

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

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

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

40
 41 Section 1. This act may be cited as the "Three Rivers
 42 Stewardship District Act."

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

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

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

50 (b) There is a need to use a single special and limited
51 purpose independent special district unit of local government
52 for the Three Rivers Stewardship District lands located within
53 Sarasota County to provide for a more comprehensive community
54 development approach, which will facilitate an integral
55 relationship among regional transportation, land use, and urban
56 design to provide for a diverse mix of housing and regional
57 employment and economic development opportunities, rather than
58 fragmented development with underutilized infrastructure which
59 is generally associated 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 Three
63 Rivers Stewardship District lands, such that there is a need for
64 flexible management, sequencing, timing, and financing of the
65 various systems, facilities, and services to be provided to
66 these lands, taking into consideration absorption rates,
67 commercial viability, and related factors. Therefore, extended
68 control by the initial landowner with regard to the provision of
69 systems, facilities, and services for the Three Rivers
70 Stewardship District lands, coupled with the special and single
71 purpose of such district, is in the public interest.

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

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

91 (e) The existence and use of a special and limited purpose
92 local government for the Three Rivers Stewardship District
93 lands, subject to the Sarasota County comprehensive plan, will
94 provide for a comprehensive and complete community development
95 approach to promote a sustainable and efficient land use pattern
96 for the Three Rivers Stewardship District lands with long-term
97 planning for conservation and development; provide opportunities
98 for the mitigation of impacts and development of infrastructure
99 in an orderly and timely manner; prevent the overburdening of

100 the local general purpose government and the taxpayers; and
 101 provide an enhanced tax base and regional employment and
 102 economic development opportunities.

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

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

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

124 without unduly burdening the taxpayers, citizens, and ratepayers
125 of the state or Sarasota County.

126 (i) The special district created and established by this
127 act shall not have or exercise any comprehensive planning,
128 zoning, or development permitting power; the establishment of
129 the special district is not considered a development order
130 within the meaning of part 1 of chapter 380, Florida Statutes;
131 and all applicable planning and permitting laws, rules,
132 regulations, and policies of Sarasota County control the
133 development of the land to be serviced by the special district,
134 including, but not limited, Sarasota County's provision of water
135 and wastewater service, fire prevention and control services,
136 law enforcement services, and mosquito and arthropod control
137 services and other similar services provided by Sarasota County.

138 (j) The creation by this act of the Three Rivers
139 Stewardship District is not inconsistent with the Sarasota
140 County comprehensive plan.

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

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

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

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

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

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

163 (e) "Benefit special assessments" means district
 164 assessments imposed, levied, and collected pursuant section 6.

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

170 (g) "Bond" includes "certificate," and the provisions that
 171 are applicable to bonds are equally applicable to certificates.
 172 The term also includes any general obligation bond, assessment
 173 bond, refunding bond, revenue bond, bond anticipation note, and

174 other such obligation in the nature of a bond as is provided for
 175 in this act.

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

178 1. The expenses of determining the feasibility or
 179 practicability of acquisition, construction, or reconstruction.

180 2. The cost of surveys, estimates, plans, and
 181 specifications.

182 3. The cost of improvements.

183 4. Engineering, architectural, fiscal, and legal expenses
 184 and charges.

185 5. The cost of all labor, materials, machinery, and
 186 equipment.

187 6. The cost of all lands, properties, rights, easements,
 188 and franchises acquired.

189 7. Financing charges.

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

191 9. Working capital.

192 10. Interest charges incurred or estimated to be incurred
 193 on money borrowed before and during construction and acquisition
 194 and for such reasonable period of time after completion of
 195 construction or acquisition as the board may determine.

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

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

200 13. The discount, if any, on the sale or exchange of
 201 bonds.

202 14. Administrative expenses.

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

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

210 17. Any other expense or payment permitted by this act or
 211 allowable by general law.

212 (i) "District" means the Three Rivers Stewardship
 213 District.

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

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

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

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

225 (n) "Governing board member" means any member of the board
 226 of supervisors.

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

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

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

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

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

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

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

270 2. "Special powers," which means those powers provided by
 271 the district charter to implement its specialized systems,
 272 facilities, services, projects, improvements, and infrastructure

273 and related functions in order to carry out its special and
274 limited purposes.

275 3. Any other powers, authority, or functions set forth in
276 this act.

277 (u) "Project" means any development, improvement,
278 property, power, utility, facility, enterprise, service, system,
279 works, or infrastructure now existing or hereafter undertaken or
280 established under this act.

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

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

292 (x) "Reclaimed water system" means any plant, well, system,
293 facility, or property, and any addition, extension, or
294 improvement thereto at any future time constructed or acquired
295 as part thereof, useful, necessary, or having the present
296 capacity for future use in connection with the development of
297 sources, treatment, purification, or distribution of reclaimed

298 water. The term includes franchises of any nature relating to
299 any such system and necessary or convenient for the operation
300 thereof including for the district's own use or resale.

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

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

313 (aa) "Sewer system" means any plant, system, facility, or
314 property, and additions, extensions, and improvements thereto at
315 any future time constructed or acquired as part thereof, useful
316 or necessary or having the present capacity for future use in
317 connection with the collection, treatment, purification, or
318 disposal of sewage, including, but not limited to, industrial
319 wastes resulting from any process of industry, manufacture,
320 trade, or business or from the development of any natural
321 resource. The term also includes treatment plants, pumping
322 stations, lift stations, valves, force mains, intercepting

323 sewers, laterals, pressure lines, mains, and all necessary
 324 appurtenances and equipment; all sewer mains, laterals, and
 325 other devices for the reception and collection of sewage from
 326 premises connected therewith; and all real and personal property
 327 and any interest therein, and rights, easements, and franchises
 328 of any nature relating to any such system and necessary or
 329 convenient for operation thereof.

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

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

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

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

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

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

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

368 (b) The district, which is a local government and a
369 political subdivision, is limited to its special purpose as
370 expressed in this act, with the power to provide, plan,
371 implement, construct, maintain, and finance as a local

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372 government management entity systems, facilities, services,
373 improvements, infrastructure, and projects, and possessing
374 financing powers to fund its management power over the long term
375 and with sustained levels of high quality.

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

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

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

395 (f) This act may be amended, in whole or in part, only by
396 special act of the Legislature. The board of supervisors of the

397 district may not ask the Legislature to amend this act without
398 first obtaining a resolution or official statement from the
399 district and Sarasota County as provided in s. 189.031(2)(e)4.,
400 Florida Statutes, for the creation of an independent special
401 district.

402 Section 3. Minimum charter requirements; creation and
403 establishment; jurisdiction; construction; charter.-

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

446 (2) The Three Rivers Stewardship District is created and
 447 incorporated as a public body corporate and politic, an
 448 independent special and limited purpose local government, an
 449 independent special district, under s. 189.031, Florida
 450 Statutes, and as defined in this act and in s. 189.012(3),
 451 Florida Statutes, in and for portions of Sarasota County. Any
 452 amendments to chapter 190, Florida Statutes, after January 1,
 453 2023, granting additional general powers, special powers,
 454 authorities, or projects to a community development district by
 455 amendment to its uniform charter contained in ss. 190.006-
 456 190.041, Florida Statutes, which are not inconsistent with this
 457 act, shall constitute a general power, special power, authority,
 458 or function of the Three Rivers Stewardship District; provided,
 459 however, that the exercise of any such additional powers shall
 460 be subject to the requirement that the district execute or amend
 461 an interlocal agreement with Sarasota County consenting to the
 462 exercise of any such additional powers as provided in this act.
 463 All notices for the enactment by the Legislature of this special
 464 act have been provided pursuant to the State Constitution, the
 465 Laws of Florida, and the rules of the House of Representatives
 466 and of the Senate. A referendum subsequent to the effective date
 467 of this act is not required as a condition of establishing the
 468 district. Therefore, the district, as created by this act, is
 469 established on the property described in this act.

470 (3) The territorial boundary of the district shall embrace
 471 and include all of that certain real property described in
 472 section 6.

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

495 between the district and Sarasota County consenting to the
 496 district's exercise of any of such powers within Sarasota County
 497 or an applicable development order or as part of other land
 498 development regulations issued by Sarasota County.

499 (5) The exclusive charter of the Three Rivers Stewardship
 500 District is this act and, except as otherwise provided in
 501 subsection (2), may be amended only by special act of the
 502 Legislature.

503 Section 4. Formation; boundaries.—The Three Rivers
 504 Stewardship District, an independent special district, is
 505 created and incorporated in Sarasota County and shall embrace
 506 and include the territory described as:

507
 508 DESCRIPTION (as prepared by the certifying Surveyor
 509 and Mapper):

510 A tract of land of lying in Sections 16, 20, 21, 28,
 511 29 & 32, Township 37 South, Range 19 East, Sarasota
 512 County, Florida, being more particularly described as
 513 follows:

514 BEGIN at the northernmost corner of LT Ranch
 515 Neighborhood One recorded in Plat Book 53, Page 175 of
 516 the Public Records of Sarasota County, Florida; the
 517 following nine (9) calls are along the westerly
 518 boundary line of said LT Ranch Neighborhood One: (1)
 519 thence S.34°10'43"W., a distance of 1,104.05 feet to a

520 point of curvature of a curve to the left having a
521 radius of 2,865.00 feet and a central angle of
522 33°39'37"; (2) thence Southerly along the arc of said
523 curve, a distance of 1,683.14 feet, to the point of
524 tangency of said curve; (3) thence S.00°31'06"W., a
525 distance of 255.04 feet to a point of curvature of a
526 curve to the right having a radius of 955.00 feet and
527 a central angle of 24°06'58"; (4) thence Southerly
528 along the arc of said curve, a distance of 401.96
529 feet, to the point of tangency of said curve; (5)
530 thence S.24°38'04"W., a distance of 694.50 feet to the
531 point of curvature of a non-tangent curve to the left,
532 having a radius of 955.09 feet and a central angle of
533 31°14'51"; (6) thence Southerly along the arc of said
534 curve, a distance of 520.88 feet, said curve having a
535 chord bearing and distance of S.09°18'38"W., 514.45
536 feet, to the point of tangency of said curve; (7)
537 thence S.06°18'48"E., a distance of 1,214.80 feet to
538 the point of curvature of a non-tangent curve to the
539 right, having a radius of 955.00 feet and a central
540 angle of 69°53'06"; (8) thence Southwesterly along the
541 arc of said curve, a distance of 1,164.84 feet, said
542 curve having a chord bearing and distance of
543 S.28°37'10"W., 1,093.96 feet, to the point of tangency
544 of said curve; (9) thence S.63°33'43"W., along said

545 westerly boundary and the extension thereof, a
546 distance of 390.82 feet to a point of curvature of a
547 curve to the left having a radius of 955.00 feet and a
548 central angle of 49°33'39"; the following seven (7)
549 calls are along the centerline of a 150-foot wide
550 Access Easement, recorded in Official Record
551 Instrument Number 2015078648 of said Public Records;
552 (1) thence Southwesterly along the arc of said curve,
553 a distance of 826.07 feet, to the point of tangency of
554 said curve; (2) thence S.14°00'06"W., a distance of
555 1,573.41 feet to a point of curvature of a curve to
556 the right having a radius of 955.00 feet and a central
557 angle of 75°26'47"; (3) thence Southwesterly along the
558 arc of said curve, a distance of 1,257.53 feet, to the
559 point of tangency of said curve; (4) thence
560 S.89°26'53"W., a distance of 400.65 feet to a point of
561 curvature of a curve to the left having a radius of
562 694.00 feet and a central angle of 89°57'53"; (5)
563 thence Southwesterly along the arc of said curve, a
564 distance of 1,089.71 feet, to the point of tangency of
565 said curve; (6) thence S.00°31'00"E., a distance of
566 1,416.57 feet; (7) thence S.00°33'01"W., a distance of
567 2691.22 feet to the end of said 150-foot wide Access
568 Easement, also being a point on the easterly line of
569 aforementioned Section 32; thence S.00°35'45"W.,

570 along the easterly line of said Section 32, a distance
 571 of 2690.82 feet to the southeast corner of said
 572 Section 32; thence N.89°34'53"W., along the southerly
 573 line of said Section 32, a distance of 5,348.98 feet
 574 to the southwest corner of said Section 32; thence
 575 N.01°29'58"E., along the westerly line of said Section
 576 32, a distance of 5,355.02 feet to the southwest
 577 corner of the aforementioned Section 29; thence
 578 N.01°03'48"W., along the westerly line of said Section
 579 29, a distance of 5,373.24 feet to the southwest
 580 corner of the aforementioned Section 20; thence
 581 N.88°56'12"E., a distance of 25.00 feet to the east
 582 line of Ibis Street, recorded in Official Record Book
 583 60, Page 196 of said Public Records; thence
 584 N.00°21'49"W., along said east line, a distance of
 585 5,396.54 feet to the north line of said Section 20;
 586 thence S.89°33'38"E., a distance of 5,323.34 feet to
 587 the southwest corner of the aforementioned Section 16;
 588 thence N.00°24'46"E., along the west line of said
 589 Section 16, a distance of 1,320.36 feet; thence
 590 S.89°52'39"E., a distance of 2,660.98 feet; thence
 591 N.00°53'16"E., a distance of 1,295.00 feet to the
 592 south right-of-way line of Clark Road, State Road 72;
 593 thence S.55°49'33"E., along said south right-of-way

