



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

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

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

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

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

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

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

50 (b) There is a need to use a single special and limited

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

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

74 (d) While chapter 190, Florida Statutes, provides an  
75 opportunity for previous community development services and

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

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

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

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

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

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

126 services provided to the land area by the special district,  
 127 without unduly burdening the taxpayers, citizens, and ratepayers  
 128 of the state or Manatee County.

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

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

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

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

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

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

151 that provide a special benefit to property within the district.

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

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

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

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

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

175 (h) "Cost" or "costs," when used in reference to any

176 project, includes, but is not limited to:

177 1. The expenses of determining the feasibility or

178 practicability of acquisition, construction, or reconstruction.

179 2. The cost of surveys, estimates, plans, and

180 specifications.

181 3. The cost of improvements.

182 4. Engineering, architectural, fiscal, and legal expenses

183 and charges.

184 5. The cost of all labor, materials, machinery, and

185 equipment.

186 6. The cost of all lands, properties, rights, easements,

187 and franchises acquired.

188 7. Financing charges.

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

190 9. Working capital.

191 10. Interest charges incurred or estimated to be incurred

192 on money borrowed before and during construction and acquisition

193 and for such reasonable period of time after completion of

194 construction or acquisition as the board may determine.

195 11. The cost of issuance of bonds pursuant to this act,

196 including advertisements and printing.

197 12. The cost of any bond or tax referendum held pursuant

198 to this act and all other expenses of the issuance of bonds.

199 13. The discount, if any, on the sale or exchange of

200 bonds.

201       14. Administrative expenses.

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

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

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

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

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

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

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

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

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

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

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

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

249       (r) "Non-ad valorem assessment" means only those  
250 assessments which are not based upon millage and which can

251 become a lien against a homestead as permitted in s. 4, Art. X  
 252 of the State Constitution.

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

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

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

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

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

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

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

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

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

300 (y) "Refunding bonds" means bonds issued to refinance

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

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

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

326 and any interest therein, and rights, easements, and franchises  
 327 of any nature relating to any such system and necessary or  
 328 convenient for operation thereof.

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

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

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

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

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

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

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

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

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

375 (c) The creation of the North River Ranch Improvement

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

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

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

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

401 district.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

451 189.012(3), Florida Statutes, in and for portions of Manatee  
452 County. Any amendments to chapter 190, Florida Statutes, after  
453 January 1, 2020, granting additional general powers, special  
454 powers, authorities, or projects to a community development  
455 district by amendment to its uniform charter contained in ss.  
456 190.006-190.041, Florida Statutes, which are not inconsistent  
457 with this act, shall constitute a general power, special power,  
458 authority, or function of the North River Ranch Improvement  
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 House of Representatives and of the Senate. A referendum  
463 subsequent to the effective date of this act is not required as  
464 a condition of establishing the district. Therefore, the  
465 district, as created by this act, is established on the property  
466 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 6.

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

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 only exercise any of its powers extraterritorially within  
491 Manatee County after execution of an interlocal agreement  
492 between the district and Manatee County consenting to the  
493 district's exercise of any of such powers within Manatee County  
494 or an applicable development order or as part of other land  
495 development regulations issued by Manatee County.

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

500 Section 4. Formation; boundaries.—The North River Ranch

501 Improvement Stewardship District, an independent special  
 502 district, is created and incorporated in Manatee County and  
 503 shall embrace and include the territory described as:

504  
 505 MORGAN'S GLEN PARCEL:

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

526 RIGHT OF WAY LINE, S.88°55'05"E., 666.19 FEET; THENCE,  
 527 LEAVING SAID SOUTH RIGHT OF WAY LINE, S00°06'09"E., FOR  
 528 397.02 FEET; THENCE S.89°16'25"E., FOR 135.94 FEET; THENCE  
 529 S.88°59'12"E., FOR 121.89 FEET; THENCE S.81°46'46"E., FOR  
 530 200.24 FEET; THENCE S.89°10'18"E., FOR 210.00 FEET TO THE  
 531 EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID  
 532 SECTION 20; THENCE, ALONG SAID EAST LINE, S.00°04'54"E.,  
 533 FOR 673.99 FEET TO THE SOUTH LINE OF SAID NORTHWEST 1/4 OF  
 534 THE SOUTHWEST 1/4, SAID LINE ALSO BEING THE NORTH LINE OF  
 535 THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 20;  
 536 THENCE, ALONG SAID LINE, N.89°31'56"W., FOR 665.68 FEET;  
 537 THENCE, LEAVING SAID LINE, S.00°06'09"E., FOR 467.45 FEET;  
 538 THENCE N.89°51'11"E., FOR 59.49 FEET; THENCE S.00°06'09"E.,  
 539 FOR 663.67 FEET TO THE SOUTH LINE OF SECTION 20, TOWNSHIP  
 540 33 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA; THENCE,  
 541 ALONG SAID SOUTH LINE, S.89°51'11"W., FOR 724.73 FEET TO  
 542 THE POINT OF BEGINNING.

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

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

551        DESCRIBED AS FOLLOWS:

552

553        COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 19;

554        THENCE SOUTH 86°58'46" WEST, ALONG THE SOUTH LINE OF THE

555        SOUTHEAST 1/4 OF SAID SECTION 19, A DISTANCE OF 537.04 FEET

556        TO THE POINT OF BEGINNING; THENCE SOUTH 00°13'25" WEST, A

557        DISTANCE OF 2.00 FEET TO A POINT ON A CURVE TO THE RIGHT;

558        THENCE SOUTHERLY 171.21 FEET ALONG THE ARC OF SAID CURVE,

559        HAVING A RADIUS OF 860.00 FEET, A CENTRAL ANGLE OF

560        11°24'23", AND A CHORD BEARING AND DISTANCE OF SOUTH

561        05°55'36" WEST 170.93 FEET TO A POINT OF REVERSE CURVE TO

562        THE LEFT; THENCE SOUTHERLY 148.63 FEET ALONG THE ARC OF

563        SAID CURVE, HAVING A RADIUS OF 740.00 FEET, A CENTRAL ANGLE

564        OF 11°30'27", AND A CHORD BEARING AND DISTANCE OF SOUTH

565        05°52'34" WEST 148.38 FEET; THENCE SOUTH 00°07'20" WEST, A

566        DISTANCE OF 359.62 FEET TO THE NORTH RIGHT OF WAY LINE OF

567        FP & L RAILROAD; THENCE ALONG SAID NORTH RIGHT OF WAY LINE,

568        SOUTH 73°37'35" WEST, A DISTANCE OF 77.06 FEET; THENCE

569        NORTH 01°01'42" WEST, A DISTANCE OF 694.96 FEET; THENCE

570        NORTH 00°13'25" EAST, A DISTANCE OF 724.64 FEET TO A POINT

571        ON A CURVE TO THE LEFT; THENCE NORTHERLY 205.25 FEET ALONG

572        THE ARC OF SAID CURVE, HAVING A RADIUS OF 560.00 FEET, A

573        CENTRAL ANGLE OF 21°00'00", AND A CHORD BEARING AND

574        DISTANCE OF NORTH 10°16'36" WEST 204.10 FEET; THENCE NORTH

575        20°46'36" WEST, A DISTANCE OF 207.01 FEET TO A POINT ON A

576 CURVE TO THE LEFT; THENCE NORTHWESTERLY 211.09 FEET ALONG  
 577 THE ARC OF SAID CURVE, HAVING A RADIUS OF 940.00 FEET, A  
 578 CENTRAL ANGLE OF 12°52'00", AND A CHORD BEARING AND  
 579 DISTANCE OF NORTH 27°12'36" WEST 210.65 FEET TO A POINT OF  
 580 REVERSE CURVE TO THE RIGHT; THENCE NORTHERLY 622.42 FEET  
 581 ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1,060.00  
 582 FEET, A CENTRAL ANGLE OF 33°38'35", AND A CHORD BEARING AND  
 583 DISTANCE OF NORTH 16°49'18" WEST 613.51 FEET; THENCE NORTH  
 584 00°00'00" WEST, A DISTANCE OF 296.18 FEET; THENCE NORTH  
 585 44°34'29" WEST, A DISTANCE OF 70.18 FEET; THENCE NORTH  
 586 00°48'08" EAST, A DISTANCE OF 46.61 FEET TO THE SOUTH  
 587 MAINTAINED RIGHT OF WAY LINE OF MOCCASIN WALLOW ROAD;  
 588 THENCE ALONG SAID SOUTH MAINTAINED RIGHT OF WAY LINE, SOUTH  
 589 89°11'52" EAST, A DISTANCE OF 230.02 FEET; THENCE, LEAVING  
 590 SAID SOUTH MAINTAINED RIGHT OF WAY LINE, SOUTH 00°48'08"  
 591 WEST, A DISTANCE OF 46.66 FEET; THENCE SOUTH 45°25'31"  
 592 WEST, A DISTANCE OF 71.23 FEET; THENCE SOUTH 00°00'00"  
 593 EAST, A DISTANCE OF 236.20 FEET; THENCE SOUTH 04°08'24"  
 594 WEST, A DISTANCE OF 114.31 FEET TO A POINT ON A NON-TANGENT  
 595 CURVE TO THE LEFT; THENCE SOUTHERLY 494.62 FEET ALONG THE  
 596 ARC OF SAID CURVE, HAVING A RADIUS OF 940.00 FEET, A  
 597 CENTRAL ANGLE OF 30°08'55", AND A CHORD BEARING AND  
 598 DISTANCE OF SOUTH 18°34'08" EAST 488.93 FEET TO A POINT OF  
 599 REVERSE CURVE TO THE RIGHT; THENCE SOUTHEASTERLY 238.04  
 600 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF

