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1  
2 An act relating to Marion County; creating the Uplands  
3 Stewardship District; providing a short title;  
4 providing legislative findings and intent; providing  
5 definitions; stating legislative policy regarding  
6 creation of the district; establishing compliance with  
7 minimum requirements for creation of an independent  
8 special district; providing for creation and  
9 establishment of the district; establishing the legal  
10 boundaries of the district; providing for the  
11 jurisdiction and charter of the district; providing  
12 for a board of supervisors; providing for a method for  
13 transition of the board from landowner control to  
14 control by the electors of the district; providing for  
15 membership, terms, election, removal, duties, and  
16 meetings of board members; providing for a district  
17 manager and district personnel; providing for a  
18 district treasurer, selection of a public depository,  
19 and district budgets and financial reports; providing  
20 for disclosure of certain public information and for  
21 web-based public access; providing for the general and  
22 special powers of the district; providing for bonds;  
23 providing for borrowing; providing for trust  
24 agreements; providing for future ad valorem taxation;  
25 providing for special assessments; providing for

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26 issuance of certificates of indebtedness; providing  
 27 for tax liens; providing for tax payments, redemption  
 28 of tax liens, and sharing in proceeds of tax sales;  
 29 providing for foreclosure of liens; providing for  
 30 mandatory use of certain facilities; providing for  
 31 competitive procurement; providing for fees, rentals,  
 32 and charges and minimum revenue requirements;  
 33 providing for recovery of delinquent charges;  
 34 providing for discontinuance of service; providing for  
 35 enforcement and penalties; providing for suits against  
 36 the district; providing for exemptions of district  
 37 property from levies and sales; providing for  
 38 termination, contraction, expansion, or merger of the  
 39 district; providing for inclusion of territory;  
 40 providing for required notices to purchasers of  
 41 residential units within the district; specifying the  
 42 district properties that are public; providing  
 43 severability; providing for a referendum; providing an  
 44 effective date.

45  
 46 Be It Enacted by the Legislature of the State of Florida:

47  
 48 Section 1. This act may be cited as the "Uplands  
 49 Stewardship District Act."

50 Section 2. Legislative findings and intent; definitions;

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51 policy.-

52 (1) LEGISLATIVE INTENT AND PURPOSE OF THE DISTRICT.-

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

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

68 (c) There is a considerably long period of time during  
 69 which there is a significant burden on the initial landowners of  
 70 the district lands to provide various systems, facilities, and  
 71 services, such that there is a need for flexible management,  
 72 sequencing, timing, and financing of the various systems,  
 73 facilities, and services to be provided to these lands, taking  
 74 into consideration absorption rates, commercial viability, and  
 75 related factors.

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

95        (e) Longer involvement of the initial landowner with  
96 regard to the provision of systems, facilities, and services for  
97 the Uplands Stewardship District lands, coupled with the special  
98 and limited purpose of the district, is in the public interest.

99        (f) The existence and use of such a special and limited  
100 purpose local government for the Uplands Stewardship District

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

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

119 (h) The creation and establishment of the special district  
 120 is a legitimate supplemental and alternative method available to  
 121 manage, own, operate, construct, and finance capital  
 122 infrastructure systems, facilities, and services.

123 (i) In order to be responsive to the critical timing  
 124 required through the exercise of its special management  
 125 functions, an independent special district requires financing of

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126 those functions, including bondable lienable and nonlienable  
 127 revenue, with full and continuing public disclosure and  
 128 accountability, funded by landowners, both present and future,  
 129 and funded also by users of the systems, facilities, and  
 130 services provided to the land area by the special district,  
 131 without unduly burdening the taxpayers, citizens, and ratepayers  
 132 of the state or Marion County.

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

141 (k) The creation by this act of the Uplands Stewardship  
 142 District is not inconsistent with the Marion County  
 143 comprehensive plan.

144 (l) It is the legislative intent and purpose that no debt  
 145 or obligation of the special district constitute a burden on  
 146 Marion County.

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

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

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151 obligation bonds.

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

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

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

167 (e) "Benefit special assessments" means district  
168 assessments imposed, levied, and collected pursuant to section  
169 6(12)(b).

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

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

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

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

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

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

187 3. The cost of improvements.

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

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

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

194 7. Financing charges.

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

196 9. Working capital.

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

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201 determine.

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

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

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

208 14. Administrative expenses.

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

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

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

218 (i) "District" means the Uplands Stewardship District.

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

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

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

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

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

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

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

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

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

253 (q) "Maintenance special assessments" are assessments  
 254 imposed, levied, and collected pursuant to section 6(12)(d).

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

259 (s) "Powers" means powers used and exercised by the board  
 260 of supervisors to accomplish the special and limited purposes of  
 261 the district, including:

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

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

271 3. Any other powers, authority, or functions set forth in  
 272 this act.

273 (t) "Project" means any development, improvement,  
 274 property, power, utility, facility, enterprise, service, system,  
 275 works, or infrastructure now existing or hereafter undertaken or

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276 established under this act.

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

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

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

297 (x) "Refunding bonds" means bonds issued to refinance  
 298 outstanding bonds of any type and the interest and redemption  
 299 premium thereon. Refunding bonds may be issuable and payable in  
 300 the same manner as refinanced bonds, except that no approval by

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301 the electorate shall be required unless required by the State  
302 Constitution.

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

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

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326 (aa) "Special assessments" means assessments as imposed,  
 327 levied, and collected by the district for the costs of  
 328 assessable improvements pursuant to this act; chapter 170,  
 329 Florida Statutes; and the additional authority under s.  
 330 197.3631, Florida Statutes, or other general laws, now or  
 331 hereafter enacted, which provide or authorize a supplemental  
 332 means to impose, levy, or collect special assessments.

333 (bb) "Uplands Stewardship District" means the unit of  
 334 special and limited purpose local government and political  
 335 subdivision created and chartered by this act, and limited to  
 336 the performance of those general and special powers authorized  
 337 by its charter under this act, the boundaries of which are set  
 338 forth by this act, the governing board of which is created and  
 339 authorized to operate with legal existence by this act, and the  
 340 purpose of which is as set forth in this act.

341 (cc) "Tax" or "taxes" means those levies and impositions  
 342 of the board of supervisors that support and pay for government  
 343 and the administration of law and that may be:

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

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

350 (dd) "Water system" means any plant, system, facility, or

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

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

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

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

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

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

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

394 (e) The special and single purpose Uplands Stewardship  
395 District shall not have the power of a general-purpose local  
396 government to adopt a comprehensive plan or related land  
397 development regulation as those terms are defined in the  
398 Community Planning Act.

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

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

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

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

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

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

417           (d) The methods for amending the charter of the district  
 418 are set forth in section 2.

419           (e) The provisions for the membership and organization of  
 420 the governing body and the establishment of a quorum are set  
 421 forth in section 5.

422           (f) The provisions regarding the administrative duties of  
 423 the governing body are set forth in sections 5 and 6.

424           (g) The provisions applicable to financial disclosure,  
 425 noticing, and reporting requirements generally are set forth in

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426 sections 5 and 6.

427 (h) The provisions regarding procedures and requirements  
 428 for issuing bonds are set forth in section 6.

429 (i) The provisions regarding elections or referenda and  
 430 the qualifications of an elector of the district are set forth  
 431 in sections 2 and 5.

432 (j) The provisions regarding methods for financing the  
 433 district generally are set forth in section 6.

434 (k) Other than taxes levied for the payment of bonds and  
 435 taxes levied for periods not longer than 2 years when authorized  
 436 by vote of the electors of the district, the provisions for the  
 437 authority to levy ad valorem tax and the authorized millage rate  
 438 are set forth in section 6.

439 (l) The provisions for the method or methods of collecting  
 440 non-ad valorem assessments, fees, or service charges are set  
 441 forth in section 6.

442 (m) The provisions for planning requirements are in this  
 443 section and section 6.

444 (n) The provisions for geographic boundary limitations of  
 445 the district are set forth in sections 4 and 6.

446 (2) The Uplands 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, as amended from time to time, and as defined in this

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451 act and in s. 189.012(3), Florida Statutes, as amended from time  
452 to time, in and for portions of Marion County. Any amendments to  
453 chapter 190, Florida Statutes, after January 1, 2025 granting  
454 additional general powers, special powers, authorities, or  
455 projects to a community development district by amendment to its  
456 uniform charter, ss. 190.006-190.041, Florida Statutes, which  
457 are not inconsistent with this act, shall constitute a general  
458 power, special power, authority, or function of the Uplands  
459 Stewardship District. All notices for the enactment by the  
460 Legislature of this special act have been provided pursuant to  
461 the State Constitution, the Laws of Florida, and the Rules of  
462 the Florida House of Representatives and of the Florida Senate.  
463 No referendum subsequent to the effective date of this act is  
464 required as a condition of establishing the district. Therefore,  
465 the district, as created by this act, is established on the  
466 property described in this act.

467 (3) The territorial boundary of the district shall embrace  
468 and include all of that certain real property described in  
469 section 4.

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

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

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

500 Section 4. Legal description of the Uplands Stewardship

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501 District.—The metes and bounds legal description of the  
 502 district, within which there are no parcels of property owned by  
 503 those who do not wish their property to be included within the  
 504 district, is as follows:

505  
 506 LANDS LYING IN SECTIONS 3, 4, 9, 10, 15, 16, 21, 22,  
 507 27, 28, 29, AND 33 TOWNSHIP 16 SOUTH, RANGE 20 EAST  
 508 AND SECTIONS 33 AND 34, TOWNSHIP 15 SOUTH, RANGE 20  
 509 EAST, MARION COUNTY, FLORIDA, BEING MORE PARTICULARLY  
 510 DESCRIBED AS FOLLOWS:

511  
 512 ALL OF THE LANDS LYING SECTION 3, TOWNSHIP 16 SOUTH.  
 513 RANGE 20 EAST, MARION COUNTY, FLORIDA. LESS AND  
 514 EXCEPT THE NORTH 1/2 OF THE N.E. 1/4 OF SAID SECTION  
 515 3.

516  
 517 AND  
 518 ALL OF THE LANDS LYING IN SECTIONS 4, 9, 16, 21,  
 519 TOWNSHIP 16 SOUTH, RANGE 20 EAST, MARION COUNTY,  
 520 FLORIDA.

521  
 522 AND  
 523 THE LANDS LYING IN SECTION 10, TOWNSHIP 16 SOUTH.  
 524 RANGE 20 EAST, MARION COUNTY, FLORIDA.  
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526 LESS AND EXCEPT STONE CREEK BY DEL WEBB LONGLEAF, PER  
 527 PLAT THEREOF RECORDED IN PLAT BOOK 11, PAGES 43  
 528 THROUGH 47 OF THE PUBLIC RECORDS OF MARION COUNTY,  
 529 FLORIDA  
 530 LESS AND EXCEPT STONE CREEK BY DEL WEBB ARLINGTON  
 531 PHASE 1, PER PLAT THEREOF RECORDED IN PLAT BOOK 10,  
 532 PAGES 187 THROUGH 192 OF THE PUBLIC RECORDS OF MARION  
 533 COUNTY, FLORIDA  
 534 LESS AND EXCEPT STONE CREEK BY DEL WEBB ARLINGTON  
 535 PHASE 4, PER PLAT THEREOF RECORDED IN PLAT BOOK 12,  
 536 PAGES 39 AND 40 OF THE PUBLIC RECORDS OF MARION  
 537 COUNTY, FLORIDA  
 538 LESS AND EXCEPT STONE CREEK BY DEL WEBB ARLINGTON  
 539 PHASE 5, PER PLAT THEREOF RECORDED IN PLAT BOOK 12,  
 540 PAGES 78 AND 79 OF THE PUBLIC RECORDS OF MARION  
 541 COUNTY, FLORIDA  
 542 LESS AND EXCEPT LANDS LYING SOUTH AND EASTERLY OF THE  
 543 PROJECTION OF THE WESTERLY BOUNDARY OF STONE CREEK BY  
 544 DEL WEBB ARLINGTON PHASE 5, PER PLAT THEREOF RECORDED  
 545 IN PLAT BOOK 12, PAGES 78 AND 79 OF THE PUBLIC RECORDS  
 546 OF MARION COUNTY, FLORIDA LYING IN SECTION 10,  
 547 TOWNSHIP 16 SOUTH, RANGE 20 EAST, MARION COUNTY,  
 548 FLORIDA.  
 549 LESS AND EXCEPT ON TOP OF THE WORLD CANDLER HILLS WEST  
 550 BALFOUR NORTH, PER PLAT THEREOF RECORDED IN PLAT BOOK

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551 16, PAGES 30 THROUGH 42 OF THE PUBLIC RECORDS OF  
 552 MARION COUNTY, FLORIDA  
 553 LESS AND EXCEPT BLCCDD NORTH WATER RECLAMATION  
 554 FACILITY, PER PLAT THEREOF RECORDED IN PLAT BOOK 16,  
 555 PAGES 9 AND 10 OF THE PUBLIC RECORDS OF MARION COUNTY,  
 556 FLORIDA  
 557 LESS AND EXCEPT THE LANDS DESCRIBED IN OFFICIAL  
 558 RECORDS BOOK 7875, PAGE 505 OF THE PUBLIC RECORDS OF  
 559 MARION COUNTY, FLORIDA.

560  
 561 AND  
 562 A PORTION OF LANDS LYING IN SECTION 15, TOWNSHIP 16  
 563 SOUTH, RANGE 20 EAST, BEING MORE PARTICULARLY  
 564 DESCRIBED AS FOLLOWS:  
 565 CONSERVATION AREA #2 PER OFFICIAL RECORDS BOOKS 3425,  
 566 PAGES 1189 THROUGH 1212 OF THE PUBLIC RECORDS OF  
 567 MARION COUNTY FLORIDA, LYING IN SECTION 15, TOWNSHIP  
 568 16 SOUTH, RANGE 20 EAST.

