., A DISTANCE OF 16.92 FEET TO THE WEST LINE OF
698 ABOVE-MENTIONED SECTION 19; THENCE N.00°08'36"E. ALONG SAID
699 WEST LINE, A DISTANCE OF 2,578.91 FEET; THENCE
700 N.00°08'15"E. THE WEST LINE OF ABOVE-MENTIONED SECTION 18.,

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

704 CONTAINING 1,883.092 ACRES, MORE OR LESS.

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

706 Being subject to any rights-of-way, restrictions, and
707 easements of record.

708
709 Section 5. Board of supervisors; members and meetings;
710 organization; powers; duties; terms of office; related election
711 requirements.—

712 (1) The board of the district shall exercise the powers
713 granted to the district pursuant to this act. The board shall
714 consist of five members, each of whom shall hold office for a
715 term of 4 years, as provided in this section, except as
716 otherwise provided herein for initial board members, and until a
717 successor is chosen and qualified. The members of the board must
718 be residents of the state and citizens of the United States.

719 (2) (a) Within 90 days after the effective date of this
720 act, there shall be held a meeting of the landowners of the
721 district for the purpose of electing five supervisors for the
722 district. Notice of the landowners' meeting shall be published
723 in a newspaper of general circulation in the general area of the
724 district once a week for 2 consecutive weeks, the last day of
725 such publication to be not fewer than 14 days nor more than 28

726 days before the date of the election. The landowners, when
727 assembled at such meeting, shall organize by electing a chair,
728 who shall conduct the meeting. The chair may be any person
729 present at the meeting. If the chair is a landowner or proxy
730 holder of a landowner, he or she may nominate candidates and
731 make and second motions. The landowners present at the meeting,
732 in person or by proxy, shall constitute a quorum. At any
733 landowners' meeting, 50 percent of the district acreage is not
734 required to constitute a quorum, and each governing board member
735 elected by landowners shall be elected by a majority of the
736 acreage represented either by owner or proxy present and voting
737 at said meeting.

738 (b) At such meeting, each landowner shall be entitled to
739 cast one vote per acre of land owned by him or her and located
740 within the district for each person to be elected. A landowner
741 may vote in person or by proxy in writing. Each proxy must be
742 signed by one of the legal owners of the property for which the
743 vote is cast and must contain the typed or printed name of the
744 individual who signed the proxy; the street address, legal
745 description of the property, or tax parcel identification
746 number; and the number of authorized votes. If the proxy
747 authorizes more than one vote, each property must be listed and
748 the number of acres of each property must be included. The
749 signature on a proxy need not be notarized. A fraction of an
750 acre shall be treated as 1 acre, entitling the landowner to one

751 vote with respect thereto. The three candidates receiving the
752 highest number of votes shall each be elected for terms expiring
753 November 17, 2024, and the two candidates receiving the next
754 largest number of votes shall each be elected for terms expiring
755 November 20, 2022, with the term of office for each successful
756 candidate commencing upon election. The members of the first
757 board elected by landowners shall serve their respective terms;
758 however, the next election of board members shall be held on the
759 first Tuesday after the first Monday in November 2022.

760 Thereafter, there shall be an election by landowners for the
761 district every 2 years on the first Tuesday after the first
762 Monday in November, which shall be noticed pursuant to paragraph
763 (a). The second and subsequent landowners' election shall be
764 announced at a public meeting of the board at least 90 days
765 before the date of the landowners' meeting and shall also be
766 noticed pursuant to paragraph (a). Instructions on how all
767 landowners may participate in the election, along with sample
768 proxies, shall be provided during the board meeting that
769 announces the landowners' meeting. Each supervisor elected in or
770 after November 2020 shall serve a 4-year term.

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

775 2.a. Regardless of whether the district has proposed to

776 levy ad valorem taxes, board members shall be elected by
777 qualified electors of the district as the district becomes
778 populated with qualified electors. The transition shall occur
779 such that the composition of the board, after the first general
780 election following a trigger of the qualified elector population
781 thresholds set forth below, shall be as follows:

782 (I) Once 3,463 qualified electors reside within the
783 district, one governing board member shall be a person who is a
784 qualified elector of the district and who was elected by the
785 qualified electors, and four governing board members shall be
786 persons who were elected by the landowners.

787 (II) Once 6,926 qualified electors reside within the
788 district, two governing board members shall be persons who are
789 qualified electors of the district and who were elected by the
790 qualified electors, and three governing board members shall be
791 persons elected by the landowners.

792 (III) Once 10,389 qualified electors reside within the
793 district, three governing board members shall be persons who are
794 qualified electors of the district and who were elected by the
795 qualified electors and two governing board members shall be
796 persons who were elected by the landowners.

797 (IV) Once 13,852 qualified electors reside within the
798 district, four governing board members shall be persons who are
799 qualified electors of the district and who were elected by the
800 qualified electors and one governing board member shall be a

801 person who was elected by the landowners.

802 (V) Once 15,000 qualified electors reside within the
803 district, all five governing board members shall be persons who
804 are qualified electors of the district and who were elected by
805 the qualified electors.

806
807 Nothing in this sub-subparagraph is intended to require an
808 election before the expiration of an existing board member's
809 term.

810 b. On or before June 1 of each election year, the board
811 shall determine the number of qualified electors in the district
812 as of the immediately preceding April 15. The board shall use
813 and rely upon the official records maintained by the supervisor
814 of elections and property appraiser or tax collector in Manatee
815 County in making this determination. Such determination shall be
816 made at a properly noticed meeting of the board and shall become
817 a part of the official minutes of the district.

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

821 d. All governing board members elected by qualified
822 electors shall reside in the district.

823 e. Once the district qualifies to have any of its board
824 members elected by the qualified electors of the district, the
825 initial and all subsequent elections by the qualified electors

826 of the district shall be held at the general election in
827 November. The board shall adopt a resolution, if necessary, to
828 implement this requirement. The transition process described
829 herein is intended to be in lieu of the process set forth in s.
830 189.041, Florida Statutes.

831 (b) Elections of board members by qualified electors held
832 pursuant to this subsection shall be nonpartisan and shall be
833 conducted in the manner prescribed by general law for holding
834 general elections. Board members shall assume the office on the
835 second Tuesday following their election.

836 (c) Candidates seeking election to office by qualified
837 electors under this subsection shall conduct their campaigns in
838 accordance with chapter 106, Florida Statutes, and shall file
839 qualifying papers and qualify for individual seats in accordance
840 with s. 99.061, Florida Statutes.

841 (d) The supervisor of elections shall appoint the
842 inspectors and clerks of elections, prepare and furnish the
843 ballots, designate polling places, and canvass the returns of
844 the election of board members by qualified electors. The county
845 canvassing board shall declare and certify the results of the
846 election.

847 (4) Members of the board, regardless of how elected, shall
848 be public officers, shall be known as supervisors, and, upon
849 entering into office, shall take and subscribe to the oath of
850 office as prescribed by s. 876.05, Florida Statutes. Members of

851 the board shall be subject to ethics and conflict of interest
852 laws of the state that apply to all local public officers. They
853 shall hold office for the terms for which they were elected or
854 appointed and until their successors are chosen and qualified.
855 If, during the term of office, a vacancy occurs, the remaining
856 members of the board shall fill each vacancy by an appointment
857 for the remainder of the unexpired term.

858 (5) Any elected member of the board of supervisors may be
859 removed by the Governor for malfeasance, misfeasance,
860 dishonesty, incompetency, or failure to perform the duties
861 imposed upon him or her by this act, and any vacancies that may
862 occur in such office for such reasons shall be filled by the
863 Governor as soon as practicable.

864 (6) A majority of the members of the board constitutes a
865 quorum for the purposes of conducting its business and
866 exercising its powers and for all other purposes. Action taken
867 by the district shall be upon a vote of a majority of the
868 members present unless general law or a rule of the district
869 requires a greater number.

870 (7) As soon as practicable after each election or
871 appointment, the board shall organize by electing one of its
872 members as chair and by electing a secretary, who need not be a
873 member of the board, and such other officers as the board may
874 deem necessary.

875 (8) The board shall keep a permanent record book entitled

876 "Record of Proceedings of North River Ranch Improvement
 877 Stewardship District," in which shall be recorded minutes of all
 878 meetings, resolutions, proceedings, certificates, bonds given by
 879 all employees, and any and all corporate acts. The record book
 880 and all other district records shall at reasonable times be
 881 opened to inspection in the same manner as state, county, and
 882 municipal records pursuant to chapter 119, Florida Statutes. The
 883 record book shall be kept at the office or other regular place
 884 of business maintained by the board in a designated location in
 885 Manatee County.

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

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

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

895 (1) DISTRICT MANAGER AND EMPLOYEES.-The board shall employ
 896 and fix the compensation of a district manager, who shall have
 897 charge and supervision of the works of the district and shall be
 898 responsible for preserving and maintaining any improvement or
 899 facility constructed or erected pursuant to this act, for
 900 maintaining and operating the equipment owned by the district,

901 and for performing such other duties as may be prescribed by the
902 board. It is not a conflict of interest or an abuse of public
903 position under chapter 112, Florida Statutes, for a board
904 member, the district manager, or another employee of the
905 district to be a stockholder, officer, or employee of a
906 landowner. The district manager may hire or otherwise employ and
907 terminate the employment of such other persons, including,
908 without limitation, professional, supervisory, and clerical
909 employees, as may be necessary and authorized by the board. The
910 compensation and other conditions of employment of the officers
911 and employees of the district shall be as provided by the board.

912 (2) TREASURER.—The board shall designate a person who is a
913 resident of the state as treasurer of the district, who shall
914 have charge of the funds of the district. Such funds shall be
915 disbursed only upon the order of or pursuant to a resolution of
916 the board by warrant or check countersigned by the treasurer and
917 by such other person as may be authorized by the board. The
918 board may give the treasurer such other or additional powers and
919 duties as the board may deem appropriate and may fix his or her
920 compensation. The board may require the treasurer to give a bond
921 in such amount, on such terms, and with such sureties as may be
922 deemed satisfactory to the board to secure the performance by
923 the treasurer of his or her powers and duties. The financial
924 records of the board shall be audited by an independent
925 certified public accountant in accordance with the requirements

926 of general law.

927 (3) PUBLIC DEPOSITORY.—The board is authorized to select
928 as a depository for its funds any qualified public depository as
929 defined in s. 280.02, Florida Statutes, which meets all the
930 requirements of chapter 280, Florida Statutes, and has been
931 designated by the treasurer as a qualified public depository
932 upon such terms and conditions as to the payment of interest by
933 such depository upon the funds so deposited as the board may
934 deem just and reasonable.

935 (4) BUDGET; REPORTS AND REVIEWS.—

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

939 (b) On or before July 15 of each year, the district
940 manager shall prepare a proposed budget for the ensuing fiscal
941 year to be submitted to the board for board approval. The
942 proposed budget shall include at the direction of the board an
943 estimate of all necessary expenditures of the district for the
944 ensuing fiscal year and an estimate of income to the district
945 from the taxes and assessments provided in this act. The board
946 shall consider the proposed budget item by item and may either
947 approve the budget as proposed by the district manager or modify
948 the same in part or in whole. The board shall indicate its
949 approval of the budget by resolution, which resolution shall
950 provide for a hearing on the budget as approved. Notice of the

951 hearing on the budget shall be published in a newspaper of
952 general circulation in the general area of the district once a
953 week for 2 consecutive weeks, except that the first publication
954 shall be no fewer than 15 days before the date of the hearing.
955 The notice shall further contain a designation of the day, time,
956 and place of the public hearing. At the day, time, and place
957 designated in the notice, the board shall hear all objections to
958 the budget as proposed and may make such changes as the board
959 deems necessary. At the conclusion of the budget hearing, the
960 board shall, by resolution, adopt the budget as finally approved
961 by the board. The budget shall be adopted before October 1 of
962 each year.