601 1,060.00 FEET, A CENTRAL ANGLE OF 12°52'00", AND A CHORD  
 602 BEARING AND DISTANCE OF SOUTH 27°12'36" EAST 237.54 FEET;  
 603 THENCE SOUTH 20°46'36" EAST, A DISTANCE OF 207.01 FEET TO A  
 604 POINT ON A CURVE TO THE RIGHT; THENCE SOUTHERLY 249.23 FEET  
 605 ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 680.00  
 606 FEET, A CENTRAL ANGLE OF 21°00'00", AND A CHORD BEARING AND  
 607 DISTANCE OF SOUTH 10°16'36" EAST 247.84 FEET; THENCE SOUTH  
 608 00°13'25" WEST, A DISTANCE OF 718.08 FEET TO THE POINT OF  
 609 BEGINNING.  
 610 CONTAINING 129.475 ACRES, MORE OR LESS.  
 611 TOGETHER WITH NORTH RIVER RANCH - HAVAL FARMS:  
 612 A TRACT OF LAND, BEING A PORTION OF MANATEE RIVER FARMS,  
 613 UNIT 1, RECORDED IN PLAT BOOK 6, PAGE 45 OF THE PUBLIC  
 614 RECORDS OF MANATEE COUNTY, FLORIDA, LYING IN SECTIONS 7, 8,  
 615 9, 16, 17, 18, 19 AND 20, TOWNSHIP 33 SOUTH, RANGE 19 EAST,  
 616 MANATEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED  
 617 AS FOLLOWS:  
 618  
 619 BEGIN AT THE SOUTHWEST CORNER OF THE ABOVE-MENTIONED  
 620 SECTION 7; THENCE N.00°13'29"E., ALONG THE WEST LINE OF  
 621 SECTION 7, A DISTANCE OF 1,809.08 FEET; THENCE  
 622 N.90°00'00"E., A DISTANCE OF 272.18 FEET TO THE POINT OF  
 623 CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS 1,000.00  
 624 FEET AND A CENTRAL ANGLE OF 48°54'32"; THENCE NORTHEASTERLY  
 625 ALONG THE ARC OF SAID CURVE, A DISTANCE OF 853.62 FEET TO

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

651 S.36°06'04"W., A DISTANCE OF 1,512.28 FEET; THENCE  
 652 N.89°59'54"W., A DISTANCE OF 4,022.59 FEET; THENCE  
 653 S.27°47'24"W., A DISTANCE OF 1,049.93 FEET; THENCE  
 654 N.68°30'43"W., A DISTANCE OF 1,332.96 FEET; THENCE  
 655 N.00°11'16"E., A DISTANCE OF 383.27 FEET; THENCE  
 656 N.89°43'15"W., A DISTANCE OF 719.63 FEET; THENCE  
 657 S.00°35'38" W., A DISTANCE OF 2,551.98 FEET TO THE POINT OF  
 658 CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS 795.00  
 659 FEET AND A CENTRAL ANGLE OF 48°08'26"; THENCE SOUTHWESTERLY  
 660 ALONG THE ARC OF SAID CURVE, A DISTANCE OF 667.97 FEET TO  
 661 THE POINT OF TANGENCY OF SAID CURVE; THENCE S.48°44'04" W.,  
 662 A DISTANCE OF 213.94 FEET TO THE POINT OF CURVATURE OF A  
 663 CURVE TO THE LEFT HAVING A RADIUS 1,355.00 FEET AND A  
 664 CENTRAL ANGLE OF 33°22'52"; THENCE SOUTHWESTERLY ALONG THE  
 665 ARC OF SAID CURVE, A DISTANCE OF 789.44 FEET; THE FOLLOWING  
 666 FIVE (5) CALLS ARE ALONG THE NORTHERLY LINE OF A SPECIFIC  
 667 PURPOSE SURVEY FOR TRACT 300FL-MA-010.000, PREPARED BY  
 668 WILLBROS ENGINEERS, INC., AND DATED OCTOBER 12, 2015: 1)  
 669 S.89°39'18"E., A DISTANCE OF 85.64 FEET; 2) S.89°10'25"E.,  
 670 A DISTANCE OF 187.79 FEET; 3) S.89°53'48"E., A DISTANCE OF  
 671 1,364.36 FEET; 4) S.89°38'04"E., A DISTANCE OF 1,529.39  
 672 FEET; 5) THENCE N.89°48'54"E., A DISTANCE OF 969.28 FEET TO  
 673 A POINT ON THE WEST LINE OF PARCEL DEEDED TO PEOPLES GAS  
 674 SYSTEM; THENCE S.00°02'24"W., ALONG THE WESTERLY LINE OF  
 675 SAID PARCEL, A DISTANCE OF 35.27 FEET TO THE SOUTH WEST

676 CORNER OF SAID PARCEL; THENCE S.89°57'36"E., ALONG THE  
 677 SOUTHERLY LINE OF SAID PARCEL, A DISTANCE OF 60.00 FEET TO  
 678 A POINT ON A PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK  
 679 2207, PAGE 6256, SAID PUBLIC RECORDS; THENCE ALONG SAID  
 680 PARCEL FOR THE FOLLOWING TWO (2) CALLS; 1) S.00°02'21"W., A  
 681 DISTANCE OF 24.79 FEET; 2) THENCE N.89°52'24"E., A DISTANCE  
 682 OF 178.91 FEET TO THE NORTHWESTERLY RIGHT OF WAY LINE OF  
 683 U.S. 301; THENCE SOUTHERLY ALONG SAID RIGHT OF WAY LINE THE  
 684 FOLLOWING THREE (3) COURSES: 1) S.36°06'04"W., A DISTANCE  
 685 OF 472.43 FEET; 2) S.36°04'53"W., A DISTANCE OF 916.03 FEET  
 686 TO THE P.C. OF A CURVE TO THE LEFT WHOSE RADIUS POINT LIES  
 687 SOUTH 53°53'38"EAST, A DISTANCE OF 1977.86 FEET; 3)  
 688 SOUTHERLY ALONG THE ARC OF SAID CURVE ALSO BEING SAID RIGHT  
 689 OF WAY LINE, A DISTANCE OF 971.94 FEET THROUGH A CENTRAL  
 690 ANGLE OF 28°09'21"; THENCE N.89°26'34"W., A DISTANCE OF  
 691 1,282.99 FEET; THENCE S.00°06'08"E., A DISTANCE OF 1,300.10  
 692 FEET; TO THE NORTHERLY RIGHT OF WAY LINE OF MOCCASIN WALLOW  
 693 RD; THENCE WESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE  
 694 THE FOLLOWING FIVE (5) COURSES: 1) N.88°54'18"W., A  
 695 DISTANCE OF 1,334.91 FEET; 2) N.89°08'58"W., A DISTANCE OF  
 696 2,271.84 FEET; 3) N.89°07'49"W., A DISTANCE OF 328.34 FEET;  
 697 4) N.89°07'50"W., A DISTANCE OF 2,693.55 FEET; 5)  
 698 N.88°01'42"W., A DISTANCE OF 16.92 FEET TO THE WEST LINE OF  
 699 ABOVE-MENTIONED SECTION 19; THENCE N.00°08'36"E. ALONG SAID  
 700 WEST LINE, A DISTANCE OF 2,578.91 FEET; THENCE

701 N.00°08'15"E. THE WEST LINE OF ABOVE-MENTIONED SECTION 18.,  
 702 A DISTANCE OF 1,944.35 FEET; THENCE N.00°07'17"E. CONTINUE  
 703 ALONG SAID WEST LINE, A DISTANCE OF 3,366.32 FEET TO THE  
 704 POINT OF BEGINNING.  
 705 CONTAINING 1,883.092 ACRES, MORE OR LESS.  
 706 CONTAINING A TOTAL AREA OF 2,012.567 ACRES, MORE OR LESS.  
 707 Being subject to any rights-of-way, restrictions, and  
 708 easements of record.

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

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

720 (2) (a) Within 90 days after the effective date of this  
 721 act, there shall be held a meeting of the landowners of the  
 722 district for the purpose of electing five supervisors for the  
 723 district. Notice of the landowners' meeting shall be published  
 724 in a newspaper of general circulation in the general area of the  
 725 district once a week for 2 consecutive weeks, the last day of

726 such publication to be not fewer than 14 days nor more than 28  
727 days before the date of the election. The landowners, when  
728 assembled at such meeting, shall organize by electing a chair,  
729 who shall conduct the meeting. The chair may be any person  
730 present at the meeting. If the chair is a landowner or proxy  
731 holder of a landowner, he or she may nominate candidates and  
732 make and second motions. The landowners present at the meeting,  
733 in person or by proxy, shall constitute a quorum. At any  
734 landowners' meeting, 50 percent of the district acreage is not  
735 required to constitute a quorum, and each governing board member  
736 elected by landowners shall be elected by a majority of the  
737 acreage represented either by owner or proxy present and voting  
738 at said meeting.