594 | line, a distance of 3,081.77 feet to the POINT OF
 595 | BEGINNING.
 596 | Said tract of land contains 2,802.19 acres, more or
 597 | less.
 598 |
 599 | LESS AND EXCEPT: (The School Board of Sarasota County,
 600 | Florida - Official Record Instrument #2020093694)
 601 | A parcel of land lying in Section 21, Township 37
 602 | South, Range 19 East, Sarasota County, Florida, and
 603 | being more particularly described as follows:
 604 | COMMENCE at the Northeast corner of said Section 21,
 605 | run thence along the North boundary of said Section
 606 | 21, N.89°41'18"W., a distance of 766.13 feet to a
 607 | point on a curve on the Westerly boundary of the 150-
 608 | foot Access Easement, according to Official Records
 609 | Instrument Number 2015078648, of the Public Records of
 610 | Sarasota County, Florida; thence along said Westerly
 611 | boundary of the 150-foot Access Easement, the
 612 | following eight (8) courses: 1) Southerly, 1683.76
 613 | feet along the arc of a non-tangent curve to the left
 614 | having a radius of 2940.00 feet and a central angle of
 615 | 32°48'50" (chord bearing S.16°55'31"W., 1660.85 feet);
 616 | 2) S.00°31'06"W., a distance of 255.04 feet; 3)
 617 | Southerly, 370.40 feet along the arc of a tangent
 618 | curve to the right having a radius of 880.00 feet and

619 a central angle of 24°06'58" (chord bearing
620 S.12°34'35"W., 367.67 feet); 4) S.24°38'04"W., a
621 distance of 699.55 feet; 5) Southerly, 78.13 feet
622 along the arc of a tangent curve to the left having a
623 radius of 1030.00 feet and a central angle of
624 04°20'47" (chord bearing S.22°27'40"W., 78.12 feet) to
625 the POINT OF BEGINNING; 6) Southerly, 478.21 feet
626 along the arc of a non-tangent curve to the left
627 having a radius of 1030.00 feet and a central angle of
628 26°36'05" (chord bearing S.06°59'14"W., 473.93 feet);
629 7) S.06°18'48"E., a distance of 1214.80 feet; 8)
630 Southerly, 172.95 feet along the arc of a tangent
631 curve to the right having a radius of 880.00 feet and
632 a central angle of 11°15'37" (chord bearing
633 S.00°40'59"E., 172.67 feet); thence Southwesterly,
634 41.76 feet along the arc of a compound curve to the
635 right having a radius of 25.00 feet and a central
636 angle of 95°42'19" (chord bearing S.52°47'59"W., 37.07
637 feet); thence N.79°20'52"W., a distance of 132.30
638 feet; thence Northwesterly, 670.59 feet along the arc
639 of a tangent curve to the right having a radius of
640 940.00 feet and a central angle of 40°52'28" (chord
641 bearing N.58°54'38"W., 656.46 feet); thence
642 Northwesterly, 953.27 feet along the arc of a reverse
643 curve to the left having a radius of 1060.00 feet and

644 a central angle of 51°31'36" (chord bearing
 645 N.64°14'12"W., 921.47 feet); thence N.90°00'00"W., a
 646 distance of 178.46 feet; thence N.00°00'00"E., a
 647 distance of 1497.37 feet; thence N.90°00'00"E., a
 648 distance of 546.03 feet; thence Easterly, 619.13 feet
 649 along the arc of a tangent curve to the right having a
 650 radius of 1440.00 feet and a central angle of
 651 24°38'04" (chord bearing S.77°40'58"E., 614.37 feet);
 652 thence S.65°21'56"E., a distance of 542.10 feet;
 653 thence Southeasterly, 37.37 feet along the arc of a
 654 tangent curve to the right having a radius of 25.00
 655 feet and a central angle of 85°39'13" (chord bearing
 656 S.22°32'20"E., 33.99 feet) to the POINT OF BEGINNING.
 657 Containing 65.09 acres, more or less.

658 TOTAL DESCRIBED PARCEL CONTAINING 2,737.1 ACRES, MORE
 659 OR LESS.

660 Being subject to any rights-of-way, restrictions and
 661 easements of record.

662 Section 5. Board of supervisors; members and meetings;
 663 organization; powers; duties; terms of office; related election
 664 requirements.—

665 (1) The board of the district shall exercise the powers
 666 granted to the district pursuant to this act. The board shall
 667 consist of five members, each of whom shall hold office for a
 668 term of 4 years, as provided in this section, except as

669 otherwise provided herein for initial board members, and until a
670 successor is chosen and qualified. The members of the board must
671 be residents of the state and citizens of the United States.

672 (2)(a) Within 90 days after the effective date of this
673 act, there shall be held a meeting of the landowners of the
674 district for the purpose of electing five supervisors for the
675 district. Notice of the landowners' meeting shall be published
676 in a newspaper of general circulation in the general area of the
677 district once a week for 2 consecutive weeks, the last day of
678 such publication to be not fewer than 14 days nor more than 28
679 days before the date of the election. The landowners, when
680 assembled at such meeting, shall organize by electing a chair,
681 who shall conduct the meeting. The chair may be any person
682 present at the meeting. If the chair is a landowner or proxy
683 holder of a landowner, he or she may nominate candidates and
684 make and second motions. The landowners present at the meeting,
685 in person or by proxy, shall constitute a quorum. At any
686 landowners' meeting, 50 percent of the district acreage is not
687 required to constitute a quorum, and each governing board member
688 elected by landowners shall be elected by a majority of the
689 acreage represented either by owner or proxy present and voting
690 at said meeting.

691 (b) At such meeting, each landowner shall be entitled to
692 cast one vote per acre of land owned by him or her and located
693 within the district for each person to be elected. A landowner

694 may vote in person or by proxy in writing. Each proxy must be
695 signed by one of the legal owners of the property for which the
696 vote is cast and must contain the typed or printed name of the
697 individual who signed the proxy; the street address, legal
698 description of the property, or tax parcel identification
699 number; and the number of authorized votes. If the proxy
700 authorizes more than one vote, each property must be listed and
701 the number of acres of each property must be included. The
702 signature on a proxy need not be notarized. A fraction of an
703 acre shall be treated as 1 acre, entitling the landowner to one
704 vote with respect thereto. The three candidates receiving the
705 highest number of votes shall each be elected for terms expiring
706 November 14, 2028, and the two candidates receiving the next
707 highest number of votes shall each be elected for terms expiring
708 November 17, 2026, with the term of office for each successful
709 candidate commencing upon election. The members of the first
710 board elected by landowners shall serve their respective terms;
711 however, the next election of board members shall be held on the
712 first Tuesday after the first Monday in November 2026.
713 Thereafter, there shall be an election by landowners for the
714 district every 2 years on the first Tuesday after the first
715 Monday in November, which shall be noticed pursuant to paragraph
716 (a). The second and subsequent landowners' election shall be
717 announced at a public meeting of the board at least 90 days
718 before the date of the landowners' meeting and shall also be

719 noticed pursuant to paragraph (a). Instructions on how all
720 landowners may participate in the election, along with sample
721 proxies, shall be provided during the board meeting that
722 announces the landowners' meeting. Each supervisor elected in or
723 after November 2026 shall serve a 4-year term.

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

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

735 (I) Once 5,981 qualified electors reside within the
736 district, one governing board member shall be a person who is a
737 qualified elector of the district and who was elected by the
738 qualified electors, and four governing board members shall be
739 persons who were elected by the landowners.

740 (II) Once 11,963 qualified electors reside within the
741 district, two governing board members shall be persons who are
742 qualified electors of the district and who were elected by the

743 qualified electors, and three governing board members shall be
744 persons elected by the landowners.

745 (III) Once 17,944 qualified electors reside within the
746 district, three governing board members shall be persons who are
747 qualified electors of the district and who were elected by the
748 qualified electors and two governing board members shall be
749 persons who were elected by the landowners.

750 (IV) Once 23,926 qualified electors reside within the
751 district, four governing board members shall be persons who are
752 qualified electors of the district and who were elected by the
753 qualified electors and one governing board member shall be a
754 person who was elected by the landowners.

755 (V) Once 27,000 qualified electors reside within the
756 district, all five governing board members shall be persons who
757 are qualified electors of the district and who were elected by
758 the qualified electors.

759 Nothing in this sub-subparagraph is intended to require an
760 election prior to the expiration of an existing board member's
761 term.

762 b. On or before June 1 of each election year, the board
763 shall determine the number of qualified electors in the district
764 as of the immediately preceding April 15. The board shall use
765 and rely upon the official records maintained by the supervisor
766 of elections and property appraiser or tax collector in Sarasota
767 County in making this determination. Such determination shall be

768 made at a properly noticed meeting of the board and shall become
769 a part of the official minutes of the district.

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

773 d. All governing board members elected by qualified
774 electors shall reside in the district.

775 e. Once the district qualifies to have any of its board
776 members elected by the qualified electors of the district, the
777 initial and all subsequent elections by the qualified electors
778 of the district shall be held at the general election in
779 November. The board shall adopt a resolution, if necessary, to
780 implement this requirement. The transition process described
781 herein is intended to be in lieu of the process set forth in s.
782 189.041, Florida Statutes.

783 (b) Elections of board members by qualified electors held
784 pursuant to this subsection shall be nonpartisan and shall be
785 conducted in the manner prescribed by general law for holding
786 general elections. Board members shall assume the office on the
787 second Tuesday following their election.

788 (c) Candidates seeking election to office by qualified
789 electors under this subsection shall conduct their campaigns in
790 accordance with chapter 106, Florida Statutes, and shall file
791 qualifying papers and qualify for individual seats in accordance
792 with s. 99.061, Florida Statutes.

793 (d) The supervisor of elections shall appoint the
794 inspectors and clerks of elections, prepare and furnish the
795 ballots, designate polling places, and canvass the returns of
796 the election of board members by qualified electors. The county
797 canvassing board shall declare and certify the results of the
798 election.

799 (4) Members of the board, regardless of how elected, shall
800 be public officers, shall be known as supervisors, and, upon
801 entering into office, shall take and subscribe to the oath of
802 office as prescribed by s. 876.05, Florida Statutes. Members of
803 the board shall be subject to ethics and conflict of interest
804 laws of the state that apply to all local public officers. They
805 shall hold office for the terms for which they were elected or
806 appointed and until their successors are chosen and qualified.
807 If, during the term of office, a vacancy occurs, the remaining
808 members of the board shall fill each vacancy by an appointment
809 for the remainder of the unexpired term.

810 (5) Any elected member of the board of supervisors may be
811 removed by the Governor for malfeasance, misfeasance,
812 dishonesty, incompetency, or failure to perform the duties
813 imposed upon him or her by this act, and any vacancies that may
814 occur in such office for such reasons shall be filled by the
815 Governor as soon as practicable.

816 (6) A majority of the members of the board constitutes a
817 quorum for the purposes of conducting its business and

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818 exercising its powers and for all other purposes. Action taken
819 by the district shall be upon a vote of a majority of the
820 members present unless general law or a rule of the district
821 requires a greater number.

822 (7) As soon as practicable after each election or
823 appointment, the board shall organize by electing one of its
824 members as chair and by electing a secretary, who need not be a
825 member of the board, and such other officers as the board may
826 deem necessary.

827 (8) The board shall keep a permanent record book entitled
828 "Record of Proceedings of Three Rivers Stewardship District," in
829 which shall be recorded minutes of all meetings, resolutions,
830 proceedings, certificates, bonds given by all employees, and any
831 and all corporate acts. The record book and all other district
832 records shall at reasonable times be opened to inspection in the
833 same manner as state, county, and municipal records pursuant to
834 chapter 119, Florida Statutes. The record book shall be kept at
835 the office or other regular place of business maintained by the
836 board in a designated location in Sarasota County.

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

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

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

846 (1) DISTRICT MANAGER AND EMPLOYEES.-The board shall employ
 847 and fix the compensation of a district manager, who shall have
 848 charge and supervision of the works of the district and shall be
 849 responsible for preserving and maintaining any improvement or
 850 facility constructed or erected pursuant to this act, for
 851 maintaining and operating the equipment owned by the district,
 852 and for performing such other duties as may be prescribed by the
 853 board. It is not a conflict of interest or an abuse of public
 854 position under chapter 112, Florida Statutes, for a board
 855 member, the district manager, or another employee of the
 856 district to be a stockholder, officer, or employee of a
 857 landowner. The district manager may hire or otherwise employ and
 858 terminate the employment of such other persons, including,
 859 without limitation, professional, supervisory, and clerical
 860 employees, as may be necessary and authorized by the board. The
 861 compensation and other conditions of employment of the officers
 862 and employees of the district shall be as provided by the board.

863 (2) TREASURER.-The board shall designate a person who is a
 864 resident of the state as treasurer of the district, who shall
 865 have charge of the funds of the district. Such funds shall be
 866 disbursed only upon the order of or pursuant to a resolution of
 867 the board by warrant or check countersigned by the treasurer and

868 by such other person as may be authorized by the board. The
869 board may give the treasurer such other or additional powers and
870 duties as the board may deem appropriate and may fix his or her
871 compensation. The board may require the treasurer to give a bond
872 in such amount, on such terms, and with such sureties as may be
873 deemed satisfactory to the board to secure the performance by
874 the treasurer of his or her powers and duties. The financial
875 records of the board shall be audited by an independent
876 certified public accountant in accordance with the requirements
877 of general law.