569  
 570 AND  
 571 ALL OF THE LANDS LYING ON THE WEST 1/2 OF SECTION 22,  
 572 TOWNSHIP 16 SOUTH. RANGE 20 EAST, MARION COUNTY,  
 573 FLORIDA.  
 574 LESS AND EXCEPT LONGLEAF RIDGE PHASE I, PER PLAT  
 575 THEREOF RECORDED IN PLAT BOOK 13, PAGES 162 THROUGH

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576 166 OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA.  
 577 LESS AND EXCEPT LONGLEAF RIDGE PHASE II, PER PLAT  
 578 THEREOF RECORDED IN PLAT BOOK 13, PAGES 190 THROUGH  
 579 193 OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA.  
 580 LESS AND EXCEPT LONGLEAF RIDGE PHASE III, PER PLAT  
 581 THEREOF RECORDED IN PLAT BOOK 14, PAGES 66 THROUGH 72  
 582 OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA.  
 583 LESS AND EXCEPT LONGLEAF RIDGE PHASE IV, PER PLAT  
 584 THEREOF RECORDED IN PLAT BOOK 14, PAGES 106 THROUGH  
 585 110 OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA.  
 586 LESS AND EXCEPT LONGLEAF RIDGE PHASE V, PER PLAT  
 587 THEREOF RECORDED IN PLAT BOOK 14, PAGES 136 THROUGH  
 588 141 OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA.  
 589 LESS AND EXCEPT LONGLEAF RIDGE PHASE VI, PER PLAT  
 590 THEREOF RECORDED IN PLAT BOOK 15, PAGES 107 THROUGH  
 591 111 OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA.  
 592 LESS AND EXCEPT ON TOP OF THE WORLD COMMUNITIES  
 593 LONGLEAF RIDGE PHASE VIII, PER PLAT THEREOF RECORDED  
 594 IN PLAT BOOK 15, PAGES 193 THROUGH 196 OF THE PUBLIC  
 595 RECORDS OF MARION COUNTY, FLORIDA.  
 596  
 597 LESS AND EXCEPT (WEST MAINTENANCE PARCEL)  
 598 A PARCEL OF LAND LYING IN SECTIONS 15 & 22, TOWNSHIP  
 599 16 SOUTH, RANGE 20 EAST, MARION COUNTY, FLORIDA, ALSO  
 600 BEING A PORTION OF CIRCLE SQUARE WOODS AS PER PLAT

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601 THEREOF AS RECORDED IN PLAT BOOK P, PAGES 30 THROUGH  
 602 103 OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA,  
 603 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 604 COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 22;  
 605 THENCE N.71°51'36"E., 302.72 FEET TO THE POINT OF  
 606 BEGINNING; THENCE N.90°00'00"E., 700.60 FEET; THENCE  
 607 S.00°00'00"E., 890.11 FEET; THENCE S.90°00'00"W.,  
 608 711.29 FEET; THENCE N.00°41'18"E., 890.17 FEET TO THE  
 609 POINT OF BEGINNING. SAID LANDS CONTAINING 14.43 ACRES,  
 610 MORE OR LESS.

611  
 612 LESS AND EXCEPT (RV PARCEL)  
 613 A PARCEL OF LAND LYING IN SECTIONS 15 & 22, TOWNSHIP  
 614 16 SOUTH, RANGE 20 EAST, MARION COUNTY, FLORIDA, ALSO  
 615 BEING A PORTION OF CIRCLE SQUARE WOODS AS PER PLAT  
 616 THEREOF AS RECORDED IN PLAT BOOK P, PAGES 30 THROUGH  
 617 103 OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA,  
 618 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 619 COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 22;  
 620 THENCE N.84°33'08"E., 992.75 FEET TO THE POINT OF  
 621 BEGINNING; THENCE N.90°00'00"E., 750.01 FEET; THENCE  
 622 S.00°00'00"E., 721.91 FEET; THENCE S.89°58'14"E.,  
 623 21.54 FEET; THENCE S.00°26'23"E., 15.19 FEET; THENCE  
 624 N.89°49'34"W., 21.66 FEET; THENCE S.00°00'00"E., 90.57  
 625 FEET; THENCE S.45°00'00"W., 88.39 FEET; THENCE

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626 S.90°00'00"W., 687.51 FEET; THENCE N.00°00'00"E.,  
 627 890.11 FEET TO THE POINT OF BEGINNING. SAID LANDS  
 628 CONTAINING 15.28 ACRES, MORE OR LESS.

629  
 630 LESS AND EXCEPT THE EAST 916.75 OF THE NORTH 905.14 OF  
 631 THE WEST 1/2 OF SECTION 22, TOWNSHIP 16 SOUTH. RANGE  
 632 20 EAST, MARION COUNTY, FLORIDA.

633  
 634 AND

635  
 636 THE N.W. 1/4 OF SECTION 27, TOWNSHIP 16 SOUTH. RANGE  
 637 20 EAST, MARION COUNTY, FLORIDA.

638 LESS AND EXCEPT THE SOUTH 15 FEET OF THE NW 1/4 OF  
 639 SAID SECTION 27,

640 LESS AND EXCEPT LONGLEAF RIDGE PHASE VI, PER PLAT  
 641 THEREOF RECORDED IN PLAT BOOK 15, PAGES 107 THROUGH  
 642 111 OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA.

643 LESS AND EXCEPT ON TOP OF THE WORLD COMMUNITIES  
 644 LONGLEAF RIDGE PHASE VII, PER PLAT THEREOF RECORDED IN  
 645 PLAT BOOK 15, PAGES 187 THROUGH 192 OF THE PUBLIC  
 646 RECORDS OF MARION COUNTY, FLORIDA.

647 LESS AND EXCEPT ON TOP OF THE WORLD COMMUNITIES  
 648 LONGLEAF RIDGE PHASE VIII, PER PLAT THEREOF RECORDED  
 649 IN PLAT BOOK 15, PAGES 193 THROUGH 196 OF THE PUBLIC  
 650 RECORDS OF MARION COUNTY, FLORIDA.

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651  
 652       AND  
 653  
 654       ALL OF THE LANDS LYING IN SECTION 28, TOWNSHIP 16  
 655       SOUTH. RANGE 20 EAST, MARION COUNTY , FLORIDA.  
 656       LESS AND EXCEPT THE EAST 1/2 OF THE S.E. 1/4 OF SAID  
 657       SECTION 28  
 658       LESS AND EXCEPT THE NORTH 1/2 OF THE N.W. 1/4 OF THE  
 659       S.E. 1/4 OF SAID SECTION 28  
 660       AND  
 661       THE WEST 1/2 OF THE N.E. 1/4, AND THE N.W. 1/4 OF THE  
 662       S.E. 1/4 LYING NORTH OF THE STATE ROAD NO. 484,  
 663       SECTION 33, TOWNSHIP 16 SOUTH, RANGE 20 EAST. MARION  
 664       COUNTY, FLORIDA.  
 665  
 666       AND  
 667       THE N.E. 1/4 OF THE N.W. 1/4 LESS THE S.W. 1/4 OF THE  
 668       N.E. 1/4 OF THE N.W. 1/4 AND LESS THE WEST 1/2 OF THE  
 669       S.E. 1/4 OF THE N.E. 1/4 OF THE N.W. 1/4 OF SECTION  
 670       33, TOWNSHIP 16 SOUTH, RANGE 20 EAST, MARION COUNTY,  
 671       FLORIDA.  
 672  
 673       AND  
 674       THE EAST 1/4 THE S.E. 1/4 OF THE N.W. 1/4 SECTION 33,  
 675       TOWNSHIP 16 SOUTH, RANGE 20 EAST, MARION COUNTY,

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676        FLORIDA.

677

678        AND

679        THE EAST 1/4 THE N.E. 1/4 OF THE S.W. 1/4 LYING NORTH

680        OF THE STATE ROAD NO. 484, SECTION 33, TOWNSHIP 16

681        SOUTH, RANGE 20 EAST, MARION COUNTY, FLORIDA.

682

683        AND

684        THAT PORTION OF CIRCLE SQUARE WOODS, PER PLAT THEREOF

685        RECORDED IN PLAT BOOK "P", PAGES 30 THROUGH 103 OF THE

686        PUBLIC RECORDS OF MARION COUNTY, FLORIDA IN SECTION

687        33, TOWNSHIP 15 SOUTH, RANGE 20 EAST, MARION COUNTY,

688        FLORIDA LYING SOUTH OF THE 120 FEET WIDE STRIP OF

689        LAND ABANDONED FORMER MAIN TRACK OF RAILROAD Ocala TO

690        JULIETTE BRANCH.

691

692        AND

693        THE SOUTH 1/2 OF THE S.W. 1/4 OF SECTION 34, TOWNSHIP

694        15 SOUTH, RANGE 20 EAST, MARION COUNTY, FLORIDA.

695

696        AND

697        THAT PARCEL OF LANDS DESCRIBED IN OFFICIAL RECORDS

698        BOOK 8335, PAGE 418 OF THE PUBLIC RECORDS OF MARION

699        COUNTY, FLORIDA.

700

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701           AND  
 702           THAT PARCEL OF LANDS DESCRIBED IN OFFICIAL RECORDS  
 703           BOOK 7549, PAGE 90 OF THE PUBLIC RECORDS OF MARION  
 704           COUNTY, FLORIDA.

705  
 706           AND  
 707           THAT PARCEL OF LANDS DESCRIBED IN OFFICIAL RECORDS  
 708           BOOK 8278, PAGE 1677 OF THE PUBLIC RECORDS OF MARION  
 709           COUNTY, FLORIDA.

710  
 711           AND  
 712           THAT PARCEL OF LANDS DESCRIBED IN OFFICIAL RECORDS  
 713           BOOK 8420, PAGE 627 OF THE PUBLIC RECORDS OF MARION  
 714           COUNTY, FLORIDA.

715  
 716           SAID LANDS CONTAINING 5,161.21 ACRES, MORE OR LESS

717  
 718           Being subject to any rights-of-way, restrictions and easements  
 719           of record.

720           Section 5. Board of supervisors; members and meetings;  
 721           organization; powers; duties; terms of office; related election  
 722           requirements.—

723           (1) The board of the district shall exercise the powers  
 724           granted to the district pursuant to this act. The board shall  
 725           consist of five members, each of whom shall hold office for a

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726 term of 4 years, as provided in this section, except as  
727 otherwise provided herein for initial board members, and until a  
728 successor is chosen and qualified. The members of the board must  
729 be residents of the state and citizens of the United States.

730 (2) (a) Within 90 days after the effective date of this  
731 act, there shall be held a meeting of the landowners of the  
732 district for the purpose of electing five supervisors for the  
733 district. Notice of the landowners' meeting shall be published  
734 once a week for 2 consecutive weeks in a newspaper that is in  
735 general circulation in the area of the district, the last day of  
736 such publication to be not fewer than 14 days or more than 28  
737 days before the date of the election. The landowners, when  
738 assembled at such meeting, shall organize by electing a chair,  
739 who shall conduct the meeting. The chair may be any person  
740 present at the meeting. If the chair is a landowner or proxy  
741 holder of a landowner, he or she may nominate candidates and  
742 make and second motions. The landowners present at the meeting,  
743 in person or by proxy, shall constitute a quorum. At any  
744 landowners' meeting, 50 percent of the district acreage shall  
745 not be required to constitute a quorum, and each governing board  
746 member elected by landowners shall be elected by a majority of  
747 the acreage represented either by owner or proxy present and  
748 voting at said meeting.

749 (b) At such meeting, each landowner shall be entitled to  
750 cast one vote per acre of land owned by him or her and located

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751 within the district for each person to be elected. A landowner  
752 may vote in person or by proxy in writing. Each proxy must be  
753 signed by one of the legal owners of the property for which the  
754 vote is cast and must contain the typed or printed name of the  
755 individual who signed the proxy; the street address, legal  
756 description of the property, or tax parcel identification  
757 number; and the number of authorized votes. If the proxy  
758 authorizes more than one vote, each property must be listed and  
759 the number of acres of each property must be included. The  
760 signature on a proxy need not be notarized. A fraction of an  
761 acre shall be treated as 1 acre, entitling the landowner to one  
762 vote with respect thereto. The three candidates receiving the  
763 highest number of votes shall each be elected for terms expiring  
764 November 26, 2030, and the two candidates receiving the next  
765 highest number of votes shall each be elected for terms expiring  
766 November 28, 2028, with the term of office for each successful  
767 candidate commencing upon election. The members of the first  
768 board elected by landowners shall serve their respective terms;  
769 however, the next election of board members shall be held on the  
770 first Tuesday after the first Monday in November 2028.  
771 Thereafter, there shall be an election by landowners for the  
772 district every 2 years on the first Tuesday after the first  
773 Monday in November, which shall be noticed pursuant to paragraph  
774 (a). The second and subsequent landowners' election shall be  
775 announced at a public meeting of the board at least 90 days

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776 before the date of the landowners' meeting and shall also be  
777 noticed pursuant to paragraph (a). Instructions on how all  
778 landowners may participate in the election, along with sample  
779 proxies, shall be provided during the board meeting that  
780 announces the landowners' meeting. Each supervisor elected in or  
781 after November 2028 shall serve a 4-year term.

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

786 2.a. Regardless of whether the district has proposed to  
787 levy ad valorem taxes, board members shall begin being elected  
788 by qualified electors of the district as the district becomes  
789 populated with qualified electors. The transition shall occur  
790 such that the composition of the board, after the first general  
791 election following a trigger of the qualified elector population  
792 thresholds set forth below, shall be as follows:

793 (I) Once 10,000 qualified electors reside within the  
794 district, one governing board member shall be a person who is a  
795 qualified elector of the district and who was elected by the  
796 qualified electors, and four governing board members shall be  
797 persons who were elected by the landowners.

798 (II) Once 16,000 qualified electors reside within the  
799 district, two governing board members shall be persons who are  
800 qualified electors of the district and who were elected by the

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801 qualified electors, and three governing board members shall be  
 802 persons elected who were by the landowners.

803 (III) Once 21,000 qualified electors reside within the  
 804 district, three governing board members shall be persons who are  
 805 qualified electors of the district and who were elected by the  
 806 qualified electors and two governing board members shall be  
 807 persons who were elected by the landowners.

808 (IV) Once 23,000 qualified electors reside within the  
 809 district, four governing board members shall be persons who are  
 810 qualified electors of the district and who were elected by the  
 811 qualified electors, and one governing board member shall be a  
 812 person who was elected by the landowners.

813 (V) Once 25,000 qualified electors reside within the  
 814 district, all five governing board members shall be persons who  
 815 are qualified electors of the district and who were elected by  
 816 the qualified electors.

817  
 818 Nothing in this sub-subparagraph is intended to require an  
 819 election prior to the expiration of an existing board member's  
 820 term.

821 b. On or before June 1 of each election year, the board  
 822 shall determine the number of qualified electors in the district  
 823 as of the immediately preceding April 15. The board shall use  
 824 and rely upon the official records maintained by the supervisor  
 825 of elections and property appraiser or tax collector in Marion

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826 County in making this determination. Such determination shall be  
827 made at a properly noticed meeting of the board and shall become  
828 a part of the official minutes of the district.

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

832 d. All governing board members elected by qualified  
833 electors shall reside in the district.

834 e. Once the district qualifies to have any of its board  
835 members elected by the qualified electors of the district, the  
836 initial and all subsequent elections by the qualified electors  
837 of the district shall be held at the general election in  
838 November. The board shall adopt a resolution, if necessary, to  
839 implement this requirement. The transition process described  
840 herein is intended to be in lieu of the process set forth in s.  
841 189.041, Florida Statutes.

842 (b) Elections of board members by qualified electors held  
843 pursuant to this subsection shall be nonpartisan and shall be  
844 conducted in the manner prescribed by law for holding general  
845 elections. Board members shall assume the office on the second  
846 Tuesday following their election.

847 (c) Candidates seeking election to office by qualified  
848 electors under this subsection shall conduct their campaigns in  
849 accordance with chapter 106, Florida Statutes, and shall file  
850 qualifying papers and qualify for individual seats in accordance

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851 with s. 99.061, Florida Statutes.