963 (c) At least 60 days before adoption, the board of
964 supervisors of the district shall submit to the Board of County
965 Commissioners of Manatee County, for purposes of disclosure and
966 information only, the proposed annual budget for the ensuing
967 fiscal year, and the board of county commissioners may submit
968 written comments to the board of supervisors solely for the
969 assistance and information of the board of supervisors in
970 adopting its annual district budget.

971 (d) The board of supervisors shall submit annually a
972 public facilities report to the Board of County Commissioners of
973 Manatee County pursuant to s. 189.08, Florida Statutes. The
974 board of county commissioners may use and rely on the district's
975 public facilities report in the preparation or revision of the

976 Manatee County comprehensive plan.

977 (5) DISCLOSURE OF PUBLIC INFORMATION; WEB-BASED PUBLIC
 978 ACCESS.—The district shall take affirmative steps to provide for
 979 the full disclosure of information relating to the public
 980 financing and maintenance of improvements to real property
 981 undertaken by the district. Such information shall be made
 982 available to all existing and prospective residents of the
 983 district. The district shall furnish each developer of a
 984 residential development within the district with sufficient
 985 copies of that information to provide each prospective initial
 986 purchaser of property in that development with a copy; and any
 987 developer of a residential development within the district, when
 988 required by general law to provide a public offering statement,
 989 shall include a copy of such information relating to the public
 990 financing and maintenance of improvements in the public offering
 991 statement. The district shall file the disclosure documents
 992 required by this subsection and any amendments thereto in the
 993 property records of each county in which the district is
 994 located. By the end of the first full fiscal year of the
 995 district's creation, the district shall maintain an official
 996 Internet website in accordance with s. 189.069, Florida
 997 Statutes.

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

1000 (a) To sue and be sued in the name of the district; to

1001 adopt and use a seal and authorize the use of a facsimile
1002 thereof; to acquire, by purchase, gift, devise, or otherwise,
1003 and to dispose of, real and personal property, or any estate
1004 therein; and to make and execute contracts and other instruments
1005 necessary or convenient to the exercise of its powers.

1006 (b) To apply for coverage of its employees under the
1007 Florida Retirement System in the same manner as if such
1008 employees were state employees.

1009 (c) To contract for the services of consultants to perform
1010 planning, engineering, legal, or other appropriate services of a
1011 professional nature. Such contracts shall be subject to public
1012 bidding or competitive negotiation requirements as set forth in
1013 general law applicable to independent special districts.

1014 (d) To borrow money and accept gifts; to apply for and use
1015 grants or loans of money or other property from the United
1016 States, the state, a unit of local government, or any person for
1017 any district purposes and enter into agreements required in
1018 connection therewith; and to hold, use, and dispose of such
1019 moneys or property for any district purposes in accordance with
1020 the terms of the gift, grant, loan, or agreement relating
1021 thereto.

1022 (e) To adopt and enforce rules and orders pursuant to
1023 chapter 120, Florida Statutes, prescribing the powers, duties,
1024 and functions of the officers of the district; the conduct of
1025 the business of the district; the maintenance of the records of

1026 the district; and the form of certificates evidencing tax liens
1027 of the district and all other documents and records of the
1028 district. The board may also adopt and enforce administrative
1029 rules with respect to any of the projects of the district and
1030 define the area to be included therein. The board may also adopt
1031 resolutions which may be necessary for the conduct of district
1032 business.

1033 (f) To maintain an office at such place or places as the
1034 board of supervisors designates in Manatee County and within the
1035 district when facilities are available.

1036 (g) To hold, control, and acquire by donation, purchase,
1037 or condemnation, or dispose of, any public easements,
1038 dedications to public use, platted reservations for public
1039 purposes, or any reservations for those purposes authorized by
1040 this act and to make use of such easements, dedications, or
1041 reservations for the purposes authorized by this act.

1042 (h) To lease as lessor or lessee to or from any person,
1043 firm, corporation, association, or body, public or private, any
1044 projects of the type that the district is authorized to
1045 undertake and facilities or property of any nature for the use
1046 of the district to carry out the purposes authorized by this
1047 act.

1048 (i) To borrow money and issue bonds, certificates,
1049 warrants, notes, or other evidence of indebtedness as provided
1050 herein; to levy such taxes and assessments as may be authorized;

1051 and to charge, collect, and enforce fees and other user charges.

1052 (j) To raise, by user charges or fees authorized by
1053 resolution of the board, amounts of money which are necessary
1054 for the conduct of district activities and services and to
1055 enforce their receipt and collection in the manner prescribed by
1056 resolution not inconsistent with general law.

1057 (k) To exercise all powers of eminent domain now or
1058 hereafter conferred on counties in this state; provided,
1059 however, that such power of eminent domain may not be exercised
1060 outside the territorial limits of the district unless the
1061 district receives prior approval by vote of a resolution of the
1062 governing body of the county if the taking will occur in an
1063 unincorporated area in that county, or the governing body of the
1064 city if the taking will occur in an incorporated area. The
1065 district does not have the power to exercise eminent domain over
1066 municipal, county, state, or federal property. The powers
1067 hereinabove granted to the district shall be so construed to
1068 enable the district to fulfill the objects and purposes of the
1069 district as set forth in this act.

1070 (l) To cooperate with, or contract with, other
1071 governmental agencies as may be necessary, convenient,
1072 incidental, or proper in connection with any of the powers,
1073 duties, or purposes authorized by this act.

1074 (m) To assess and to impose upon lands in the district ad
1075 valorem taxes as provided by this act.

1076 (n) If and when authorized by general law, to determine,
 1077 order, levy, impose, collect, and enforce maintenance taxes.

1078 (o) To determine, order, levy, impose, collect, and
 1079 enforce assessments pursuant to this act and chapter 170,
 1080 Florida Statutes, pursuant to authority granted in s. 197.3631,
 1081 Florida Statutes, or pursuant to other provisions of general law
 1082 now or hereinafter enacted which provide or authorize a
 1083 supplemental means to order, levy, impose, or collect special
 1084 assessments. Such special assessments, at the discretion of the
 1085 district, may be collected and enforced pursuant to ss. 197.3632
 1086 and 197.3635, Florida Statutes, and chapters 170 and 173,
 1087 Florida Statutes, as they may be amended from time to time, or
 1088 as provided by this act, or by other means authorized by general
 1089 law now or hereinafter enacted. The district may levy such
 1090 special assessments for the purposes provided in this act and to
 1091 pay special assessments imposed by Manatee County on lands
 1092 within the district.

1093 (p) To exercise such special powers and other express
 1094 powers as may be authorized and granted by this act in the
 1095 charter of the district, including powers as provided in any
 1096 interlocal agreement entered into pursuant to chapter 163,
 1097 Florida Statutes, or which shall be required or permitted to be
 1098 undertaken by the district pursuant to any development order,
 1099 including any detailed specific area plan development order, or
 1100 any interlocal service agreement with Manatee County for fair-

1101 share capital construction funding for any certain capital
1102 facilities or systems required of a developer pursuant to any
1103 applicable development order or agreement.

1104 (g) To exercise all of the powers necessary, convenient,
1105 incidental, or proper in connection with any other powers or
1106 duties or the special and limited purpose of the district
1107 authorized by this act.

1108
1109 This subsection shall be construed liberally in order to
1110 effectively carry out the special and limited purpose of this
1111 act.

1112 (7) SPECIAL POWERS.—The district shall have, and the board
1113 may exercise, the following special powers to implement its
1114 lawful and special purpose and to provide, pursuant to that
1115 purpose, systems, facilities, services, improvements, projects,
1116 works, and infrastructure, each of which constitutes a lawful
1117 public purpose when exercised pursuant to this charter, subject
1118 to, and not inconsistent with, general law regarding utility
1119 providers' territorial and service agreements; the regulatory
1120 jurisdiction and permitting authority of all other applicable
1121 governmental bodies, agencies, and any special districts having
1122 authority with respect to any area included therein; and to
1123 plan, establish, acquire, construct or reconstruct, enlarge or
1124 extend, equip, operate, finance, fund, and maintain
1125 improvements, systems, facilities, services, works, projects,

1126 and infrastructure. Any or all of the following special powers
1127 are granted by this act in order to implement the special and
1128 limited purpose of the district but do not constitute
1129 obligations to undertake such improvements, systems, facilities,
1130 services, works, projects, or infrastructure:

1131 (a) To provide water management and control for the lands
1132 within the district, including irrigation systems and
1133 facilities, and to connect some or any of such facilities with
1134 roads and bridges. In the event that the board assumes the
1135 responsibility for providing water management and control for
1136 the district which is to be financed by benefit special
1137 assessments, the board shall adopt plans and assessments
1138 pursuant to general law or may proceed to adopt water management
1139 and control plans, assess for benefits, and apportion and levy
1140 special assessments as follows:

1141 1. The board shall cause to be made by the district's
1142 engineer, or such other engineer or engineers as the board may
1143 employ for that purpose, complete and comprehensive water
1144 management and control plans for the lands located within the
1145 district that will be improved in any part or in whole by any
1146 system of facilities that may be outlined and adopted, and the
1147 engineer shall make a report in writing to the board with maps
1148 and profiles of said surveys and an estimate of the cost of
1149 carrying out and completing the plans.

1150 2. Upon the completion of such plans, the board shall hold

1151 a hearing thereon to hear objections thereto, shall give notice
1152 of the time and place fixed for such hearing by publication in a
1153 newspaper of general circulation in the general area of the
1154 district once a week for 2 consecutive weeks, and shall permit
1155 the inspection of the plan at the office of the district by all
1156 persons interested. All objections to the plan shall be filed at
1157 or before the time fixed in the notice for the hearing and shall
1158 be in writing.

1159 3. After the hearing, the board shall consider the
1160 proposed plan and any objections thereto and may modify, reject,
1161 or adopt the plan or continue the hearing until a day certain
1162 for further consideration of the proposed plan or modifications
1163 thereof.

1164 4. When the board approves a plan, a resolution shall be
1165 adopted and a certified copy thereof shall be filed in the
1166 office of the secretary and incorporated by him or her into the
1167 records of the district.

1168 5. The water management and control plan may be altered in
1169 detail from time to time until the engineer's report pursuant to
1170 s. 298.301, Florida Statutes, is filed, but not in such manner
1171 as to materially affect the conditions of its adoption. After
1172 the engineer's report has been filed, the plan may not be
1173 altered except as provided by this act.