878 (3) PUBLIC DEPOSITORY.—The board is authorized to select
879 as a depository for its funds any qualified public depository as
880 defined in s. 280.02, Florida Statutes, which meets all the
881 requirements of chapter 280, Florida Statutes, and has been
882 designated by the treasurer as a qualified public depository
883 upon such terms and conditions as to the payment of interest by
884 such depository upon the funds so deposited as the board may
885 deem just and reasonable.

886 (4) BUDGET; REPORTS AND REVIEWS.—

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

890 (b) On or before July 15 of each year, the district
891 manager shall prepare a proposed budget for the ensuing fiscal
892 year to be submitted to the board for board approval. The

893 proposed budget shall include at the direction of the board an
894 estimate of all necessary expenditures of the district for the
895 ensuing fiscal year and an estimate of income to the district
896 from the taxes and assessments provided in this act. The board
897 shall consider the proposed budget item by item and may either
898 approve the budget as proposed by the district manager or modify
899 the same in part or in whole. The board shall indicate its
900 approval of the budget by resolution, which resolution shall
901 provide for a hearing on the budget as approved. Notice of the
902 hearing on the budget shall be published in a newspaper of
903 general circulation in the general area of the district once a
904 week for 2 consecutive weeks, except that the first publication
905 shall be no fewer than 15 days before the date of the hearing.
906 The notice shall further contain a designation of the day, time,
907 and place of the public hearing. At the day, time, and place
908 designated in the notice, the board shall hear all objections to
909 the budget as proposed and may make such changes as the board
910 deems necessary. At the conclusion of the budget hearing, the
911 board shall, by resolution, adopt the budget as finally approved
912 by the board. The budget shall be adopted before October 1 of
913 each year.

914 (c) At least 60 days before adoption, the board of
915 supervisors of the district shall submit to the Board of County
916 Commissioners of Sarasota County, for purposes of disclosure and
917 information only, the proposed annual budget for the ensuing

918 fiscal year, and the board of county commissioners may submit
919 written comments to the board of supervisors solely for the
920 assistance and information of the board of supervisors in
921 adopting its annual district budget.

922 (d) The board of supervisors shall submit annually a
923 public facilities report to the Board of County Commissioners of
924 Sarasota County pursuant to s. 189.08, Florida Statutes. The
925 board of county commissioners may use and rely on the district's
926 public facilities report in the preparation or revision of the
927 Sarasota County comprehensive plan.

928 (5) DISCLOSURE OF PUBLIC INFORMATION; WEB-BASED PUBLIC
929 ACCESS.—The district shall take affirmative steps to provide for
930 the full disclosure of information relating to the public
931 financing and maintenance of improvements to real property
932 undertaken by the district. Such information shall be made
933 available to all existing and prospective residents of the
934 district. The district shall furnish each developer of a
935 residential development within the district with sufficient
936 copies of that information to provide each prospective initial
937 purchaser of property in that development with a copy; and any
938 developer of a residential development within the district, when
939 required by general law to provide a public offering statement,
940 shall include a copy of such information relating to the public
941 financing and maintenance of improvements in the public offering
942 statement. The district shall file the disclosure documents

943 required by this subsection and any amendments thereto in the
944 property records of each county in which the district is
945 located. By the end of the first full fiscal year of the
946 district's creation, the district shall maintain an official
947 Internet website in accordance with s. 189.069, Florida
948 Statutes.

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

951 (a) To sue and be sued in the name of the district; to
952 adopt and use a seal and authorize the use of a facsimile
953 thereof; to acquire, by purchase, gift, devise, or otherwise,
954 and to dispose of, real and personal property, or any estate
955 therein; and to make and execute contracts and other instruments
956 necessary or convenient to the exercise of its powers.

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

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

965 (d) To borrow money and accept gifts; to apply for and use
966 grants or loans of money or other property from the United
967 States, the state, a unit of local government, or any person for

968 any district purposes and enter into agreements required in
969 connection therewith; and to hold, use, and dispose of such
970 moneys or property for any district purposes in accordance with
971 the terms of the gift, grant, loan, or agreement relating
972 thereto.

973 (e) To adopt and enforce rules and orders pursuant to
974 chapter 120, Florida Statutes, prescribing the powers, duties,
975 and functions of the officers of the district; the conduct of
976 the business of the district; the maintenance of the records of
977 the district; and the form of certificates evidencing tax liens
978 of the district and all other documents and records of the
979 district. The board may also adopt and enforce administrative
980 rules with respect to any of the projects of the district and
981 define the area to be included therein. The board may also adopt
982 resolutions which may be necessary for the conduct of district
983 business.

984 (f) To maintain an office at such place or places as the
985 board of supervisors designates in Sarasota County and within
986 the district when facilities are available.

987 (g) To hold, control, and acquire by donation, purchase,
988 or condemnation, or dispose of, any public easements,
989 dedications to public use, platted reservations for public
990 purposes, or any reservations for those purposes authorized by
991 this act and to make use of such easements, dedications, or
992 reservations for the purposes authorized by this act.

993 (h) To lease as lessor or lessee to or from any person,
 994 firm, corporation, association, or body, public or private, any
 995 projects of the type that the district is authorized to
 996 undertake and facilities or property of any nature for the use
 997 of the district to carry out the purposes authorized by this
 998 act.

999 (i) To borrow money and issue bonds, certificates,
 1000 warrants, notes, or other evidence of indebtedness as provided
 1001 herein; to levy such taxes and assessments as may be authorized;
 1002 and to charge, collect, and enforce fees and other user charges.

1003 (j) To raise, by user charges or fees authorized by
 1004 resolution of the board, amounts of money which are necessary
 1005 for the conduct of district activities and services and to
 1006 enforce their receipt and collection in the manner prescribed by
 1007 resolution not inconsistent with general law.

1008 (k) To exercise all powers of eminent domain now or
 1009 hereafter conferred on counties in this state; provided,
 1010 however, that such power of eminent domain may not be exercised
 1011 outside the territorial limits of the district unless the
 1012 district receives prior approval by vote of a resolution of the
 1013 governing body of the county if the taking will occur in an
 1014 unincorporated area in that county, or the governing body of the
 1015 city if the taking will occur in an incorporated area. The
 1016 district does not have the power to exercise eminent domain over
 1017 municipal, county, state, or federal property. The powers

1018 hereinabove granted to the district shall be so construed to
 1019 enable the district to fulfill the objects and purposes of the
 1020 district as set forth in this act.

1021 (l) To cooperate with, or contract with, other
 1022 governmental agencies as may be necessary, convenient,
 1023 incidental, or proper in connection with any of the powers,
 1024 duties, or purposes authorized by this act.

1025 (m) To assess and to impose upon lands in the district ad
 1026 valorem taxes as provided by this act.

1027 (n) If and when authorized by general law, to determine,
 1028 order, levy, impose, collect, and enforce maintenance taxes.

1029 (o) To determine, order, levy, impose, collect, and
 1030 enforce assessments pursuant to this act and chapter 170,
 1031 Florida Statutes, pursuant to authority granted in s. 197.3631,
 1032 Florida Statutes, or pursuant to other provisions of general law
 1033 now or hereinafter enacted which provide or authorize a
 1034 supplemental means to order, levy, impose, or collect special
 1035 assessments. Such special assessments, at the discretion of the
 1036 district, may be collected and enforced pursuant to ss. 197.3632
 1037 and 197.3635, Florida Statutes, and chapters 170 and 173,
 1038 Florida Statutes, as they may be amended from time to time, or
 1039 as provided by this act, or by other means authorized by general
 1040 law now or hereinafter enacted. The district may levy such
 1041 special assessments for the purposes provided in this act and to

1042 pay special assessments imposed by Sarasota County on lands
 1043 within the district.

1044 (p) To exercise such special powers and other express
 1045 powers as may be authorized and granted by this act in the
 1046 charter of the district, including powers as provided in any
 1047 interlocal agreement entered into pursuant to chapter 163,
 1048 Florida Statutes, or which shall be required or permitted to be
 1049 undertaken by the district pursuant to any development order,
 1050 including any detailed specific area plan development order, or
 1051 any interlocal service agreement with Sarasota County for fair-
 1052 share capital construction funding for any certain capital
 1053 facilities or systems required of a developer pursuant to any
 1054 applicable development order or agreement.

1055 (q) To exercise all of the powers necessary, convenient,
 1056 incidental, or proper in connection with any other powers or
 1057 duties or the special and limited purpose of the district
 1058 authorized by this act.

1059
 1060 This subsection shall be construed liberally in order to
 1061 effectively carry out the special and limited purpose of this
 1062 act.

1063 (7) SPECIAL POWERS.—The district shall have, and the board
 1064 may exercise, the following special powers to implement its
 1065 lawful and special purpose and to provide, pursuant to that
 1066 purpose, systems, facilities, services, improvements, projects,

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1067 works, and infrastructure, each of which constitutes a lawful
1068 public purpose when exercised pursuant to this charter, subject
1069 to, and not inconsistent with, general law regarding utility
1070 providers' territorial and service agreements; the regulatory
1071 jurisdiction and permitting authority of all other applicable
1072 governmental bodies, agencies, and any special districts having
1073 authority with respect to any area included therein; and to
1074 plan, establish, acquire, construct or reconstruct, enlarge or
1075 extend, equip, operate, finance, fund, and maintain
1076 improvements, systems, facilities, services, works, projects,
1077 and infrastructure. Any or all of the following special powers
1078 that are granted by this act may not be exercised inconsistently
1079 with Sarasota County's rights, responsibilities, and powers and
1080 are granted in order to implement the special and limited
1081 purpose of the district but do not constitute obligations to
1082 undertake such improvements, systems, facilities, services,
1083 works, projects or infrastructure:

1084 (a) To provide water management and control for the lands
1085 within the district, including irrigation systems and
1086 facilities, and to connect some or any of such facilities with
1087 roads and bridges. In the event that the board assumes the
1088 responsibility for providing water management and control for
1089 the district which is to be financed by benefit special
1090 assessments, the board shall adopt plans and assessments
1091 pursuant to general law or may proceed to adopt water management

1092 and control plans, assess for benefits, and apportion and levy
1093 special assessments as follows:

1094 1. The board shall cause to be made by the district's
1095 engineer, or such other engineer or engineers as the board may
1096 employ for that purpose, complete and comprehensive water
1097 management and control plans for the lands located within the
1098 district that will be improved in any part or in whole by any
1099 system of facilities that may be outlined and adopted, and the
1100 engineer shall make a report in writing to the board with maps
1101 and profiles of said surveys and an estimate of the cost of
1102 carrying out and completing the plans.

1103 2. Upon the completion of such plans, the board shall hold
1104 a hearing thereon to hear objections thereto, shall give notice
1105 of the time and place fixed for such hearing by publication in a
1106 newspaper of general circulation in the general area of the
1107 district once a week for 2 consecutive weeks, and shall permit
1108 the inspection of the plan at the office of the district by all
1109 persons interested. All objections to the plan shall be filed at
1110 or before the time fixed in the notice for the hearing and shall
1111 be in writing.

1112 3. After the hearing, the board shall consider the
1113 proposed plan and any objections thereto and may modify, reject,
1114 or adopt the plan or continue the hearing until a day certain
1115 for further consideration of the proposed plan or modifications
1116 thereof.

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1117 4. When the board approves a plan, a resolution shall be
1118 adopted and a certified copy thereof shall be filed in the
1119 office of the secretary and incorporated by him or her into the
1120 records of the district.

1121 5. The water management and control plan may be altered in
1122 detail from time to time until the engineer's report pursuant to
1123 s. 298.301, Florida Statutes, is filed, but not in such manner
1124 as to materially affect the conditions of its adoption. After
1125 the engineer's report has been filed, the plan may not be
1126 altered, except as provided by this act.

1127 6. Within 20 days after the final adoption of the plan by
1128 the board, the board shall proceed pursuant to s. 298.301,
1129 Florida Statutes.

1130 (b) To provide water supply, sewer, wastewater, and
1131 reclaimed water management, reclamation, and reuse, or any
1132 combination thereof, and any irrigation systems, facilities, and
1133 services and to construct and operate water systems, sewer
1134 systems, irrigation systems, and reclaimed water systems such as
1135 connecting intercepting or outlet sewers and sewer mains and
1136 pipes and water mains, conduits, or pipelines in, along, and
1137 under any street, alley, highway, or other public place or way,
1138 and to dispose of any water, effluent, residue, or other
1139 byproduct of such water system, sewer system, irrigation system,
1140 or reclaimed water system, and to enter into interlocal

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1141 agreements and other agreements with public or private entities
1142 for the same.

1143 (c) To provide any necessary bridges, culverts, wildlife
1144 corridors, or road crossings across any drain, ditch, canal,
1145 floodway, holding basin, excavation, public highway, tract,
1146 grade, fill, or cut and roadways over levees and embankments,
1147 and to construct any and all of such works and improvements
1148 across, through, or over any public right-of way, highway,
1149 grade, fill, or cut.

1150 (d) To provide district or other roads equal to or
1151 exceeding the specifications of the county in which such
1152 district or other roads are located, and to provide street
1153 lighting. This special power includes, but is not limited to,
1154 roads, parkways, intersections, bridges, landscaping,
1155 hardscaping, irrigation, bicycle lanes, sidewalks, jogging
1156 paths, multiuse pathways and trails, street lighting, traffic
1157 signals, regulatory or informational signage, road striping,
1158 underground conduit, underground cable or fiber or wire
1159 installed pursuant to an agreement with or tariff of a retail
1160 provider of services, and all other customary elements of a
1161 functioning modern road system in general or as tied to the
1162 conditions of development approval for the area within and
1163 without the district, and parking facilities that are
1164 freestanding or that may be related to any innovative strategic

1165 intermodal system of transportation pursuant to applicable
1166 federal, state, and local laws and ordinances.

