

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.

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

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

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

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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,

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.

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

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.

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

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

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.

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

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

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

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



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 (l) 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

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

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

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

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

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

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

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

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



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

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

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

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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 July 1, 2023, except  
 2422 that the provisions of this act which authorize the levy of ad  
 2423 valorem taxation shall take effect only upon express approval by  
 2424 a majority vote of those qualified electors of the Three Rivers  
 2425 Stewardship District, as required by Section 9, Article VII of  
 2426 the State Constitution, voting in a referendum election held at  
 2427 such time as all members of the board are qualified electors who  
 2428 are elected by qualified electors of the district as provided in  
 2429 this act.