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

751 acre shall be treated as 1 acre, entitling the landowner to one  
752 vote with respect thereto. The three candidates receiving the  
753 highest number of votes shall each be elected for terms expiring  
754 November 17, 2024, and the two candidates receiving the next  
755 largest number of votes shall each be elected for terms expiring  
756 November 20, 2022, with the term of office for each successful  
757 candidate commencing upon election. The members of the first  
758 board elected by landowners shall serve their respective terms;  
759 however, the next election of board members shall be held on the  
760 first Tuesday after the first Monday in November 2022.  
761 Thereafter, there shall be an election by landowners for the  
762 district every 2 years on the first Tuesday after the first  
763 Monday in November, which shall be noticed pursuant to paragraph  
764 (a). The second and subsequent landowners' election shall be  
765 announced at a public meeting of the board at least 90 days  
766 before the date of the landowners' meeting and shall also be  
767 noticed pursuant to paragraph (a). Instructions on how all  
768 landowners may participate in the election, along with sample  
769 proxies, shall be provided during the board meeting that  
770 announces the landowners' meeting. Each supervisor elected in or  
771 after November 2020 shall serve a 4-year term.

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

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

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

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

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

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

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

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

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

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

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

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

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

826 initial and all subsequent elections by the qualified electors  
827 of the district shall be held at the general election in  
828 November. The board shall adopt a resolution, if necessary, to  
829 implement this requirement. The transition process described  
830 herein is intended to be in lieu of the process set forth in s.  
831 189.041, Florida Statutes.

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

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

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

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

851 office as prescribed by s. 876.05, Florida Statutes. Members of  
852 the board shall be subject to ethics and conflict of interest  
853 laws of the state that apply to all local public officers. They  
854 shall hold office for the terms for which they were elected or  
855 appointed and until their successors are chosen and qualified.  
856 If, during the term of office, a vacancy occurs, the remaining  
857 members of the board shall fill each vacancy by an appointment  
858 for the remainder of the unexpired term.

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

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

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

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

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

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

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

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

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

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

926 certified public accountant in accordance with the requirements  
 927 of general law.

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

936 (4) BUDGET; REPORTS AND REVIEWS.—

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

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

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

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

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

976 | public facilities report in the preparation or revision of the  
 977 | Manatee County comprehensive plan.

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

999 | (6) GENERAL POWERS.—The district shall have, and the board  
 1000 | may exercise, the following general powers:

1001        (a) To sue and be sued in the name of the district; to  
 1002 adopt and use a seal and authorize the use of a facsimile  
 1003 thereof; to acquire, by purchase, gift, devise, or otherwise,  
 1004 and to dispose of, real and personal property, or any estate  
 1005 therein; and to make and execute contracts and other instruments  
 1006 necessary or convenient to the exercise of its powers.

1007        (b) To apply for coverage of its employees under the  
 1008 Florida Retirement System in the same manner as if such  
 1009 employees were state employees.

1010        (c) To contract for the services of consultants to perform  
 1011 planning, engineering, legal, or other appropriate services of a  
 1012 professional nature. Such contracts shall be subject to public  
 1013 bidding or competitive negotiation requirements as set forth in  
 1014 general law applicable to independent special districts.

1015        (d) To borrow money and accept gifts; to apply for and use  
 1016 grants or loans of money or other property from the United  
 1017 States, the state, a unit of local government, or any person for  
 1018 any district purposes and enter into agreements required in  
 1019 connection therewith; and to hold, use, and dispose of such  
 1020 moneys or property for any district purposes in accordance with  
 1021 the terms of the gift, grant, loan, or agreement relating  
 1022 thereto.

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

1026 the business of the district; the maintenance of the records of  
1027 the district; and the form of certificates evidencing tax liens  
1028 of the district and all other documents and records of the  
1029 district. The board may also adopt and enforce administrative  
1030 rules with respect to any of the projects of the district and  
1031 define the area to be included therein. The board may also adopt  
1032 resolutions which may be necessary for the conduct of district  
1033 business.

1034 (f) To maintain an office at such place or places as the  
1035 board of supervisors designates in Manatee County and within the  
1036 district when facilities are available.

1037 (g) To hold, control, and acquire by donation, purchase,  
1038 or condemnation, or dispose of, any public easements,  
1039 dedications to public use, platted reservations for public  
1040 purposes, or any reservations for those purposes authorized by  
1041 this act and to make use of such easements, dedications, or  
1042 reservations for the purposes authorized by this act.

1043 (h) To lease as lessor or lessee to or from any person,  
1044 firm, corporation, association, or body, public or private, any  
1045 projects of the type that the district is authorized to  
1046 undertake and facilities or property of any nature for the use  
1047 of the district to carry out the purposes authorized by this  
1048 act.

1049 (i) To borrow money and issue bonds, certificates,  
1050 warrants, notes, or other evidence of indebtedness as provided

1051 herein; to levy such taxes and assessments as may be authorized;  
 1052 and to charge, collect, and enforce fees and other user charges.

1053 (j) To raise, by user charges or fees authorized by  
 1054 resolution of the board, amounts of money which are necessary  
 1055 for the conduct of district activities and services and to  
 1056 enforce their receipt and collection in the manner prescribed by  
 1057 resolution not inconsistent with general law.

1058 (k) To exercise all powers of eminent domain now or  
 1059 hereafter conferred on counties in this state; provided,  
 1060 however, that such power of eminent domain may not be exercised  
 1061 outside the territorial limits of the district unless the  
 1062 district receives prior approval by vote of a resolution of the  
 1063 governing body of the county if the taking will occur in an  
 1064 unincorporated area in that county, or the governing body of the  
 1065 city if the taking will occur in an incorporated area. The  
 1066 district does not have the power to exercise eminent domain over  
 1067 municipal, county, state, or federal property. The powers  
 1068 hereinabove granted to the district shall be so construed to  
 1069 enable the district to fulfill the objects and purposes of the  
 1070 district as set forth in this act.

1071 (l) To cooperate with, or contract with, other  
 1072 governmental agencies as may be necessary, convenient,  
 1073 incidental, or proper in connection with any of the powers,  
 1074 duties, or purposes authorized by this act.

1075 (m) To assess and to impose upon lands in the district ad

1076 | valorem taxes as provided by this act.

1077 |       (n) If and when authorized by general law, to determine,

1078 | order, levy, impose, collect, and enforce maintenance taxes.

1079 |       (o) To determine, order, levy, impose, collect, and

1080 | enforce assessments pursuant to this act and chapter 170,

1081 | Florida Statutes, pursuant to authority granted in s. 197.3631,

1082 | Florida Statutes, or pursuant to other provisions of general law

1083 | now or hereinafter enacted which provide or authorize a

1084 | supplemental means to order, levy, impose, or collect special

1085 | assessments. Such special assessments, at the discretion of the

1086 | district, may be collected and enforced pursuant to ss. 197.3632

1087 | and 197.3635, Florida Statutes, and chapters 170 and 173,

1088 | Florida Statutes, as they may be amended from time to time, or

1089 | as provided by this act, or by other means authorized by general

1090 | law now or hereinafter enacted. The district may levy such

1091 | special assessments for the purposes provided in this act and to

1092 | pay special assessments imposed by Manatee County on lands

1093 | within the district.

1094 |       (p) To exercise such special powers and other express

1095 | powers as may be authorized and granted by this act in the

1096 | charter of the district, including powers as provided in any

1097 | interlocal agreement entered into pursuant to chapter 163,

1098 | Florida Statutes, or which shall be required or permitted to be

1099 | undertaken by the district pursuant to any development order,

1100 | including any detailed specific area plan development order, or

1101 any interlocal service agreement with Manatee County for fair-  
 1102 share capital construction funding for any certain capital  
 1103 facilities or systems required of a developer pursuant to any  
 1104 applicable development order or agreement.

1105 (q) To exercise all of the powers necessary, convenient,  
 1106 incidental, or proper in connection with any other powers or  
 1107 duties or the special and limited purpose of the district  
 1108 authorized by this act.

1109  
 1110 This subsection shall be construed liberally in order to  
 1111 effectively carry out the special and limited purpose of this  
 1112 act.