1167 (e) To provide buses, trolleys, rail access, mass transit
1168 facilities, transit shelters, ridesharing facilities and
1169 services, parking improvements, and related signage.

1170 (f) To provide investigation and remediation costs
1171 associated with the cleanup of actual or perceived environmental
1172 contamination within the district under the supervision or
1173 direction of a competent governmental authority unless the
1174 covered costs benefit any person who is a landowner within the
1175 district and who caused or contributed to the contamination.

1176 (g) To provide observation, mitigation, wetland creation,
1177 and wildlife habitat areas, including the maintenance of any
1178 plant or animal species, and any related interest in real or
1179 personal property.

1180 (h) Using its general and special powers as set forth in
1181 this act, to provide any other project within or without the
1182 boundaries of the district when the project is the subject of an
1183 agreement between the district and the Board of County
1184 Commissioners of Sarasota County or with any other applicable
1185 public or private entity, and is not inconsistent with the
1186 effective local comprehensive plans.

1187 (i) To provide parks and facilities for indoor and outdoor
1188 recreational, cultural, and educational uses.

1189 (j) To provide school buildings and related structures,
 1190 which may be leased, sold, or donated to the school district,
 1191 for use in the educational system when authorized by the
 1192 district school board.

1193 (k) To provide security, including electronic intrusion-
 1194 detection systems and patrol cars, when authorized by proper
 1195 governmental agencies, and to contract with the appropriate
 1196 local general-purpose government agencies for an increased level
 1197 of such services within the district boundaries. However, this
 1198 paragraph does not prohibit the district from contracting with a
 1199 towing operator to remove a vehicle or vessel from a district-
 1200 owned facility or property if the district follows the
 1201 authorization and notice and procedural requirements in s.
 1202 715.07 for an owner or lessee of private property. The
 1203 district's selection of a towing operator is not subject to
 1204 public bidding if the towing operator is included in an approved
 1205 list of town operators maintained by the local government that
 1206 has jurisdiction over the district's facility or property.

1207 (l) To provide control and elimination of mosquitoes and
 1208 other arthropods of public health importance.

1209 (m) To enter into impact fee, mobility fee, or other
 1210 similar credit agreements with Sarasota County or other
 1211 governmental bodies or a landowner developer and to sell or
 1212 assign such credits, on such terms as the district deems

1213 appropriate and are consistent with Sarasota County
1214 requirements.

1215 (n) To provide buildings and structures for district
1216 offices, maintenance facilities, meeting facilities, town
1217 centers, or any other projects authorized or granted by this
1218 act.

1219 (o) To establish and create, at noticed meetings, such
1220 departments of the board of supervisors of the district, as well
1221 as committees, task forces, boards, or commissions, or other
1222 agencies under the supervision and control of the district, as
1223 from time to time the members of the board may deem necessary or
1224 desirable in the performance of the acts or other things
1225 necessary to exercise the board's general or special powers to
1226 implement an innovative project to carry out the special and
1227 limited purpose of the district as provided in this act and to
1228 delegate the exercise of its powers to such departments, boards,
1229 task forces, committees, or other agencies, and such
1230 administrative duties and other powers as the board may deem
1231 necessary or desirable, but only if there is a set of expressed
1232 limitations for accountability, notice, and periodic written
1233 reporting to the board that shall retain the powers of the
1234 board.

1235 (p) To provide electrical, sustainable, or green
1236 infrastructure improvements, facilities, and services,
1237 including, but not limited to, recycling of natural resources,

1238 reduction of energy demands, development and generation of
 1239 alternative or renewable energy sources and technologies,
 1240 mitigation of urban heat islands, sequestration, capping or
 1241 trading of carbon emissions or carbon emissions credits, LEED or
 1242 Florida Green Building Coalition certification, and development
 1243 of facilities and improvements for low-impact development; to
 1244 enter into joint ventures, public-private partnerships, and
 1245 other agreements; and to grant such easements as may be
 1246 necessary to accomplish the foregoing. Nothing herein shall
 1247 authorize the district to provide electric service to retail
 1248 customers or otherwise act to impair electric utility franchise
 1249 agreements.

1250 (q) To provide for any facilities or improvements that may
 1251 otherwise be provided for by any county or municipality,
 1252 including, but not limited to, libraries, annexes, substations,
 1253 and other buildings to house public officials, staff, and
 1254 employees.

1255 (r) To provide waste collection and disposal.

1256 (s) To provide for the construction and operation of
 1257 communications systems and related infrastructure for the
 1258 carriage and distribution of communications services; to enter
 1259 into joint ventures, public-private partnerships, and other
 1260 agreements; and to grant such easements as may be necessary to
 1261 accomplish the foregoing. For purposes of this paragraph,
 1262 communications systems means all facilities, buildings,

1263 equipment, items, and methods necessary or desirable in order to
1264 provide communications services, including, without limitation,
1265 wires, cables, conduits, wireless cell sites, computers, modems,
1266 satellite antennae sites, transmission facilities, network
1267 facilities, and appurtenant devices necessary and appropriate to
1268 support the provision of communications services. Communications
1269 services includes, without limitation, Internet, voice telephone
1270 or similar services provided by voice over Internet protocol,
1271 cable television, data transmission services, electronic
1272 security monitoring services, and multichannel video programming
1273 distribution services. Nothing herein shall authorize the
1274 district to provide communications services to retail customers
1275 or otherwise act to impair existing service provider franchise
1276 agreements. However, the district may contract with such
1277 providers for resale purposes, provided the district complies
1278 with s. 350.81, Florida Statutes, when contracting for resale
1279 purposes.

1280 (t) To provide health care facilities and to enter into
1281 public-private partnerships and agreements as may be necessary
1282 to accomplish the foregoing.

1283 (u) To coordinate, work with, and, as the board deems
1284 appropriate, enter into interlocal agreements with any public or
1285 private entity for the provision of an institution or
1286 institutions of higher education.

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1287 (v) To coordinate, work with, and as the board deems
1288 appropriate, enter into public-private partnerships and
1289 agreements as may be necessary or useful to effectuate the
1290 purposes of this act. The district shall only exercise the
1291 special powers in subparagraphs (a) through (v) upon execution
1292 of an interlocal agreement with Sarasota County consenting to
1293 the district's execution of those powers within Sarasota County.
1294 The special powers provided in this act may not be deemed
1295 exclusive or restrictive but shall be deemed to incorporate all
1296 powers express or implied necessary or incident to carrying out
1297 such special powers, including the general powers provided by
1298 this act to the district to implement its purposes. This
1299 subsection shall be construed liberally in order to effectively
1300 carry out the special and limited purpose of the district under
1301 this act.

1302 (8) ISSUANCE OF BOND ANTICIPATION NOTES.—In addition to
1303 the other powers provided for in this act, and not in limitation
1304 thereof, the district shall have the power, at any time and from
1305 time to time after the issuance of any bonds of the district are
1306 authorized, to borrow money for the purposes for which such
1307 bonds are to be issued in anticipation of the receipt of the
1308 proceeds of the sale of such bonds and to issue bond
1309 anticipation notes in a principal sum not in excess of the
1310 authorized maximum amount of such bond issue. Such notes shall
1311 be in such denomination or denominations, bear interest at such

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1312 rate as the board may determine, not to exceed the maximum rate
1313 allowed by general law; mature at such time or times not later
1314 than 5 years after the date of issuance; and be in such form and
1315 executed in such manner as the board shall prescribe. Such notes
1316 may be sold at either public or private sale or, if such notes
1317 shall be renewal notes, may be exchanged for notes then
1318 outstanding on such terms as the board shall determine. Such
1319 notes shall be paid from the proceeds of such bonds when issued.
1320 The board may, in its discretion, in lieu of retiring the notes
1321 by means of bonds, retire them by means of current revenues or
1322 from any taxes or assessments levied for the payment of such
1323 bonds, but, in such event, a like amount of the bonds authorized
1324 may not be issued.

1325 (9) BORROWING.—The district at any time may obtain loans,
1326 in such amount and on such terms and conditions as the board may
1327 approve, for the purpose of paying any of the expenses of the
1328 district or any costs incurred or that may be incurred in
1329 connection with any of the projects of the district, which loans
1330 shall bear such interest as the board determines, not to exceed
1331 the maximum rate allowed by general law, and may be payable from
1332 and secured by a pledge of such funds, revenues, taxes, and
1333 assessments as the board may determine; provided, however, that
1334 the provisions contained in any proceeding under which bonds
1335 were theretofore issued and are then outstanding. For the
1336 purpose of defraying such costs and expenses, the district may

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1337 issue negotiable notes, warrants, or other evidences of debt to
1338 be payable at such times and to bear such interest as the board
1339 may determine, not to exceed the maximum rate allowed by general
1340 law, and to be sold or discounted at such price or prices not
1341 less than 95 percent of par value and on such terms as the board
1342 may deem advisable. The board shall have the right to provide
1343 for the payment thereof by pledging the whole or any part of the
1344 funds, revenues, taxes, and assessments of the district or by
1345 covenanting to budget and appropriate from such funds. The
1346 approval of the electors residing in the district is only
1347 necessary when required by the State Constitution.

1348 (10) BONDS.—

1349 (a) Sale of bonds.—Bonds may be sold in blocks or
1350 installments at different times, or an entire issue or series
1351 may be sold at one time. Bonds may be sold at public or private
1352 sale after such advertisement, if any, as the board may deem
1353 advisable, but in no event at less than 90 percent of the par
1354 value thereof, together with accrued interest thereon. Bonds may
1355 be sold or exchanged for refunding bonds. Special assessment and
1356 revenue bonds may be delivered by the district as payment of the
1357 purchase price of any project or part thereof, or a combination
1358 of projects or parts thereof, or as the purchase price or
1359 exchange for any property, real, personal, or mixed, including
1360 franchises or services rendered by any contractor, engineer, or
1361 other person, all at one time or in blocks from time to time, in

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1362 such manner and upon such terms as the board at its discretion
1363 shall determine. The price or prices for any bonds sold,
1364 exchanged, or delivered may be:

1365 1. The money paid for the bonds.

1366 2. The principal amount, plus accrued interest to the date
1367 of redemption or exchange, or outstanding obligations exchanged
1368 for refunding bonds.

1369 3. In the case of special assessment or revenue bonds, the
1370 amount of any indebtedness to contractors or other persons paid
1371 with such bonds, or the fair value of any properties exchanged
1372 for the bonds, as determined by the board.

1373 (b) Authorization and form of bonds.—Any general
1374 obligation bonds, special assessment bonds, or revenue bonds may
1375 be authorized by resolution or resolutions of the board which
1376 shall be adopted by a majority of all the members thereof then
1377 in office. Such resolution or resolutions may be adopted at the
1378 same meeting at which they are introduced and need not be
1379 published or posted. The board may, by resolution, authorize the
1380 issuance of bonds and fix the aggregate amount of bonds to be
1381 issued; the purpose or purposes for which the moneys derived
1382 therefrom shall be expended, including, but not limited to,
1383 payment of costs as defined in section 3; the rate or rates of
1384 interest, not to exceed the maximum rate allowed by general law;
1385 the denomination of the bonds; whether the bonds are to be
1386 issued in one or multiple series; the date or dates of maturity,

1387 which may not exceed 40 years after their respective dates of
1388 issuance; the medium of payment; the place or places within or
1389 without the state at which payment shall be made; registration
1390 privileges; redemption terms and privileges, whether with or
1391 without premium; the manner of execution; the form of the bonds,
1392 including any interest coupons to be attached thereto; the
1393 manner of execution of bonds and coupons; and any and all other
1394 terms, covenants, and conditions thereof and the establishment
1395 of revenue or other funds. Such authorizing resolution or
1396 resolutions may further provide for the contracts authorized by
1397 s. 159.825(1)(f) and (g), Florida Statutes, regardless of the
1398 tax treatment of such bonds being authorized, subject to the
1399 finding by the board of a net saving to the district resulting
1400 by reason thereof. Such authorizing resolution may further
1401 provide that such bonds may be executed in accordance with the
1402 Registered Public Obligations Act, except that bonds not issued
1403 in registered form shall be valid if manually countersigned by
1404 an officer designated by appropriate resolution of the board.
1405 The seal of the district may be affixed, lithographed, engraved,
1406 or otherwise reproduced in facsimile on such bonds. In case any
1407 officer whose signature shall appear on any bonds or coupons
1408 shall cease to be such officer before the delivery of such
1409 bonds, such signature or facsimile shall nevertheless be valid
1410 and sufficient for all purposes as if he or she had remained in
1411 office until such delivery.

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1412 (c) Interim certificates; replacement certificates.—
1413 Pending the preparation of definitive bonds, the board may issue
1414 interim certificates or receipts or temporary bonds, in such
1415 form and with such provisions as the board may determine,
1416 exchangeable for definitive bonds when such bonds have been
1417 executed and are available for delivery. The board may also
1418 provide for the replacement of any bonds which become mutilated,
1419 lost, or destroyed.

1420 (d) Negotiability of bonds.—Any bond issued under this act
1421 or any temporary bond, in the absence of an express recital on
1422 the face thereof that it is nonnegotiable, shall be fully
1423 negotiable and shall be and constitute a negotiable instrument
1424 within the meaning and for all purposes of the law merchant and
1425 general law.