1174 6. Within 20 days after the final adoption of the plan by
1175 the board, the board shall proceed pursuant to s. 298.301,

1176 Florida Statutes.

1177 (b) To provide water supply, sewer, wastewater, and
1178 reclaimed water management, reclamation, and reuse, or any
1179 combination thereof, and any irrigation systems, facilities, and
1180 services and to construct and operate water systems, sewer
1181 systems, irrigation systems, and reclaimed water systems such as
1182 connecting intercepting or outlet sewers and sewer mains and
1183 pipes and water mains, conduits, or pipelines in, along, and
1184 under any street, alley, highway, or other public place or way,
1185 and to dispose of any water, effluent, residue, or other
1186 byproduct of such water system, sewer system, irrigation system
1187 or reclaimed water system and to enter into interlocal
1188 agreements and other agreements with public or private entities
1189 for the same.

1190 (c) To provide any necessary bridges, culverts, wildlife
1191 corridors, or road crossings across any drain, ditch, canal,
1192 floodway, holding basin, excavation, public highway, tract,
1193 grade, fill, or cut and roadways over levees and embankments,
1194 and to construct any and all of such works and improvements
1195 across, through, or over any public right-of way, highway,
1196 grade, fill, or cut.

1197 (d) To provide district or other roads equal to or
1198 exceeding the specifications of the county in which such
1199 district or other roads are located, and to provide street
1200 lighting. This special power includes, but is not limited to,

1201 roads, parkways, intersections, bridges, landscaping,
1202 hardscaping, irrigation, bicycle lanes, sidewalks, jogging
1203 paths, multiuse pathways and trails, street lighting, traffic
1204 signals, regulatory or informational signage, road striping,
1205 underground conduit, underground cable or fiber or wire
1206 installed pursuant to an agreement with or tariff of a retail
1207 provider of services, and all other customary elements of a
1208 functioning modern road system in general or as tied to the
1209 conditions of development approval for the area within and
1210 without the district, and parking facilities that are
1211 freestanding or that may be related to any innovative strategic
1212 intermodal system of transportation pursuant to applicable
1213 federal, state, and local laws and ordinances.

1214 (e) To provide buses, trolleys, rail access, mass transit
1215 facilities, transit shelters, ridesharing facilities and
1216 services, parking improvements, and related signage.

1217 (f) To provide investigation and remediation costs
1218 associated with the cleanup of actual or perceived environmental
1219 contamination within the district under the supervision or
1220 direction of a competent governmental authority unless the
1221 covered costs benefit any person who is a landowner within the
1222 district and who caused or contributed to the contamination.

1223 (g) To provide observation, mitigation, wetland creation,
1224 and wildlife habitat areas, including the maintenance of any
1225 plant or animal species, and any related interest in real or

1226 personal property.

1227 (h) Using its general and special powers as set forth in
 1228 this act, to provide any other project within or without the
 1229 boundaries of the district when the project is the subject of an
 1230 agreement between the district and the Board of County
 1231 Commissioners of Manatee County or with any other applicable
 1232 public or private entity and is not inconsistent with the
 1233 effective local comprehensive plans.

1234 (i) To provide parks and facilities for indoor and outdoor
 1235 recreational, cultural, and educational uses.

1236 (j) To provide school buildings and related structures,
 1237 which may be leased, sold, or donated to the school district,
 1238 for use in the educational system when authorized by the
 1239 district school board.

1240 (k) To provide security, including electronic intrusion-
 1241 detection systems and patrol cars, when authorized by proper
 1242 governmental agencies, and to contract with the appropriate
 1243 local general-purpose government agencies for an increased level
 1244 of such services within the district boundaries.

1245 (l) To provide control and elimination of mosquitoes and
 1246 other arthropods of public health importance.

1247 (m) To enter into impact fee, mobility fee, or other
 1248 similar credit agreements with Manatee County or other
 1249 governmental bodies or a landowner developer and to sell or
 1250 assign such credits on such terms as the district deems

1251 appropriate.

1252 (n) To provide buildings and structures for district
1253 offices, maintenance facilities, meeting facilities, town
1254 centers, or any other projects authorized or granted by this
1255 act.

1256 (o) To establish and create, at noticed meetings, such
1257 departments of the board of supervisors of the district, as well
1258 as committees, task forces, boards, or commissions, or other
1259 agencies under the supervision and control of the district, as
1260 from time to time the members of the board may deem necessary or
1261 desirable in the performance of the acts or other things
1262 necessary to exercise the board's general or special powers to
1263 implement an innovative project to carry out the special and
1264 limited purpose of the district as provided in this act and to
1265 delegate the exercise of its powers to such departments, boards,
1266 task forces, committees, or other agencies, and such
1267 administrative duties and other powers as the board may deem
1268 necessary or desirable, but only if there is a set of expressed
1269 limitations for accountability, notice, and periodic written
1270 reporting to the board that shall retain the powers of the
1271 board.

1272 (p) To provide electrical, sustainable, or green
1273 infrastructure improvements, facilities, and services,
1274 including, but not limited to, recycling of natural resources,
1275 reduction of energy demands, development and generation of

1276 alternative or renewable energy sources and technologies,
 1277 mitigation of urban heat islands, sequestration, capping or
 1278 trading of carbon emissions or carbon emissions credits, LEED or
 1279 Florida Green Building Coalition certification, and development
 1280 of facilities and improvements for low-impact development; to
 1281 enter into joint ventures, public-private partnerships, and
 1282 other agreements; and to grant such easements as may be
 1283 necessary to accomplish the foregoing. Nothing herein shall
 1284 authorize the district to provide electric service to retail
 1285 customers or otherwise act to impair electric utility franchise
 1286 agreements.

1287 (q) To provide for any facilities or improvements that may
 1288 otherwise be provided for by any county or municipality,
 1289 including, but not limited to, libraries, annexes, substations,
 1290 and other buildings to house public officials, staff, and
 1291 employees.

1292 (r) To provide waste collection and disposal.

1293 (s) To provide for the construction and operation of
 1294 communications systems and related infrastructure for the
 1295 carriage and distribution of communications services; to enter
 1296 into joint ventures, public-private partnerships, and other
 1297 agreements; and to grant such easements as may be necessary to
 1298 accomplish the foregoing. For purposes of this paragraph,
 1299 communications systems means all facilities, buildings,
 1300 equipment, items, and methods necessary or desirable in order to

1301 provide communications services, including, without limitation,
1302 wires, cables, conduits, wireless cell sites, computers, modems,
1303 satellite antennae sites, transmission facilities, network
1304 facilities, and appurtenant devices necessary and appropriate to
1305 support the provision of communications services. Communications
1306 services includes, without limitation, Internet, voice
1307 telephone, or similar services provided by voice over Internet
1308 protocol, cable television, data transmission services,
1309 electronic security monitoring services, and multi-channel video
1310 programming distribution services. Nothing herein shall
1311 authorize the district to provide communications services to
1312 retail customers or otherwise act to impair existing service
1313 provider franchise agreements. However, the district may
1314 contract with such providers for resale purposes.

1315 (t) To provide health care facilities and to enter into
1316 public-private partnerships and agreements as may be necessary
1317 to accomplish the foregoing.

1318 (u) To coordinate, work with, and, as the board deems
1319 appropriate, enter into interlocal agreements with any public or
1320 private entity for the provision of an institution or
1321 institutions of higher education.

1322 (v) To coordinate, work with, and, as the board deems
1323 appropriate, enter into public-private partnerships and
1324 agreements as may be necessary or useful to effectuate the
1325 purposes of this act.

1326
1327 The special powers provided in this act may not be deemed
1328 exclusive or restrictive but shall be deemed to incorporate all
1329 powers express or implied necessary or incident to carrying out
1330 such special powers, including the general powers provided by
1331 this act to the district to implement its purposes. This
1332 subsection shall be construed liberally in order to effectively
1333 carry out the special and limited purpose of the district under
1334 this act.

1335 (8) ISSUANCE OF BOND ANTICIPATION NOTES.—In addition to
1336 the other powers provided for in this act, and not in limitation
1337 thereof, the district shall have the power, at any time and from
1338 time to time after the issuance of any bonds of the district are
1339 authorized, to borrow money for the purposes for which such
1340 bonds are to be issued in anticipation of the receipt of the
1341 proceeds of the sale of such bonds and to issue bond
1342 anticipation notes in a principal sum not in excess of the
1343 authorized maximum amount of such bond issue. Such notes shall
1344 be in such denomination or denominations, bear interest at such
1345 rate as the board may determine, not to exceed the maximum rate
1346 allowed by general law, mature at such time or times not later
1347 than 5 years after the date of issuance, and be in such form and
1348 executed in such manner as the board shall prescribe. Such notes
1349 may be sold at either public or private sale or, if such notes
1350 shall be renewal notes, may be exchanged for notes then

1351 outstanding on such terms as the board shall determine. Such
 1352 notes shall be paid from the proceeds of such bonds when issued.
 1353 The board may, in its discretion, in lieu of retiring the notes
 1354 by means of bonds, retire them by means of current revenues or
 1355 from any taxes or assessments levied for the payment of such
 1356 bonds, but, in such event, a like amount of the bonds authorized
 1357 may not be issued.

1358 (9) BORROWING.—The district at any time may obtain loans,
 1359 in such amount and on such terms and conditions as the board may
 1360 approve, for the purpose of paying any of the expenses of the
 1361 district or any costs incurred or that may be incurred in
 1362 connection with any of the projects of the district, which loans
 1363 shall bear such interest as the board determines, not to exceed
 1364 the maximum rate allowed by general law, and may be payable from
 1365 and secured by a pledge of such funds, revenues, taxes, and
 1366 assessments as the board may determine; provided, however, that
 1367 the provisions contained in any proceeding under which bonds
 1368 were theretofore issued and are then outstanding. For the
 1369 purpose of defraying such costs and expenses, the district may
 1370 issue negotiable notes, warrants, or other evidences of debt to
 1371 be payable at such times and to bear such interest as the board
 1372 may determine, not to exceed the maximum rate allowed by general
 1373 law, and to be sold or discounted at such price or prices not
 1374 less than 95 percent of par value and on such terms as the board
 1375 may deem advisable. The board shall have the right to provide

1376 for the payment thereof by pledging the whole or any part of the
1377 funds, revenues, taxes, and assessments of the district or by
1378 covenanting to budget and appropriate from such funds. The
1379 approval of the electors residing in the district is only
1380 necessary when required by the State Constitution.

1381 (10) BONDS.—

1382 (a) Sale of bonds.—Bonds may be sold in blocks or
1383 installments at different times, or an entire issue or series
1384 may be sold at one time. Bonds may be sold at public or private
1385 sale after such advertisement, if any, as the board may deem
1386 advisable, but not in any event at less than 90 percent of the
1387 par value thereof, together with accrued interest thereon. Bonds
1388 may be sold or exchanged for refunding bonds. Special assessment
1389 and revenue bonds may be delivered by the district as payment of
1390 the purchase price of any project or part thereof, or a
1391 combination of projects or parts thereof, or as the purchase
1392 price or exchange for any property, real, personal, or mixed,
1393 including franchises or services rendered by any contractor,
1394 engineer, or other person, all at one time or in blocks from
1395 time to time, in such manner and upon such terms as the board at
1396 its discretion shall determine. The price or prices for any
1397 bonds sold, exchanged, or delivered may be:

1398 1. The money paid for the bonds.

1399 2. The principal amount, plus accrued interest to the date
1400 of redemption or exchange, or outstanding obligations exchanged

1401 for refunding bonds.