852 (d) The supervisor of elections shall appoint the  
853 inspectors and clerks of elections, prepare and furnish the  
854 ballots, designate polling places, and canvass the returns of  
855 the election of board members by qualified electors. The county  
856 canvassing board shall declare and certify the results of the  
857 election.

858 (4) Members of the board, regardless of how elected,  
859 shall be public officers, shall be known as supervisors, and,  
860 upon entering into office, shall take and subscribe to the oath  
861 of office as prescribed by s. 876.05, Florida Statutes. Members  
862 of the board shall be subject to ethics and conflict of interest  
863 laws of the state that apply to all local public officers. They  
864 shall hold office for the terms for which they were elected or  
865 appointed and until their successors are chosen and qualified.  
866 If, during the term of office, a vacancy occurs, the remaining  
867 members of the board shall fill each vacancy by an appointment  
868 for the remainder of the unexpired term.

869 (5) Any elected member of the board of supervisors may be  
870 removed by the Governor for malfeasance, misfeasance,  
871 dishonesty, incompetency, or failure to perform the duties  
872 imposed upon him or her by this act, and any vacancies that may  
873 occur in such office for such reasons shall be filled by the  
874 Governor as soon as practicable.

875 (6) A majority of the members of the board constitutes a

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876 quorum for the purposes of conducting its business and  
877 exercising its powers and for all other purposes. Action taken  
878 by the district shall be upon a vote of a majority of the  
879 members present unless general law or a rule of the district  
880 requires a greater number.

881 (7) As soon as practicable after each election or  
882 appointment, the board shall organize by electing one of its  
883 members as chair and by electing a secretary, who need not be a  
884 member of the board, and such other officers as the board may  
885 deem necessary.

886 (8) The board shall keep a permanent record book entitled  
887 "Record of Proceedings of the Uplands Stewardship District," in  
888 which shall be recorded minutes of all meetings, resolutions,  
889 proceedings, certificates, bonds given by all employees, and any  
890 and all corporate acts. The record book and all other district  
891 records shall at reasonable times be opened to inspection in the  
892 same manner as state, county, and municipal records pursuant to  
893 chapter 119, Florida Statutes. The record book shall be kept at  
894 the office or other regular place of business maintained by the  
895 board in a designated location in Marion County.

896 (9) No supervisor shall be entitled to receive  
897 compensation for his or her services in excess of the limits  
898 established in s. 190.006(8), Florida Statutes, or any successor  
899 statute thereto; however, each supervisor shall receive travel  
900 and per diem expenses as set forth in s. 112.061, Florida

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901 Statutes.

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

904 Section 6. Board of supervisors; general duties.—

905 (1) DISTRICT MANAGER AND EMPLOYEES.—The board shall employ  
906 and fix the compensation of a district manager, who shall have  
907 charge and supervision of the works of the district and shall be  
908 responsible for preserving and maintaining any improvement or  
909 facility constructed or erected pursuant of this act, for  
910 maintaining and operating the equipment owned by the district,  
911 and for performing such other duties as may be prescribed by the  
912 board. It shall not be a conflict of interest or constitute an  
913 abuse of public position under chapter 112, Florida Statutes,  
914 for a board member, the district manager, or another employee of  
915 the district to be a stockholder, officer, or employee of a  
916 landowner or an affiliate of a landowner. The district manager  
917 may hire or otherwise employ and terminate the employment of  
918 such other persons, including, without limitation, professional,  
919 supervisory, and clerical employees, as may be necessary and  
920 authorized by the board. The compensation and other conditions  
921 of employment of the officers and employees of the district  
922 shall be as provided by the board.

923 (2) TREASURER.—The board shall designate a person who is a  
924 resident of the state as treasurer of the district, who shall  
925 have charge of the funds of the district. Such funds shall be

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926 disbursed only upon the order of or pursuant to a resolution of  
 927 the board by warrant or check countersigned by the treasurer and  
 928 by such other person as may be authorized by the board. The  
 929 board may give the treasurer such other or additional powers and  
 930 duties as the board may deem appropriate and may fix his or her  
 931 compensation. The board may require the treasurer to give a bond  
 932 in such amount, on such terms, and with such sureties as may be  
 933 deemed satisfactory to the board to secure the performance by  
 934 the treasurer of his or her powers and duties. The financial  
 935 records of the board shall be audited by an independent  
 936 certified public accountant in accordance with the requirements  
 937 of general law.

938 (3) PUBLIC DEPOSITORY.—The board is authorized to select  
 939 as a depository for its funds any qualified public depository as  
 940 defined in s. 280.02, Florida Statutes, which meets all the  
 941 requirements of chapter 280, Florida Statutes, and has been  
 942 designated by the treasurer as a qualified public depository  
 943 upon such terms and conditions as to the payment of interest by  
 944 such depository upon the funds so deposited as the board may  
 945 deem just and reasonable.

946 (4) BUDGET; REPORTS AND REVIEWS.—

947 (a) The district shall provide financial reports in such  
 948 form and such manner as prescribed pursuant to this act and  
 949 chapter 218, Florida Statutes, as amended from time to time.

950 (b) On or before July 15 of each year, the district

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951 manager shall prepare a proposed budget for the ensuing fiscal  
952 year to be submitted to the board for board approval. The  
953 proposed budget shall include at the direction of the board an  
954 estimate of all necessary expenditures of the district for the  
955 ensuing fiscal year and an estimate of income to the district  
956 from the taxes and assessments provided in this act. The board  
957 shall consider the proposed budget item by item and may either  
958 approve the budget as proposed by the district manager or modify  
959 the same in part or in whole. The board shall indicate its  
960 approval of the budget by resolution, which resolution shall  
961 provide for a hearing on the budget as approved. Notice of the  
962 hearing on the budget shall be published in a newspaper of  
963 general circulation in the area of the district once a week for  
964 2 consecutive weeks, except that the first publication shall be  
965 no less than 15 days prior to the date of the hearing. The  
966 notice shall further contain a designation of the day, time, and  
967 place of the public hearing. At the time and place designated in  
968 the notice, the board shall hear all objections to the budget as  
969 proposed and may make such changes as the board deems necessary.  
970 At the conclusion of the budget hearing, the board shall, by  
971 resolution, adopt the budget as finally approved by the board.  
972 The budget shall be adopted prior to October 1 of each year.

973 (c) At least 60 days prior to adoption, the board of  
974 supervisors of the district shall submit to the Board of County  
975 Commissioners of Marion County, for purposes of disclosure and

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976 information only, the proposed annual budget for the ensuing  
 977 fiscal year, and the commission may submit written comments to  
 978 the board of supervisors solely for the assistance and  
 979 information of the board of supervisors of the district in  
 980 adopting its annual district budget.

981 (d) The board of supervisors of the district shall submit  
 982 annually a public facilities report to the Board of County  
 983 Commissioners of Marion County pursuant to Florida Statutes. The  
 984 commission may use and rely on the district's public facilities  
 985 report in the preparation or revision of the Marion County  
 986 comprehensive plan.

987 (5) DISCLOSURE OF PUBLIC INFORMATION; WEB-BASED PUBLIC  
 988 ACCESS.—The district shall take affirmative steps to provide for  
 989 the full disclosure of information relating to the public  
 990 financing and maintenance of improvements to real property  
 991 undertaken by the district. Such information shall be made  
 992 available to all existing residents and all prospective  
 993 residents of the district. The district shall furnish each  
 994 developer of a residential development within the district with  
 995 sufficient copies of that information to provide each  
 996 prospective initial purchaser of property in that development  
 997 with a copy; and any developer of a residential development  
 998 within the district, when required by law to provide a public  
 999 offering statement, shall include a copy of such information  
 1000 relating to the public financing and maintenance of improvements

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1001 in the public offering statement. The district shall file the  
 1002 disclosure documents required by this subsection and any  
 1003 amendments thereto in the property records of each county in  
 1004 which the district is located. By the end of the first full  
 1005 fiscal year of the district's creation, the district shall  
 1006 maintain an official Internet website in accordance with s.  
 1007 189.069, Florida Statutes.

1008 (6) GENERAL POWERS.—The district shall have, and the board  
 1009 may exercise, the following general powers:

1010 (a) To sue and be sued in the name of the district; to  
 1011 adopt and use a seal and authorize the use of a facsimile  
 1012 thereof; to acquire, by purchase, gift, devise, or otherwise,  
 1013 and to dispose of, real and personal property, or any estate  
 1014 therein; and to make and execute contracts and other instruments  
 1015 necessary or convenient to the exercise of its powers.

1016 (b) To apply for coverage of its employees under the  
 1017 Florida Retirement System in the same manner as if such  
 1018 employees were state employees.

1019 (c) To contract for the services of consultants to perform  
 1020 planning, engineering, legal, or other appropriate services of a  
 1021 professional nature. Such contracts shall be subject to public  
 1022 bidding or competitive negotiation requirements as set forth in  
 1023 general law applicable to independent special districts.

1024 (d) To borrow money and accept gifts; to apply for and use  
 1025 grants or loans of money or other property from the United

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1026 States, the state, a unit of local government, or any person for  
 1027 any district purposes and enter into agreements required in  
 1028 connection therewith; and to hold, use, and dispose of such  
 1029 moneys or property for any district purposes in accordance with  
 1030 the terms of the gift, grant, loan, or agreement relating  
 1031 thereto.

1032 (e) To adopt and enforce rules and orders pursuant to  
 1033 chapter 120, Florida Statutes, prescribing the powers, duties,  
 1034 and functions of the officers of the district; the conduct of  
 1035 the business of the district; the maintenance of records; and  
 1036 the form of certificates evidencing tax liens and all other  
 1037 documents and records of the district. The board may also adopt  
 1038 and enforce administrative rules with respect to any of the  
 1039 projects of the district and define the area to be included  
 1040 therein. The board may also adopt resolutions which may be  
 1041 necessary for the conduct of district business.

1042 (f) To maintain an office at such place or places as the  
 1043 board of supervisors designates in Marion County and within the  
 1044 district when facilities are available.

1045 (g) To hold, control, and acquire by donation, purchase,  
 1046 or condemnation, or dispose of, any public easements,  
 1047 dedications to public use, platted reservations for public  
 1048 purposes, or any reservations for those purposes authorized by  
 1049 this act and to make use of such easements, dedications, or  
 1050 reservations for the purposes authorized by this act.

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1051 (h) To lease as lessor or lessee to or from any person,  
 1052 firm, corporation, association, or body, public or private, any  
 1053 projects of the type that the district is authorized to  
 1054 undertake and facilities or property of any nature for the use  
 1055 of the district to carry out the purposes authorized by this  
 1056 act.

1057 (i) To borrow money and issue bonds, certificates,  
 1058 warrants, notes, or other evidence of indebtedness as provided  
 1059 herein; to levy such taxes and assessments as may be authorized;  
 1060 and to charge, collect, and enforce fees and other user charges.

1061 (j) To raise, by user charges or fees authorized by  
 1062 resolution of the board, amounts of money which are necessary  
 1063 for the conduct of district activities and services and to  
 1064 enforce their receipt and collection in the manner prescribed by  
 1065 resolution not inconsistent with law.

1066 (k) To exercise all powers of eminent domain now or  
 1067 hereafter conferred on counties in this state provided, however,  
 1068 that such power of eminent domain may not be exercised outside  
 1069 the territorial limits of the district unless the district  
 1070 receives prior approval by vote of a resolution of the governing  
 1071 body of the county if the taking will occur in an unincorporated  
 1072 area in that county, or the governing body of the city if the  
 1073 taking will occur in an incorporated area. The district shall  
 1074 not have the power to exercise eminent domain over municipal,  
 1075 county, state, or federal property. The powers hereinabove

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1076 granted to the district shall be so construed to enable the  
 1077 district to fulfill the objects and purposes of the district as  
 1078 set forth in this act.

1079 (l) To cooperate with, or contract with, other  
 1080 governmental agencies as may be necessary, convenient,  
 1081 incidental, or proper in connection with any of the powers,  
 1082 duties, or purposes authorized by this act.

1083 (m) To assess and to impose upon lands in the district ad  
 1084 valorem taxes as provided by this act.

1085 (n) If and when authorized by general law, to determine,  
 1086 order, levy, impose, collect, and enforce maintenance taxes.

1087 (o) To determine, order, levy, impose, collect, and  
 1088 enforce assessments pursuant to this act and chapter 170,  
 1089 Florida Statutes, as amended from time to time, pursuant to  
 1090 authority granted in s. 197.3631, Florida Statutes, or pursuant  
 1091 to other general laws, now or hereafter enacted, which provide  
 1092 or authorize a supplemental means to order, levy, impose, or  
 1093 collect special assessments. Such special assessments, in the  
 1094 discretion of the district, may be collected and enforced  
 1095 pursuant to ss. 197.3632 and 197.3635, Florida Statutes, and  
 1096 chapters 170 and 173, Florida Statutes, as they may be amended  
 1097 from time to time, or as provided by this act, or by other means  
 1098 authorized by general law now or hereafter enacted. The district  
 1099 may levy such special assessments for the purposes enumerated in  
 1100 this act and to pay special assessments imposed by Marion County

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1101 on lands within the district.

1102 (p) To exercise such special powers and other express  
 1103 powers as may be authorized and granted by this act in the  
 1104 charter of the district, including powers as provided in any  
 1105 interlocal agreement entered into pursuant to chapter 163,  
 1106 Florida Statutes, or which shall be required or permitted to be  
 1107 undertaken by the district pursuant to any development order,  
 1108 including any detailed specific area plan development order, or  
 1109 any interlocal service agreement with Marion County or other  
 1110 unit of government for fair-share capital construction funding  
 1111 for any certain capital facilities or systems required of a  
 1112 developer pursuant to any applicable development order or  
 1113 agreement.

1114 (q) To exercise all of the powers necessary, convenient,  
 1115 incidental, or proper in connection with any other powers or  
 1116 duties or the special and limited purpose of the district  
 1117 authorized by this act.

1118  
 1119 This subsection shall be construed liberally in order to carry  
 1120 out effectively the special and limited purpose of this act.