1426 (e) Defeasance.—The board may make such provision with
1427 respect to the defeasance of the right, title, and interest of
1428 the holders of any of the bonds and obligations of the district
1429 in any revenues, funds, or other properties by which such bonds
1430 are secured as the board deems appropriate and, without
1431 limitation on the foregoing, may provide that when such bonds or
1432 obligations become due and payable or shall have been called for
1433 redemption and the whole amount of the principal and interest
1434 and premium, if any, due and payable upon the bonds or
1435 obligations then outstanding shall be held in trust for such
1436 purpose, and provision shall also be made for paying all other

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1437 sums payable in connection with such bonds or other obligations,
1438 and in such event the right, title, and interest of the holders
1439 of the bonds in any revenues, funds, or other properties by
1440 which such bonds are secured shall thereupon cease, terminate,
1441 and become void; and the board may apply any surplus in any
1442 sinking fund established in connection with such bonds or
1443 obligations and all balances remaining in all other funds or
1444 accounts other than moneys held for the redemption or payment of
1445 the bonds or other obligations to any lawful purpose of the
1446 district as the board shall determine.

1447 (f) Issuance of additional bonds.—If the proceeds of any
1448 bonds are less than the cost of completing the project in
1449 connection with which such bonds were issued, the board may
1450 authorize the issuance of additional bonds, upon such terms and
1451 conditions as the board may provide in the resolution
1452 authorizing the issuance thereof, but only in compliance with
1453 the resolution or other proceedings authorizing the issuance of
1454 the original bonds.

1455 (g) Refunding bonds.—The district is authorized to issue
1456 bonds to provide for the retirement or refunding of any bonds or
1457 obligations of the district that at the time of such issuance
1458 are or subsequent thereto become due and payable, or that at the
1459 time of issuance have been called or are, or will be, subject to
1460 call for redemption within 10 years thereafter, or the surrender
1461 of which can be procured from the holders thereof at prices

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1462 satisfactory to the board. Refunding bonds may be issued at any
1463 time that in the judgment of the board such issuance will be
1464 advantageous to the district. Approval of the qualified electors
1465 residing in the district is not required for the issuance of
1466 refunding bonds except in cases in which such approval is
1467 required by the State Constitution. The board may by resolution
1468 confer upon the holders of such refunding bonds all rights,
1469 powers, and remedies to which the holders would be entitled if
1470 they continued to be the owners and had possession of the bonds
1471 for the refinancing of which such refunding bonds are issued,
1472 including, but not limited to, the preservation of the lien of
1473 such bonds on the revenues of any project or on pledged funds,
1474 without extinguishment, impairment, or diminution thereof. The
1475 provisions of this act relating to bonds of the district shall,
1476 unless the context otherwise requires, govern the issuance of
1477 refunding bonds, the form and other details thereof, the rights
1478 of the holders thereof, and the duties of the board with respect
1479 to such bonds.

1480 (h) Revenue bonds.—

1481 1. The district shall have the power to issue revenue
1482 bonds from time to time without limitation as to amount. Such
1483 revenue bonds may be secured by, or payable from, the gross or
1484 net pledge of the revenues to be derived from any project or
1485 combination of projects; from the rates, fees, or other charges
1486 to be collected from the users of any project or projects; from

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1487 any revenue-producing undertaking or activity of the district;
1488 from special assessments; from benefit special assessments; or
1489 from any other source or pledged security. Such bonds do not
1490 constitute an indebtedness of the district, and the approval of
1491 the qualified electors is not required unless such bonds are
1492 additionally secured by the full faith and credit and taxing
1493 power of the district.

1494 2. Any two or more projects may be combined and
1495 consolidated into a single project and may hereafter be operated
1496 and maintained as a single project. The revenue bonds authorized
1497 herein may be issued to finance any one or more of such
1498 projects, regardless of whether such projects have been combined
1499 and consolidated into a single project. If the board deems it
1500 advisable, the proceedings authorizing such revenue bonds may
1501 provide that the district may thereafter combine the projects
1502 then being financed or theretofore financed with other projects
1503 to be subsequently financed by the district and that revenue
1504 bonds to be thereafter issued by the district shall be on parity
1505 with the revenue bonds then being issued, all on such terms,
1506 conditions, and limitations as shall have been provided in the
1507 proceeding which authorized the original bonds.

1508 (i) General obligation bonds.—

1509 1. Subject to the limitations of this charter, the
1510 district shall have the power to issue general obligation bonds
1511 to finance or refinance capital projects or to refund

1512 outstanding bonds in an aggregate principal amount of bonds
1513 outstanding at any one time not in excess of 35 percent of the
1514 assessed value of the taxable property within the district as
1515 shown on the pertinent tax records at the time of the
1516 authorization of the general obligation bonds for which the full
1517 faith and credit of the district is pledged. Except for
1518 refunding bonds, general obligation bonds may not be issued
1519 unless the bonds are issued to finance or refinance a capital
1520 project and the issuance has been approved at an election held
1521 in accordance with the requirements for such election as
1522 prescribed by the State Constitution. Such elections shall be
1523 called to be held in the district by the Board of County
1524 Commissioners of Sarasota County upon the request of the board
1525 of the district. The expenses of calling and holding an election
1526 shall be at the expense of the district and the district shall
1527 reimburse the county for any expenses incurred in calling or
1528 holding such election.

1529 2. The district may pledge its full faith and credit for
1530 the payment of the principal and interest on such general
1531 obligation bonds and for any reserve funds provided therefor and
1532 may unconditionally and irrevocably pledge itself to levy ad
1533 valorem taxes on all taxable property in the district, to the
1534 extent necessary for the payment thereof, without limitation as
1535 to rate or amount.

1536 3. If the board determines to issue general obligation
1537 bonds for more than one capital project, the approval of the
1538 issuance of the bonds for each and all such projects may be
1539 submitted to the electors on one ballot. The failure of the
1540 electors to approve the issuance of bonds for any one or more
1541 capital projects does not defeat the approval of bonds for any
1542 capital project which has been approved by the electors.

1543 4. In arriving at the amount of general obligation bonds
1544 permitted to be outstanding at any one time pursuant to
1545 subparagraph 1., there may not be included any general
1546 obligation bonds that are additionally secured by the pledge of:

1547 a. Any assessments levied in an amount sufficient to pay
1548 the principal and interest on the general obligation bonds so
1549 additionally secured, which assessments have been equalized and
1550 confirmed by resolution of the board pursuant to this act or s.
1551 170.08, Florida Statutes.

1552 b. Water revenues, sewer revenues, or water and sewer
1553 revenues of the district to be derived from user fees in an
1554 amount sufficient to pay the principal and interest on the
1555 general obligation bonds so additionally secured.

1556 c. Any combination of assessments and revenues described
1557 in sub-subparagraphs a. and b.

1558 (j) Bonds as legal investment or security.—

1559 1. Notwithstanding any other provision of law to the
1560 contrary, all bonds issued under this act shall constitute legal

1561 investments for savings banks, banks, trust companies, insurance
1562 companies, executors, administrators, trustees, guardians, and
1563 other fiduciaries and for any board, body, agency,
1564 instrumentality, county, municipality, or other political
1565 subdivision of the state and shall be and constitute security
1566 which may be deposited by banks or trust companies as security
1567 for deposits of state, county, municipal, or other public funds
1568 or by insurance companies as required or voluntary statutory
1569 deposits.

1570 2. Any bonds issued by the district shall be incontestable
1571 in the hands of bona fide purchasers or holders for value and
1572 are not invalid because of any irregularity or defect in the
1573 proceedings for the issue and sale thereof.

1574 (k) Covenants.—Any resolution authorizing the issuance of
1575 bonds may contain such covenants as the board may deem
1576 advisable, and all such covenants shall constitute valid and
1577 legally binding and enforceable contracts between the district
1578 and the bondholders, regardless of the time of issuance thereof.
1579 Such covenants may include, without limitation, covenants
1580 concerning the disposition of the bond proceeds; the use and
1581 disposition of project revenues; the pledging of revenues,
1582 taxes, and assessments; the obligations of the district with
1583 respect to the operation of the project and the maintenance of
1584 adequate project revenues; the issuance of additional bonds; the
1585 appointment, powers, and duties of trustees and receivers; the

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1586 acquisition of outstanding bonds and obligations; restrictions
1587 on the establishment of competing projects or facilities;
1588 restrictions on the sale or disposal of the assets and property
1589 of the district; the priority of assessment liens; the priority
1590 of claims by bondholders on the taxing power of the district;
1591 the maintenance of deposits to ensure the payment of revenues by
1592 users of district facilities and services; the discontinuance of
1593 district services by reason of delinquent payments; acceleration
1594 upon default; the execution of necessary instruments; the
1595 procedure for amending or abrogating covenants with the
1596 bondholders; and such other covenants as may be deemed necessary
1597 or desirable for the security of the bondholders.

1598 (1) Validation proceedings.—The power of the district to
1599 issue bonds under this act may be determined, and any of the
1600 bonds of the district maturing over a period of more than 5
1601 years shall be validated and confirmed, by court decree, under
1602 chapter 75, Florida Statutes, and laws amendatory thereof or
1603 supplementary thereto.

1604 (m) Tax exemption.—To the extent allowed by general law,
1605 all bonds issued hereunder and interest paid thereon and all
1606 fees, charges, and other revenues derived by the district from
1607 the projects provided by this act are exempt from all taxes by
1608 the state or by any political subdivision, agency, or
1609 instrumentality thereof; however, any interest, income, or
1610 profits on debt obligations issued hereunder are not exempt from

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1611 the tax imposed by chapter 220, Florida Statutes. Further, the
1612 district is not exempt from chapter 212, Florida Statutes.

1613 (n) Application of s. 189.051, Florida Statutes.—Bonds
1614 issued by the district shall meet the criteria set forth in s.
1615 189.051, Florida Statutes.

1616 (o) Act furnishes full authority for issuance of bonds.—
1617 This act constitutes full and complete authority for the
1618 issuance of bonds and the exercise of the powers of the district
1619 provided herein. Procedures or proceedings, publications,
1620 notices, consents, approvals, orders, acts, or things by the
1621 board, or by any board, officer, commission, department, agency,
1622 or instrumentality of the district, other than those required by
1623 this act, are not required to perform anything under this act,
1624 except that the issuance or sale of bonds pursuant to this act
1625 shall comply with the general law requirements applicable to the
1626 issuance or sale of bonds by the district. This act does not
1627 authorize the district to utilize bond proceeds to fund the
1628 ongoing operations of the district.

1629 (p) Pledge by the state to the bondholders of the
1630 district.—The state pledges to the holders of any bonds issued
1631 under this act that it will not limit or alter the rights of the
1632 district to own, acquire, construct, reconstruct, improve,
1633 maintain, operate, or furnish the projects or to levy and
1634 collect the taxes, assessments, rentals, rates, fees, and other
1635 charges provided for herein and to fulfill the terms of any

1636 agreement made with the holders of such bonds or other
1637 obligations and that it will not in any way impair the rights or
1638 remedies of such holders.

1639 (q) Default.—A default on the bonds or obligations of the
1640 district does not constitute a debt or obligation of the state
1641 or any general-purpose local government of the state. In the
1642 event of a default or dissolution of the district, a general-
1643 purpose local government is not required to assume the property
1644 of the district, the debts of the district, or the district's
1645 obligations to complete any infrastructure improvements or
1646 provide any services to the district. Section 189.076(2),
1647 Florida Statutes, does not apply to the district.

1648 (11) TRUST AGREEMENTS.—Any issue of bonds shall be secured
1649 by a trust agreement or resolution by and between the district
1650 and a corporate trustee or trustees, which may be any trust
1651 company or bank having the powers of a trust company within or
1652 without the state. The resolution authorizing the issuance of
1653 the bonds or such trust agreement may pledge the revenues to be
1654 received from any projects of the district and may contain such
1655 provisions for protecting and enforcing the rights and remedies
1656 of the bondholders as the board may approve, including, without
1657 limitation, covenants setting forth the duties of the district
1658 in relation to: the acquisition, construction, reconstruction,
1659 improvement, maintenance, repair, operation, and insurance of
1660 any projects; the fixing and revising of the rates, fees, and

1661 charges; and the custody, safeguarding, and application of all
 1662 moneys and for the employment of consulting engineers in
 1663 connection with such acquisition, construction, reconstruction,
 1664 improvement, maintenance, repair, operation, or insurance. It
 1665 shall be lawful for any bank or trust company within or without
 1666 the state which may act as a depository of the proceeds of bonds
 1667 or of revenues to furnish such indemnifying bonds or to pledge
 1668 such securities as may be required by the district. Such
 1669 resolution or trust agreement may set forth the rights and
 1670 remedies of the bondholders and of the trustee, if any, and may
 1671 restrict the individual right of action by bondholders. The
 1672 board may provide for the payment of proceeds of the sale of the
 1673 bonds and the revenues of any project to such officer, board, or
 1674 depository as it may designate for the custody thereof and may
 1675 provide for the method of disbursement thereof with such
 1676 safeguards and restrictions as it may determine. All expenses
 1677 incurred in carrying out such resolution or trust agreement may
 1678 be treated as part of the cost of operation of the project to
 1679 which such trust agreement pertains.