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

1126 improvements, systems, facilities, services, works, projects,  
 1127 and infrastructure. Any or all of the following special powers  
 1128 are granted by this act in order to implement the special and  
 1129 limited purpose of the district but do not constitute  
 1130 obligations to undertake such improvements, systems, facilities,  
 1131 services, works, projects, or infrastructure:

1132 (a) To provide water management and control for the lands  
 1133 within the district, including irrigation systems and  
 1134 facilities, and to connect some or any of such facilities with  
 1135 roads and bridges. In the event that the board assumes the  
 1136 responsibility for providing water management and control for  
 1137 the district which is to be financed by benefit special  
 1138 assessments, the board shall adopt plans and assessments  
 1139 pursuant to general law or may proceed to adopt water management  
 1140 and control plans, assess for benefits, and apportion and levy  
 1141 special assessments as follows:

1142 1. The board shall cause to be made by the district's  
 1143 engineer, or such other engineer or engineers as the board may  
 1144 employ for that purpose, complete and comprehensive water  
 1145 management and control plans for the lands located within the  
 1146 district that will be improved in any part or in whole by any  
 1147 system of facilities that may be outlined and adopted, and the  
 1148 engineer shall make a report in writing to the board with maps  
 1149 and profiles of said surveys and an estimate of the cost of  
 1150 carrying out and completing the plans.

1151 2. Upon the completion of such plans, the board shall hold  
1152 a hearing thereon to hear objections thereto, shall give notice  
1153 of the time and place fixed for such hearing by publication in a  
1154 newspaper of general circulation in the general area of the  
1155 district once a week for 2 consecutive weeks, and shall permit  
1156 the inspection of the plan at the office of the district by all  
1157 persons interested. All objections to the plan shall be filed at  
1158 or before the time fixed in the notice for the hearing and shall  
1159 be in writing.

1160 3. After the hearing, the board shall consider the  
1161 proposed plan and any objections thereto and may modify, reject,  
1162 or adopt the plan or continue the hearing until a day certain  
1163 for further consideration of the proposed plan or modifications  
1164 thereof.

1165 4. When the board approves a plan, a resolution shall be  
1166 adopted and a certified copy thereof shall be filed in the  
1167 office of the secretary and incorporated by him or her into the  
1168 records of the district.

1169 5. The water management and control plan may be altered in  
1170 detail from time to time until the engineer's report pursuant to  
1171 s. 298.301, Florida Statutes, is filed, but not in such manner  
1172 as to materially affect the conditions of its adoption. After  
1173 the engineer's report has been filed, the plan may not be  
1174 altered except as provided by this act.

1175 6. Within 20 days after the final adoption of the plan by

1176 the board, the board shall proceed pursuant to s. 298.301,  
 1177 Florida Statutes.

1178 (b) To provide water supply, sewer, wastewater, and  
 1179 reclaimed water management, reclamation, and reuse, or any  
 1180 combination thereof, and any irrigation systems, facilities, and  
 1181 services and to construct and operate water systems, sewer  
 1182 systems, irrigation systems, and reclaimed water systems such as  
 1183 connecting intercepting or outlet sewers and sewer mains and  
 1184 pipes and water mains, conduits, or pipelines in, along, and  
 1185 under any street, alley, highway, or other public place or way,  
 1186 and to dispose of any water, effluent, residue, or other  
 1187 byproduct of such water system, sewer system, irrigation system  
 1188 or reclaimed water system and to enter into interlocal  
 1189 agreements and other agreements with public or private entities  
 1190 for the same.

1191 (c) To provide any necessary bridges, culverts, wildlife  
 1192 corridors, or road crossings across any drain, ditch, canal,  
 1193 floodway, holding basin, excavation, public highway, tract,  
 1194 grade, fill, or cut and roadways over levees and embankments,  
 1195 and to construct any and all of such works and improvements  
 1196 across, through, or over any public right-of way, highway,  
 1197 grade, fill, or cut.

1198 (d) To provide district or other roads equal to or  
 1199 exceeding the specifications of the county in which such  
 1200 district or other roads are located, and to provide street

1201 lighting. This special power includes, but is not limited to,  
1202 roads, parkways, intersections, bridges, landscaping,  
1203 hardscaping, irrigation, bicycle lanes, sidewalks, jogging  
1204 paths, multiuse pathways and trails, street lighting, traffic  
1205 signals, regulatory or informational signage, road striping,  
1206 underground conduit, underground cable or fiber or wire  
1207 installed pursuant to an agreement with or tariff of a retail  
1208 provider of services, and all other customary elements of a  
1209 functioning modern road system in general or as tied to the  
1210 conditions of development approval for the area within and  
1211 without the district, and parking facilities that are  
1212 freestanding or that may be related to any innovative strategic  
1213 intermodal system of transportation pursuant to applicable  
1214 federal, state, and local laws and ordinances.

1215 (e) To provide buses, trolleys, rail access, mass transit  
1216 facilities, transit shelters, ridesharing facilities and  
1217 services, parking improvements, and related signage.

1218 (f) To provide investigation and remediation costs  
1219 associated with the cleanup of actual or perceived environmental  
1220 contamination within the district under the supervision or  
1221 direction of a competent governmental authority unless the  
1222 covered costs benefit any person who is a landowner within the  
1223 district and who caused or contributed to the contamination.

1224 (g) To provide observation, mitigation, wetland creation,  
1225 and wildlife habitat areas, including the maintenance of any

1226 plant or animal species, and any related interest in real or  
 1227 personal property.

1228 (h) Using its general and special powers as set forth in  
 1229 this act, to provide any other project within or without the  
 1230 boundaries of the district when the project is the subject of an  
 1231 agreement between the district and the Board of County  
 1232 Commissioners of Manatee County or with any other applicable  
 1233 public or private entity and is not inconsistent with the  
 1234 effective local comprehensive plans.

1235 (i) To provide parks and facilities for indoor and outdoor  
 1236 recreational, cultural, and educational uses.

1237 (j) To provide school buildings and related structures,  
 1238 which may be leased, sold, or donated to the school district,  
 1239 for use in the educational system when authorized by the  
 1240 district school board.

1241 (k) To provide security, including electronic intrusion-  
 1242 detection systems and patrol cars, when authorized by proper  
 1243 governmental agencies, and to contract with the appropriate  
 1244 local general-purpose government agencies for an increased level  
 1245 of such services within the district boundaries.

1246 (l) To provide control and elimination of mosquitoes and  
 1247 other arthropods of public health importance.

1248 (m) To enter into impact fee, mobility fee, or other  
 1249 similar credit agreements with Manatee County or other  
 1250 governmental bodies or a landowner developer and to sell or

1251 assign such credits on such terms as the district deems  
 1252 appropriate.

1253 (n) To provide buildings and structures for district  
 1254 offices, maintenance facilities, meeting facilities, town  
 1255 centers, or any other projects authorized or granted by this  
 1256 act.

1257 (o) To establish and create, at noticed meetings, such  
 1258 departments of the board of supervisors of the district, as well  
 1259 as committees, task forces, boards, or commissions, or other  
 1260 agencies under the supervision and control of the district, as  
 1261 from time to time the members of the board may deem necessary or  
 1262 desirable in the performance of the acts or other things  
 1263 necessary to exercise the board's general or special powers to  
 1264 implement an innovative project to carry out the special and  
 1265 limited purpose of the district as provided in this act and to  
 1266 delegate the exercise of its powers to such departments, boards,  
 1267 task forces, committees, or other agencies, and such  
 1268 administrative duties and other powers as the board may deem  
 1269 necessary or desirable, but only if there is a set of expressed  
 1270 limitations for accountability, notice, and periodic written  
 1271 reporting to the board that shall retain the powers of the  
 1272 board.

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

1276 reduction of energy demands, development and generation of  
 1277 alternative or renewable energy sources and technologies,  
 1278 mitigation of urban heat islands, sequestration, capping or  
 1279 trading of carbon emissions or carbon emissions credits, LEED or  
 1280 Florida Green Building Coalition certification, and development  
 1281 of facilities and improvements for low-impact development; to  
 1282 enter into joint ventures, public-private partnerships, and  
 1283 other agreements; and to grant such easements as may be  
 1284 necessary to accomplish the foregoing. Nothing herein shall  
 1285 authorize the district to provide electric service to retail  
 1286 customers or otherwise act to impair electric utility franchise  
 1287 agreements.

1288 (q) To provide for any facilities or improvements that may  
 1289 otherwise be provided for by any county or municipality,  
 1290 including, but not limited to, libraries, annexes, substations,  
 1291 and other buildings to house public officials, staff, and  
 1292 employees.

1293 (r) To provide waste collection and disposal.

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

1301 equipment, items, and methods necessary or desirable in order to  
1302 provide communications services, including, without limitation,  
1303 wires, cables, conduits, wireless cell sites, computers, modems,  
1304 satellite antennae sites, transmission facilities, network  
1305 facilities, and appurtenant devices necessary and appropriate to  
1306 support the provision of communications services. Communications  
1307 services includes, without limitation, Internet, voice  
1308 telephone, or similar services provided by voice over Internet  
1309 protocol, cable television, data transmission services,  
1310 electronic security monitoring services, and multi-channel video  
1311 programming distribution services. Nothing herein shall  
1312 authorize the district to provide communications services to  
1313 retail customers or otherwise act to impair existing service  
1314 provider franchise agreements. However, the district may  
1315 contract with such providers for resale purposes.

1316 (t) To provide health care facilities and to enter into  
1317 public-private partnerships and agreements as may be necessary  
1318 to accomplish the foregoing.

1319 (u) To coordinate, work with, and, as the board deems  
1320 appropriate, enter into interlocal agreements with any public or  
1321 private entity for the provision of an institution or  
1322 institutions of higher education.