1402 3. In the case of special assessment or revenue bonds, the
1403 amount of any indebtedness to contractors or other persons paid
1404 with such bonds, or the fair value of any properties exchanged
1405 for the bonds, as determined by the board.

1406 (b) Authorization and form of bonds.—Any general
1407 obligation bonds, special assessment bonds, or revenue bonds may
1408 be authorized by resolution or resolutions of the board which
1409 shall be adopted by a majority of all the members thereof then
1410 in office. Such resolution or resolutions may be adopted at the
1411 same meeting at which they are introduced and need not be
1412 published or posted. The board may, by resolution, authorize the
1413 issuance of bonds and fix the aggregate amount of bonds to be
1414 issued; the purpose or purposes for which the moneys derived
1415 therefrom shall be expended, including, but not limited to,
1416 payment of costs as defined in section 3; the rate or rates of
1417 interest, not to exceed the maximum rate allowed by general law;
1418 the denomination of the bonds; whether the bonds are to be
1419 issued in one or multiple series; the date or dates of maturity,
1420 which may not exceed 40 years after their respective dates of
1421 issuance; the medium of payment; the place or places within or
1422 without the state at which payment shall be made; registration
1423 privileges; redemption terms and privileges, whether with or
1424 without premium; the manner of execution; the form of the bonds,
1425 including any interest coupons to be attached thereto; the

1426 manner of execution of bonds and coupons; and any and all other
1427 terms, covenants, and conditions thereof and the establishment
1428 of revenue or other funds. Such authorizing resolution or
1429 resolutions may further provide for the contracts authorized by
1430 s. 159.825(1)(f) and (g), Florida Statutes, regardless of the
1431 tax treatment of such bonds being authorized, subject to the
1432 finding by the board of a net saving to the district resulting
1433 by reason thereof. Such authorizing resolution may further
1434 provide that such bonds may be executed in accordance with the
1435 Registered Public Obligations Act, except that bonds not issued
1436 in registered form shall be valid if manually countersigned by
1437 an officer designated by appropriate resolution of the board.
1438 The seal of the district may be affixed, lithographed, engraved,
1439 or otherwise reproduced in facsimile on such bonds. In case any
1440 officer whose signature shall appear on any bonds or coupons
1441 shall cease to be such officer before the delivery of such
1442 bonds, such signature or facsimile shall nevertheless be valid
1443 and sufficient for all purposes as if he or she had remained in
1444 office until such delivery.

1445 (c) Interim certificates; replacement certificates.-
1446 Pending the preparation of definitive bonds, the board may issue
1447 interim certificates or receipts or temporary bonds, in such
1448 form and with such provisions as the board may determine,
1449 exchangeable for definitive bonds when such bonds have been
1450 executed and are available for delivery. The board may also

1451 provide for the replacement of any bonds which become mutilated,
1452 lost, or destroyed.

1453 (d) Negotiability of bonds.—Any bond issued under this act
1454 or any temporary bond, in the absence of an express recital on
1455 the face thereof that it is nonnegotiable, shall be fully
1456 negotiable and shall be and constitute a negotiable instrument
1457 within the meaning and for all purposes of the law merchant and
1458 general law.

1459 (e) Defeasance.—The board may make such provision with
1460 respect to the defeasance of the right, title, and interest of
1461 the holders of any of the bonds and obligations of the district
1462 in any revenues, funds, or other properties by which such bonds
1463 are secured as the board deems appropriate and, without
1464 limitation on the foregoing, may provide that when such bonds or
1465 obligations become due and payable or shall have been called for
1466 redemption and the whole amount of the principal and interest
1467 and premium, if any, due and payable upon the bonds or
1468 obligations then outstanding shall be held in trust for such
1469 purpose, and provision shall also be made for paying all other
1470 sums payable in connection with such bonds or other obligations,
1471 and in such event the right, title, and interest of the holders
1472 of the bonds in any revenues, funds, or other properties by
1473 which such bonds are secured shall thereupon cease, terminate,
1474 and become void; and the board may apply any surplus in any
1475 sinking fund established in connection with such bonds or

1476 obligations and all balances remaining in all other funds or
1477 accounts other than moneys held for the redemption or payment of
1478 the bonds or other obligations to any lawful purpose of the
1479 district as the board shall determine.

1480 (f) Issuance of additional bonds.—If the proceeds of any
1481 bonds are less than the cost of completing the project in
1482 connection with which such bonds were issued, the board may
1483 authorize the issuance of additional bonds, upon such terms and
1484 conditions as the board may provide in the resolution
1485 authorizing the issuance thereof, but only in compliance with
1486 the resolution or other proceedings authorizing the issuance of
1487 the original bonds.

1488 (g) Refunding bonds.—The district is authorized to issue
1489 bonds to provide for the retirement or refunding of any bonds or
1490 obligations of the district that at the time of such issuance
1491 are or subsequent thereto become due and payable, or that at the
1492 time of issuance have been called or are, or will be, subject to
1493 call for redemption within 10 years thereafter, or the surrender
1494 of which can be procured from the holders thereof at prices
1495 satisfactory to the board. Refunding bonds may be issued at any
1496 time that in the judgment of the board such issuance will be
1497 advantageous to the district. Approval of the qualified electors
1498 residing in the district is not required for the issuance of
1499 refunding bonds except in cases in which such approval is
1500 required by the State Constitution. The board may by resolution

1501 confer upon the holders of such refunding bonds all rights,
1502 powers, and remedies to which the holders would be entitled if
1503 they continued to be the owners and had possession of the bonds
1504 for the refinancing of which such refunding bonds are issued,
1505 including, but not limited to, the preservation of the lien of
1506 such bonds on the revenues of any project or on pledged funds,
1507 without extinguishment, impairment, or diminution thereof. The
1508 provisions of this act relating to bonds of the district shall,
1509 unless the context otherwise requires, govern the issuance of
1510 refunding bonds, the form and other details thereof, the rights
1511 of the holders thereof, and the duties of the board with respect
1512 to such bonds.

1513 (h) Revenue bonds.—

1514 1. The district shall have the power to issue revenue
1515 bonds from time to time without limitation as to amount. Such
1516 revenue bonds may be secured by, or payable from, the gross or
1517 net pledge of the revenues to be derived from any project or
1518 combination of projects; from the rates, fees, or other charges
1519 to be collected from the users of any project or projects; from
1520 any revenue-producing undertaking or activity of the district;
1521 from special assessments; from benefit special assessments; or
1522 from any other source or pledged security. Such bonds do not
1523 constitute an indebtedness of the district and the approval of
1524 the qualified electors is not required unless such bonds are
1525 additionally secured by the full faith and credit and taxing

1526 power of the district.

1527 2. Any two or more projects may be combined and
1528 consolidated into a single project and may hereafter be operated
1529 and maintained as a single project. The revenue bonds authorized
1530 herein may be issued to finance any one or more of such
1531 projects, regardless of whether such projects have been combined
1532 and consolidated into a single project. If the board deems it
1533 advisable, the proceedings authorizing such revenue bonds may
1534 provide that the district may thereafter combine the projects
1535 then being financed or theretofore financed with other projects
1536 to be subsequently financed by the district and that revenue
1537 bonds to be thereafter issued by the district shall be on parity
1538 with the revenue bonds then being issued, all on such terms,
1539 conditions, and limitations as shall have been provided in the
1540 proceeding which authorized the original bonds.

1541 (i) General obligation bonds.—

1542 1. Subject to the limitations of this charter, the
1543 district shall have the power to issue general obligation bonds
1544 to finance or refinance capital projects or to refund
1545 outstanding bonds in an aggregate principal amount of bonds
1546 outstanding at any one time not in excess of 35 percent of the
1547 assessed value of the taxable property within the district as
1548 shown on the pertinent tax records at the time of the
1549 authorization of the general obligation bonds for which the full
1550 faith and credit of the district is pledged. Except for

1551 refunding bonds, general obligation bonds may not be issued
1552 unless the bonds are issued to finance or refinance a capital
1553 project and the issuance has been approved at an election held
1554 in accordance with the requirements for such election as
1555 prescribed by the State Constitution. Such elections shall be
1556 called to be held in the district by the Board of County
1557 Commissioners of Manatee County upon the request of the board of
1558 the district. The expenses of calling and holding an election
1559 shall be at the expense of the district and the district shall
1560 reimburse the county for any expenses incurred in calling or
1561 holding such election.

1562 2. The district may pledge its full faith and credit for
1563 the payment of the principal and interest on such general
1564 obligation bonds and for any reserve funds provided therefor and
1565 may unconditionally and irrevocably pledge itself to levy ad
1566 valorem taxes on all taxable property in the district, to the
1567 extent necessary for the payment thereof, without limitation as
1568 to rate or amount.

1569 3. If the board determines to issue general obligation
1570 bonds for more than one capital project, the approval of the
1571 issuance of the bonds for each and all such projects may be
1572 submitted to the electors on one ballot. The failure of the
1573 electors to approve the issuance of bonds for any one or more
1574 capital projects does not defeat the approval of bonds for any
1575 capital project which has been approved by the electors.

1576 4. In arriving at the amount of general obligation bonds
 1577 permitted to be outstanding at any one time pursuant to
 1578 subparagraph 1., there may not be included any general
 1579 obligation bonds that are additionally secured by the pledge of:

1580 a. Any assessments levied in an amount sufficient to pay
 1581 the principal and interest on the general obligation bonds so
 1582 additionally secured, which assessments have been equalized and
 1583 confirmed by resolution of the board pursuant to this act or s.
 1584 170.08, Florida Statutes.

1585 b. Water revenues, sewer revenues, or water and sewer
 1586 revenues of the district to be derived from user fees in an
 1587 amount sufficient to pay the principal and interest on the
 1588 general obligation bonds so additionally secured.

1589 c. Any combination of assessments and revenues described
 1590 in sub-subparagraphs a. and b.

1591 (j) Bonds as legal investment or security.—

1592 1. Notwithstanding any other provision of law to the
 1593 contrary, all bonds issued under this act shall constitute legal
 1594 investments for savings banks, banks, trust companies, insurance
 1595 companies, executors, administrators, trustees, guardians, and
 1596 other fiduciaries and for any board, body, agency,
 1597 instrumentality, county, municipality, or other political
 1598 subdivision of the state and shall be and constitute security
 1599 which may be deposited by banks or trust companies as security
 1600 for deposits of state, county, municipal, or other public funds

1601 or by insurance companies as required or voluntary statutory
1602 deposits.

1603 2. Any bonds issued by the district shall be incontestable
1604 in the hands of bona fide purchasers or holders for value and
1605 are not invalid because of any irregularity or defect in the
1606 proceedings for the issue and sale thereof.