1680 (12) AD VALOREM TAXES; ASSESSMENTS, BENEFIT SPECIAL
 1681 ASSESSMENTS, MAINTENANCE SPECIAL ASSESSMENTS, AND SPECIAL
 1682 ASSESSMENTS; MAINTENANCE TAXES.—

1683 (a) Ad valorem taxes.—At such time as all members of the
 1684 board are qualified electors who are elected by qualified
 1685 electors of the district, the board shall have the power to levy

1686 and assess an ad valorem tax on all the taxable property in the
1687 district to construct, operate, and maintain assessable
1688 improvements; to pay the principal of, and interest on, any
1689 general obligation bonds of the district; and to provide for any
1690 sinking or other funds established in connection with any such
1691 bonds. An ad valorem tax levied by the board for operating
1692 purposes, exclusive of debt service on bonds, may not exceed 3
1693 mills. The ad valorem tax provided for herein shall be in
1694 addition to county and all other ad valorem taxes provided for
1695 by general law. Such tax shall be assessed, levied, and
1696 collected in the same manner and at the same time as county
1697 taxes. The levy of ad valorem taxes must be approved by
1698 referendum as required by Section 9, Article VII of the State
1699 Constitution.

1700 (b) Benefit special assessments.—The board annually shall
1701 determine, order, and levy the annual installment of the total
1702 benefit special assessments for bonds issued and related
1703 expenses to finance assessable improvements. These assessments
1704 may be due and collected during each year county taxes are due
1705 and collected, in which case such annual installment and levy
1706 shall be evidenced to and certified to the property appraiser by
1707 the board not later than August 31 of each year. Such assessment
1708 shall be entered by the property appraiser on the county tax
1709 rolls and shall be collected and enforced by the tax collector
1710 in the same manner and at the same time as county taxes, and the

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1711 proceeds thereof shall be paid to the district. However, this
1712 subsection does not prohibit the district in its discretion from
1713 using the method provided in s. 197.3632, Florida Statutes, or
1714 chapter 173, Florida Statutes, as each may be amended from time
1715 to time, for collecting and enforcing these assessments. Each
1716 annual installment of benefit special assessments shall be a
1717 lien on the property against which assessed until paid and shall
1718 be enforceable in like manner as county taxes. The amount of the
1719 assessment for the exercise of the district's powers under
1720 subsections (6) and (7) shall be determined by the board based
1721 upon a report of the district's engineer and assessed by the
1722 board upon such lands, which may be part or all of the lands
1723 within the district benefited by the improvement, apportioned
1724 between benefited lands in proportion to the benefits received
1725 by each tract of land. The board may, if it determines it is in
1726 the best interests of the district, set forth in the proceedings
1727 initially levying such benefit special assessments or in
1728 subsequent proceedings a formula for the determination of an
1729 amount which, when paid by a taxpayer with respect to any tax
1730 parcel, shall constitute a prepayment of all future annual
1731 installments of such benefit special assessments. The payment
1732 of which amount with respect to such tax parcel shall relieve
1733 and discharge such tax parcel of the lien of such benefit
1734 special assessments and any subsequent annual installment
1735 thereof. The board may provide further that upon delinquency in

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1736 the payment of any annual installment of benefit special
1737 assessments, such prepayment amount of all future annual
1738 installments of benefit special assessments shall be and become
1739 immediately due and payable together with such delinquent annual
1740 installment.

1741 (c) Non-ad valorem maintenance taxes.—If and when
1742 authorized by general law, to maintain and to preserve the
1743 physical facilities and services constituting the works,
1744 improvements, or infrastructure owned by the district pursuant
1745 to this act, to repair and restore any one or more of them, when
1746 needed, and to defray the current expenses of the district,
1747 including any sum which may be required to pay state and county
1748 ad valorem taxes on any lands which may have been purchased and
1749 which are held by the district under this act, the board of
1750 supervisors may, upon the completion of said systems,
1751 facilities, services, works, improvements, or infrastructure, in
1752 whole or in part, as may be certified to the board by the
1753 engineer of the board, levy annually a non-ad valorem and
1754 nonmillage tax upon each tract or parcel of land within the
1755 district, to be known as a "maintenance tax." A maintenance tax
1756 shall be apportioned upon the basis of the net assessments of
1757 benefits assessed as accruing from the original construction and
1758 shall be evidenced to and certified by the board of supervisors
1759 of the district not later than June 1 of each year to the
1760 Sarasota County tax collector and shall be extended on the tax

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1761 rolls and collected by the tax collector on the merged
1762 collection roll of the tax collector in the same manner and at
1763 the same time as county ad valorem taxes, and the proceeds
1764 therefrom shall be paid to the district. The maintenance tax
1765 shall be a lien until paid on the property against which
1766 assessed and enforceable in like manner and of the same dignity
1767 as county ad valorem taxes.

1768 (d) Maintenance special assessments.—To maintain and
1769 preserve the facilities and projects of the district, the board
1770 may levy a maintenance special assessment. This assessment may
1771 be evidenced to and certified to the tax collector by the board
1772 of supervisors not later than August 31 of each year and shall
1773 be entered by the property appraiser on the county tax rolls and
1774 shall be collected and enforced by the tax collector in the same
1775 manner and at the same time as county taxes, and the proceeds
1776 therefrom shall be paid to the district. However, this
1777 subsection does not prohibit the district in its discretion from
1778 using the method prescribed in s. 197.363, s. 197.3631, or s.
1779 197.3632, Florida Statutes, for collecting and enforcing these
1780 assessments. These maintenance special assessments shall be a
1781 lien on the property against which assessed until paid and shall
1782 be enforceable in like manner as county taxes. The amount of the
1783 maintenance special assessment for the exercise of the
1784 district's powers under this section shall be determined by the
1785 board based upon a report of the district's engineer and

1786 assessed by the board upon such lands, which may be all of the
 1787 lands within the district benefited by the maintenance thereof,
 1788 apportioned between the benefited lands in proportion to the
 1789 benefits received by each tract of land.

1790 (e) Special assessments.—The board may levy and impose any
 1791 special assessments pursuant to this subsection.

1792 (f) Enforcement of taxes.—The collection and enforcement
 1793 of all taxes levied by the district shall be at the same time
 1794 and in like manner as county taxes, and the provisions of
 1795 general law relating to the sale of lands for unpaid and
 1796 delinquent county taxes; the issuance, sale, and delivery of tax
 1797 certificates for such unpaid and delinquent county taxes; the
 1798 redemption thereof; the issuance to individuals of tax deeds
 1799 based thereon; and all other procedures in connection therewith
 1800 shall be applicable to the district to the same extent as if
 1801 such statutory provisions were expressly set forth in this act.
 1802 All taxes shall be subject to the same discounts as county
 1803 taxes.

1804 (g) When unpaid tax is delinquent; penalty.—All taxes
 1805 provided for in this act shall become delinquent and bear
 1806 penalties on the amount of such taxes in the same manner as
 1807 county taxes.

1808 (h) Status of assessments.—Benefit special assessments,
 1809 maintenance special assessments, and special assessments are
 1810 hereby found and determined to be non-ad valorem assessments as

1811 defined in s. 197.3632(1), Florida Statutes. Maintenance taxes
1812 are non-ad valorem taxes and are not special assessments.

1813 (i) Assessments constitute liens; collection.—Any and all
1814 assessments, including special assessments, benefit special
1815 assessments, and maintenance special assessments authorized and
1816 granted by this subsection, and maintenance taxes if authorized
1817 by general law, shall constitute a lien on the property against
1818 which assessed from the date of levy and imposition thereof
1819 until paid, coequal with the lien of state, county, municipal,
1820 and school board taxes. These assessments may be collected, at
1821 the district's discretion, under authority of s. 197.3631,
1822 Florida Statutes, as amended from time to time, by the tax
1823 collector pursuant to ss. 197.3632 and 197.3635, Florida
1824 Statutes, as amended from time to time, or in accordance with
1825 other collection measures provided by general law. In addition
1826 to, and not in limitation of, any powers otherwise set forth
1827 herein or in general law, these assessments may also be enforced
1828 pursuant to chapter 173, Florida Statutes, as amended from time
1829 to time.

1830 (j) Land owned by governmental entity.—Except as otherwise
1831 provided by general law, a levy of ad valorem taxes or non-ad
1832 valorem assessments under this act or chapter 170 or chapter
1833 197, Florida Statutes, or otherwise, by the board of the
1834 district, on property of a governmental entity that is subject
1835 to a ground lease as described in s. 190.003(14), Florida

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1836 Statutes, does not constitute a lien or encumbrance on the
1837 underlying fee interest of such governmental entity.

1838 (13) SPECIAL ASSESSMENTS.—

1839 (a) As an alternative method to the levy and imposition of
1840 special assessments pursuant to chapter 170, Florida Statutes,
1841 pursuant to the authority under s. 197.3631, Florida Statutes,
1842 or pursuant to other provisions of general law, now or hereafter
1843 enacted, which provide a supplemental means or authority to
1844 impose, levy, and collect special assessments as otherwise
1845 authorized under this act, the board may levy and impose special
1846 assessments to finance the exercise of any of its powers
1847 permitted under this act using the following uniform procedures:

1848 1. At a noticed meeting, the board of supervisors of the
1849 district may consider and review an engineer's report on the
1850 costs of the systems, facilities, and services to be provided, a
1851 preliminary special assessment methodology, and a preliminary
1852 roll based on acreage or platted lands, depending upon whether
1853 platting has occurred.

1854 a. The special assessment methodology shall address and
1855 discuss and the board shall consider whether the systems,
1856 facilities, and services being contemplated will result in
1857 special benefits peculiar to the property, different in kind and
1858 degree than general benefits, as a logical connection between
1859 the systems, facilities, and services themselves and the
1860 property, and whether the duty to pay the special assessments by

1861 the property owners is apportioned in a manner that is fair and
1862 equitable and not in excess of the special benefit received. It
1863 shall be fair and equitable to designate a fixed proportion of
1864 the annual debt service, together with interest thereon, on the
1865 aggregate principal amount of bonds issued to finance such
1866 systems, facilities, and services which give rise to unique,
1867 special, and peculiar benefits to property of the same or
1868 similar characteristics under the special assessment methodology
1869 so long as such fixed proportion does not exceed the unique,
1870 special, and peculiar benefits enjoyed by such property from
1871 such systems, facilities, and services.

1872 b. The engineer's cost report shall identify the nature of
1873 the proposed systems, facilities, and services, their location,
1874 a cost breakdown plus a total estimated cost, including cost of
1875 construction or reconstruction, labor, and materials, lands,
1876 property, rights, easements, franchises, or systems, facilities,
1877 and services to be acquired; cost of plans and specifications
1878 and surveys of estimates of costs and revenues; costs of
1879 engineering, legal, and other professional consultation
1880 services; and other expenses or costs necessary or incident to
1881 determining the feasibility or practicability of such
1882 construction, reconstruction, or acquisition, administrative
1883 expenses, relationship to the authority and power of the
1884 district in its charter, and such other expenses or costs as may

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1885 be necessary or incident to the financing to be authorized by
1886 the board of supervisors.

1887 c. The preliminary special assessment roll shall be in
1888 accordance with the assessment methodology as may be adopted by
1889 the board of supervisors; the special assessment roll shall be
1890 completed as promptly as possible and shall show the acreage,
1891 lots, lands, or plats assessed and the amount of the fairly and
1892 reasonably apportioned assessment based on special and peculiar
1893 benefit to the property, lot, parcel, or acreage of land; and,
1894 if the special assessment against such lot, parcel, acreage, or
1895 portion of land is to be paid in installments, the number of
1896 annual installments in which the special assessment is divided
1897 shall be entered into and shown upon the special assessment
1898 roll.

1899 2. The board of supervisors of the district may determine
1900 and declare by an initial special assessment resolution to levy
1901 and assess the special assessments with respect to assessable
1902 improvements stating the nature of the systems, facilities, and
1903 services, improvements, projects, or infrastructure constituting
1904 such assessable improvements, the information in the engineer's
1905 cost report, the information in the special assessment
1906 methodology as determined by the board at the noticed meeting
1907 and referencing and incorporating as part of the resolution the
1908 engineer's cost report, the preliminary special assessment
1909 methodology, and the preliminary special assessment roll as

1910 referenced exhibits to the resolution by reference. If the board
 1911 determines to declare and levy the special assessments by the
 1912 initial special assessment resolution, the board shall also
 1913 adopt and declare a notice resolution which shall provide and
 1914 cause the initial special assessment resolution to be published
 1915 in a newspaper of general circulation in Sarasota County once a
 1916 week for 2 consecutive weeks, and said board shall by the same
 1917 resolution fix a time and place at which the owner or owners of
 1918 the property to be assessed or any other persons interested
 1919 therein may appear before said board and be heard as to the
 1920 propriety and advisability of making such improvements, as to
 1921 the costs thereof, as to the manner of payment therefor, and as
 1922 to the amount thereof to be assessed against each property so
 1923 improved. Thirty days' notice in writing of such time and place
 1924 shall be given to such property owners. The notice shall include
 1925 the amount of the special assessment and shall be served by
 1926 mailing a copy to each assessed property owner at his or her
 1927 last known address, the names and addresses of such property
 1928 owners to be obtained from the record of the property appraiser
 1929 of the county political subdivision in which the land is located
 1930 or from such other sources as the district manager or engineer
 1931 deems reliable. Proof of such mailing shall be made by the
 1932 affidavit of the manager of the district or by the engineer,
 1933 said proof to be filed with the district manager. Failure to
 1934 mail said notice or notices does not invalidate any of the

1935 proceedings hereunder. It is provided further that the last
 1936 publication shall be at least 1 week before the date of the
 1937 hearing on the final special assessment resolution. Said notice
 1938 shall describe the general areas to be improved and advise all
 1939 persons interested that the description of each property to be
 1940 assessed and the amount to be assessed to each piece, parcel,
 1941 lot, or acre of property may be ascertained at the office of the
 1942 manager of the district. Such service by publication shall be
 1943 verified by the affidavit of the publisher and filed with the
 1944 manager of the district. Moreover, the initial special
 1945 assessment resolution with its attached, referenced, and
 1946 incorporated engineer's cost report, preliminary special
 1947 assessment methodology, and preliminary special assessment roll,
 1948 along with the notice resolution, shall be available for public
 1949 inspection at the office of the manager and the office of the
 1950 engineer or any other office designated by the board of
 1951 supervisors in the notice resolution. Notwithstanding the
 1952 foregoing, the landowners of all of the property which is
 1953 proposed to be assessed may give the district written notice of
 1954 waiver of any notice and publication provided for in this
 1955 subparagraph. However, such notice and publication is not
 1956 required, provided that any meeting of the board of supervisors
 1957 to consider such resolution is a publicly noticed meeting.