1121 (7) SPECIAL POWERS.—The district shall have, and the board  
 1122 may exercise, the following special powers to implement its  
 1123 lawful and special purpose and to provide, pursuant to that  
 1124 purpose, systems, facilities, services, improvements, projects,  
 1125 works, and infrastructure, each of which constitutes a lawful

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1126 public purpose when exercised pursuant to this charter, subject  
 1127 to, and not inconsistent with, general law regarding utility  
 1128 providers' territorial and service agreements, the regulatory  
 1129 jurisdiction and permitting authority of all other applicable  
 1130 governmental bodies, agencies, and any special districts having  
 1131 authority with respect to any area included therein, and to  
 1132 plan, establish, acquire, construct or reconstruct, enlarge or  
 1133 extend, equip, operate, finance, fund, and maintain  
 1134 improvements, systems, facilities, services, works, projects,  
 1135 and infrastructure. Any or all of the following special powers  
 1136 are granted by this act in order to implement the special and  
 1137 limited purpose of the district but do not constitute  
 1138 obligations to undertake such improvements, systems, facilities,  
 1139 services, works, projects, or infrastructure:

1140 (a) To provide water management and control for the lands  
 1141 within the district, including irrigation systems and  
 1142 facilities, and to connect some or any of such facilities with  
 1143 roads and bridges. In the event that the board assumes the  
 1144 responsibility for providing water management and control for  
 1145 the district which is to be financed by benefit special  
 1146 assessments, the board shall adopt plans and assessments  
 1147 pursuant to law or may proceed to adopt water management and  
 1148 control plans, assess for benefits, and apportion and levy  
 1149 special assessments, as follows:

1150 1. The board shall cause to be made by the district's

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1151 engineer, or such other engineer or engineers as the board may  
1152 employ for that purpose, complete and comprehensive water  
1153 management and control plans for the lands located within the  
1154 district that will be improved in any part or in whole by any  
1155 system of facilities that may be outlined and adopted, and the  
1156 engineer shall make a report in writing to the board with maps  
1157 and profiles of said surveys and an estimate of the cost of  
1158 carrying out and completing the plans.

1159 2. Upon the completion of such plans, the board shall hold  
1160 a hearing thereon to hear objections thereto, shall give notice  
1161 of the time and place fixed for such hearing by publication once  
1162 each week for 2 consecutive weeks in a newspaper of general  
1163 circulation in the general area of the district, and shall  
1164 permit the inspection of the plan at the office of the district  
1165 by all persons interested. All objections to the plan shall be  
1166 filed at or before the time fixed in the notice for the hearing  
1167 and shall be in writing.

1168 3. After the hearing, the board shall consider the  
1169 proposed plan and any objections thereto and may modify, reject,  
1170 or adopt the plan or continue the hearing until a day certain  
1171 for further consideration of the proposed plan or modifications  
1172 thereof.

1173 4. When the board approves a plan, a resolution shall be  
1174 adopted and a certified copy thereof shall be filed in the  
1175 office of the secretary and incorporated by him or her into the

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1176 records of the district.

1177 5. The water management and control plan may be altered in  
 1178 detail from time to time until the engineer's report pursuant to  
 1179 s. 298.301, Florida Statutes, is filed but not in such manner as  
 1180 to affect materially the conditions of its adoption. After the  
 1181 engineer's report has been filed, no alteration of the plan  
 1182 shall be made, except as provided by this act.

1183 6. Within 20 days after the final adoption of the plan by  
 1184 the board, the board shall proceed pursuant to s. 298.301,  
 1185 Florida Statutes.

1186 (b) To provide utility systems, water supply, sewer,  
 1187 wastewater, and reclaimed water management, reclamation, and  
 1188 reuse, or any combination thereof, and any irrigation systems,  
 1189 facilities, and services and to construct and operate water  
 1190 systems, sewer systems, irrigation systems, and reclaimed water  
 1191 systems such as connecting intercepting or outlet sewers and  
 1192 sewer mains and pipes and water mains, conduits, or pipelines  
 1193 in, along, and under any street, alley, highway, or other public  
 1194 place or ways, and to dispose of any water, effluent, residue,  
 1195 or other byproducts of such water system, sewer system,  
 1196 irrigation system, or reclaimed water system and to enter into  
 1197 interlocal agreements and other agreements with public or  
 1198 private entities for the same.

1199 (c) To provide bridges, culverts, wildlife corridors, or  
 1200 road crossings that may be needed across any drain, ditch,

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1201 canal, floodway, holding basin, excavation, public highway,  
 1202 tract, grade, fill, or cut and roadways over levees and  
 1203 embankments, and to construct any and all of such works and  
 1204 improvements across, through, or over any public right-of-way,  
 1205 highway, grade, fill, or cut.

1206 (d) To provide district roads or other roads equal to or  
 1207 exceeding the specifications of the county in which such  
 1208 district roads or other roads are located, and to provide street  
 1209 lights. This special power includes, but is not limited to,  
 1210 roads, parkways, intersections, bridges, landscaping,  
 1211 hardscaping, irrigation, bicycle lanes, sidewalks, jogging  
 1212 paths, golf cart paths, multimodal and multiuse pathways and  
 1213 trails, street lighting, traffic signals, regulatory or  
 1214 informational signage, road striping, underground conduit,  
 1215 underground cable or fiber or wire installed pursuant to an  
 1216 agreement with or tariff of a retail provider of services, and  
 1217 all other customary elements of a functioning modern road system  
 1218 in general or as tied to the conditions of development approval  
 1219 for the area within and without the district, and parking  
 1220 facilities that are freestanding or that may be related to any  
 1221 innovative strategic intermodal system of transportation  
 1222 pursuant to applicable federal, state, and local law and  
 1223 ordinance.

1224 (e) To provide buses, trolleys, rail access, mass transit  
 1225 facilities, transit shelters, ridesharing facilities and

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1226 services, parking improvements, and related signage.

1227 (f) To provide investigation and remediation costs

1228 associated with the cleanup of actual or perceived environmental

1229 contamination within the district under the supervision or

1230 direction of a competent governmental authority unless the

1231 covered costs benefit any person who is a landowner within the

1232 district and who caused or contributed to the contamination.

1233 (g) To provide observation areas, mitigation areas,

1234 wetland creation areas, and wildlife habitat, including the

1235 maintenance of any plant or animal species, and any related

1236 interest in real or personal property.

1237 (h) Using its general and special powers as set forth in

1238 this act, to provide any other project within or without the

1239 boundaries of the district when the project is the subject of an

1240 agreement between the district and the Board of County

1241 Commissioners of Marion County or with any other applicable

1242 public or private entity, and is not inconsistent with the

1243 effective local comprehensive plans.

1244 (i) To provide parks and facilities for indoor and outdoor

1245 recreational, cultural, and educational uses.

1246 (j) To serve the public interest by providing new

1247 recreational trails that are interconnected with existing trails

1248 located within the Marjorie Harris Carr Cross Florida Greenway.

1249 Such trails will provide hiking, biking, and equestrian

1250 recreational opportunities consistent with the policy of the

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1251 Board of Trustees of the Internal Improvement Trust Fund  
 1252 encouraging public access upon state-owned uplands.  
 1253 (k) To provide school buildings and related structures,  
 1254 which may be leased, sold, or donated to the school district,  
 1255 for use in the educational system when authorized by the  
 1256 district school board.  
 1257 (l) To provide security, including electronic intrusion-  
 1258 detection systems and patrol vehicles, when authorized by proper  
 1259 governmental agencies, and to contract with the appropriate  
 1260 local general-purpose government agencies for an increased level  
 1261 of such services within the district boundaries. However, this  
 1262 paragraph does not prohibit the district from contracting with a  
 1263 towing operator to remove a vehicle or vessel from a district-  
 1264 owned facility or property if the district follows the  
 1265 authorization and notice and procedural requirements in s.  
 1266 715.07, Florida Statutes, for an owner or lessee of private  
 1267 property. The district's selection of a towing operator is not  
 1268 subject to public bidding if the towing operator is included in  
 1269 an approved list of tow operators maintained by the local  
 1270 government that has jurisdiction over the district's facility or  
 1271 property.  
 1272 (m) To provide control and elimination of mosquitoes and  
 1273 other arthropods of public health importance.  
 1274 (n) To enter into impact fee, mobility fee, or other  
 1275 similar credit agreements with Marion County or other

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1276 governmental bodies or a landowner developer and to sell or  
 1277 assign such credits, on such terms as the district deems  
 1278 appropriate.

1279 (o) To provide buildings and structures for district  
 1280 offices; maintenance facilities; meeting facilities; town  
 1281 centers; stadiums; recreational facilities such as, but not  
 1282 limited to, sports fields, aquatic facilities, and sports  
 1283 courts; or any other project authorized or granted by this act.

1284 (p) To establish and create, at noticed meetings, such  
 1285 departments of the board of supervisors of the district, as well  
 1286 as committees, task forces, boards, or commissions, or other  
 1287 agencies under the supervision and control of the district, as  
 1288 from time to time the members of the board may deem necessary or  
 1289 desirable in the performance of the acts or other things  
 1290 necessary to exercise the board's general or special powers to  
 1291 implement an innovative project to carry out the special and  
 1292 limited purpose of the district as provided in this act and to  
 1293 delegate the exercise of its powers to such departments, boards,  
 1294 task forces, committees, or other agencies, and such  
 1295 administrative duties and other powers as the board may deem  
 1296 necessary or desirable, but only if there is a set of expressed  
 1297 limitations for accountability, notice, and periodic written  
 1298 reporting to the board that shall retain the powers of the  
 1299 board.

1300 (q) To provide electrical, sustainable, or green

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1301 infrastructure improvements, facilities, and services,  
 1302 including, but not limited to, recycling of natural resources,  
 1303 reduction of energy demands, development and generation of  
 1304 alternative or renewable energy sources and technologies,  
 1305 mitigation of urban heat islands, sequestration, capping or  
 1306 trading of carbon emissions or carbon emissions credits, LEED or  
 1307 Florida Green Building Coalition certification, and development  
 1308 of facilities and improvements for low-impact development and to  
 1309 enter into joint ventures, public-private partnerships, and  
 1310 other agreements and to grant such easements as may be necessary  
 1311 to accomplish the foregoing. Nothing herein shall authorize the  
 1312 district to provide electric service to retail customers or  
 1313 otherwise act to impair electric utility franchise agreements.

1314 (r) To provide for any facilities or improvements that may  
 1315 otherwise be provided for by any county or municipality,  
 1316 including, but not limited to, libraries, annexes, substations,  
 1317 and other buildings to house public officials, staff, and  
 1318 employees.

1319 (s) To provide waste collection and disposal.

1320 (t) To provide for the construction and operation of  
 1321 communications systems and related infrastructure for the  
 1322 carriage and distribution of communications services, and to  
 1323 enter into joint ventures, public-private partnerships, and  
 1324 other agreements and to grant such easements as may be necessary  
 1325 to accomplish the foregoing. The term "communications systems"

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1326 means all facilities, buildings, equipment, items, and methods  
 1327 necessary or desirable in order to provide communications  
 1328 services, including, without limitation, fiber, wires, cables,  
 1329 conduits, electronic equipment, switches, wireless cell sites,  
 1330 computers, modems, antennas, satellite antennae sites,  
 1331 transmission facilities, network facilities, and appurtenant  
 1332 devices necessary and appropriate to support the provision of  
 1333 communications services. The term "communications services"  
 1334 includes, without limitation, all forms of broadband services,  
 1335 wireless communications services, and other communications or  
 1336 data transmissions services that enable users to access the  
 1337 Internet and internet-related services, such as, but not limed  
 1338 to, voice telephone or similar services provided by voiceover  
 1339 Internet protocol, cable television, data transmission services,  
 1340 electronic security monitoring services, and multichannel video  
 1341 programming distribution services. Nothing herein authorizes the  
 1342 district to provide communications services to retail customers  
 1343 or otherwise act to impair existing service provider franchise  
 1344 agreements; however, the district may contract with such  
 1345 providers for resale purposes.

1346 (u) To provide health care facilities and to enter into  
 1347 public-private partnerships and agreements as may be necessary  
 1348 to accomplish the foregoing.

1349 (v) To coordinate, work with, and, as the board deems  
 1350 appropriate, enter into interlocal agreements with any public or

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1351 private entity for the provision of an institution or  
 1352 institutions of higher education.

1353 (w) To coordinate, work with, and as the board deems  
 1354 appropriate, enter into public-private partnerships and  
 1355 agreements as may be necessary or useful to effectuate the  
 1356 purposes of this act.

1357  
 1358 The enumeration of special powers herein shall not be deemed  
 1359 exclusive or restrictive but shall be deemed to incorporate all  
 1360 powers express or implied necessary or incidental to carrying  
 1361 out such enumerated special powers, including also the general  
 1362 powers provided by this special act charter to the district to  
 1363 implement its purposes. Further, this subsection shall be  
 1364 construed liberally in order to carry out effectively the  
 1365 special and limited purpose of this district under this act.

1366 (8) ISSUANCE OF BOND ANTICIPATION NOTES.—In addition to  
 1367 the other powers provided for in this act, and not in limitation  
 1368 thereof, the district shall have the power, at any time and from  
 1369 time to time after the issuance of any bonds of the district  
 1370 shall have been authorized, to borrow money for the purposes for  
 1371 which such bonds are to be issued in anticipation of the receipt  
 1372 of the proceeds of the sale of such bonds and to issue bond  
 1373 anticipation notes in a principal sum not in excess of the  
 1374 authorized maximum amount of such bond issue. Such notes shall  
 1375 be in such denomination or denominations, bear interest at such

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1376 rate not to exceed the maximum rate allowed by general law,  
 1377 mature at such time or times not later than 5 years from the  
 1378 date of issuance, and be in such form and executed in such  
 1379 manner as the board shall prescribe. Such notes may be sold at  
 1380 either public or private sale or, if such notes shall be renewal  
 1381 notes, may be exchanged for notes then outstanding on such terms  
 1382 as the board shall determine. Such notes shall be paid from the  
 1383 proceeds of such bonds when issued. The board may, in its  
 1384 discretion, in lieu of retiring the notes by means of bonds,  
 1385 retire them by means of current revenues or from any taxes or  
 1386 assessments levied for the payment of such bonds, but, in such  
 1387 event, a like amount of the bonds authorized shall not be  
 1388 issued.

1389 (9) BORROWING.—The district at any time may obtain loans,  
 1390 in such amount and on such terms and conditions as the board may  
 1391 approve, for the purpose of paying any of the expenses of the  
 1392 district or any costs incurred or that may be incurred in  
 1393 connection with any of the projects of the district, which loans  
 1394 shall bear interest as the board determines, not to exceed the  
 1395 maximum rate allowed by general law, and may be payable from and  
 1396 secured by a pledge of such funds, revenues, taxes, and  
 1397 assessments as the board may determine, subject, however, to the  
 1398 provisions contained in any proceeding under which bonds were  
 1399 theretofore issued and are then outstanding. For the purpose of  
 1400 defraying such costs and expenses, the district may issue

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1401 negotiable notes, warrants, or other evidences of debt to be  
 1402 payable at such times and to bear such interest as the board may  
 1403 determine, not to exceed the maximum rate allowed by general  
 1404 law, and to be sold or discounted at such price or prices not  
 1405 less than 95 percent of par value and on such terms as the board  
 1406 may deem advisable. The board shall have the right to provide  
 1407 for the payment thereof by pledging the whole or any part of the  
 1408 funds, revenues, taxes, and assessments of the district or by  
 1409 covenanting to budget and appropriate from such funds. The  
 1410 approval of the electors residing in the district shall not be  
 1411 necessary except when required by the State Constitution.