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

1326 purposes of this act.

1327  
 1328 The special powers provided in this act may not be deemed  
 1329 exclusive or restrictive but shall be deemed to incorporate all  
 1330 powers express or implied necessary or incident to carrying out  
 1331 such special powers, including the general powers provided by  
 1332 this act to the district to implement its purposes. This  
 1333 subsection shall be construed liberally in order to effectively  
 1334 carry out the special and limited purpose of the district under  
 1335 this act.

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

1351 shall be renewal notes, may be exchanged for notes then  
1352 outstanding on such terms as the board shall determine. Such  
1353 notes shall be paid from the proceeds of such bonds when issued.  
1354 The board may, in its discretion, in lieu of retiring the notes  
1355 by means of bonds, retire them by means of current revenues or  
1356 from any taxes or assessments levied for the payment of such  
1357 bonds, but, in such event, a like amount of the bonds authorized  
1358 may not be issued.

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

1376 may deem advisable. The board shall have the right to provide  
 1377 for the payment thereof by pledging the whole or any part of the  
 1378 funds, revenues, taxes, and assessments of the district or by  
 1379 covenanting to budget and appropriate from such funds. The  
 1380 approval of the electors residing in the district is only  
 1381 necessary when required by the State Constitution.

1382 (10) BONDS.—

1383 (a) Sale of bonds.—Bonds may be sold in blocks or  
 1384 installments at different times, or an entire issue or series  
 1385 may be sold at one time. Bonds may be sold at public or private  
 1386 sale after such advertisement, if any, as the board may deem  
 1387 advisable, but not in any event at less than 90 percent of the  
 1388 par value thereof, together with accrued interest thereon. Bonds  
 1389 may be sold or exchanged for refunding bonds. Special assessment  
 1390 and revenue bonds may be delivered by the district as payment of  
 1391 the purchase price of any project or part thereof, or a  
 1392 combination of projects or parts thereof, or as the purchase  
 1393 price or exchange for any property, real, personal, or mixed,  
 1394 including franchises or services rendered by any contractor,  
 1395 engineer, or other person, all at one time or in blocks from  
 1396 time to time, in such manner and upon such terms as the board at  
 1397 its discretion shall determine. The price or prices for any  
 1398 bonds sold, exchanged, or delivered may be:

- 1399 1. The money paid for the bonds.
- 1400 2. The principal amount, plus accrued interest to the date

1401 of redemption or exchange, or outstanding obligations exchanged  
 1402 for refunding bonds.

1403 3. In the case of special assessment or revenue bonds, the  
 1404 amount of any indebtedness to contractors or other persons paid  
 1405 with such bonds, or the fair value of any properties exchanged  
 1406 for the bonds, as determined by the board.

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

1426 including any interest coupons to be attached thereto; the  
1427 manner of execution of bonds and coupons; and any and all other  
1428 terms, covenants, and conditions thereof and the establishment  
1429 of revenue or other funds. Such authorizing resolution or  
1430 resolutions may further provide for the contracts authorized by  
1431 s. 159.825(1) (f) and (g), Florida Statutes, regardless of the  
1432 tax treatment of such bonds being authorized, subject to the  
1433 finding by the board of a net saving to the district resulting  
1434 by reason thereof. Such authorizing resolution may further  
1435 provide that such bonds may be executed in accordance with the  
1436 Registered Public Obligations Act, except that bonds not issued  
1437 in registered form shall be valid if manually countersigned by  
1438 an officer designated by appropriate resolution of the board.  
1439 The seal of the district may be affixed, lithographed, engraved,  
1440 or otherwise reproduced in facsimile on such bonds. In case any  
1441 officer whose signature shall appear on any bonds or coupons  
1442 shall cease to be such officer before the delivery of such  
1443 bonds, such signature or facsimile shall nevertheless be valid  
1444 and sufficient for all purposes as if he or she had remained in  
1445 office until such delivery.

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

1451 executed and are available for delivery. The board may also  
1452 provide for the replacement of any bonds which become mutilated,  
1453 lost, or destroyed.

1454 (d) Negotiability of bonds.—Any bond issued under this act  
1455 or any temporary bond, in the absence of an express recital on  
1456 the face thereof that it is nonnegotiable, shall be fully  
1457 negotiable and shall be and constitute a negotiable instrument  
1458 within the meaning and for all purposes of the law merchant and  
1459 general law.

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

1476 sinking fund established in connection with such bonds or  
 1477 obligations and all balances remaining in all other funds or  
 1478 accounts other than moneys held for the redemption or payment of  
 1479 the bonds or other obligations to any lawful purpose of the  
 1480 district as the board shall determine.

1481 (f) Issuance of additional bonds.—If the proceeds of any  
 1482 bonds are less than the cost of completing the project in  
 1483 connection with which such bonds were issued, the board may  
 1484 authorize the issuance of additional bonds, upon such terms and  
 1485 conditions as the board may provide in the resolution  
 1486 authorizing the issuance thereof, but only in compliance with  
 1487 the resolution or other proceedings authorizing the issuance of  
 1488 the original bonds.

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

1501 required by the State Constitution. The board may by resolution  
 1502 confer upon the holders of such refunding bonds all rights,  
 1503 powers, and remedies to which the holders would be entitled if  
 1504 they continued to be the owners and had possession of the bonds  
 1505 for the refinancing of which such refunding bonds are issued,  
 1506 including, but not limited to, the preservation of the lien of  
 1507 such bonds on the revenues of any project or on pledged funds,  
 1508 without extinguishment, impairment, or diminution thereof. The  
 1509 provisions of this act relating to bonds of the district shall,  
 1510 unless the context otherwise requires, govern the issuance of  
 1511 refunding bonds, the form and other details thereof, the rights  
 1512 of the holders thereof, and the duties of the board with respect  
 1513 to such bonds.

1514 (h) Revenue bonds.—

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

1526 additionally secured by the full faith and credit and taxing  
 1527 power of the district.

1528 2. Any two or more projects may be combined and  
 1529 consolidated into a single project and may hereafter be operated  
 1530 and maintained as a single project. The revenue bonds authorized  
 1531 herein may be issued to finance any one or more of such  
 1532 projects, regardless of whether such projects have been combined  
 1533 and consolidated into a single project. If the board deems it  
 1534 advisable, the proceedings authorizing such revenue bonds may  
 1535 provide that the district may thereafter combine the projects  
 1536 then being financed or theretofore financed with other projects  
 1537 to be subsequently financed by the district and that revenue  
 1538 bonds to be thereafter issued by the district shall be on parity  
 1539 with the revenue bonds then being issued, all on such terms,  
 1540 conditions, and limitations as shall have been provided in the  
 1541 proceeding which authorized the original bonds.

1542 (i) General obligation bonds.—

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

1551 faith and credit of the district is pledged. Except for  
1552 refunding bonds, general obligation bonds may not be issued  
1553 unless the bonds are issued to finance or refinance a capital  
1554 project and the issuance has been approved at an election held  
1555 in accordance with the requirements for such election as  
1556 prescribed by the State Constitution. Such elections shall be  
1557 called to be held in the district by the Board of County  
1558 Commissioners of Manatee County upon the request of the board of  
1559 the district. The expenses of calling and holding an election  
1560 shall be at the expense of the district and the district shall  
1561 reimburse the county for any expenses incurred in calling or  
1562 holding such election.

1563 2. The district may pledge its full faith and credit for  
1564 the payment of the principal and interest on such general  
1565 obligation bonds and for any reserve funds provided therefor and  
1566 may unconditionally and irrevocably pledge itself to levy ad  
1567 valorem taxes on all taxable property in the district, to the  
1568 extent necessary for the payment thereof, without limitation as  
1569 to rate or amount.

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

1576 capital project which has been approved by the electors.  
 1577 4. In arriving at the amount of general obligation bonds  
 1578 permitted to be outstanding at any one time pursuant to  
 1579 subparagraph 1., there may not be included any general  
 1580 obligation bonds that are additionally secured by the pledge of:  
 1581 a. Any assessments levied in an amount sufficient to pay  
 1582 the principal and interest on the general obligation bonds so  
 1583 additionally secured, which assessments have been equalized and  
 1584 confirmed by resolution of the board pursuant to this act or s.  
 1585 170.08, Florida Statutes.  
 1586 b. Water revenues, sewer revenues, or water and sewer  
 1587 revenues of the district to be derived from user fees in an  
 1588 amount sufficient to pay the principal and interest on the  
 1589 general obligation bonds so additionally secured.  
 1590 c. Any combination of assessments and revenues described  
 1591 in sub-subparagraphs a. and b.  
 1592 (j) Bonds as legal investment or security.-  
 1593 1. Notwithstanding any other provision of law to the  
 1594 contrary, all bonds issued under this act shall constitute legal  
 1595 investments for savings banks, banks, trust companies, insurance  
 1596 companies, executors, administrators, trustees, guardians, and  
 1597 other fiduciaries and for any board, body, agency,  
 1598 instrumentality, county, municipality, or other political  
 1599 subdivision of the state and shall be and constitute security  
 1600 which may be deposited by banks or trust companies as security

1601 for deposits of state, county, municipal, or other public funds  
1602 or by insurance companies as required or voluntary statutory  
1603 deposits.