1958 3. At the time and place named in the noticed resolution
 1959 as provided for in subparagraph 2., the board of supervisors of

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1960 the district shall meet and hear testimony from affected
1961 property owners as to the propriety and advisability of making
1962 the systems, facilities, services, projects, works,
1963 improvements, or infrastructure and funding them with
1964 assessments referenced in the initial special assessment
1965 resolution on the property. Following the testimony and
1966 questions from the members of the board or any professional
1967 advisors to the district of the preparers of the engineer's cost
1968 report, the special assessment methodology, and the special
1969 assessment roll, the board of supervisors shall make a final
1970 decision on whether to levy and assess the particular special
1971 assessments. Thereafter, the board of supervisors shall meet as
1972 an equalizing board to hear and to consider any and all
1973 complaints as to the particular special assessments and shall
1974 adjust and equalize the special assessments to ensure proper
1975 assessment based on the benefit conferred on the property.

1976 4. When so equalized and approved by resolution or
1977 ordinance by the board of supervisors, to be called the final
1978 special assessment resolution, a final special assessment roll
1979 shall be filed with the clerk of the board and such special
1980 assessment shall stand confirmed and remain legal, valid, and
1981 binding first liens on the property against which such special
1982 assessments are made until paid, equal in dignity to the first
1983 liens of ad valorem taxation of county and municipal governments
1984 and school boards. However, upon completion of the systems,

1985 facilities, services, projects, improvements, works, or
 1986 infrastructure, the district shall credit to each of the
 1987 assessments the difference in the special assessment as
 1988 originally made, approved, levied, assessed, and confirmed and
 1989 the proportionate part of the actual cost of the improvement to
 1990 be paid by the particular special assessments as finally
 1991 determined upon the completion of the improvement; but in no
 1992 event shall the final special assessment exceed the amount of
 1993 the special and peculiar benefits as apportioned fairly and
 1994 reasonably to the property from the system, facility, or service
 1995 being provided as originally assessed. Promptly after such
 1996 confirmation, the special assessment shall be recorded by the
 1997 clerk of the district in the minutes of the proceedings of the
 1998 district, and the record of the lien in this set of minutes
 1999 shall constitute prima facie evidence of its validity. The board
 2000 of supervisors, in its sole discretion, may, by resolution,
 2001 grant a discount equal to all or a part of the payee's
 2002 proportionate share of the cost of the project consisting of
 2003 bond financing cost, such as capitalized interest, funded
 2004 reserves, and bond discounts included in the estimated cost of
 2005 the project, upon payment in full of any special assessments
 2006 during such period before the time such financing costs are
 2007 incurred as may be specified by the board of supervisors in such
 2008 resolution.

2009 5. District special assessments may be made payable in
 2010 installments over no more than 40 years after the date of the
 2011 payment of the first installment thereof and may bear interest
 2012 at fixed or variable rates.

2013 (b) Notwithstanding any provision of this act or chapter
 2014 170, Florida Statutes, that portion of s. 170.09, Florida
 2015 Statutes, which provides that special assessments may be paid
 2016 without interest at any time within 30 days after the
 2017 improvement is completed and a resolution accepting the same has
 2018 been adopted by the governing authority is not applicable to any
 2019 district special assessments, whether imposed, levied, and
 2020 collected pursuant to this act or any other provision of general
 2021 law, including, but not limited to, chapter 170, Florida
 2022 Statutes.

2023 (c) In addition, the district is authorized expressly in
 2024 the exercise of its rulemaking power to adopt rules that provide
 2025 for notice, levy, imposition, equalization, and collection of
 2026 assessments.

2027 (14) ISSUANCE OF CERTIFICATES OF INDEBTEDNESS BASED ON
 2028 ASSESSMENTS FOR ASSESSABLE IMPROVEMENTS; ASSESSMENT BONDS.—

2029 (a) The board may, after any special assessments or
 2030 benefit special assessments for assessable improvements are
 2031 made, determined, and confirmed as provided in this act, issue
 2032 certificates of indebtedness for the amount so assessed against
 2033 the abutting property or property otherwise benefited, as the

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2034 case may be, and separate certificates shall be issued against
2035 each part or parcel of land or property assessed, which
2036 certificates shall state the general nature of the improvement
2037 for which the assessment is made. The certificates shall be
2038 payable in annual installments in accordance with the
2039 installments of the special assessment for which they are
2040 issued. The board may determine the interest to be borne by such
2041 certificates, not to exceed the maximum rate allowed by general
2042 law, and may sell such certificates at either private or public
2043 sale and determine the form, manner of execution, and other
2044 details of such certificates. The certificates shall recite that
2045 they are payable only from the special assessments levied and
2046 collected from the part or parcel of land or property against
2047 which they are issued. The proceeds of such certificates may be
2048 pledged for the payment of principal of and interest on any
2049 revenue bonds or general obligation bonds issued to finance in
2050 whole or in part such assessable improvement or, if not so
2051 pledged, may be used to pay the cost or part of the cost of such
2052 assessable improvements.

2053 (b) The district may also issue assessment bonds, revenue
2054 bonds, or other obligations payable from a special fund into
2055 which such certificates of indebtedness referred to in paragraph
2056 (a) may be deposited or, if such certificates of indebtedness
2057 have not been issued, may assign to such special fund for the
2058 benefit of the holders of such assessment bonds or other

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2059 obligations, or to a trustee for such bondholders, the
2060 assessment liens provided for in this act unless such
2061 certificates of indebtedness or assessment liens have been
2062 theretofore pledged for any bonds or other obligations
2063 authorized hereunder. In the event of the creation of such
2064 special fund and the issuance of such assessment bonds or other
2065 obligations, the proceeds of such certificates of indebtedness
2066 or assessment liens deposited therein shall be used only for the
2067 payment of the assessment bonds or other obligations issued as
2068 provided in this section. The district is authorized to covenant
2069 with the holders of such assessment bonds, revenue bonds, or
2070 other obligations that it will diligently and faithfully enforce
2071 and collect all the special assessments, and interest and
2072 penalties thereon, for which such certificates of indebtedness
2073 or assessment liens have been deposited in or assigned to such
2074 fund; to foreclose such assessment liens so assigned to such
2075 special fund or represented by the certificates of indebtedness
2076 deposited in the special fund, after such assessment liens have
2077 become delinquent, and deposit the proceeds derived from such
2078 foreclosure, including interest and penalties, in such special
2079 fund; and to make any other covenants deemed necessary or
2080 advisable in order to properly secure the holders of such
2081 assessment bonds or other obligations.

2082 (c) The assessment bonds, revenue bonds, or other
2083 obligations issued pursuant to this subsection shall have such

2084 dates of issuance and maturity as deemed advisable by the board;
 2085 however, the maturities of such assessment bonds or other
 2086 obligations may not be more than 2 years after the due date of
 2087 the last installment that will be payable on any of the special
 2088 assessments for which such assessment liens, or the certificates
 2089 of indebtedness representing such assessment liens, are assigned
 2090 to or deposited in such special fund.

2091 (d) Such assessment bonds, revenue bonds, or other
 2092 obligations issued under this subsection shall bear such
 2093 interest as the board may determine, not to exceed the maximum
 2094 rate allowed by general law, and shall be executed, shall have
 2095 such provisions for redemption before maturity, shall be sold in
 2096 such manner, and shall be subject to all of the applicable
 2097 provisions contained in this act for revenue bonds, except as
 2098 the same may be inconsistent with this subsection.

2099 (e) All assessment bonds, revenue bonds, or other
 2100 obligations issued under this subsection shall be, shall
 2101 constitute, and shall have all the qualities and incidents of
 2102 negotiable instruments under the law merchant and general laws.

2103 (15) TAX LIENS.—All taxes of the district provided for in
 2104 this act, together with all penalties for default in the payment
 2105 of the same and all costs in collecting the same, including a
 2106 reasonable attorney fee fixed by the court and taxed as a cost
 2107 in the action brought to enforce payment, shall, from January 1
 2108 of each year the property is liable to assessment and until

2109 paid, constitute a lien of equal dignity with the liens for
 2110 state and county taxes and other taxes of equal dignity with
 2111 state and county taxes upon all the lands against which such
 2112 taxes shall be levied. A sale of any of the real property within
 2113 the district for state and county or other taxes may not operate
 2114 to relieve or release the property so sold from the lien for
 2115 subsequent district taxes or installments of district taxes,
 2116 which lien may be enforced against such property as though no
 2117 such sale thereof had been made. In addition, for purposes of s.
 2118 197.552, Florida Statutes, the lien of all special assessments
 2119 levied by the district shall constitute a lien of record held by
 2120 a municipal or county governmental unit. Sections 194.171,
 2121 197.122, 197.333, and 197.432, Florida Statutes, are applicable
 2122 to district taxes with the same force and effect as if such
 2123 sections were expressly provided in this act.

2124 (16) PAYMENT OF TAXES AND REDEMPTION OF TAX LIENS BY THE
 2125 DISTRICT; SHARING IN PROCEEDS OF TAX SALE.—

2126 (a) The district shall have the power and right to:

2127 1. Pay any delinquent state, county, district, municipal,
 2128 or other tax or assessment upon lands located wholly or
 2129 partially within the boundaries of the district.

2130 2. Redeem or purchase any tax sales certificates issued or
 2131 sold on account of any state, county, district, municipal, or
 2132 other taxes or assessments upon lands located wholly or
 2133 partially within the boundaries of the district.

2134 (b) Delinquent taxes paid, or tax sales certificates
 2135 redeemed or purchased, by the district, together with all
 2136 penalties for the default in payment of the same and all costs
 2137 in collecting the same and a reasonable attorney fee, shall
 2138 constitute a lien in favor of the district of equal dignity with
 2139 the liens of state and county taxes and other taxes of equal
 2140 dignity with state and county taxes upon all the real property
 2141 against which the taxes were levied. The lien of the district
 2142 may be foreclosed in the manner provided in this act.

2143 (c) In any sale of land pursuant to s. 197.542, Florida
 2144 Statutes, as may be amended from time to time, the district may
 2145 certify to the clerk of the circuit court of the county holding
 2146 such sale the amount of taxes due to the district upon the lands
 2147 sought to be sold, and the district shall share in the
 2148 disbursement of the sales proceeds in accordance with this act
 2149 and under general law.

2150 (17) FORECLOSURE OF LIENS.—Any lien in favor of the
 2151 district arising under this act may be foreclosed by the
 2152 district by foreclosure proceedings in the name of the district
 2153 in a court of competent jurisdiction as provided by general law
 2154 in like manner as is provided in chapter 170 or chapter 173,
 2155 Florida Statutes, and any amendments thereto, and those chapters
 2156 shall be applicable to such proceedings with the same force and
 2157 effect as if those chapters were expressly provided in this act.
 2158 Any act required or authorized to be done by or on behalf of a

2159 municipality in foreclosure proceedings under chapter 170 or
 2160 chapter 173, Florida Statutes, may be performed by such officer
 2161 or agent of the district as the board of supervisors may
 2162 designate. Such foreclosure proceedings may be brought at any
 2163 time after the expiration of 1 year from the date any tax, or
 2164 installment thereof, becomes delinquent; however, no lien shall
 2165 be foreclosed against any political subdivision or agency of the
 2166 state. Other legal remedies shall remain available.

2167 (18) MANDATORY USE OF CERTAIN DISTRICT SYSTEMS,
 2168 FACILITIES, AND SERVICES.—To the full extent permitted by
 2169 general law, the district shall require all lands, buildings,
 2170 premises, persons, firms, and corporations within the district
 2171 to use the facilities of the district.

2172 (19) COMPETITIVE PROCUREMENT; BIDS; NEGOTIATIONS; RELATED
 2173 PROVISIONS REQUIRED.—

2174 (a) A contract may not be let by the board for any goods,
 2175 supplies, or materials to be purchased when the amount thereof
 2176 to be paid by the district shall exceed the amount provided in
 2177 s. 287.017, Florida Statutes, for category four, unless notice
 2178 of bids shall be published in a newspaper of general circulation
 2179 in Sarasota County at least once. Any board seeking to construct
 2180 or improve a public building, structure, or other public works
 2181 shall comply with the bidding procedures of s. 255.20, Florida
 2182 Statutes, as amended from time to time, and other applicable
 2183 general law. In each case, the bid of the lowest responsive and

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2184 responsible bidder shall be accepted unless all bids are
2185 rejected because the bids are too high or the board determines
2186 it is in the best interests of the district to reject all bids.
2187 The board may require the bidders to furnish bond with a
2188 responsible surety to be approved by the board. Nothing in this
2189 subsection shall prevent the board from undertaking and
2190 performing the construction, operation, and maintenance of any
2191 project or facility authorized by this act by the employment of
2192 labor, material, and machinery.