1412 (10) BONDS.—

1413 (a) Sale of bonds.—Bonds may be sold in blocks or  
 1414 installments at different times, or an entire issue or series  
 1415 may be sold at one time. Bonds may be sold at public or private  
 1416 sale after such advertisement, if any, as the board may deem  
 1417 advisable, but not in any event at less than 90 percent of the  
 1418 par value thereof, together with accrued interest thereon. Bonds  
 1419 may be sold or exchanged for refunding bonds. Special assessment  
 1420 and revenue bonds may be delivered by the district as payment of  
 1421 the purchase price of any project or part thereof, or a  
 1422 combination of projects or parts thereof, or as the purchase  
 1423 price or exchange for any property, real, personal, or mixed,  
 1424 including franchises or services rendered by any contractor,  
 1425 engineer, or other person, all at one time or in blocks from

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1426 time to time, in such manner and upon such terms as the board in  
 1427 its discretion shall determine. The price or prices for any  
 1428 bonds sold, exchanged, or delivered may be:

1429 1. The money paid for the bonds.

1430 2. The principal amount, plus accrued interest to the date  
 1431 of redemption or exchange, or outstanding obligations exchanged  
 1432 for refunding bonds.

1433 3. In the case of special assessment or revenue bonds, the  
 1434 amount of any indebtedness to contractors or other persons paid  
 1435 with such bonds, or the fair value of any properties exchanged  
 1436 for the bonds, as determined by the board.

1437 (b) Authorization and form of bonds.—Any general  
 1438 obligation bonds, special assessment bonds, or revenue bonds may  
 1439 be authorized by resolution or resolutions of the board which  
 1440 shall be adopted by a majority of all the members thereof then  
 1441 in office. Such resolution or resolutions may be adopted at the  
 1442 same meeting at which they are introduced and need not be  
 1443 published or posted. The board may, by resolution, authorize the  
 1444 issuance of bonds and fix the aggregate amount of bonds to be  
 1445 issued; the purpose or purposes for which the moneys derived  
 1446 therefrom shall be expended, including, but not limited to,  
 1447 payment of costs as defined in section 2(2)(h); the rate or  
 1448 rates of interest, not to exceed the maximum rate allowed by  
 1449 general law; the denomination of the bonds; whether or not the  
 1450 bonds are to be issued in one or more series; the date or dates

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1451 of maturity, which shall not exceed 40 years from their  
 1452 respective dates of issuance; the medium of payment; the place  
 1453 or places within or without the state at which payment shall be  
 1454 made; registration privileges; redemption terms and privileges,  
 1455 whether with or without premium; the manner of execution; the  
 1456 form of the bonds, including any interest coupons to be attached  
 1457 thereto; the manner of execution of bonds and coupons; and any  
 1458 and all other terms, covenants, and conditions thereof and the  
 1459 establishment of revenue or other funds. Such authorizing  
 1460 resolution or resolutions may further provide for the contracts  
 1461 authorized by s. 159.825(1) (f) and (g), Florida Statutes,  
 1462 regardless of the tax treatment of such bonds being authorized,  
 1463 subject to the finding by the board of a net saving to the  
 1464 district resulting by reason thereof. Such authorizing  
 1465 resolution may further provide that such bonds may be executed  
 1466 in accordance with the Registered Public Obligations Act, except  
 1467 that bonds not issued in registered form shall be valid if  
 1468 manually countersigned by an officer designated by appropriate  
 1469 resolution of the board. The seal of the district may be  
 1470 affixed, lithographed, engraved, or otherwise reproduced in  
 1471 facsimile on such bonds. In case any officer whose signature  
 1472 shall appear on any bonds or coupons shall cease to be such  
 1473 officer before the delivery of such bonds, such signature or  
 1474 facsimile shall nevertheless be valid and sufficient for all  
 1475 purposes the same as if he or she had remained in office until

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1476 such delivery.

1477 (c) Interim certificates; replacement certificates.—

1478 Pending the preparation of definitive bonds, the board may issue  
1479 interim certificates or receipts or temporary bonds, in such  
1480 form and with such provisions as the board may determine,  
1481 exchangeable for definitive bonds when such bonds have been  
1482 executed and are available for delivery. The board may also  
1483 provide for the replacement of any bonds which become mutilated,  
1484 lost, or destroyed.

1485 (d) Negotiability of bonds.—Any bond issued under this act  
1486 or any temporary bond, in the absence of an express recital on  
1487 the face thereof that it is nonnegotiable, shall be fully  
1488 negotiable and shall be and constitute a negotiable instrument  
1489 within the meaning and for all purposes of the law merchant and  
1490 the laws of the state.

1491 (e) Defeasance.—The board may make such provision with  
1492 respect to the defeasance of the right, title, and interest of  
1493 the holders of any of the bonds and obligations of the district  
1494 in any revenues, funds, or other properties by which such bonds  
1495 are secured as the board deems appropriate and, without  
1496 limitation on the foregoing, may provide that when such bonds or  
1497 obligations become due and payable or shall have been called for  
1498 redemption and the whole amount of the principal and interest  
1499 and premium, if any, due and payable upon the bonds or  
1500 obligations then outstanding shall be held in trust for such

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1501 purpose, and provision shall also be made for paying all other  
 1502 sums payable in connection with such bonds or other obligations,  
 1503 then and in such event the right, title, and interest of the  
 1504 holders of the bonds in any revenues, funds, or other properties  
 1505 by which such bonds are secured shall thereupon cease,  
 1506 terminate, and become void; and the board may apply any surplus  
 1507 in any sinking fund established in connection with such bonds or  
 1508 obligations and all balances remaining in all other funds or  
 1509 accounts other than moneys held for the redemption or payment of  
 1510 the bonds or other obligations to any lawful purpose of the  
 1511 district as the board shall determine.

1512 (f) Issuance of additional bonds.—If the proceeds of any  
 1513 bonds are less than the cost of completing the project in  
 1514 connection with which such bonds were issued, the board may  
 1515 authorize the issuance of additional bonds, upon such terms and  
 1516 conditions as the board may provide in the resolution  
 1517 authorizing the issuance thereof, but only in compliance with  
 1518 the resolution or other proceedings authorizing the issuance of  
 1519 the original bonds.

1520 (g) Refunding bonds.—The district shall have the power to  
 1521 issue bonds to provide for the retirement or refunding of any  
 1522 bonds or obligations of the district that at the time of such  
 1523 issuance are or subsequent thereto become due and payable, or  
 1524 that at the time of issuance have been called or are, or will  
 1525 be, subject to call for redemption within 10 years thereafter,

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1526 or the surrender of which can be procured from the holders  
 1527 thereof at prices satisfactory to the board. Refunding bonds may  
 1528 be issued at any time that, in the judgment of the board, such  
 1529 issuance will be advantageous to the district. No approval of  
 1530 the qualified electors residing in the district shall be  
 1531 required for the issuance of refunding bonds except in cases in  
 1532 which such approval is required by the State Constitution. The  
 1533 board may by resolution confer upon the holders of such  
 1534 refunding bonds all rights, powers, and remedies to which the  
 1535 holders would be entitled if they continued to be the owners and  
 1536 had possession of the bonds for the refinancing of which such  
 1537 refunding bonds are issued, including, but not limited to, the  
 1538 preservation of the lien of such bonds on the revenues of any  
 1539 project or on pledged funds, without extinguishment, impairment,  
 1540 or diminution thereof. The provisions of this act pertaining to  
 1541 bonds of the district shall, unless the context otherwise  
 1542 requires, govern the issuance of refunding bonds, the form and  
 1543 other details thereof, the rights of the holders thereof, and  
 1544 the duties of the board with respect thereto.

1545 (h) Revenue bonds.—

1546 1. The district shall have the power to issue revenue  
 1547 bonds from time to time without limitation as to amount. Such  
 1548 revenue bonds may be secured by, or payable from, the gross or  
 1549 net pledge of the revenues to be derived from any project or  
 1550 combination of projects; from the rates, fees, or other charges

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1551 to be collected from the users of any project or projects; from  
1552 any revenue-producing undertaking or activity of the district;  
1553 from special assessments; from benefit special assessments; or  
1554 from any other source or pledged security. Such bonds shall not  
1555 constitute an indebtedness of the district, and the approval of  
1556 the qualified electors shall not be required unless such bonds  
1557 are additionally secured by the full faith and credit and taxing  
1558 power of the district.

1559 2. Any two or more projects may be combined and  
1560 consolidated into a single project and may hereafter be operated  
1561 and maintained as a single project. The revenue bonds authorized  
1562 herein may be issued to finance any one or more of such  
1563 projects, regardless of whether such projects have been combined  
1564 and consolidated into a single project. If the board deems it  
1565 advisable, the proceedings authorizing such revenue bonds may  
1566 provide that the district may thereafter combine the projects  
1567 then being financed or theretofore financed with other projects  
1568 to be subsequently financed by the district and that revenue  
1569 bonds to be thereafter issued by the district shall be on parity  
1570 with the revenue bonds then being issued, all on such terms,  
1571 conditions, and limitations as shall have been provided in the  
1572 proceeding which authorized the original bonds.

1573 (i) General obligation bonds.—

1574 1. Subject to the limitations of this charter, the  
1575 district shall have the power from time to time to issue general

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1576 obligation bonds to finance or refinance capital projects or to  
 1577 refund outstanding bonds in an aggregate principal amount of  
 1578 bonds outstanding at any one time not in excess of 35 percent of  
 1579 the assessed value of the taxable property within the district  
 1580 as shown on the pertinent tax records at the time of the  
 1581 authorization of the general obligation bonds for which the full  
 1582 faith and credit of the district is pledged. Except for  
 1583 refunding bonds, no general obligation bonds shall be issued  
 1584 unless the bonds are issued to finance or refinance a capital  
 1585 project and the issuance has been approved at an election held  
 1586 in accordance with the requirements for such election as  
 1587 prescribed by the State Constitution. Such elections shall be  
 1588 called to be held in the district by the Supervisor of Elections  
 1589 of Marion County upon the request of the board of the district.  
 1590 The expenses of calling and holding an election shall be at the  
 1591 expense of the district and the district shall reimburse the  
 1592 county for any expenses incurred in calling or holding such  
 1593 election.

1594 2. The district may pledge its full faith and credit for  
 1595 the payment of the principal and interest on such general  
 1596 obligation bonds and for any reserve funds provided therefor and  
 1597 may unconditionally and irrevocably pledge itself to levy ad  
 1598 valorem taxes on all taxable property in the district, to the  
 1599 extent necessary for the payment thereof, without limitation as  
 1600 to rate or amount.

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1601       3. If the board determines to issue general obligation  
 1602 bonds for more than one capital project, the approval of the  
 1603 issuance of the bonds for each and all such projects may be  
 1604 submitted to the electors on one and the same ballot. The  
 1605 failure of the electors to approve the issuance of bonds for any  
 1606 one or more capital projects shall not defeat the approval of  
 1607 bonds for any capital project which has been approved by the  
 1608 electors.

1609       4. In arriving at the amount of general obligation bonds  
 1610 permitted to be outstanding at any one time pursuant to  
 1611 subparagraph 1., there shall not be included any general  
 1612 obligation bonds that are additionally secured by the pledge of:

1613       a. Any assessments levied in an amount sufficient to pay  
 1614 the principal and interest on the general obligation bonds so  
 1615 additionally secured, which assessments have been equalized and  
 1616 confirmed by resolution of the board pursuant to this act or s.  
 1617 170.08, Florida Statutes.

1618       b. Water revenues, sewer revenues, or water and sewer  
 1619 revenues of the district to be derived from user fees in an  
 1620 amount sufficient to pay the principal and interest on the  
 1621 general obligation bonds so additionally secured.

1622       c. Any combination of assessments and revenues described  
 1623 in sub-subparagraphs a. and b.

1624       (j) Bonds as legal investment or security.-

1625       1. Notwithstanding any other law to the contrary, all

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1626 bonds issued under this act shall constitute legal investments  
 1627 for savings banks, banks, trust companies, insurance companies,  
 1628 executors, administrators, trustees, guardians, and other  
 1629 fiduciaries and for any board, body, agency, instrumentality,  
 1630 county, municipality, or other political subdivision of the  
 1631 state and shall be and constitute security which may be  
 1632 deposited by banks or trust companies as security for deposits  
 1633 of state, county, municipal, or other public funds or by  
 1634 insurance companies as required or voluntary statutory deposits.

1635 2. Any bonds issued by the district shall be incontestable  
 1636 in the hands of bona fide purchasers or holders for value and  
 1637 shall not be invalid because of any irregularity or defect in  
 1638 the proceedings for the issue and sale thereof.

1639 (k) Covenants.—Any resolution authorizing the issuance of  
 1640 bonds may contain such covenants as the board may deem  
 1641 advisable, and all such covenants shall constitute valid and  
 1642 legally binding and enforceable contracts between the district  
 1643 and the bondholders, regardless of the time of issuance thereof.  
 1644 Such covenants may include, without limitation, covenants  
 1645 concerning the disposition of the bond proceeds; the use and  
 1646 disposition of project revenues; the pledging of revenues,  
 1647 taxes, and assessments; the obligations of the district with  
 1648 respect to the operation of the project and the maintenance of  
 1649 adequate project revenues; the issuance of additional bonds; the  
 1650 appointment, powers, and duties of trustees and receivers; the

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1651 acquisition of outstanding bonds and obligations; restrictions  
 1652 on the establishing of competing projects or facilities;  
 1653 restrictions on the sale or disposal of the assets and property  
 1654 of the district; the priority of assessment liens; the priority  
 1655 of claims by bondholders on the taxing power of the district;  
 1656 the maintenance of deposits to ensure the payment of revenues by  
 1657 users of district facilities and services; the discontinuance of  
 1658 district services by reason of delinquent payments; acceleration  
 1659 upon default; the execution of necessary instruments; the  
 1660 procedure for amending or abrogating covenants with the  
 1661 bondholders; and such other covenants as may be deemed necessary  
 1662 or desirable for the security of the bondholders.

1663 (l) Validation proceedings.—The power of the district to  
 1664 issue bonds under this act may be determined, and any of the  
 1665 bonds of the district maturing over a period of more than 5  
 1666 years shall be validated and confirmed, by court decree, under  
 1667 chapter 75, Florida Statutes, and laws amendatory thereof or  
 1668 supplementary thereto.

1669 (m) Tax exemption.—To the extent allowed by general law,  
 1670 all bonds issued hereunder and interest paid thereon and all  
 1671 fees, charges, and other revenues derived by the district from  
 1672 the projects provided by this act are exempt from all taxes by  
 1673 the state or by any political subdivision, agency, or  
 1674 instrumentality thereof; however, any interest, income, or  
 1675 profits on debt obligations issued hereunder are not exempt from

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1676 the tax imposed by chapter 220, Florida Statutes. Further, the  
 1677 district is not exempt from chapter 212, Florida Statutes.

1678 (n) Application of s. 189.051, Florida Statutes.—Bonds  
 1679 issued by the district shall meet the criteria set forth in s.  
 1680 189.051, Florida Statutes.