1607 (k) Covenants.—Any resolution authorizing the issuance of
1608 bonds may contain such covenants as the board may deem
1609 advisable, and all such covenants shall constitute valid and
1610 legally binding and enforceable contracts between the district
1611 and the bondholders, regardless of the time of issuance thereof.
1612 Such covenants may include, without limitation, covenants
1613 concerning the disposition of the bond proceeds; the use and
1614 disposition of project revenues; the pledging of revenues,
1615 taxes, and assessments; the obligations of the district with
1616 respect to the operation of the project and the maintenance of
1617 adequate project revenues; the issuance of additional bonds; the
1618 appointment, powers, and duties of trustees and receivers; the
1619 acquisition of outstanding bonds and obligations; restrictions
1620 on the establishment of competing projects or facilities;
1621 restrictions on the sale or disposal of the assets and property
1622 of the district; the priority of assessment liens; the priority
1623 of claims by bondholders on the taxing power of the district;
1624 the maintenance of deposits to ensure the payment of revenues by
1625 users of district facilities and services; the discontinuance of

1626 district services by reason of delinquent payments; acceleration
1627 upon default; the execution of necessary instruments; the
1628 procedure for amending or abrogating covenants with the
1629 bondholders; and such other covenants as may be deemed necessary
1630 or desirable for the security of the bondholders.

1631 (l) Validation proceedings.—The power of the district to
1632 issue bonds under this act may be determined, and any of the
1633 bonds of the district maturing over a period of more than 5
1634 years shall be validated and confirmed, by court decree, under
1635 chapter 75, Florida Statutes, and laws amendatory thereof or
1636 supplementary thereto.

1637 (m) Tax exemption.—To the extent allowed by general law,
1638 all bonds issued hereunder and interest paid thereon and all
1639 fees, charges, and other revenues derived by the district from
1640 the projects provided by this act are exempt from all taxes by
1641 the state or by any political subdivision, agency, or
1642 instrumentality thereof; however, any interest, income, or
1643 profits on debt obligations issued hereunder are not exempt from
1644 the tax imposed by chapter 220, Florida Statutes. Further, the
1645 district is not exempt from chapter 212, Florida Statutes.

1646 (n) Application of s. 189.051, Florida Statutes.—Bonds
1647 issued by the district shall meet the criteria set forth in s.
1648 189.051, Florida Statutes.

1649 (o) Act furnishes full authority for issuance of bonds.—
1650 This act constitutes full and complete authority for the

1651 issuance of bonds and the exercise of the powers of the district
1652 provided herein. Procedures or proceedings, publications,
1653 notices, consents, approvals, orders, acts, or things by the
1654 board, or by any board, officer, commission, department, agency,
1655 or instrumentality of the district, other than those required by
1656 this act, are not required to perform anything under this act,
1657 except that the issuance or sale of bonds pursuant to this act
1658 shall comply with the general law requirements applicable to the
1659 issuance or sale of bonds by the district. This act does not
1660 authorize the district to utilize bond proceeds to fund the
1661 ongoing operations of the district.

1662 (p) Pledge by the state to the bondholders of the
1663 district.—The state pledges to the holders of any bonds issued
1664 under this act that it will not limit or alter the rights of the
1665 district to own, acquire, construct, reconstruct, improve,
1666 maintain, operate, or furnish the projects or to levy and
1667 collect the taxes, assessments, rentals, rates, fees, and other
1668 charges provided for herein and to fulfill the terms of any
1669 agreement made with the holders of such bonds or other
1670 obligations and that it will not in any way impair the rights or
1671 remedies of such holders.

1672 (q) Default.—A default on the bonds or obligations of the
1673 district does not constitute a debt or obligation of the state
1674 or any general-purpose local government of the state. In the
1675 event of a default or dissolution of the district, a general-

1676 purpose local government is not required to assume the property
1677 of the district, the debts of the district, or the district's
1678 obligations to complete any infrastructure improvements or
1679 provide any services to the district. Section 189.076(2),
1680 Florida Statutes, does not apply to the district.

1681 (11) TRUST AGREEMENTS.—Any issue of bonds shall be secured
1682 by a trust agreement or resolution by and between the district
1683 and a corporate trustee or trustees, which may be any trust
1684 company or bank having the powers of a trust company within or
1685 without the state. The resolution authorizing the issuance of
1686 the bonds or such trust agreement may pledge the revenues to be
1687 received from any projects of the district and may contain such
1688 provisions for protecting and enforcing the rights and remedies
1689 of the bondholders as the board may approve, including, without
1690 limitation, covenants setting forth the duties of the district
1691 in relation to the acquisition, construction, reconstruction,
1692 improvement, maintenance, repair, operation, and insurance of
1693 any projects; the fixing and revising of the rates, fees, and
1694 charges; and the custody, safeguarding, and application of all
1695 moneys and for the employment of consulting engineers in
1696 connection with such acquisition, construction, reconstruction,
1697 improvement, maintenance, repair, operation, or insurance. It
1698 shall be lawful for any bank or trust company within or without
1699 the state which may act as a depository of the proceeds of bonds
1700 or of revenues to furnish such indemnifying bonds or to pledge

1701 such securities as may be required by the district. Such
 1702 resolution or trust agreement may set forth the rights and
 1703 remedies of the bondholders and of the trustee, if any, and may
 1704 restrict the individual right of action by bondholders. The
 1705 board may provide for the payment of proceeds of the sale of the
 1706 bonds and the revenues of any project to such officer, board, or
 1707 depository as it may designate for the custody thereof and may
 1708 provide for the method of disbursement thereof with such
 1709 safeguards and restrictions as it may determine. All expenses
 1710 incurred in carrying out such resolution or trust agreement may
 1711 be treated as part of the cost of operation of the project to
 1712 which such trust agreement pertains.

1713 (12) AD VALOREM TAXES; ASSESSMENTS, BENEFIT SPECIAL
 1714 ASSESSMENTS, MAINTENANCE SPECIAL ASSESSMENTS, AND SPECIAL
 1715 ASSESSMENTS; MAINTENANCE TAXES.—

1716 (a) Ad valorem taxes.—At such time as all members of the
 1717 board are qualified electors who are elected by qualified
 1718 electors of the district, the board shall have the power to levy
 1719 and assess an ad valorem tax on all the taxable property in the
 1720 district to construct, operate, and maintain assessable
 1721 improvements; to pay the principal of, and interest on, any
 1722 general obligation bonds of the district; and to provide for any
 1723 sinking or other funds established in connection with any such
 1724 bonds. An ad valorem tax levied by the board for operating
 1725 purposes, exclusive of debt service on bonds, may not exceed 3

1726 mills. The ad valorem tax provided for herein shall be in
1727 addition to county and all other ad valorem taxes provided for
1728 by general law. Such tax shall be assessed, levied, and
1729 collected in the same manner and at the same time as county
1730 taxes. The levy of ad valorem taxes must be approved by
1731 referendum as required by Section 9, Article VII of the State
1732 Constitution.

1733 (b) Benefit special assessments.—The board annually shall
1734 determine, order, and levy the annual installment of the total
1735 benefit special assessments for bonds issued and related
1736 expenses to finance assessable improvements. These assessments
1737 may be due and collected during each year county taxes are due
1738 and collected, in which case such annual installment and levy
1739 shall be evidenced to and certified to the property appraiser by
1740 the board not later than August 31 of each year. Such assessment
1741 shall be entered by the property appraiser on the county tax
1742 rolls and shall be collected and enforced by the tax collector
1743 in the same manner and at the same time as county taxes, and the
1744 proceeds thereof shall be paid to the district. However, this
1745 subsection does not prohibit the district in its discretion from
1746 using the method provided in s. 197.3632, Florida Statutes, or
1747 chapter 173, Florida Statutes, as each may be amended from time
1748 to time, for collecting and enforcing these assessments. Each
1749 annual installment of benefit special assessments shall be a
1750 lien on the property against which assessed until paid and shall

1751 be enforceable in like manner as county taxes. The amount of the
1752 assessment for the exercise of the district's powers under
1753 subsections (6) and (7) shall be determined by the board based
1754 upon a report of the district's engineer and assessed by the
1755 board upon such lands, which may be part or all of the lands
1756 within the district benefited by the improvement, apportioned
1757 between benefited lands in proportion to the benefits received
1758 by each tract of land. The board may, if it determines it is in
1759 the best interests of the district, set forth in the proceedings
1760 initially levying such benefit special assessments or in
1761 subsequent proceedings a formula for the determination of an
1762 amount which, when paid by a taxpayer with respect to any tax
1763 parcel, shall constitute a prepayment of all future annual
1764 installments of such benefit special assessments. The payment of
1765 which amount with respect to such tax parcel shall relieve and
1766 discharge such tax parcel of the lien of such benefit special
1767 assessments and any subsequent annual installment thereof. The
1768 board may provide further that upon delinquency in the payment
1769 of any annual installment of benefit special assessments, such
1770 prepayment amount of all future annual installments of benefit
1771 special assessments shall be and become immediately due and
1772 payable together with such delinquent annual installment.

1773 (c) Non-ad valorem maintenance taxes.—If and when
1774 authorized by general law, to maintain and to preserve the
1775 physical facilities and services constituting the works,

1776 improvements, or infrastructure owned by the district pursuant
1777 to this act, to repair and restore any one or more of them, when
1778 needed, and to defray the current expenses of the district,
1779 including any sum which may be required to pay state and county
1780 ad valorem taxes on any lands which may have been purchased and
1781 which are held by the district under this act, the board of
1782 supervisors may, upon the completion of said systems,
1783 facilities, services, works, improvements, or infrastructure, in
1784 whole or in part, as may be certified to the board by the
1785 engineer of the board, levy annually a non-ad valorem and
1786 nonmillage tax upon each tract or parcel of land within the
1787 district, to be known as a "maintenance tax." A maintenance tax
1788 shall be apportioned upon the basis of the net assessments of
1789 benefits assessed as accruing from the original construction and
1790 shall be evidenced to and certified by the board of supervisors
1791 of the district not later than June 1 of each year to the
1792 Manatee County tax collector and shall be extended on the tax
1793 rolls and collected by the tax collector on the merged
1794 collection roll of the tax collector in the same manner and at
1795 the same time as county ad valorem taxes, and the proceeds
1796 therefrom shall be paid to the district. The maintenance tax
1797 shall be a lien until paid on the property against which
1798 assessed and enforceable in like manner and of the same dignity
1799 as county ad valorem taxes.

1800 (d) Maintenance special assessments.—To maintain and

1801 preserve the facilities and projects of the district, the board
1802 may levy a maintenance special assessment. This assessment may
1803 be evidenced to and certified to the tax collector by the board
1804 of supervisors not later than August 31 of each year and shall
1805 be entered by the property appraiser on the county tax rolls and
1806 shall be collected and enforced by the tax collector in the same
1807 manner and at the same time as county taxes, and the proceeds
1808 therefrom shall be paid to the district. However, this
1809 subsection does not prohibit the district in its discretion from
1810 using the method prescribed in s. 197.363, s. 197.3631, or s.
1811 197.3632, Florida Statutes, for collecting and enforcing these
1812 assessments. These maintenance special assessments shall be a
1813 lien on the property against which assessed until paid and shall
1814 be enforceable in like manner as county taxes. The amount of the
1815 maintenance special assessment for the exercise of the
1816 district's powers under this section shall be determined by the
1817 board based upon a report of the district's engineer and
1818 assessed by the board upon such lands, which may be all of the
1819 lands within the district benefited by the maintenance thereof,
1820 apportioned between the benefited lands in proportion to the
1821 benefits received by each tract of land.

1822 (e) Special assessments.—The board may levy and impose any
1823 special assessments pursuant to this subsection.