1604 2. Any bonds issued by the district shall be incontestable  
1605 in the hands of bona fide purchasers or holders for value and  
1606 are not invalid because of any irregularity or defect in the  
1607 proceedings for the issue and sale thereof.

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

1626 users of district facilities and services; the discontinuance of  
 1627 district services by reason of delinquent payments; acceleration  
 1628 upon default; the execution of necessary instruments; the  
 1629 procedure for amending or abrogating covenants with the  
 1630 bondholders; and such other covenants as may be deemed necessary  
 1631 or desirable for the security of the bondholders.

1632 (l) Validation proceedings.—The power of the district to  
 1633 issue bonds under this act may be determined, and any of the  
 1634 bonds of the district maturing over a period of more than 5  
 1635 years shall be validated and confirmed, by court decree, under  
 1636 chapter 75, Florida Statutes, and laws amendatory thereof or  
 1637 supplementary thereto.

1638 (m) Tax exemption.—To the extent allowed by general law,  
 1639 all bonds issued hereunder and interest paid thereon and all  
 1640 fees, charges, and other revenues derived by the district from  
 1641 the projects provided by this act are exempt from all taxes by  
 1642 the state or by any political subdivision, agency, or  
 1643 instrumentality thereof; however, any interest, income, or  
 1644 profits on debt obligations issued hereunder are not exempt from  
 1645 the tax imposed by chapter 220, Florida Statutes. Further, the  
 1646 district is not exempt from chapter 212, Florida Statutes.

1647 (n) Application of s. 189.051, Florida Statutes.—Bonds  
 1648 issued by the district shall meet the criteria set forth in s.  
 1649 189.051, Florida Statutes.

1650 (o) Act furnishes full authority for issuance of bonds.—

1651 This act constitutes full and complete authority for the  
 1652 issuance of bonds and the exercise of the powers of the district  
 1653 provided herein. Procedures or proceedings, publications,  
 1654 notices, consents, approvals, orders, acts, or things by the  
 1655 board, or by any board, officer, commission, department, agency,  
 1656 or instrumentality of the district, other than those required by  
 1657 this act, are not required to perform anything under this act,  
 1658 except that the issuance or sale of bonds pursuant to this act  
 1659 shall comply with the general law requirements applicable to the  
 1660 issuance or sale of bonds by the district. This act does not  
 1661 authorize the district to utilize bond proceeds to fund the  
 1662 ongoing operations of the district.

1663 (p) Pledge by the state to the bondholders of the  
 1664 district.—The state pledges to the holders of any bonds issued  
 1665 under this act that it will not limit or alter the rights of the  
 1666 district to own, acquire, construct, reconstruct, improve,  
 1667 maintain, operate, or furnish the projects or to levy and  
 1668 collect the taxes, assessments, rentals, rates, fees, and other  
 1669 charges provided for herein and to fulfill the terms of any  
 1670 agreement made with the holders of such bonds or other  
 1671 obligations and that it will not in any way impair the rights or  
 1672 remedies of such holders.

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

1676 event of a default or dissolution of the district, a general-  
 1677 purpose local government is not required to assume the property  
 1678 of the district, the debts of the district, or the district's  
 1679 obligations to complete any infrastructure improvements or  
 1680 provide any services to the district. Section 189.076(2),  
 1681 Florida Statutes, does not apply to the district.

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

1701 or of revenues to furnish such indemnifying bonds or to pledge  
1702 such securities as may be required by the district. Such  
1703 resolution or trust agreement may set forth the rights and  
1704 remedies of the bondholders and of the trustee, if any, and may  
1705 restrict the individual right of action by bondholders. The  
1706 board may provide for the payment of proceeds of the sale of the  
1707 bonds and the revenues of any project to such officer, board, or  
1708 depository as it may designate for the custody thereof and may  
1709 provide for the method of disbursement thereof with such  
1710 safeguards and restrictions as it may determine. All expenses  
1711 incurred in carrying out such resolution or trust agreement may  
1712 be treated as part of the cost of operation of the project to  
1713 which such trust agreement pertains.

1714 (12) AD VALOREM TAXES; ASSESSMENTS, BENEFIT SPECIAL  
1715 ASSESSMENTS, MAINTENANCE SPECIAL ASSESSMENTS, AND SPECIAL  
1716 ASSESSMENTS; MAINTENANCE TAXES.-

1717 (a) Ad valorem taxes.-At such time as all members of the  
1718 board are qualified electors who are elected by qualified  
1719 electors of the district, the board shall have the power to levy  
1720 and assess an ad valorem tax on all the taxable property in the  
1721 district to construct, operate, and maintain assessable  
1722 improvements; to pay the principal of, and interest on, any  
1723 general obligation bonds of the district; and to provide for any  
1724 sinking or other funds established in connection with any such  
1725 bonds. An ad valorem tax levied by the board for operating

1726 purposes, exclusive of debt service on bonds, may not exceed 3  
1727 mills. The ad valorem tax provided for herein shall be in  
1728 addition to county and all other ad valorem taxes provided for  
1729 by general law. Such tax shall be assessed, levied, and  
1730 collected in the same manner and at the same time as county  
1731 taxes. The levy of ad valorem taxes must be approved by  
1732 referendum as required by Section 9, Article VII of the State  
1733 Constitution.

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

1751 lien on the property against which assessed until paid and shall  
1752 be enforceable in like manner as county taxes. The amount of the  
1753 assessment for the exercise of the district's powers under  
1754 subsections (6) and (7) shall be determined by the board based  
1755 upon a report of the district's engineer and assessed by the  
1756 board upon such lands, which may be part or all of the lands  
1757 within the district benefited by the improvement, apportioned  
1758 between benefited lands in proportion to the benefits received  
1759 by each tract of land. The board may, if it determines it is in  
1760 the best interests of the district, set forth in the proceedings  
1761 initially levying such benefit special assessments or in  
1762 subsequent proceedings a formula for the determination of an  
1763 amount which, when paid by a taxpayer with respect to any tax  
1764 parcel, shall constitute a prepayment of all future annual  
1765 installments of such benefit special assessments. The payment of  
1766 which amount with respect to such tax parcel shall relieve and  
1767 discharge such tax parcel of the lien of such benefit special  
1768 assessments and any subsequent annual installment thereof. The  
1769 board may provide further that upon delinquency in the payment  
1770 of any annual installment of benefit special assessments, such  
1771 prepayment amount of all future annual installments of benefit  
1772 special assessments shall be and become immediately due and  
1773 payable together with such delinquent annual installment.

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

1776 physical facilities and services constituting the works,  
 1777 improvements, or infrastructure owned by the district pursuant  
 1778 to this act, to repair and restore any one or more of them, when  
 1779 needed, and to defray the current expenses of the district,  
 1780 including any sum which may be required to pay state and county  
 1781 ad valorem taxes on any lands which may have been purchased and  
 1782 which are held by the district under this act, the board of  
 1783 supervisors may, upon the completion of said systems,  
 1784 facilities, services, works, improvements, or infrastructure, in  
 1785 whole or in part, as may be certified to the board by the  
 1786 engineer of the board, levy annually a non-ad valorem and  
 1787 nonmillage tax upon each tract or parcel of land within the  
 1788 district, to be known as a "maintenance tax." A maintenance tax  
 1789 shall be apportioned upon the basis of the net assessments of  
 1790 benefits assessed as accruing from the original construction and  
 1791 shall be evidenced to and certified by the board of supervisors  
 1792 of the district not later than June 1 of each year to the  
 1793 Manatee County tax collector and shall be extended on the tax  
 1794 rolls and collected by the tax collector on the merged  
 1795 collection roll of the tax collector in the same manner and at  
 1796 the same time as county ad valorem taxes, and the proceeds  
 1797 therefrom shall be paid to the district. The maintenance tax  
 1798 shall be a lien until paid on the property against which  
 1799 assessed and enforceable in like manner and of the same dignity  
 1800 as county ad valorem taxes.

1801           (d) Maintenance special assessments.—To maintain and  
 1802 preserve the facilities and projects of the district, the board  
 1803 may levy a maintenance special assessment. This assessment may  
 1804 be evidenced to and certified to the tax collector by the board  
 1805 of supervisors not later than August 31 of each year and shall  
 1806 be entered by the property appraiser on the county tax rolls and  
 1807 shall be collected and enforced by the tax collector in the same  
 1808 manner and at the same time as county taxes, and the proceeds  
 1809 therefrom shall be paid to the district. However, this  
 1810 subsection does not prohibit the district in its discretion from  
 1811 using the method prescribed in s. 197.363, s. 197.3631, or s.  
 1812 197.3632, Florida Statutes, for collecting and enforcing these  
 1813 assessments. These maintenance special assessments shall be a  
 1814 lien on the property against which assessed until paid and shall  
 1815 be enforceable in like manner as county taxes. The amount of the  
 1816 maintenance special assessment for the exercise of the  
 1817 district's powers under this section shall be determined by the  
 1818 board based upon a report of the district's engineer and  
 1819 assessed by the board upon such lands, which may be all of the  
 1820 lands within the district benefited by the maintenance thereof,  
 1821 apportioned between the benefited lands in proportion to the  
 1822 benefits received by each tract of land.