1681 (o) Act furnishes full authority for issuance of bonds.—  
 1682 This act constitutes full and complete authority for the  
 1683 issuance of bonds and the exercise of the powers of the district  
 1684 provided herein. No procedures or proceedings, publications,  
 1685 notices, consents, approvals, orders, acts, or things by the  
 1686 board, or any board, officer, commission, department, agency, or  
 1687 instrumentality of the district, other than those required by  
 1688 this act, shall be required to perform anything under this act,  
 1689 except that the issuance or sale of bonds pursuant to this act  
 1690 shall comply with the general law requirements applicable to the  
 1691 issuance or sale of bonds by the district. Nothing in this act  
 1692 shall be construed to authorize the district to utilize bond  
 1693 proceeds to fund the ongoing operations of the district.

1694 (p) Pledge by the state to the bondholders of the  
 1695 district.—The state pledges to the holders of any bonds issued  
 1696 under this act that it will not limit or alter the rights of the  
 1697 district to own, acquire, construct, reconstruct, improve,  
 1698 maintain, operate, or furnish the projects or to levy and  
 1699 collect the taxes, assessments, rentals, rates, fees, and other  
 1700 charges provided for herein and to fulfill the terms of any

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1701 agreement made with the holders of such bonds or other  
 1702 obligations and that it will not in any way impair the rights or  
 1703 remedies of such holders.

1704 (q) Default.—A default on the bonds or obligations of the  
 1705 district shall not constitute a debt or obligation of the state  
 1706 or any general-purpose local government of the state. In the  
 1707 event of a default or dissolution of the district, no general-  
 1708 purpose local government shall be required to assume the  
 1709 property of the district, the debts of the district, or the  
 1710 district's obligations to complete any infrastructure  
 1711 improvements or provide any services to the district. Section  
 1712 189.076(2), Florida Statutes, shall not apply to the district.

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

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1726 charges; and the custody, safeguarding, and application of all  
 1727 moneys and for the employment of consulting engineers in  
 1728 connection with such acquisition, construction, reconstruction,  
 1729 improvement, maintenance, repair, or operation. It shall be  
 1730 lawful for any bank or trust company within or without the state  
 1731 which may act as a depository of the proceeds of bonds or of  
 1732 revenues to furnish such indemnifying bonds or to pledge such  
 1733 securities as may be required by the district. Such resolution  
 1734 or trust agreement may set forth the rights and remedies of the  
 1735 bondholders and of the trustee, if any, and may restrict the  
 1736 individual right of action by bondholders. The board may provide  
 1737 for the payment of proceeds of the sale of the bonds and the  
 1738 revenues of any project to such officer, board, or depository as  
 1739 it may designate for the custody thereof and may provide for the  
 1740 method of disbursement thereof with such safeguards and  
 1741 restrictions as it may determine. All expenses incurred in  
 1742 carrying out the provisions of such resolution or trust  
 1743 agreement may be treated as part of the cost of operation of the  
 1744 project to which such resolution or trust agreement pertains.

1745 (12) AD VALOREM TAXES; ASSESSMENTS, BENEFIT SPECIAL  
 1746 ASSESSMENTS, MAINTENANCE SPECIAL ASSESSMENTS, AND SPECIAL  
 1747 ASSESSMENTS; MAINTENANCE TAXES.-

1748 (a) Ad valorem taxes.-At such time as all members of the  
 1749 board are qualified electors who are elected by qualified  
 1750 electors of the district, the board shall have the power to levy

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1751 and assess an ad valorem tax on all the taxable property in the  
 1752 district to construct, operate, and maintain assessable  
 1753 improvements; to pay the principal of, and interest on, any  
 1754 general obligation bonds of the district; and to provide for any  
 1755 sinking or other funds established in connection with any such  
 1756 bonds. An ad valorem tax levied by the board for operating  
 1757 purposes, exclusive of debt service on bonds, shall not exceed 3  
 1758 mills. The ad valorem tax provided for herein shall be in  
 1759 addition to county and all other ad valorem taxes provided for  
 1760 by law. Such tax shall be assessed, levied, and collected in the  
 1761 same manner and at the same time as county taxes. The levy of ad  
 1762 valorem taxes must be approved by referendum as required by s.  
 1763 9, Article VII of the State Constitution and held at a general  
 1764 election.

1765 (b) Benefit special assessments.—The board annually shall  
 1766 determine, order, and levy the annual installment of the total  
 1767 benefit special assessments for bonds issued and related  
 1768 expenses to finance assessable improvements. These assessments  
 1769 may be due and collected during each year county taxes are due  
 1770 and collected, in which case such annual installment and levy  
 1771 shall be evidenced to and certified to the property appraiser by  
 1772 the board not later than August 31 of each year. Such assessment  
 1773 shall be entered by the property appraiser on the county tax  
 1774 rolls and shall be collected and enforced by the tax collector  
 1775 in the same manner and at the same time as county taxes, and the

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1776 proceeds thereof shall be paid to the district. However, this  
 1777 paragraph shall not prohibit the district in its discretion from  
 1778 using the method prescribed in s. 197.3632, Florida Statutes, or  
 1779 chapter 173, Florida Statutes, as each may be amended from time  
 1780 to time, for collecting and enforcing these assessments. Each  
 1781 annual installment of benefit special assessments shall be a  
 1782 lien on the property against which assessed until paid and shall  
 1783 be enforceable in like manner as county taxes. The amount of the  
 1784 assessment for the exercise of the district's powers under  
 1785 subsections (6) and (7) shall be determined by the board based  
 1786 upon a report of the district's engineer and assessed by the  
 1787 board upon such lands, which may be part or all of the lands  
 1788 within the district benefited by the improvement, apportioned  
 1789 between benefited lands in proportion to the benefits received  
 1790 by each tract of land. The board may, if it determines it is in  
 1791 the best interests of the district, set forth in the proceedings  
 1792 initially levying such benefit special assessments or in  
 1793 subsequent proceedings a formula for the determination of an  
 1794 amount, which when paid by a taxpayer with respect to any tax  
 1795 parcel, shall constitute a prepayment of all future annual  
 1796 installments of such benefit special assessments and that the  
 1797 payment of which amount with respect to such tax parcel shall  
 1798 relieve and discharge such tax parcel of the lien of such  
 1799 benefit special assessments and any subsequent annual  
 1800 installment thereof. The board may provide further that upon

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1801 delinquency in the payment of any annual installment of benefit  
 1802 special assessments, the prepayment amount of all future annual  
 1803 installments of benefit special assessments as determined in the  
 1804 preceding sentence shall be and become immediately due and  
 1805 payable together with such delinquent annual installment.

1806 (c) Non-ad valorem maintenance taxes.—If and when  
 1807 authorized by general law, to maintain and to preserve the  
 1808 physical facilities and services constituting the works,  
 1809 improvements, or infrastructure owned by the district pursuant  
 1810 to this act, to repair and restore any one or more of them, when  
 1811 needed, and to defray the current expenses of the district,  
 1812 including any sum which may be required to pay state and county  
 1813 ad valorem taxes on any lands which may have been purchased and  
 1814 which are held by the district under this act, the board of  
 1815 supervisors may, upon the completion of said systems,  
 1816 facilities, services, works, improvements, or infrastructure, in  
 1817 whole or in part, as may be certified to the board by the  
 1818 engineer of the board, levy annually a non-ad valorem and  
 1819 nonmillage tax upon each tract or parcel of land within the  
 1820 district, to be known as a "maintenance tax." This non-ad  
 1821 valorem maintenance tax shall be apportioned upon the basis of  
 1822 the net assessments of benefits assessed as accruing from the  
 1823 original construction and shall be evidenced to and certified by  
 1824 the board of supervisors of the district not later than June 1  
 1825 of each year to the Marion County tax collector and shall be

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1826 extended on the tax rolls and collected by the tax collector on  
 1827 the merged collection roll of the tax collector in the same  
 1828 manner and at the same time as county ad valorem taxes, and the  
 1829 proceeds therefrom shall be paid to the district. This non-ad  
 1830 valorem maintenance tax shall be a lien until paid on the  
 1831 property against which assessed and enforceable in like manner  
 1832 and of the same dignity as county ad valorem taxes.

1833 (d) Maintenance special assessments.—To maintain and  
 1834 preserve the facilities and projects of the district, the board  
 1835 may levy a maintenance special assessment. This assessment may  
 1836 be evidenced to and certified to the tax collector by the board  
 1837 of supervisors not later than August 31 of each year and shall  
 1838 be entered by the property appraiser on the county tax rolls and  
 1839 shall be collected and enforced by the tax collector in the same  
 1840 manner and at the same time as county taxes, and the proceeds  
 1841 therefrom shall be paid to the district. However, this paragraph  
 1842 shall not prohibit the district in its discretion from using the  
 1843 method prescribed in s. 197.363, s. 197.3631, or s. 197.3632,  
 1844 Florida Statutes, for collecting and enforcing these  
 1845 assessments. These maintenance special assessments shall be a  
 1846 lien on the property against which assessed until paid and shall  
 1847 be enforceable in like manner as county taxes. The amount of the  
 1848 maintenance special assessment for the exercise of the  
 1849 district's powers under this section shall be determined by the  
 1850 board based upon a report of the district's engineer and

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1851 assessed by the board upon such lands, which may be all of the  
 1852 lands within the district benefited by the maintenance thereof,  
 1853 apportioned between the benefited lands in proportion to the  
 1854 benefits received by each tract of land.

1855 (e) Special assessments.—The board may levy and impose any  
 1856 special assessments pursuant to this subsection.

1857 (f) Enforcement of taxes.—The collection and enforcement  
 1858 of all taxes levied by the district shall be at the same time  
 1859 and in like manner as county taxes, and the general law relating  
 1860 to the sale of lands for unpaid and delinquent county taxes; the  
 1861 issuance, sale, and delivery of tax certificates for such unpaid  
 1862 and delinquent county taxes; the redemption thereof; the  
 1863 issuance to individuals of tax deeds based thereon; and all  
 1864 other procedures in connection therewith shall be applicable to  
 1865 the district to the same extent as if such statutory provisions  
 1866 were expressly set forth herein. All taxes shall be subject to  
 1867 the same discounts as county taxes.

1868 (g) When unpaid tax is delinquent; penalty.—All taxes  
 1869 provided for in this act shall become delinquent and bear  
 1870 penalties on the amount of such taxes in the same manner as  
 1871 county taxes.

1872 (h) Status of assessments.—Benefit special assessments,  
 1873 maintenance special assessments, and special assessments are  
 1874 hereby found and determined to be non-ad valorem assessments as  
 1875 defined by s. 197.3632, Florida Statutes. Maintenance taxes are

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1876 non-ad valorem taxes and are not special assessments.  
 1877 (i) Assessments constitute liens; collection.—Any and all  
 1878 assessments, including special assessments, benefit special  
 1879 assessments, and maintenance special assessments authorized by  
 1880 this section, and including special assessments as defined by  
 1881 section 2(2)(aa) and granted and authorized by this subsection,  
 1882 and including maintenance taxes if authorized by general law,  
 1883 shall constitute a lien on the property against which assessed  
 1884 from the date of levy and imposition thereof until paid, coequal  
 1885 with the lien of state, county, municipal, and school board  
 1886 taxes. These assessments may be collected, at the district's  
 1887 discretion, under authority of s. 197.3631, Florida Statutes, as  
 1888 amended from time to time, by the tax collector pursuant to ss.  
 1889 197.3632 and 197.3635, Florida Statutes, as amended from time to  
 1890 time, or in accordance with other collection measures provided  
 1891 by law. In addition to, and not in limitation of, any powers  
 1892 otherwise set forth herein or in general law, these assessments  
 1893 may also be enforced pursuant to chapter 173, Florida Statutes,  
 1894 as amended from time to time.  
 1895 (j) Land owned by governmental entity.—Except as otherwise  
 1896 provided by law, no levy of ad valorem taxes or non-ad valorem  
 1897 assessments under this act or chapter 170 or chapter 197,  
 1898 Florida Statutes, as each may be amended from time to time, or  
 1899 otherwise, by a board of the district, on property of a  
 1900 governmental entity that is subject to a ground lease as

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1901 described in s. 190.003(14), Florida Statutes, shall constitute  
 1902 a lien or encumbrance on the underlying fee interest of such  
 1903 governmental entity.

1904 (13) SPECIAL ASSESSMENTS.—

1905 (a) As an alternative method to the levy and imposition of  
 1906 special assessments pursuant to chapter 170, Florida Statutes,  
 1907 pursuant to the authority of s. 197.3631, Florida Statutes, or  
 1908 pursuant to general law, now or hereafter enacted, which  
 1909 provides a supplemental means or authority to impose, levy, and  
 1910 collect special assessments as otherwise authorized under this  
 1911 act, the board may levy and impose special assessments to  
 1912 finance the exercise of any of its powers permitted under this  
 1913 act using the following uniform procedures:

1914 1. At a noticed meeting, the board of supervisors of the  
 1915 district may consider and review an engineer's report on the  
 1916 costs of the systems, facilities, and services to be provided, a  
 1917 preliminary special assessment methodology, and a preliminary  
 1918 roll based on acreage or platted lands, depending upon whether  
 1919 platting has occurred.

1920 a. The special assessment methodology shall address and  
 1921 discuss and the board shall consider whether the systems,  
 1922 facilities, and services being contemplated will result in  
 1923 special benefits peculiar to the property, different in kind and  
 1924 degree than general benefits, as a logical connection between  
 1925 the systems, facilities, and services themselves and the

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1926 property, and whether the duty to pay the special assessments by  
 1927 the property owners is apportioned in a manner that is fair and  
 1928 equitable and not in excess of the special benefit received. It  
 1929 shall be fair and equitable to designate a fixed proportion of  
 1930 the annual debt service, together with interest thereon, on the  
 1931 aggregate principal amount of bonds issued to finance such  
 1932 systems, facilities, and services which give rise to unique,  
 1933 special, and peculiar benefits to property of the same or  
 1934 similar characteristics under the special assessment methodology  
 1935 so long as such fixed proportion does not exceed the unique,  
 1936 special, and peculiar benefits enjoyed by such property from  
 1937 such systems, facilities, and services.

1938 b. The engineer's cost report shall identify the nature of  
 1939 the proposed systems, facilities, and services, their location,  
 1940 a cost breakdown plus a total estimated cost, including cost of  
 1941 construction or reconstruction, labor, and materials, lands,  
 1942 property, rights, easements, franchises, or systems, facilities,  
 1943 and services to be acquired, cost of plans and specifications,  
 1944 surveys of estimates of costs and revenues, costs of  
 1945 engineering, legal, and other professional consultation  
 1946 services, and other expenses or costs necessary or incidental to  
 1947 determining the feasibility or practicability of such  
 1948 construction, reconstruction, or acquisition, administrative  
 1949 expenses, relationship to the authority and power of the  
 1950 district in its charter, and such other expenses or costs as may

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1951 be necessary or incidental to the financing to be authorized by  
 1952 the board of supervisors.