1824 (f) Enforcement of taxes.—The collection and enforcement
1825 of all taxes levied by the district shall be at the same time

1826 and in like manner as county taxes and the provisions of general
1827 law relating to the sale of lands for unpaid and delinquent
1828 county taxes; the issuance, sale, and delivery of tax
1829 certificates for such unpaid and delinquent county taxes; the
1830 redemption thereof; the issuance to individuals of tax deeds
1831 based thereon; and all other procedures in connection therewith
1832 shall be applicable to the district to the same extent as if
1833 such statutory provisions were expressly set forth in this act.
1834 All taxes shall be subject to the same discounts as county
1835 taxes.

1836 (g) When unpaid tax is delinquent; penalty.—All taxes
1837 provided for in this act shall become delinquent and bear
1838 penalties on the amount of such taxes in the same manner as
1839 county taxes.

1840 (h) Status of assessments.—Benefit special assessments,
1841 maintenance special assessments, and special assessments are
1842 hereby found and determined to be non-ad valorem assessments as
1843 defined in s. 197.3632(1), Florida Statutes. Maintenance taxes
1844 are non-ad valorem taxes and are not special assessments.

1845 (i) Assessments constitute liens; collection.—Any and all
1846 assessments, including special assessments, benefit special
1847 assessments, and maintenance special assessments authorized and
1848 granted by this subsection and maintenance taxes if authorized
1849 by general law, shall constitute a lien on the property against
1850 which assessed from the date of levy and imposition thereof

1851 until paid, coequal with the lien of state, county, municipal,
1852 and school board taxes. These assessments may be collected, at
1853 the district's discretion, under authority of s. 197.3631,
1854 Florida Statutes, as amended from time to time, by the tax
1855 collector pursuant to ss. 197.3632 and 197.3635, Florida
1856 Statutes, as amended from time to time, or in accordance with
1857 other collection measures provided by general law. In addition
1858 to, and not in limitation of, any powers otherwise set forth
1859 herein or in general law, these assessments may also be enforced
1860 pursuant to chapter 173, Florida Statutes, as amended from time
1861 to time.

1862 (j) Land owned by governmental entity.—Except as otherwise
1863 provided by general law, a levy of ad valorem taxes or non-ad
1864 valorem assessments under this act or chapter 170 or chapter
1865 197, Florida Statutes, or otherwise by the board of the district
1866 on property of a governmental entity that is subject to a ground
1867 lease as described in s. 190.003(14), Florida Statutes, does not
1868 constitute a lien or encumbrance on the underlying fee interest
1869 of such governmental entity.

1870 (13) SPECIAL ASSESSMENTS.—

1871 (a) As an alternative method to the levy and imposition of
1872 special assessments pursuant to chapter 170, Florida Statutes,
1873 pursuant to the authority under s. 197.3631, Florida Statutes,
1874 or pursuant to other provisions of general law, now or hereafter
1875 enacted, which provide a supplemental means or authority to

1876 impose, levy, and collect special assessments as otherwise
1877 authorized under this act, the board may levy and impose special
1878 assessments to finance the exercise of any of its powers
1879 permitted under this act using the following uniform procedures:

1880 1. At a noticed meeting, the board of supervisors of the
1881 district may consider and review an engineer's report on the
1882 costs of the systems, facilities, and services to be provided, a
1883 preliminary special assessment methodology, and a preliminary
1884 roll based on acreage or platted lands, depending upon whether
1885 platting has occurred.

1886 a. The special assessment methodology shall address and
1887 discuss and the board shall consider whether the systems,
1888 facilities, and services being contemplated will result in
1889 special benefits peculiar to the property, different in kind and
1890 degree than general benefits, as a logical connection between
1891 the systems, facilities, and services themselves and the
1892 property, and whether the duty to pay the special assessments by
1893 the property owners is apportioned in a manner that is fair and
1894 equitable and not in excess of the special benefit received. It
1895 shall be fair and equitable to designate a fixed proportion of
1896 the annual debt service, together with interest thereon, on the
1897 aggregate principal amount of bonds issued to finance such
1898 systems, facilities, and services which give rise to unique,
1899 special, and peculiar benefits to property of the same or
1900 similar characteristics under the special assessment methodology

1901 so long as such fixed proportion does not exceed the unique,
1902 special, and peculiar benefits enjoyed by such property from
1903 such systems, facilities, and services.

1904 b. The engineer's cost report shall identify the nature of
1905 the proposed systems, facilities, and services, their location,
1906 a cost breakdown plus a total estimated cost, including cost of
1907 construction or reconstruction, labor, and materials, lands,
1908 property, rights, easements, franchises, or systems, facilities,
1909 and services to be acquired; cost of plans and specifications
1910 and surveys of estimates of costs and revenues; costs of
1911 engineering, legal, and other professional consultation
1912 services; and other expenses or costs necessary or incident to
1913 determining the feasibility or practicability of such
1914 construction, reconstruction, or acquisition, administrative
1915 expenses, relationship to the authority and power of the
1916 district in its charter, and such other expenses or costs as may
1917 be necessary or incident to the financing to be authorized by
1918 the board of supervisors.

1919 c. The preliminary special assessment roll shall be in
1920 accordance with the assessment methodology as may be adopted by
1921 the board of supervisors; the special assessment roll shall be
1922 completed as promptly as possible and shall show the acreage,
1923 lots, lands, or plats assessed and the amount of the fairly and
1924 reasonably apportioned assessment based on special and peculiar
1925 benefit to the property, lot, parcel, or acreage of land; and,

1926 if the special assessment against such lot, parcel, acreage, or
1927 portion of land is to be paid in installments, the number of
1928 annual installments in which the special assessment is divided
1929 shall be entered into and shown upon the special assessment
1930 roll.

1931 2. The board of supervisors of the district may determine
1932 and declare by an initial special assessment resolution to levy
1933 and assess the special assessments with respect to assessable
1934 improvements stating the nature of the systems, facilities, and
1935 services, improvements, projects, or infrastructure constituting
1936 such assessable improvements, the information in the engineer's
1937 cost report, the information in the special assessment
1938 methodology as determined by the board at the noticed meeting
1939 and referencing and incorporating as part of the resolution the
1940 engineer's cost report, the preliminary special assessment
1941 methodology, and the preliminary special assessment roll as
1942 referenced exhibits to the resolution by reference. If the board
1943 determines to declare and levy the special assessments by the
1944 initial special assessment resolution, the board shall also
1945 adopt and declare a notice resolution which shall provide and
1946 cause the initial special assessment resolution to be published
1947 in a newspaper of general circulation in Manatee County once a
1948 week for 2 consecutive weeks and said board shall by the same
1949 resolution fix a time and place at which the owner or owners of
1950 the property to be assessed or any other persons interested

1951 therein may appear before said board and be heard as to the
1952 propriety and advisability of making such improvements, as to
1953 the costs thereof, as to the manner of payment therefor, and as
1954 to the amount thereof to be assessed against each property so
1955 improved. Thirty days' notice in writing of such time and place
1956 shall be given to such property owners. The notice shall include
1957 the amount of the special assessment and shall be served by
1958 mailing a copy to each assessed property owner at his or her
1959 last known address, the names and addresses of such property
1960 owners to be obtained from the record of the property appraiser
1961 of the county political subdivision in which the land is located
1962 or from such other sources as the district manager or engineer
1963 deems reliable. Proof of such mailing shall be made by the
1964 affidavit of the manager of the district or by the engineer,
1965 said proof to be filed with the district manager. Failure to
1966 mail said notice or notices does not invalidate any of the
1967 proceedings hereunder. It is provided further that the last
1968 publication shall be at least 1 week before the date of the
1969 hearing on the final special assessment resolution. Said notice
1970 shall describe the general areas to be improved and advise all
1971 persons interested that the description of each property to be
1972 assessed and the amount to be assessed to each piece, parcel,
1973 lot, or acre of property may be ascertained at the office of the
1974 manager of the district. Such service by publication shall be
1975 verified by the affidavit of the publisher and filed with the

1976 | manager of the district. Moreover, the initial special
 1977 | assessment resolution with its attached, referenced, and
 1978 | incorporated engineer's cost report, preliminary special
 1979 | assessment methodology, and preliminary special assessment roll,
 1980 | along with the notice resolution, shall be available for public
 1981 | inspection at the office of the manager and the office of the
 1982 | engineer or any other office designated by the board of
 1983 | supervisors in the notice resolution. Notwithstanding the
 1984 | foregoing, the landowners of all of the property which is
 1985 | proposed to be assessed may give the district written notice of
 1986 | waiver of any notice and publication provided for in this
 1987 | subparagraph. However, such notice and publication is not
 1988 | required, provided that any meeting of the board of supervisors
 1989 | to consider such resolution is a publicly noticed meeting.

1990 | 3. At the time and place named in the noticed resolution
 1991 | as provided for in subparagraph 2., the board of supervisors of
 1992 | the district shall meet and hear testimony from affected
 1993 | property owners as to the propriety and advisability of making
 1994 | the systems, facilities, services, projects, works,
 1995 | improvements, or infrastructure and funding them with
 1996 | assessments referenced in the initial special assessment
 1997 | resolution on the property. Following the testimony and
 1998 | questions from the members of the board or any professional
 1999 | advisors to the district of the preparers of the engineer's cost
 2000 | report, the special assessment methodology, and the special

2001 assessment roll, the board of supervisors shall make a final
 2002 decision on whether to levy and assess the particular special
 2003 assessments. Thereafter, the board of supervisors shall meet as
 2004 an equalizing board to hear and to consider any and all
 2005 complaints as to the particular special assessments and shall
 2006 adjust and equalize the special assessments to ensure proper
 2007 assessment based on the benefit conferred on the property.
 2008 4. When so equalized and approved by resolution or
 2009 ordinance by the board of supervisors, to be called the final
 2010 special assessment resolution, a final special assessment roll
 2011 shall be filed with the clerk of the board and such special
 2012 assessment shall stand confirmed and remain legal, valid, and
 2013 binding first liens on the property against which such special
 2014 assessments are made until paid, equal in dignity to the first
 2015 liens of ad valorem taxation of county and municipal governments
 2016 and school boards. However, upon completion of the systems,
 2017 facilities, services, projects, improvements, works, or
 2018 infrastructure, the district shall credit to each of the
 2019 assessments the difference in the special assessment as
 2020 originally made, approved, levied, assessed, and confirmed and
 2021 the proportionate part of the actual cost of the improvement to
 2022 be paid by the particular special assessments as finally
 2023 determined upon the completion of the improvement; but in no
 2024 event shall the final special assessment exceed the amount of
 2025 the special and peculiar benefits as apportioned fairly and

2026 reasonably to the property from the system, facility, or service
2027 being provided as originally assessed. Promptly after such
2028 confirmation, the special assessment shall be recorded by the
2029 clerk of the district in the minutes of the proceedings of the
2030 district, and the record of the lien in this set of minutes
2031 shall constitute prima facie evidence of its validity. The board
2032 of supervisors, in its sole discretion, may, by resolution,
2033 grant a discount equal to all or a part of the payee's
2034 proportionate share of the cost of the project consisting of
2035 bond financing cost, such as capitalized interest, funded
2036 reserves, and bond discounts included in the estimated cost of
2037 the project, upon payment in full of any special assessments
2038 during such period before the time such financing costs are
2039 incurred as may be specified by the board of supervisors in such
2040 resolution.