1823           (e) Special assessments.—The board may levy and impose any  
 1824 special assessments pursuant to this subsection.

1825           (f) Enforcement of taxes.—The collection and enforcement

1826 of all taxes levied by the district shall be at the same time  
1827 and in like manner as county taxes and the provisions of general  
1828 law relating to the sale of lands for unpaid and delinquent  
1829 county taxes; the issuance, sale, and delivery of tax  
1830 certificates for such unpaid and delinquent county taxes; the  
1831 redemption thereof; the issuance to individuals of tax deeds  
1832 based thereon; and all other procedures in connection therewith  
1833 shall be applicable to the district to the same extent as if  
1834 such statutory provisions were expressly set forth in this act.  
1835 All taxes shall be subject to the same discounts as county  
1836 taxes.

1837 (g) When unpaid tax is delinquent; penalty.—All taxes  
1838 provided for in this act shall become delinquent and bear  
1839 penalties on the amount of such taxes in the same manner as  
1840 county taxes.

1841 (h) Status of assessments.—Benefit special assessments,  
1842 maintenance special assessments, and special assessments are  
1843 hereby found and determined to be non-ad valorem assessments as  
1844 defined in s. 197.3632(1), Florida Statutes. Maintenance taxes  
1845 are non-ad valorem taxes and are not special assessments.

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

1851 which assessed from the date of levy and imposition thereof  
 1852 until paid, coequal with the lien of state, county, municipal,  
 1853 and school board taxes. These assessments may be collected, at  
 1854 the district's discretion, under authority of s. 197.3631,  
 1855 Florida Statutes, as amended from time to time, by the tax  
 1856 collector pursuant to ss. 197.3632 and 197.3635, Florida  
 1857 Statutes, as amended from time to time, or in accordance with  
 1858 other collection measures provided by general law. In addition  
 1859 to, and not in limitation of, any powers otherwise set forth  
 1860 herein or in general law, these assessments may also be enforced  
 1861 pursuant to chapter 173, Florida Statutes, as amended from time  
 1862 to time.

1863 (j) Land owned by governmental entity.—Except as otherwise  
 1864 provided by general law, a levy of ad valorem taxes or non-ad  
 1865 valorem assessments under this act or chapter 170 or chapter  
 1866 197, Florida Statutes, or otherwise by the board of the district  
 1867 on property of a governmental entity that is subject to a ground  
 1868 lease as described in s. 190.003(14), Florida Statutes, does not  
 1869 constitute a lien or encumbrance on the underlying fee interest  
 1870 of such governmental entity.

1871 (13) SPECIAL ASSESSMENTS.—

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

1876 enacted, which provide a supplemental means or authority to  
1877 impose, levy, and collect special assessments as otherwise  
1878 authorized under this act, the board may levy and impose special  
1879 assessments to finance the exercise of any of its powers  
1880 permitted under this act using the following uniform procedures:

1881 1. At a noticed meeting, the board of supervisors of the  
1882 district may consider and review an engineer's report on the  
1883 costs of the systems, facilities, and services to be provided, a  
1884 preliminary special assessment methodology, and a preliminary  
1885 roll based on acreage or platted lands, depending upon whether  
1886 platting has occurred.

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

1901 similar characteristics under the special assessment methodology  
 1902 so long as such fixed proportion does not exceed the unique,  
 1903 special, and peculiar benefits enjoyed by such property from  
 1904 such systems, facilities, and services.

1905 b. The engineer's cost report shall identify the nature of  
 1906 the proposed systems, facilities, and services, their location,  
 1907 a cost breakdown plus a total estimated cost, including cost of  
 1908 construction or reconstruction, labor, and materials, lands,  
 1909 property, rights, easements, franchises, or systems, facilities,  
 1910 and services to be acquired; cost of plans and specifications  
 1911 and surveys of estimates of costs and revenues; costs of  
 1912 engineering, legal, and other professional consultation  
 1913 services; and other expenses or costs necessary or incident to  
 1914 determining the feasibility or practicability of such  
 1915 construction, reconstruction, or acquisition, administrative  
 1916 expenses, relationship to the authority and power of the  
 1917 district in its charter, and such other expenses or costs as may  
 1918 be necessary or incident to the financing to be authorized by  
 1919 the board of supervisors.

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

1926 benefit to the property, lot, parcel, or acreage of land; and,  
 1927 if the special assessment against such lot, parcel, acreage, or  
 1928 portion of land is to be paid in installments, the number of  
 1929 annual installments in which the special assessment is divided  
 1930 shall be entered into and shown upon the special assessment  
 1931 roll.

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

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

1976 | verified by the affidavit of the publisher and filed with the  
 1977 | manager of the district. Moreover, the initial special  
 1978 | assessment resolution with its attached, referenced, and  
 1979 | incorporated engineer's cost report, preliminary special  
 1980 | assessment methodology, and preliminary special assessment roll,  
 1981 | along with the notice resolution, shall be available for public  
 1982 | inspection at the office of the manager and the office of the  
 1983 | engineer or any other office designated by the board of  
 1984 | supervisors in the notice resolution. Notwithstanding the  
 1985 | foregoing, the landowners of all of the property which is  
 1986 | proposed to be assessed may give the district written notice of  
 1987 | waiver of any notice and publication provided for in this  
 1988 | subparagraph. However, such notice and publication is not  
 1989 | required, provided that any meeting of the board of supervisors  
 1990 | to consider such resolution is a publicly noticed meeting.

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

2001 report, the special assessment methodology, and the special  
 2002 assessment roll, the board of supervisors shall make a final  
 2003 decision on whether to levy and assess the particular special  
 2004 assessments. Thereafter, the board of supervisors shall meet as  
 2005 an equalizing board to hear and to consider any and all  
 2006 complaints as to the particular special assessments and shall  
 2007 adjust and equalize the special assessments to ensure proper  
 2008 assessment based on the benefit conferred on the property.

2009 4. When so equalized and approved by resolution or  
 2010 ordinance by the board of supervisors, to be called the final  
 2011 special assessment resolution, a final special assessment roll  
 2012 shall be filed with the clerk of the board and such special  
 2013 assessment shall stand confirmed and remain legal, valid, and  
 2014 binding first liens on the property against which such special  
 2015 assessments are made until paid, equal in dignity to the first  
 2016 liens of ad valorem taxation of county and municipal governments  
 2017 and school boards. However, upon completion of the systems,  
 2018 facilities, services, projects, improvements, works, or  
 2019 infrastructure, the district shall credit to each of the  
 2020 assessments the difference in the special assessment as  
 2021 originally made, approved, levied, assessed, and confirmed and  
 2022 the proportionate part of the actual cost of the improvement to  
 2023 be paid by the particular special assessments as finally  
 2024 determined upon the completion of the improvement; but in no  
 2025 event shall the final special assessment exceed the amount of

2026 the special and peculiar benefits as apportioned fairly and  
2027 reasonably to the property from the system, facility, or service  
2028 being provided as originally assessed. Promptly after such  
2029 confirmation, the special assessment shall be recorded by the  
2030 clerk of the district in the minutes of the proceedings of the  
2031 district, and the record of the lien in this set of minutes  
2032 shall constitute prima facie evidence of its validity. The board  
2033 of supervisors, in its sole discretion, may, by resolution,  
2034 grant a discount equal to all or a part of the payee's  
2035 proportionate share of the cost of the project consisting of  
2036 bond financing cost, such as capitalized interest, funded  
2037 reserves, and bond discounts included in the estimated cost of  
2038 the project, upon payment in full of any special assessments  
2039 during such period before the time such financing costs are  
2040 incurred as may be specified by the board of supervisors in such  
2041 resolution.

2042 5. District special assessments may be made payable in  
2043 installments over no more than 40 years after the date of the  
2044 payment of the first installment thereof and may bear interest  
2045 at fixed or variable rates.

2046 (b) Notwithstanding any provision of this act or chapter  
2047 170, Florida Statutes, that portion of s. 170.09, Florida  
2048 Statutes, which provides that special assessments may be paid  
2049 without interest at any time within 30 days after the  
2050 improvement is completed and a resolution accepting the same has

2051 been adopted by the governing authority is not applicable to any  
 2052 district special assessments, whether imposed, levied, and  
 2053 collected pursuant to this act or any other provision of general  
 2054 law, including, but not limited to, chapter 170, Florida  
 2055 Statutes.

2056 (c) In addition, the district is authorized expressly in  
 2057 the exercise of its rulemaking power to adopt rules that provide  
 2058 for notice, levy, imposition, equalization, and collection of  
 2059 assessments.

2060 (14) ISSUANCE OF CERTIFICATES OF INDEBTEDNESS BASED ON  
 2061 ASSESSMENTS FOR ASSESSABLE IMPROVEMENTS; ASSESSMENT BONDS.—

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

2076 sale and determine the form, manner of execution, and other  
2077 details of such certificates. The certificates shall recite that  
2078 they are payable only from the special assessments levied and  
2079 collected from the part or parcel of land or property against  
2080 which they are issued. The proceeds of such certificates may be  
2081 pledged for the payment of principal of and interest on any  
2082 revenue bonds or general obligation bonds issued to finance in  
2083 whole or in part such assessable improvement or, if not so  
2084 pledged, may be used to pay the cost or part of the cost of such  
2085 assessable improvements.