1953 c. The preliminary special assessment roll will be in  
 1954 accordance with the assessment methodology as may be adopted by  
 1955 the board of supervisors; the special assessment roll shall be  
 1956 completed as promptly as possible and shall show the acreage,  
 1957 lots, lands, or plats assessed and the amount of the fairly and  
 1958 reasonably apportioned assessment based on special and peculiar  
 1959 benefit to the property, lot, parcel, or acreage of land; and,  
 1960 if the special assessment against such lot, parcel, acreage, or  
 1961 portion of land is to be paid in installments, the number of  
 1962 annual installments in which the special assessment is divided  
 1963 shall be entered into and shown upon the special assessment  
 1964 roll.

1965 2. The board of supervisors of the district may determine  
 1966 and declare by an initial special assessment resolution to levy  
 1967 and assess the special assessments with respect to assessable  
 1968 improvements stating the nature of the systems, facilities, and  
 1969 services, improvements, projects, or infrastructure constituting  
 1970 such assessable improvements, the information in the engineer's  
 1971 cost report, the information in the special assessment  
 1972 methodology as determined by the board at the noticed meeting  
 1973 and referencing and incorporating as part of the resolution the  
 1974 engineer's cost report, the preliminary special assessment  
 1975 methodology, and the preliminary special assessment roll as

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1976 | referenced exhibits to the resolution by reference. If the board  
 1977 | determines to declare and levy the special assessments by the  
 1978 | initial special assessment resolution, the board shall also  
 1979 | adopt and declare a notice resolution which shall provide and  
 1980 | cause the initial special assessment resolution to be published  
 1981 | once a week for a period of 2 weeks in newspapers of general  
 1982 | circulation published in Marion County and said board shall by  
 1983 | the same resolution fix a time and place at which the owner or  
 1984 | owners of the property to be assessed or any other persons  
 1985 | interested therein may appear before said board and be heard as  
 1986 | to the propriety and advisability of making such improvements,  
 1987 | as to the costs thereof, as to the manner of payment therefor,  
 1988 | and as to the amount thereof to be assessed against each  
 1989 | property so improved. Thirty days' notice in writing of such  
 1990 | time and place shall be given to such property owners. The  
 1991 | notice shall include the amount of the special assessment and  
 1992 | shall be served by mailing a copy to each assessed property  
 1993 | owner at his or her last known address, the names and addresses  
 1994 | of such property owners to be obtained from the record of the  
 1995 | property appraiser of the county political subdivision in which  
 1996 | the land is located or from such other sources as the district  
 1997 | manager or engineer deems reliable, and proof of such mailing  
 1998 | shall be made by the affidavit of the district manager or by the  
 1999 | engineer, said proof to be filed with the district manager,  
 2000 | provided that failure to mail said notice or notices shall not

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2001 invalidate any of the proceedings hereunder. It is provided  
 2002 further that the last publication shall be at least 1 week prior  
 2003 to the date of the hearing on the final special assessment  
 2004 resolution. Said notice shall describe the general areas to be  
 2005 improved and advise all persons interested that the description  
 2006 of each property to be assessed and the amount to be assessed to  
 2007 each piece, parcel, lot, or acre of property may be ascertained  
 2008 at the office of the district manager. Such service by  
 2009 publication shall be verified by the affidavit of the publisher  
 2010 and filed with the district manager. Moreover, the initial  
 2011 special assessment resolution with its attached, referenced, and  
 2012 incorporated engineer's cost report, preliminary special  
 2013 assessment methodology, and preliminary special assessment roll,  
 2014 along with the notice resolution, shall be available for public  
 2015 inspection at the office of the district manager and the office  
 2016 of the engineer or any other office designated by the board of  
 2017 supervisors in the notice resolution. Notwithstanding the  
 2018 foregoing, the landowners of all of the property which is  
 2019 proposed to be assessed may give the district written notice of  
 2020 waiver of any notice and publication provided for in this  
 2021 subparagraph and such notice and publication shall not be  
 2022 required, provided, however, that any meeting of the board of  
 2023 supervisors to consider such resolution shall be a publicly  
 2024 noticed meeting.

2025 3. At the time and place named in the noticed resolution

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2026 as provided for in subparagraph 2., the board of supervisors of  
 2027 the district shall meet and hear testimony from affected  
 2028 property owners as to the propriety and advisability of making  
 2029 the systems, facilities, services, projects, works,  
 2030 improvements, or infrastructure and funding them with  
 2031 assessments referenced in the initial special assessment  
 2032 resolution on the property. Following the testimony and  
 2033 questions from the members of the board or any professional  
 2034 advisors to the district of the preparers of the engineer's cost  
 2035 report, the special assessment methodology, and the special  
 2036 assessment roll, the board of supervisors shall make a final  
 2037 decision on whether to levy and assess the particular special  
 2038 assessments. Thereafter, the board of supervisors shall meet as  
 2039 an equalizing board to hear and to consider any and all  
 2040 complaints as to the particular special assessments and shall  
 2041 adjust and equalize the special assessments to ensure proper  
 2042 assessment based on the benefit conferred on the property.

2043 4. When so equalized and approved by resolution or  
 2044 ordinance by the board of supervisors, to be called the final  
 2045 special assessment resolution, a final special assessment roll  
 2046 shall be filed with the clerk of the board and such special  
 2047 assessment shall stand confirmed and remain legal, valid, and  
 2048 binding first liens on the property against which such special  
 2049 assessments are made until paid, equal in dignity to the first  
 2050 liens of ad valorem taxation of county and municipal governments

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2051 and school boards. However, upon completion of the systems,  
 2052 facilities, services, projects, improvements, works, or  
 2053 infrastructure, the district shall credit to each of the  
 2054 assessments the difference in the special assessment as  
 2055 originally made, approved, levied, assessed, and confirmed and  
 2056 the proportionate part of the actual cost of the improvement to  
 2057 be paid by the particular special assessments as finally  
 2058 determined upon the completion of the improvement; but in no  
 2059 event shall the final special assessment exceed the amount of  
 2060 the special and peculiar benefits as apportioned fairly and  
 2061 reasonably to the property from the system, facility, or service  
 2062 being provided as originally assessed. Promptly after such  
 2063 confirmation, the special assessment shall be recorded by the  
 2064 clerk of the district in the minutes of the proceedings of the  
 2065 district, and the record of the lien in this set of minutes  
 2066 shall constitute prima facie evidence of its validity. The board  
 2067 of supervisors, in its sole discretion, may by resolution grant  
 2068 a discount equal to all or a part of the payee's proportionate  
 2069 share of the cost of the project consisting of bond financing  
 2070 cost, such as capitalized interest, funded reserves, and bond  
 2071 discounts included in the estimated cost of the project, upon  
 2072 payment in full of any special assessments during such period  
 2073 prior to the time such financing costs are incurred as may be  
 2074 specified by the board of supervisors in such resolution.

2075 5. District special assessments may be made payable in

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2076 installments over no more than 40 years from the date of the  
 2077 payment of the first installment thereof and may bear interest  
 2078 at fixed or variable rates.

2079 (b) Notwithstanding any provision of this act or chapter  
 2080 170, Florida Statutes, that portion of s. 170.09, Florida  
 2081 Statutes, that provides that special assessments may be paid  
 2082 without interest at any time within 30 days after the  
 2083 improvement is completed and a resolution accepting the same has  
 2084 been adopted by the governing authority shall not be applicable  
 2085 to any district special assessments, whether imposed, levied,  
 2086 and collected pursuant to this act or other general laws,  
 2087 including, but not limited to, chapter 170, Florida Statutes.

2088 (c) In addition, the district is authorized expressly in  
 2089 the exercise of its rulemaking power to adopt a rule or rules  
 2090 which provide for notice, levy, imposition, equalization, and  
 2091 collection of assessments.

2092 (14) ISSUANCE OF CERTIFICATES OF INDEBTEDNESS BASED ON  
 2093 ASSESSMENTS FOR ASSESSABLE IMPROVEMENTS; ASSESSMENT BONDS.—

2094 (a) The board may, after any special assessments or  
 2095 benefit special assessments for assessable improvements are  
 2096 made, determined, and confirmed as provided in this act, issue  
 2097 certificates of indebtedness for the amount so assessed against  
 2098 the abutting property or property otherwise benefited, as the  
 2099 case may be, and separate certificates shall be issued against  
 2100 each part or parcel of land or property assessed, which

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2101 certificates shall state the general nature of the improvement  
 2102 for which the assessment is made. The certificates shall be  
 2103 payable in annual installments in accordance with the  
 2104 installments of the special assessment for which they are  
 2105 issued. The board may determine the interest to be borne by such  
 2106 certificates, not to exceed the maximum rate allowed by general  
 2107 law, and may sell such certificates at either private or public  
 2108 sale and determine the form, manner of execution, and other  
 2109 details of such certificates. The certificates shall recite that  
 2110 they are payable only from the special assessments levied and  
 2111 collected from the part or parcel of land or property against  
 2112 which they are issued. The proceeds of such certificates may be  
 2113 pledged for the payment of principal of and interest on any  
 2114 revenue bonds or general obligation bonds issued to finance in  
 2115 whole or in part such assessable improvement, or, if not so  
 2116 pledged, may be used to pay the cost or part of the cost of such  
 2117 assessable improvements.

2118 (b) The district may also issue assessment bonds, revenue  
 2119 bonds, or other obligations payable from a special fund into  
 2120 which such certificates of indebtedness referred to in paragraph  
 2121 (a) may be deposited or, if such certificates of indebtedness  
 2122 have not been issued, the district may assign to such special  
 2123 fund for the benefit of the holders of such assessment bonds or  
 2124 other obligations, or to a trustee for such bondholders, the  
 2125 assessment liens provided for in this act unless such

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2126 certificates of indebtedness or assessment liens have been  
 2127 theretofore pledged for any bonds or other obligations  
 2128 authorized hereunder. In the event of the creation of such  
 2129 special fund and the issuance of such assessment bonds or other  
 2130 obligations, the proceeds of such certificates of indebtedness  
 2131 or assessment liens deposited therein shall be used only for the  
 2132 payment of the assessment bonds or other obligations issued as  
 2133 provided in this section. The district is authorized to covenant  
 2134 with the holders of such assessment bonds, revenue bonds, or  
 2135 other obligations that it will diligently and faithfully enforce  
 2136 and collect all the special assessments, and interest and  
 2137 penalties thereon, for which such certificates of indebtedness  
 2138 or assessment liens have been deposited in or assigned to such  
 2139 fund; to foreclose such assessment liens so assigned to such  
 2140 special fund or represented by the certificates of indebtedness  
 2141 deposited in the special fund, after such assessment liens have  
 2142 become delinquent, and deposit the proceeds derived from such  
 2143 foreclosure, including interest and penalties, in such special  
 2144 fund; and to make any other covenants deemed necessary or  
 2145 advisable in order to properly secure the holders of such  
 2146 assessment bonds or other obligations.

2147 (c) The assessment bonds, revenue bonds, or other  
 2148 obligations issued pursuant to this section shall have such  
 2149 dates of issue and maturity as shall be deemed advisable by the  
 2150 board; however, the maturities of such assessment bonds or other

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2151 obligations shall not be more than 2 years after the due date of  
 2152 the last installment which will be payable on any of the special  
 2153 assessments for which such assessment liens, or the certificates  
 2154 of indebtedness representing such assessment liens, are assigned  
 2155 to or deposited in such special fund.

2156 (d) Such assessment bonds, revenue bonds, or other  
 2157 obligations issued under this section shall bear such interest  
 2158 as the board may determine, not to exceed the maximum rate  
 2159 allowed by general law, and shall be executed, shall have such  
 2160 provisions for redemption prior to maturity, shall be sold in  
 2161 the manner, and shall be subject to all of the applicable  
 2162 provisions contained in this act for revenue bonds, except as  
 2163 the same may be inconsistent with this section.

2164 (e) All assessment bonds, revenue bonds, or other  
 2165 obligations issued under this section shall be, shall  
 2166 constitute, and shall have all the qualities and incidents of  
 2167 negotiable instruments under the law merchant and the laws of  
 2168 the state.

2169 (15) TAX LIENS.—All taxes of the district provided for in  
 2170 this act, together with all penalties for default in the payment  
 2171 of the same and all costs in collecting the same, including a  
 2172 reasonable attorney fee fixed by the court and taxed as a cost  
 2173 in the action brought to enforce payment, shall, from January 1  
 2174 for each year the property is liable to assessment and until  
 2175 paid, constitute a lien of equal dignity with the liens for

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2176 state and county taxes and other taxes of equal dignity with  
 2177 state and county taxes upon all the lands against which such  
 2178 taxes shall be levied. A sale of any of the real property within  
 2179 the district for state and county or other taxes shall not  
 2180 operate to relieve or release the property so sold from the lien  
 2181 for subsequent district taxes or installments of district taxes,  
 2182 which lien may be enforced against such property as though no  
 2183 such sale thereof had been made. In addition to, and not in  
 2184 limitation of, the preceding sentence, for purposes of s.  
 2185 197.552, Florida Statutes, the lien of all special assessments  
 2186 levied by the district shall constitute a lien of record held by  
 2187 a municipal or county governmental unit. Sections 194.171,  
 2188 197.122, 197.333, and 197.432, Florida Statutes, shall be  
 2189 applicable to district taxes with the same force and effect as  
 2190 if such sections were expressly set forth in this act.

2191 (16) PAYMENT OF TAXES AND REDEMPTION OF TAX LIENS BY THE  
 2192 DISTRICT; SHARING IN PROCEEDS OF TAX SALE.—

2193 (a) The district shall have the power and right to:

2194 1. Pay any delinquent state, county, district, municipal,  
 2195 or other tax or assessment upon lands located wholly or  
 2196 partially within the boundaries of the district.

2197 2. Redeem or purchase any tax sales certificates issued or  
 2198 sold on account of any state, county, district, municipal, or  
 2199 other taxes or assessments upon lands located wholly or  
 2200 partially within the boundaries of the district.

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2201 (b) Delinquent taxes paid, or tax sales certificates  
 2202 redeemed or purchased, by the district, together with all  
 2203 penalties for the default in payment of the same and all costs  
 2204 in collecting the same and a reasonable attorney fee, shall  
 2205 constitute a lien in favor of the district of equal dignity with  
 2206 the liens of state and county taxes and other taxes of equal  
 2207 dignity with state and county taxes upon all the real property  
 2208 against which the taxes were levied. The lien of the district  
 2209 may be foreclosed in the manner provided in this act.

2210 (c) In any sale of land pursuant to s. 197.542, Florida  
 2211 Statutes, as may be amended from time to time, the district may  
 2212 certify to the clerk of the circuit court of the county holding  
 2213 such sale the amount of taxes due to the district upon the lands  
 2214 sought to be sold, and the district shall share in the  
 2215 disbursement of the sales proceeds in accordance with this act  
 2216 and under the laws of the state.