2041 5. District special assessments may be made payable in
2042 installments over no more than 40 years after the date of the
2043 payment of the first installment thereof and may bear interest
2044 at fixed or variable rates.

2045 (b) Notwithstanding any provision of this act or chapter
2046 170, Florida Statutes, that portion of s. 170.09, Florida
2047 Statutes, which provides that special assessments may be paid
2048 without interest at any time within 30 days after the
2049 improvement is completed and a resolution accepting the same has
2050 been adopted by the governing authority is not applicable to any

2051 district special assessments, whether imposed, levied, and
 2052 collected pursuant to this act or any other provision of general
 2053 law, including, but not limited to, chapter 170, Florida
 2054 Statutes.

2055 (c) In addition, the district is authorized expressly in
 2056 the exercise of its rulemaking power to adopt rules that provide
 2057 for notice, levy, imposition, equalization, and collection of
 2058 assessments.

2059 (14) ISSUANCE OF CERTIFICATES OF INDEBTEDNESS BASED ON
 2060 ASSESSMENTS FOR ASSESSABLE IMPROVEMENTS; ASSESSMENT BONDS.—

2061 (a) The board may, after any special assessments or
 2062 benefit special assessments for assessable improvements are
 2063 made, determined, and confirmed as provided in this act, issue
 2064 certificates of indebtedness for the amount so assessed against
 2065 the abutting property or property otherwise benefited, as the
 2066 case may be, and separate certificates shall be issued against
 2067 each part or parcel of land or property assessed, which
 2068 certificates shall state the general nature of the improvement
 2069 for which the assessment is made. The certificates shall be
 2070 payable in annual installments in accordance with the
 2071 installments of the special assessment for which they are
 2072 issued. The board may determine the interest to be borne by such
 2073 certificates, not to exceed the maximum rate allowed by general
 2074 law, and may sell such certificates at either private or public
 2075 sale and determine the form, manner of execution, and other

2076 details of such certificates. The certificates shall recite that
 2077 they are payable only from the special assessments levied and
 2078 collected from the part or parcel of land or property against
 2079 which they are issued. The proceeds of such certificates may be
 2080 pledged for the payment of principal of and interest on any
 2081 revenue bonds or general obligation bonds issued to finance in
 2082 whole or in part such assessable improvement or, if not so
 2083 pledged, may be used to pay the cost or part of the cost of such
 2084 assessable improvements.

2085 (b) The district may also issue assessment bonds, revenue
 2086 bonds, or other obligations payable from a special fund into
 2087 which such certificates of indebtedness referred to in paragraph
 2088 (a) may be deposited or, if such certificates of indebtedness
 2089 have not been issued, may assign to such special fund for the
 2090 benefit of the holders of such assessment bonds or other
 2091 obligations, or to a trustee for such bondholders, the
 2092 assessment liens provided for in this act unless such
 2093 certificates of indebtedness or assessment liens have been
 2094 theretofore pledged for any bonds or other obligations
 2095 authorized hereunder. In the event of the creation of such
 2096 special fund and the issuance of such assessment bonds or other
 2097 obligations, the proceeds of such certificates of indebtedness
 2098 or assessment liens deposited therein shall be used only for the
 2099 payment of the assessment bonds or other obligations issued as
 2100 provided in this section. The district is authorized to covenant

2101 with the holders of such assessment bonds, revenue bonds, or
2102 other obligations that it will diligently and faithfully enforce
2103 and collect all the special assessments, and interest and
2104 penalties thereon, for which such certificates of indebtedness
2105 or assessment liens have been deposited in or assigned to such
2106 fund; to foreclose such assessment liens so assigned to such
2107 special fund or represented by the certificates of indebtedness
2108 deposited in the special fund, after such assessment liens have
2109 become delinquent, and deposit the proceeds derived from such
2110 foreclosure, including interest and penalties, in such special
2111 fund; and to make any other covenants deemed necessary or
2112 advisable in order to properly secure the holders of such
2113 assessment bonds or other obligations.

2114 (c) The assessment bonds, revenue bonds, or other
2115 obligations issued pursuant to this subsection shall have such
2116 dates of issuance and maturity as deemed advisable by the board;
2117 however, the maturities of such assessment bonds or other
2118 obligations may not be more than 2 years after the due date of
2119 the last installment that will be payable on any of the special
2120 assessments for which such assessment liens, or the certificates
2121 of indebtedness representing such assessment liens, are assigned
2122 to or deposited in such special fund.

2123 (d) Such assessment bonds, revenue bonds, or other
2124 obligations issued under this subsection shall bear such
2125 interest as the board may determine, not to exceed the maximum

2126 rate allowed by general law, and shall be executed, shall have
2127 such provisions for redemption before maturity, shall be sold in
2128 such manner, and shall be subject to all of the applicable
2129 provisions contained in this act for revenue bonds, except as
2130 the same may be inconsistent with this subsection.

2131 (e) All assessment bonds, revenue bonds, or other
2132 obligations issued under this subsection shall be, shall
2133 constitute, and shall have all the qualities and incidents of
2134 negotiable instruments under the law merchant and general laws.

2135 (15) TAX LIENS.—All taxes of the district provided for in
2136 this act, together with all penalties for default in the payment
2137 of the same and all costs in collecting the same, including a
2138 reasonable attorney fee fixed by the court and taxed as a cost
2139 in the action brought to enforce payment, shall, from January 1
2140 of each year the property is liable to assessment and until
2141 paid, constitute a lien of equal dignity with the liens for
2142 state and county taxes and other taxes of equal dignity with
2143 state and county taxes upon all the lands against which such
2144 taxes shall be levied. A sale of any of the real property within
2145 the district for state and county or other taxes may not operate
2146 to relieve or release the property so sold from the lien for
2147 subsequent district taxes or installments of district taxes,
2148 which lien may be enforced against such property as though no
2149 such sale thereof had been made. In addition, for purposes of s.
2150 197.552, Florida Statutes, the lien of all special assessments

2151 levied by the district shall constitute a lien of record held by
 2152 a municipal or county governmental unit. Sections 194.171,
 2153 197.122, 197.333, and 197.432, Florida Statutes, are applicable
 2154 to district taxes with the same force and effect as if such
 2155 sections were expressly provided in this act.

2156 (16) PAYMENT OF TAXES AND REDEMPTION OF TAX LIENS BY THE
 2157 DISTRICT; SHARING IN PROCEEDS OF TAX SALE.—

2158 (a) The district shall have the power and right to:

2159 1. Pay any delinquent state, county, district, municipal,
 2160 or other tax or assessment upon lands located wholly or
 2161 partially within the boundaries of the district.

2162 2. Redeem or purchase any tax sales certificates issued or
 2163 sold on account of any state, county, district, municipal, or
 2164 other taxes or assessments upon lands located wholly or
 2165 partially within the boundaries of the district.

2166 (b) Delinquent taxes paid, or tax sales certificates
 2167 redeemed or purchased, by the district, together with all
 2168 penalties for the default in payment of the same and all costs
 2169 in collecting the same and a reasonable attorney fee, shall
 2170 constitute a lien in favor of the district of equal dignity with
 2171 the liens of state and county taxes and other taxes of equal
 2172 dignity with state and county taxes upon all the real property
 2173 against which the taxes were levied. The lien of the district
 2174 may be foreclosed in the manner provided in this act.

2175 (c) In any sale of land pursuant to s. 197.542, Florida

2176 Statutes, as may be amended from time to time, the district may
2177 certify to the clerk of the circuit court of the county holding
2178 such sale the amount of taxes due to the district upon the lands
2179 sought to be sold, and the district shall share in the
2180 disbursement of the sales proceeds in accordance with this act
2181 and under general law.

2182 (17) FORECLOSURE OF LIENS.—Any lien in favor of the
2183 district arising under this act may be foreclosed by the
2184 district by foreclosure proceedings in the name of the district
2185 in a court of competent jurisdiction as provided by general law
2186 in like manner as is provided in chapter 170 or chapter 173,
2187 Florida Statutes, and any amendments thereto, and those chapters
2188 shall be applicable to such proceedings with the same force and
2189 effect as if those chapters were expressly provided in this act.
2190 Any act required or authorized to be done by or on behalf of a
2191 municipality in foreclosure proceedings under chapter 170 or
2192 chapter 173, Florida Statutes, may be performed by such officer
2193 or agent of the district as the board of supervisors may
2194 designate. Such foreclosure proceedings may be brought at any
2195 time after the expiration of 1 year from the date any tax, or
2196 installment thereof, becomes delinquent; however, no lien shall
2197 be foreclosed against any political subdivision or agency of the
2198 state. Other legal remedies shall remain available.

2199 (18) MANDATORY USE OF CERTAIN DISTRICT SYSTEMS,
2200 FACILITIES, AND SERVICES.—To the full extent permitted by

2201 general law, the district shall require all lands, buildings,
2202 premises, persons, firms, and corporations within the district
2203 to use the facilities of the district.

2204 (19) COMPETITIVE PROCUREMENT; BIDS; NEGOTIATIONS; RELATED
2205 PROVISIONS REQUIRED.—

2206 (a) A contract may not be let by the board for any goods,
2207 supplies, or materials to be purchased when the amount thereof
2208 to be paid by the district shall exceed the amount provided in
2209 s. 287.017, Florida Statutes, for category four, unless notice
2210 of bids shall be published in a newspaper of general circulation
2211 in Manatee County at least once. Any board seeking to construct
2212 or improve a public building, structure, or other public works
2213 shall comply with the bidding procedures of s. 255.20, Florida
2214 Statutes, as amended from time to time, and other applicable
2215 general law. In each case, the bid of the lowest responsive and
2216 responsible bidder shall be accepted unless all bids are
2217 rejected because the bids are too high or the board determines
2218 it is in the best interests of the district to reject all bids.
2219 The board may require the bidders to furnish bond with a
2220 responsible surety to be approved by the board. Nothing in this
2221 subsection shall prevent the board from undertaking and
2222 performing the construction, operation, and maintenance of any
2223 project or facility authorized by this act by the employment of
2224 labor, material, and machinery.

2225 (b) The Consultants' Competitive Negotiation Act, s.

2226 287.055, Florida Statutes, applies to contracts for engineering,
 2227 architecture, landscape architecture, or registered surveying
 2228 and mapping services let by the board.

2229 (c) Contracts for maintenance services for any district
 2230 facility or project shall be subject to competitive bidding
 2231 requirements when the amount thereof to be paid by the district
 2232 exceeds the amount provided in s. 287.017, Florida Statutes, as
 2233 amended from time to time, for category four. The district shall
 2234 adopt rules, policies, or procedures establishing competitive
 2235 bidding procedures for maintenance services. Contracts for other
 2236 services may not be subject to competitive bidding unless the
 2237 district adopts a rule, policy, or procedure applying
 2238 competitive bidding procedures to said contracts. Nothing herein
 2239 shall preclude the use of requests for proposal instead of
 2240 invitations to bid as determined by the district to be in its
 2241 best interest.