2193 (b) The Consultants' Competitive Negotiation Act, s.
2194 287.055, Florida Statutes, applies to contracts for engineering,
2195 architecture, landscape architecture, or registered surveying
2196 and mapping services let by the board.

2197 (c) Contracts for maintenance services for any district
2198 facility or project shall be subject to competitive bidding
2199 requirements when the amount thereof to be paid by the district
2200 exceeds the amount provided in s. 287.017, Florida Statutes, as
2201 amended from time to time, for category four. The district shall
2202 adopt rules, policies, or procedures establishing competitive
2203 bidding procedures for maintenance services. Contracts for other
2204 services may not be subject to competitive bidding unless the
2205 district adopts a rule, policy, or procedure applying
2206 competitive bidding procedures to said contracts. Nothing herein
2207 shall preclude the use of requests for proposal instead of

2208 invitations to bid as determined by the district to be in its
 2209 best interest.

2210 (20) FEES, RENTALS, AND CHARGES; PROCEDURE FOR ADOPTION
 2211 AND MODIFICATIONS; MINIMUM REVENUE REQUIREMENTS.—

2212 (a) The district is authorized to prescribe, fix,
 2213 establish, and collect rates, fees, rentals, or other charges,
 2214 hereinafter sometimes referred to as "revenues," and to revise
 2215 the same from time to time, for the systems, facilities, and
 2216 services furnished by the district, within the limits of the
 2217 district, including, but not limited to, recreational
 2218 facilities, water management and control facilities, and water
 2219 and sewer systems; to recover the costs of making connection
 2220 with any district service, facility, or system; and to provide
 2221 for reasonable penalties against any user or property for any
 2222 such rates, fees, rentals, or other charges that are delinquent.

2223 (b) No such rates, fees, rentals, or other charges for any
 2224 of the facilities or services of the district shall be fixed
 2225 until after a public hearing at which all the users of the
 2226 proposed facility or services or owners, tenants, or occupants
 2227 served or to be served thereby and all other interested persons
 2228 shall have an opportunity to be heard concerning the proposed
 2229 rates, fees, rentals, or other charges. Rates, fees, rentals,
 2230 and other charges shall be adopted under the administrative
 2231 rulemaking authority of the district, but do not apply to
 2232 district leases. Notice of such public hearing setting forth the

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2233 proposed schedule or schedules of rates, fees, rentals, and
2234 other charges shall have been published in a newspaper of
2235 general circulation in Sarasota County at least once and at
2236 least 10 days before such public hearing. The rulemaking hearing
2237 may be adjourned from time to time. After such hearing, such
2238 schedule or schedules, either as initially proposed or as
2239 modified or amended, may be finally adopted. A copy of the
2240 schedule or schedules of such rates, fees, rentals, or charges
2241 as finally adopted shall be kept on file in an office designated
2242 by the board and shall be open at all reasonable times to public
2243 inspection. The rates, fees, rentals, or charges so fixed for
2244 any class of users or property served shall be extended to cover
2245 any additional users or properties thereafter served which shall
2246 fall in the same class, without the necessity of any notice or
2247 hearing.

2248 (c) Such rates, fees, rentals, and charges shall be just
2249 and equitable and uniform for users of the same class, and when
2250 appropriate may be based or computed either upon the amount of
2251 service furnished, upon the average number of persons residing
2252 or working in or otherwise occupying the premises served, or
2253 upon any other factor affecting the use of the facilities
2254 furnished, or upon any combination of the foregoing factors, as
2255 may be determined by the board on an equitable basis.

2256 (d) The rates, fees, rentals, or other charges prescribed
2257 shall be such as will produce revenues, together with any other

2258 assessments, taxes, revenues, or funds available or pledged for
 2259 such purpose, at least sufficient to provide for the following
 2260 items, but not necessarily in the order stated:

2261 1. To provide for all expenses of operation and
 2262 maintenance of such facility or service.

2263 2. To pay when due all bonds and interest thereon for the
 2264 payment of which such revenues are, or shall have been, pledged
 2265 or encumbered, including reserves for such purpose.

2266 3. To provide for any other funds which may be required
 2267 under the resolution or resolutions authorizing the issuance of
 2268 bonds pursuant to this act.

2269 (e) The board shall have the power to enter into contracts
 2270 for the use of the projects of the district and with respect to
 2271 the services, systems, and facilities furnished or to be
 2272 furnished by the district.

2273 (21) RECOVERY OF DELINQUENT CHARGES.—In the event that any
 2274 rates, fees, rentals, charges, or delinquent penalties are not
 2275 paid as and when due and are in default for 60 days or more, the
 2276 unpaid balance thereof and all interest accrued thereon,
 2277 together with reasonable attorney fees and costs, may be
 2278 recovered by the district in a civil action.

2279 (22) DISCONTINUANCE OF SERVICES OR FACILITIES.—In the
 2280 event the fees, rentals, or other charges for district services
 2281 or facilities are not paid when due, the board shall have the
 2282 power, under such reasonable rules and regulations as the board

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2283 may adopt, to discontinue and shut off such services or
2284 facilities until such fees, rentals, or other charges, including
2285 interest, penalties, and charges for the shutting off and
2286 discontinuance and the restoration of such services or
2287 facilities, are fully paid; and, for such purposes, the board
2288 may enter on any lands, waters, or premises of any person, firm,
2289 corporation, or body, public or private, within the district
2290 limits. Such delinquent fees, rentals, or other charges,
2291 together with interest, penalties, and charges for the shutting
2292 off and discontinuance and the restoration of such services or
2293 facilities and reasonable attorney fees and other expenses, may
2294 be recovered by the district, which may also enforce payment of
2295 such delinquent fees, rentals, or other charges by any other
2296 lawful method of enforcement.

2297 (23) ENFORCEMENT AND PENALTIES.—The board or any aggrieved
2298 person may have recourse to such remedies in general law and at
2299 equity as may be necessary to ensure compliance with this act,
2300 including injunctive relief to enjoin or restrain any person
2301 violating this act or any bylaws, resolutions, regulations,
2302 rules, codes, or orders adopted under this act. In case any
2303 building or structure is erected, constructed, reconstructed,
2304 altered, repaired, converted, or maintained, or any building,
2305 structure, land, or water is used, in violation of this act or
2306 of any code, order, resolution, or other regulation made under
2307 authority conferred by this act or under general law, the board

2308 or any citizen residing in the district may institute any
 2309 appropriate action or proceeding to prevent such unlawful
 2310 erection, construction, reconstruction, alteration, repair,
 2311 conversion, maintenance, or use; to restrain, correct, or avoid
 2312 such violation; to prevent the occupancy of such building,
 2313 structure, land, or water; and to prevent any illegal act,
 2314 conduct, business, or use in or about such premises, land, or
 2315 water.

2316 (24) SUITS AGAINST THE DISTRICT.—Any suit or action
 2317 brought or maintained against the district for damages arising
 2318 out of tort, including, without limitation, any claim arising
 2319 upon account of an act causing an injury or loss of property,
 2320 personal injury, or death, shall be subject to the limitations
 2321 provided in s. 768.28, Florida Statutes.

2322 (25) EXEMPTION OF DISTRICT PROPERTY FROM EXECUTION.—All
 2323 district property shall be exempt from levy and sale by virtue
 2324 of an execution, and no execution or other judicial process
 2325 shall issue against such property, nor shall any judgment
 2326 against the district be a charge or lien on its property or
 2327 revenues; however, nothing contained herein shall apply to or
 2328 limit the rights of bondholders to pursue any remedy for the
 2329 enforcement of any lien or pledge given by the district in
 2330 connection with any of the bonds or obligations of the district.

2331 (26) TERMINATION, CONTRACTION, OR EXPANSION OF DISTRICT.—

2332 (a) The board of supervisors of the district may not ask
 2333 the Legislature to repeal or amend this act to expand or to
 2334 contract the boundaries of the district or otherwise cause the
 2335 merger or termination of the district without first obtaining a
 2336 resolution or official statement from Sarasota County as
 2337 required by s. 189.031(2)(e)4., Florida Statutes, for creation
 2338 of an independent special district. The district's consent may
 2339 be evidenced by a resolution or other official written statement
 2340 of the district.

2341 (b) The district shall remain in existence until:
 2342 1. The district is terminated and dissolved pursuant to
 2343 amendment to this act by the Legislature.
 2344 2. The district has become inactive pursuant to s.
 2345 189.062, Florida Statutes.

2346 (27) MERGER WITH COMMUNITY DEVELOPMENT DISTRICTS.—The
 2347 district may merge with one or more community development
 2348 districts situated wholly within its boundaries. The district
 2349 shall be the surviving entity of the merger. Any mergers shall
 2350 commence upon each such community development district filing a
 2351 written request for merger with the district. A copy of the
 2352 written request shall also be filed with Sarasota County. The
 2353 district, subject to the direction of its board of supervisors,
 2354 shall enter into a merger agreement which shall provide for the
 2355 proper allocation of debt, the manner in which such debt shall
 2356 be retired, the transition of the community development district

2357 board, and the transfer of all financial obligations and
 2358 operating and maintenance responsibilities to the district. The
 2359 execution of the merger agreement by the district and each
 2360 community development district constitutes consent of the
 2361 landowners within each district. The district and each community
 2362 development district requesting merger shall hold a public
 2363 hearing within its boundaries to provide information about and
 2364 take public comment on the proposed merger in the merger
 2365 agreement. The public hearing shall be held within 45 days after
 2366 the execution of the merger agreement by all parties thereto.
 2367 Notice of the public hearing shall be published in a newspaper
 2368 of general circulation in Sarasota County at least 14 days
 2369 before the hearing. At the conclusion of the public hearing each
 2370 district shall consider a resolution approving or disapproving
 2371 the proposed merger. If the district and each community
 2372 development district which is a party to the merger agreement
 2373 adopt a resolution approving the proposed merger, the
 2374 resolutions and the merger agreement shall be filed with
 2375 Sarasota County. Upon receipt of the resolutions approving the
 2376 merger and the merger agreement, Sarasota County shall adopt a
 2377 nonemergency ordinance dissolving each community development
 2378 district pursuant to s. 190.046 (10), Florida Statutes.

2379 (28) INCLUSION OF TERRITORY.—The inclusion of any or all
 2380 territory of the district within a municipality does not change,

2381 alter, or affect the boundary, territory, existence, or
 2382 jurisdiction of the district.

2383 (29) SALE OF REAL ESTATE WITHIN THE DISTRICT; REQUIRED
 2384 DISCLOSURE TO PURCHASER.—Subsequent to the creation of this
 2385 district under this act, each contract for the initial sale of a
 2386 parcel of real property and each contract for the initial sale
 2387 of a residential unit within the district shall include,
 2388 immediately before the space reserved in the contract for the
 2389 signature of the purchaser, the following disclosure statement
 2390 in boldfaced and conspicuous type which is larger than the type
 2391 in the remaining text of the contract: "THE THREE RIVERS
 2392 STEWARDSHIP DISTRICT MAY IMPOSE AND LEVY TAXES OR ASSESSMENTS,
 2393 OR BOTH TAXES AND ASSESSMENTS, ON THIS PROPERTY. THESE TAXES AND
 2394 ASSESSMENTS PAY FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE
 2395 COSTS OF CERTAIN PUBLIC SYSTEMS, FACILITIES, AND SERVICES OF THE
 2396 DISTRICT AND ARE SET ANNUALLY BY THE GOVERNING BOARD OF THE
 2397 DISTRICT. THESE TAXES AND ASSESSMENTS ARE IN ADDITION TO COUNTY
 2398 AND OTHER LOCAL GOVERNMENTAL TAXES AND ASSESSMENTS AND ALL OTHER
 2399 TAXES AND ASSESSMENTS PROVIDED FOR BY GENERAL LAW."

2400 (30) NOTICE OF CREATION AND ESTABLISHMENT.—Within 30 days
 2401 after the election of the first board of supervisors creating
 2402 the district, the district shall cause to be recorded in the
 2403 grantor-grantee index of the property records in Sarasota County
 2404 a "Notice of Creation and Establishment of the Three Rivers

2405 Stewardship District." The notice shall, at a minimum, include
 2406 the legal description of the territory described in this act.

2407 (31) DISTRICT PROPERTY PUBLIC; FEES.—Any system, facility,
 2408 service, works, improvement, project, or other infrastructure
 2409 owned by the district, or funded by federal tax exempt bonding
 2410 issued by the district, is public; and the district by rule may
 2411 regulate, and may impose reasonable charges or fees for, the use
 2412 thereof, but not to the extent that such regulation or
 2413 imposition of such charges or fees constitutes denial of
 2414 reasonable access.

2415 Section 7. If any provision of this act or its application
 2416 to any person or circumstance is held invalid, the invalidity
 2417 does not affect the remaining provisions or applications of the
 2418 act which can be given effect without the invalid provision or
 2419 application, and to this end the provisions of this act are
 2420 severable.

2421 Section 8. This act shall take effect upon becoming a law,
 2422 except that the provisions of this act which authorize the levy
 2423 of ad valorem taxation shall take effect only upon express
 2424 approval by a majority vote of those qualified electors of the
 2425 Three Rivers Stewardship District, as required by Section 9,
 2426 Article VII of the State Constitution, voting in a referendum
 2427 election held at such time as all members of the board are
 2428 qualified electors who are elected by qualified electors of the
 2429 district as provided in this act.