2217 (17) FORECLOSURE OF LIENS.—Any lien in favor of the  
 2218 district arising under this act may be foreclosed by the  
 2219 district by foreclosure proceedings in the name of the district  
 2220 in a court of competent jurisdiction as provided by general law  
 2221 in like manner as is provided in chapter 170 or chapter 173,  
 2222 Florida Statutes, and amendments thereto, and those chapters  
 2223 shall be applicable to such proceedings with the same force and  
 2224 effect as if those chapters were expressly set forth in this  
 2225 act. Any act required or authorized to be done by or on behalf

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2226 of a municipality in foreclosure proceedings under chapter 170  
 2227 or chapter 173, Florida Statutes, may be performed by such  
 2228 officer or agent of the district as the board of supervisors may  
 2229 designate. Such foreclosure proceedings may be brought at any  
 2230 time after the expiration of 1 year from the date any tax, or  
 2231 installment thereof, becomes delinquent; however, no lien shall  
 2232 be foreclosed against any political subdivision or agency of the  
 2233 state. Other legal remedies shall remain available.

2234 (18) MANDATORY USE OF CERTAIN DISTRICT FACILITIES.—To the  
 2235 full extent permitted by law, the district shall require all  
 2236 lands, buildings, premises, persons, firms, and corporations  
 2237 within the district to use the facilities of the district.

2238 (19) COMPETITIVE PROCUREMENT; BIDS; NEGOTIATIONS; RELATED  
 2239 PROVISIONS REQUIRED.—

2240 (a) No contract shall be let by the board for any goods,  
 2241 supplies, or materials to be purchased when the amount thereof  
 2242 to be paid by the district shall exceed the amount provided in  
 2243 s. 287.017, Florida Statutes, as amended from time to time, for  
 2244 category four, unless notice of bids shall be advertised once in  
 2245 a newspaper in general circulation in Marion County. Any board  
 2246 seeking to construct or improve a public building, structure, or  
 2247 other public works shall comply with the bidding procedures of  
 2248 s. 255.20, Florida Statutes, as amended from time to time, and  
 2249 other applicable general law. In each case, the bid of the  
 2250 lowest responsive and responsible bidder shall be accepted

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2251 unless all bids are rejected because the bids are too high or  
 2252 the board determines it is in the best interests of the district  
 2253 to reject all bids. The board may require the bidders to furnish  
 2254 bond with a responsible surety to be approved by the board.  
 2255 Nothing in this subsection shall prevent the board from  
 2256 undertaking and performing the construction, operation, and  
 2257 maintenance of any project or facility authorized by this act by  
 2258 the employment of labor, material, and machinery.

2259 (b) The provisions of the Consultants' Competitive  
 2260 Negotiation Act, s. 287.055, Florida Statutes, apply to  
 2261 contracts for engineering, architecture, landscape architecture,  
 2262 or registered surveying and mapping services let by the board.

2263 (c) Contracts for maintenance services for any district  
 2264 facility or project shall be subject to competitive bidding  
 2265 requirements when the amount thereof to be paid by the district  
 2266 exceeds the amount provided in s. 287.017, Florida Statutes, as  
 2267 amended from time to time, for category four. The district shall  
 2268 adopt rules, policies, or procedures establishing competitive  
 2269 bidding procedures for maintenance services. Contracts for other  
 2270 services shall not be subject to competitive bidding unless the  
 2271 district adopts a rule, policy, or procedure applying  
 2272 competitive bidding procedures to said contracts. Nothing herein  
 2273 shall preclude the use of requests for proposal instead of  
 2274 invitations to bid as determined by the district to be in its  
 2275 best interest.

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2276 (20) FEES, RENTALS, AND CHARGES; PROCEDURE FOR ADOPTION  
 2277 AND MODIFICATIONS; MINIMUM REVENUE REQUIREMENTS.—

2278 (a) The district is authorized to prescribe, fix,  
 2279 establish, and collect rates, fees, rentals, or other charges,  
 2280 hereinafter sometimes referred to as "revenues," and to revise  
 2281 the same from time to time, for the systems, facilities, and  
 2282 services furnished by the district, including, but not limited  
 2283 to, recreational facilities, water management and control  
 2284 facilities, and water and sewer systems; to recover the costs of  
 2285 making connection with any district service, facility, or  
 2286 system; and to provide for reasonable penalties against any user  
 2287 or property for any such rates, fees, rentals, or other charges  
 2288 that are delinquent.

2289 (b) No such rates, fees, rentals, or other charges for any  
 2290 of the facilities or services of the district shall be fixed  
 2291 until after a public hearing at which all the users of the  
 2292 proposed facility or services or owners, tenants, or occupants  
 2293 served or to be served thereby and all other interested persons  
 2294 shall have an opportunity to be heard concerning the proposed  
 2295 rates, fees, rentals, or other charges. Rates, fees, rentals,  
 2296 and other charges shall be adopted under the administrative  
 2297 rulemaking authority of the district, but shall not apply to  
 2298 district leases. Notice of such public hearing setting forth the  
 2299 proposed schedule or schedules of rates, fees, rentals, and  
 2300 other charges shall have been published in a newspaper of

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2301 general circulation in Marion County at least once and at least  
 2302 10 days prior to such public hearing. The rulemaking hearing may  
 2303 be adjourned from time to time. After such hearing, such  
 2304 schedule or schedules, either as initially proposed or as  
 2305 modified or amended, may be finally adopted. A copy of the  
 2306 schedule or schedules of such rates, fees, rentals, or charges  
 2307 as finally adopted shall be kept on file in an office designated  
 2308 by the board and shall be open at all reasonable times to public  
 2309 inspection. The rates, fees, rentals, or charges so fixed for  
 2310 any class of users or property served shall be extended to cover  
 2311 any additional users or properties thereafter served which shall  
 2312 fall in the same class, without the necessity of any notice or  
 2313 hearing.

2314 (c) Such rates, fees, rentals, and other charges shall be  
 2315 just and equitable and uniform for users of the same class, and  
 2316 when appropriate may be based or computed either upon the amount  
 2317 of service furnished, upon the average number of persons  
 2318 residing or working in or otherwise occupying the premises  
 2319 served, or upon any other factor affecting the use of the  
 2320 facilities furnished, or upon any combination of the foregoing  
 2321 factors, as may be determined by the board on an equitable  
 2322 basis.

2323 (d) The rates, fees, rentals, or other charges prescribed  
 2324 shall be such as will produce revenues, together with any other  
 2325 assessments, taxes, revenues, or funds available or pledged for

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2326 such purpose, at least sufficient to provide for the items  
 2327 hereinafter listed, but not necessarily in the order stated:

2328 1. To provide for all expenses of operation and  
 2329 maintenance of such facility or service.

2330 2. To pay when due all bonds and interest thereon for the  
 2331 payment of which such revenues are, or shall have been, pledged  
 2332 or encumbered, including reserves for such purpose.

2333 3. To provide for any other funds which may be required  
 2334 under the resolution or resolutions authorizing the issuance of  
 2335 bonds pursuant to this act.

2336 (e) The board shall have the power to enter into contracts  
 2337 for the use of the projects of the district and with respect to  
 2338 the services, systems, and facilities furnished or to be  
 2339 furnished by the district.

2340 (21) RECOVERY OF DELINQUENT CHARGES.—In the event that any  
 2341 rates, fees, rentals, charges, or delinquent penalties are not  
 2342 paid when due and are in default for 60 days or more, the unpaid  
 2343 balance thereof and all interest accrued thereon, together with  
 2344 reasonable attorney fees and costs, may be recovered by the  
 2345 district in a civil action.

2346 (22) DISCONTINUANCE OF SERVICE.—In the event the fees,  
 2347 rentals, or other charges for district services or facilities  
 2348 are not paid when due, the board shall have the power, under  
 2349 such reasonable rules and regulations as the board may adopt, to  
 2350 discontinue and shut off such services until such fees, rentals,

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2351 or other charges, including interest, penalties, and charges for  
 2352 the shutting off and discontinuance and the restoration of such  
 2353 services, are fully paid; and, for such purposes, the board may  
 2354 enter on any lands, waters, or premises of any person, firm,  
 2355 corporation, or body, public or private, within the district  
 2356 limits. Such delinquent fees, rentals, or other charges,  
 2357 together with interest, penalties, and charges for the shutting  
 2358 off and discontinuance and the restoration of such services and  
 2359 facilities and reasonable attorney fees and other expenses, may  
 2360 be recovered by the district, which may also enforce payment of  
 2361 such delinquent fees, rentals, or other charges by any other  
 2362 lawful method of enforcement.

2363 (23) ENFORCEMENT AND PENALTIES.—The board or any aggrieved  
 2364 person may have recourse to such remedies in law and at equity  
 2365 as may be necessary to ensure compliance with this act,  
 2366 including injunctive relief to enjoin or restrain any person  
 2367 violating this act or any bylaws, resolutions, regulations,  
 2368 rules, codes, or orders adopted under this act. In case any  
 2369 building or structure is erected, constructed, reconstructed,  
 2370 altered, repaired, converted, or maintained, or any building,  
 2371 structure, land, or water is used, in violation of this act or  
 2372 of any code, order, resolution, or other regulation made under  
 2373 authority conferred by this act or under law, the board or any  
 2374 citizen residing in the district may institute any appropriate  
 2375 action or proceeding to prevent such unlawful erection,

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2376 construction, reconstruction, alteration, repair, conversion,  
 2377 maintenance, or use; to restrain, correct, or avoid such  
 2378 violation; to prevent the occupancy of such building, structure,  
 2379 land, or water; and to prevent any illegal act, conduct,  
 2380 business, or use in or about such premises, land, or water.

2381 (24) SUITS AGAINST THE DISTRICT.—Any suit or action  
 2382 brought or maintained against the district for damages arising  
 2383 out of tort, including, without limitation, any claim arising  
 2384 upon account of an act causing an injury or loss of property,  
 2385 personal injury, or death, shall be subject to the limitations  
 2386 provided in s. 768.28, Florida Statutes.

2387 (25) EXEMPTION OF DISTRICT PROPERTY FROM EXECUTION.—All  
 2388 district property shall be exempt from levy and sale by virtue  
 2389 of an execution, and no execution or other judicial process  
 2390 shall issue against such property, nor shall any judgment  
 2391 against the district be a charge or lien on its property or  
 2392 revenues; however, nothing contained herein shall apply to or  
 2393 limit the rights of bondholders to pursue any remedy for the  
 2394 enforcement of any lien or pledge given by the district in  
 2395 connection with any of the bonds or obligations of the district.

2396 (26) TERMINATION, CONTRACTION, OR EXPANSION OF DISTRICT.—  
 2397 (a) The board of supervisors of the district may ask the  
 2398 Legislature to repeal or amend this act to expand or to contract  
 2399 the boundaries of the district or otherwise cause the merger or  
 2400 termination of the district, and the district's consent may be

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2401 evidenced by a resolution or other official written statement of  
 2402 the district.

2403 (b) The district shall remain in existence until:

2404 1. The district is terminated and dissolved pursuant to  
 2405 amendment to this act by the Legislature.

2406 2. The district has become inactive pursuant to s.  
 2407 189.062, Florida Statutes.

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

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2426 take public comment on the proposed merger in the merger  
 2427 agreement. The public hearing shall be held within 45 days after  
 2428 the initial consideration and approval of the merger agreement  
 2429 by all parties thereto. Notice of the public hearing shall be  
 2430 published at least 14 days before the hearing in a newspaper of  
 2431 general circulation in Marion County. At the conclusion of the  
 2432 public hearing, each district shall consider a resolution either  
 2433 approving or disapproving the proposed merger. If the district  
 2434 and each community development district which is a party to the  
 2435 merger agreement adopt a resolution approving the proposed  
 2436 merger, the resolutions and the executed merger agreement shall  
 2437 be filed with Marion County. Upon receipt of the resolutions  
 2438 approving the merger and the merger agreement, Marion County  
 2439 shall adopt a non-emergency ordinance dissolving each community  
 2440 development district pursuant to s. 190.046(10), Florida  
 2441 Statutes.

2442 (28) INCLUSION OF TERRITORY.—The inclusion of any or all  
 2443 territory of the district within a municipality does not change,  
 2444 alter, or affect the boundary, territory, existence, or  
 2445 jurisdiction of the district.

2446 (29) SALE OF REAL ESTATE WITHIN THE DISTRICT; REQUIRED  
 2447 DISCLOSURE TO PURCHASER.—Subsequent to the creation of this  
 2448 district under this act, each contract for the initial sale of a  
 2449 parcel of real property and each contract for the initial sale  
 2450 of a residential unit within the district shall include,

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2451 immediately prior to the space reserved in the contract for the  
 2452 signature of the purchaser, the following disclosure statement  
 2453 in boldfaced and conspicuous type which is larger than the type  
 2454 in the remaining text of the contract: "THE UPLANDS STEWARDSHIP  
 2455 DISTRICT MAY IMPOSE AND LEVY TAXES OR ASSESSMENTS, OR BOTH TAXES  
 2456 AND ASSESSMENTS, ON THIS PROPERTY. THESE TAXES AND ASSESSMENTS  
 2457 PAY FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE COSTS OF  
 2458 CERTAIN PUBLIC SYSTEMS, FACILITIES, AND SERVICES OF THE DISTRICT  
 2459 AND ARE SET ANNUALLY BY THE GOVERNING BOARD OF THE DISTRICT.  
 2460 THESE TAXES AND ASSESSMENTS ARE IN ADDITION TO COUNTY AND OTHER  
 2461 LOCAL GOVERNMENTAL TAXES AND ASSESSMENTS AND ALL OTHER TAXES AND  
 2462 ASSESSMENTS PROVIDED FOR BY LAW."

2463 (30) NOTICE OF CREATION AND ESTABLISHMENT.—Within 30 days  
 2464 after the election of the first board of supervisors creating  
 2465 this district, the district shall cause to be recorded in the  
 2466 grantor-grantee index of the property records in Marion County a  
 2467 "Notice of Creation and Establishment of the Uplands Stewardship  
 2468 District." The notice shall, at a minimum, include the legal  
 2469 description of the property covered by this act.

2470 (31) DISTRICT PROPERTY PUBLIC; FEES.—Any system, facility,  
 2471 service, works, improvement, project, or other infrastructure  
 2472 owned by the district, or funded by federal tax exempt bonding  
 2473 issued by the district, is public; and the district by rule may  
 2474 regulate, and may impose reasonable charges or fees for, the use  
 2475 thereof, but not to the extent that such regulation or

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2476 | imposition of such charges or fees constitutes denial of  
 2477 | reasonable access.

2478 |       Section 7. If any provision of this act is determined  
 2479 | unconstitutional or otherwise determined invalid by a court of  
 2480 | law, all the rest and remainder of the act shall remain in full  
 2481 | force and effect as the law of this state.

2482 |       Section 8. This act shall take effect upon becoming a law,  
 2483 | except that the provisions of this act which authorize the levy  
 2484 | of ad valorem taxation shall take effect only upon express  
 2485 | approval by a majority vote of those qualified electors of the  
 2486 | Uplands Stewardship District, as required by Section 9 of  
 2487 | Article VII of the State Constitution, voting in a referendum  
 2488 | election held during a general election at such time as all  
 2489 | members of the board are qualified electors who are elected by  
 2490 | qualified electors of the district as provided in this act.