2242 (20) FEES, RENTALS, AND CHARGES; PROCEDURE FOR ADOPTION
 2243 AND MODIFICATIONS; MINIMUM REVENUE REQUIREMENTS.—

2244 (a) The district is authorized to prescribe, fix,
 2245 establish, and collect rates, fees, rentals, or other charges,
 2246 hereinafter sometimes referred to as "revenues," and to revise
 2247 the same from time to time, for the systems, facilities, and
 2248 services furnished by the district, within the limits of the
 2249 district, including, but not limited to, recreational
 2250 facilities, water management and control facilities, and water

2251 and sewer systems; to recover the costs of making connection
2252 with any district service, facility, or system; and to provide
2253 for reasonable penalties against any user or property for any
2254 such rates, fees, rentals, or other charges that are delinquent.

2255 (b) No such rates, fees, rentals, or other charges for any
2256 of the facilities or services of the district shall be fixed
2257 until after a public hearing at which all the users of the
2258 proposed facility or services or owners, tenants, or occupants
2259 served or to be served thereby and all other interested persons
2260 shall have an opportunity to be heard concerning the proposed
2261 rates, fees, rentals, or other charges. Rates, fees, rentals,
2262 and other charges shall be adopted under the administrative
2263 rulemaking authority of the district, but do not apply to
2264 district leases. Notice of such public hearing setting forth the
2265 proposed schedule or schedules of rates, fees, rentals, and
2266 other charges shall have been published in a newspaper of
2267 general circulation in Manatee County at least once and at least
2268 10 days before such public hearing. The rulemaking hearing may
2269 be adjourned from time to time. After such hearing, such
2270 schedule or schedules, either as initially proposed or as
2271 modified or amended, may be finally adopted. A copy of the
2272 schedule or schedules of such rates, fees, rentals, or charges
2273 as finally adopted shall be kept on file in an office designated
2274 by the board and shall be open at all reasonable times to public
2275 inspection. The rates, fees, rentals, or charges so fixed for

2276 any class of users or property served shall be extended to cover
2277 any additional users or properties thereafter served which shall
2278 fall in the same class, without the necessity of any notice or
2279 hearing.

2280 (c) Such rates, fees, rentals, and charges shall be just
2281 and equitable and uniform for users of the same class, and when
2282 appropriate may be based or computed either upon the amount of
2283 service furnished, upon the average number of persons residing
2284 or working in or otherwise occupying the premises served, or
2285 upon any other factor affecting the use of the facilities
2286 furnished, or upon any combination of the foregoing factors, as
2287 may be determined by the board on an equitable basis.

2288 (d) The rates, fees, rentals, or other charges prescribed
2289 shall be such as will produce revenues, together with any other
2290 assessments, taxes, revenues, or funds available or pledged for
2291 such purpose, at least sufficient to provide for the following
2292 items, but not necessarily in the order stated:

2293 1. To provide for all expenses of operation and
2294 maintenance of such facility or service.

2295 2. To pay when due all bonds and interest thereon for the
2296 payment of which such revenues are, or shall have been, pledged
2297 or encumbered, including reserves for such purpose.

2298 3. To provide for any other funds which may be required
2299 under the resolution or resolutions authorizing the issuance of
2300 bonds pursuant to this act.

2301 (e) The board shall have the power to enter into contracts
2302 for the use of the projects of the district and with respect to
2303 the services, systems, and facilities furnished or to be
2304 furnished by the district.

2305 (21) RECOVERY OF DELINQUENT CHARGES.—In the event that any
2306 rates, fees, rentals, charges, or delinquent penalties are not
2307 paid as and when due and are in default for 60 days or more, the
2308 unpaid balance thereof and all interest accrued thereon,
2309 together with reasonable attorney fees and costs, may be
2310 recovered by the district in a civil action.

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

2326 be recovered by the district, which may also enforce payment of
2327 such delinquent fees, rentals, or other charges by any other
2328 lawful method of enforcement.

2329 (23) ENFORCEMENT AND PENALTIES.—The board or any aggrieved
2330 person may have recourse to such remedies in general law and at
2331 equity as may be necessary to ensure compliance with this act,
2332 including injunctive relief to enjoin or restrain any person
2333 violating this act or any bylaws, resolutions, regulations,
2334 rules, codes, or orders adopted under this act. In case any
2335 building or structure is erected, constructed, reconstructed,
2336 altered, repaired, converted, or maintained, or any building,
2337 structure, land, or water is used, in violation of this act or
2338 of any code, order, resolution, or other regulation made under
2339 authority conferred by this act or under general law, the board
2340 or any citizen residing in the district may institute any
2341 appropriate action or proceeding to prevent such unlawful
2342 erection, construction, reconstruction, alteration, repair,
2343 conversion, maintenance, or use; to restrain, correct, or avoid
2344 such violation; to prevent the occupancy of such building,
2345 structure, land, or water; and to prevent any illegal act,
2346 conduct, business, or use in or about such premises, land, or
2347 water.

2348 (24) SUITS AGAINST THE DISTRICT.—Any suit or action
2349 brought or maintained against the district for damages arising
2350 out of tort, including, without limitation, any claim arising

2351 upon account of an act causing an injury or loss of property,
2352 personal injury, or death, shall be subject to the limitations
2353 provided in s. 768.28, Florida Statutes.

2354 (25) EXEMPTION OF DISTRICT PROPERTY FROM EXECUTION.—All
2355 district property shall be exempt from levy and sale by virtue
2356 of an execution, and no execution or other judicial process
2357 shall issue against such property, nor shall any judgment
2358 against the district be a charge or lien on its property or
2359 revenues; however, nothing contained herein shall apply to or
2360 limit the rights of bondholders to pursue any remedy for the
2361 enforcement of any lien or pledge given by the district in
2362 connection with any of the bonds or obligations of the district.

2363 (26) TERMINATION, CONTRACTION, OR EXPANSION OF DISTRICT.—

2364 (a) The board of supervisors of the district may not ask
2365 the Legislature to repeal or amend this act to expand or to
2366 contract the boundaries of the district or otherwise cause the
2367 merger or termination of the district without first obtaining a
2368 resolution or official statement from Manatee County as required
2369 by s. 189.031(2)(e)4., Florida Statutes, for creation of an
2370 independent special district. The district's consent may be
2371 evidenced by a resolution or other official written statement of
2372 the district.

2373 (b) The district shall remain in existence until:

2374 1. The district is terminated and dissolved pursuant to
2375 amendment to this act by the Legislature.

2376 2. The district has become inactive pursuant to s.
 2377 189.062, Florida Statutes.

2378 (27) MERGER WITH COMMUNITY DEVELOPMENT DISTRICTS.—The
 2379 district may merge with one or more community development
 2380 districts situated wholly within its boundaries. The district
 2381 shall be the surviving entity of the merger. Any mergers shall
 2382 commence upon each such community development district filing a
 2383 written request for merger with the district. A copy of the
 2384 written request shall also be filed with Manatee County. The
 2385 district, subject to the direction of its board of supervisors,
 2386 shall enter into a merger agreement which shall provide for the
 2387 proper allocation of debt, the manner in which such debt shall
 2388 be retired, the transition of the community development district
 2389 board, and the transfer of all financial obligations and
 2390 operating and maintenance responsibilities to the district. The
 2391 execution of the merger agreement by the district and each
 2392 community development district constitutes consent of the
 2393 landowners within each district. The district and each community
 2394 development district requesting merger shall hold a public
 2395 hearing within its boundaries to provide information about and
 2396 take public comment on the proposed merger in the merger
 2397 agreement. The public hearing shall be held within 45 days after
 2398 the execution of the merger agreement by all parties thereto.
 2399 Notice of the public hearing shall be published in a newspaper
 2400 of general circulation in Manatee County at least 14 days before

2401 the hearing. At the conclusion of the public hearing, each
2402 district shall consider a resolution approving or disapproving
2403 the proposed merger. If the district and each community
2404 development district which is a party to the merger agreement
2405 adopt a resolution approving the proposed merger, the
2406 resolutions and the merger agreement shall be filed with Manatee
2407 County. Upon receipt of the resolutions approving the merger and
2408 the merger agreement, Manatee County shall adopt a nonemergency
2409 ordinance dissolving each community development district
2410 pursuant to s. 190.046(10), Florida Statutes.

2411 (28) INCLUSION OF TERRITORY.—The inclusion of any or all
2412 territory of the district within a municipality does not change,
2413 alter, or affect the boundary, territory, existence, or
2414 jurisdiction of the district.

2415 (29) SALE OF REAL ESTATE WITHIN THE DISTRICT; REQUIRED
2416 DISCLOSURE TO PURCHASER.—Subsequent to the creation of this
2417 district under this act, each contract for the initial sale of a
2418 parcel of real property and each contract for the initial sale
2419 of a residential unit within the district shall include,
2420 immediately before the space reserved in the contract for the
2421 signature of the purchaser, the following disclosure statement
2422 in boldfaced and conspicuous type which is larger than the type
2423 in the remaining text of the contract: "THE NORTH RIVER RANCH
2424 IMPROVEMENT STEWARDSHIP DISTRICT MAY IMPOSE AND LEVY TAXES OR
2425 ASSESSMENTS, OR BOTH TAXES AND ASSESSMENTS, ON THIS PROPERTY.

2426 THESE TAXES AND ASSESSMENTS PAY FOR THE CONSTRUCTION, OPERATION,
2427 AND MAINTENANCE COSTS OF CERTAIN PUBLIC SYSTEMS, FACILITIES, AND
2428 SERVICES OF THE DISTRICT AND ARE SET ANNUALLY BY THE GOVERNING
2429 BOARD OF THE DISTRICT. THESE TAXES AND ASSESSMENTS ARE IN
2430 ADDITION TO COUNTY AND OTHER LOCAL GOVERNMENTAL TAXES AND
2431 ASSESSMENTS AND ALL OTHER TAXES AND ASSESSMENTS PROVIDED FOR BY
2432 GENERAL LAW."

2433 (30) NOTICE OF CREATION AND ESTABLISHMENT.—Within 30 days
2434 after the election of the first board of supervisors creating
2435 the district, the district shall cause to be recorded in the
2436 grantor-grantee index of the property records in Manatee County
2437 a "Notice of Creation and Establishment of the North River Ranch
2438 Improvement Stewardship District." The notice shall, at a
2439 minimum, include the legal description of the territory
2440 described in this act.

2441 (31) DISTRICT PROPERTY PUBLIC; FEES.—Any system, facility,
2442 service, works, improvement, project, or other infrastructure
2443 owned by the district, or funded by federal tax exempt bonding
2444 issued by the district, is public; and the district by rule may
2445 regulate, and may impose reasonable charges or fees for, the use
2446 thereof, but not to the extent that such regulation or
2447 imposition of such charges or fees constitutes denial of
2448 reasonable access.

2449 Section 2. If any provision of this act or its application
2450 to any person or circumstance is held invalid, the invalidity

2451 does not affect the remaining provisions or applications of the
2452 act which can be given effect without the invalid provision or
2453 application, and to this end the provisions of this act are
2454 severable.

2455 Section 3. This act shall take effect upon becoming a law,
2456 except that the provisions of this act which authorize the levy
2457 of ad valorem taxation shall take effect only upon express
2458 approval by a majority vote of those qualified electors of the
2459 North River Ranch Improvement Stewardship District, as required
2460 by Section 9, Article VII of the State Constitution, voting in a
2461 referendum election held at such time as all members of the
2462 board are qualified electors who are elected by qualified
2463 electors of the district as provided in this act.