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

2101 provided in this section. The district is authorized to covenant  
 2102 with the holders of such assessment bonds, revenue bonds, or  
 2103 other obligations that it will diligently and faithfully enforce  
 2104 and collect all the special assessments, and interest and  
 2105 penalties thereon, for which such certificates of indebtedness  
 2106 or assessment liens have been deposited in or assigned to such  
 2107 fund; to foreclose such assessment liens so assigned to such  
 2108 special fund or represented by the certificates of indebtedness  
 2109 deposited in the special fund, after such assessment liens have  
 2110 become delinquent, and deposit the proceeds derived from such  
 2111 foreclosure, including interest and penalties, in such special  
 2112 fund; and to make any other covenants deemed necessary or  
 2113 advisable in order to properly secure the holders of such  
 2114 assessment bonds or other obligations.

2115 (c) The assessment bonds, revenue bonds, or other  
 2116 obligations issued pursuant to this subsection shall have such  
 2117 dates of issuance and maturity as deemed advisable by the board;  
 2118 however, the maturities of such assessment bonds or other  
 2119 obligations may not be more than 2 years after the due date of  
 2120 the last installment that will be payable on any of the special  
 2121 assessments for which such assessment liens, or the certificates  
 2122 of indebtedness representing such assessment liens, are assigned  
 2123 to or deposited in such special fund.

2124 (d) Such assessment bonds, revenue bonds, or other  
 2125 obligations issued under this subsection shall bear such

2126 interest as the board may determine, not to exceed the maximum  
 2127 rate allowed by general law, and shall be executed, shall have  
 2128 such provisions for redemption before maturity, shall be sold in  
 2129 such manner, and shall be subject to all of the applicable  
 2130 provisions contained in this act for revenue bonds, except as  
 2131 the same may be inconsistent with this subsection.

2132 (e) All assessment bonds, revenue bonds, or other  
 2133 obligations issued under this subsection shall be, shall  
 2134 constitute, and shall have all the qualities and incidents of  
 2135 negotiable instruments under the law merchant and general laws.

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

2151 197.552, Florida Statutes, the lien of all special assessments  
 2152 levied by the district shall constitute a lien of record held by  
 2153 a municipal or county governmental unit. Sections 194.171,  
 2154 197.122, 197.333, and 197.432, Florida Statutes, are applicable  
 2155 to district taxes with the same force and effect as if such  
 2156 sections were expressly provided in this act.

2157 (16) PAYMENT OF TAXES AND REDEMPTION OF TAX LIENS BY THE  
 2158 DISTRICT; SHARING IN PROCEEDS OF TAX SALE.-

2159 (a) The district shall have the power and right to:

2160 1. Pay any delinquent state, county, district, municipal,  
 2161 or other tax or assessment upon lands located wholly or  
 2162 partially within the boundaries of the district.

2163 2. Redeem or purchase any tax sales certificates issued or  
 2164 sold on account of any state, county, district, municipal, or  
 2165 other taxes or assessments upon lands located wholly or  
 2166 partially within the boundaries of the district.

2167 (b) Delinquent taxes paid, or tax sales certificates  
 2168 redeemed or purchased, by the district, together with all  
 2169 penalties for the default in payment of the same and all costs  
 2170 in collecting the same and a reasonable attorney fee, shall  
 2171 constitute a lien in favor of the district of equal dignity with  
 2172 the liens of state and county taxes and other taxes of equal  
 2173 dignity with state and county taxes upon all the real property  
 2174 against which the taxes were levied. The lien of the district  
 2175 may be foreclosed in the manner provided in this act.

2176 (c) In any sale of land pursuant to s. 197.542, Florida  
 2177 Statutes, as may be amended from time to time, the district may  
 2178 certify to the clerk of the circuit court of the county holding  
 2179 such sale the amount of taxes due to the district upon the lands  
 2180 sought to be sold, and the district shall share in the  
 2181 disbursement of the sales proceeds in accordance with this act  
 2182 and under general law.

2183 (17) FORECLOSURE OF LIENS.—Any lien in favor of the  
 2184 district arising under this act may be foreclosed by the  
 2185 district by foreclosure proceedings in the name of the district  
 2186 in a court of competent jurisdiction as provided by general law  
 2187 in like manner as is provided in chapter 170 or chapter 173,  
 2188 Florida Statutes, and any amendments thereto, and those chapters  
 2189 shall be applicable to such proceedings with the same force and  
 2190 effect as if those chapters were expressly provided in this act.  
 2191 Any act required or authorized to be done by or on behalf of a  
 2192 municipality in foreclosure proceedings under chapter 170 or  
 2193 chapter 173, Florida Statutes, may be performed by such officer  
 2194 or agent of the district as the board of supervisors may  
 2195 designate. Such foreclosure proceedings may be brought at any  
 2196 time after the expiration of 1 year from the date any tax, or  
 2197 installment thereof, becomes delinquent; however, no lien shall  
 2198 be foreclosed against any political subdivision or agency of the  
 2199 state. Other legal remedies shall remain available.

2200 (18) MANDATORY USE OF CERTAIN DISTRICT SYSTEMS,

2201 FACILITIES, AND SERVICES.—To the full extent permitted by  
 2202 general law, the district shall require all lands, buildings,  
 2203 premises, persons, firms, and corporations within the district  
 2204 to use the facilities of the district.

2205 (19) COMPETITIVE PROCUREMENT; BIDS; NEGOTIATIONS; RELATED  
 2206 PROVISIONS REQUIRED.—

2207 (a) A contract may not be let by the board for any goods,  
 2208 supplies, or materials to be purchased when the amount thereof  
 2209 to be paid by the district shall exceed the amount provided in  
 2210 s. 287.017, Florida Statutes, for category four, unless notice  
 2211 of bids shall be published in a newspaper of general circulation  
 2212 in Manatee County at least once. Any board seeking to construct  
 2213 or improve a public building, structure, or other public works  
 2214 shall comply with the bidding procedures of s. 255.20, Florida  
 2215 Statutes, as amended from time to time, and other applicable  
 2216 general law. In each case, the bid of the lowest responsive and  
 2217 responsible bidder shall be accepted unless all bids are  
 2218 rejected because the bids are too high or the board determines  
 2219 it is in the best interests of the district to reject all bids.  
 2220 The board may require the bidders to furnish bond with a  
 2221 responsible surety to be approved by the board. Nothing in this  
 2222 subsection shall prevent the board from undertaking and  
 2223 performing the construction, operation, and maintenance of any  
 2224 project or facility authorized by this act by the employment of  
 2225 labor, material, and machinery.

2226 (b) The Consultants' Competitive Negotiation Act, s.  
 2227 287.055, Florida Statutes, applies to contracts for engineering,  
 2228 architecture, landscape architecture, or registered surveying  
 2229 and mapping services let by the board.

2230 (c) Contracts for maintenance services for any district  
 2231 facility or project shall be subject to competitive bidding  
 2232 requirements when the amount thereof to be paid by the district  
 2233 exceeds the amount provided in s. 287.017, Florida Statutes, as  
 2234 amended from time to time, for category four. The district shall  
 2235 adopt rules, policies, or procedures establishing competitive  
 2236 bidding procedures for maintenance services. Contracts for other  
 2237 services may not be subject to competitive bidding unless the  
 2238 district adopts a rule, policy, or procedure applying  
 2239 competitive bidding procedures to said contracts. Nothing herein  
 2240 shall preclude the use of requests for proposal instead of  
 2241 invitations to bid as determined by the district to be in its  
 2242 best interest.

2243 (20) FEES, RENTALS, AND CHARGES; PROCEDURE FOR ADOPTION  
 2244 AND MODIFICATIONS; MINIMUM REVENUE REQUIREMENTS.—

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

2251 facilities, water management and control facilities, and water  
2252 and sewer systems; to recover the costs of making connection  
2253 with any district service, facility, or system; and to provide  
2254 for reasonable penalties against any user or property for any  
2255 such rates, fees, rentals, or other charges that are delinquent.

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

2276 inspection. The rates, fees, rentals, or charges so fixed for  
 2277 any class of users or property served shall be extended to cover  
 2278 any additional users or properties thereafter served which shall  
 2279 fall in the same class, without the necessity of any notice or  
 2280 hearing.

2281 (c) Such rates, fees, rentals, and charges shall be just  
 2282 and equitable and uniform for users of the same class, and when  
 2283 appropriate may be based or computed either upon the amount of  
 2284 service furnished, upon the average number of persons residing  
 2285 or working in or otherwise occupying the premises served, or  
 2286 upon any other factor affecting the use of the facilities  
 2287 furnished, or upon any combination of the foregoing factors, as  
 2288 may be determined by the board on an equitable basis.

2289 (d) The rates, fees, rentals, or other charges prescribed  
 2290 shall be such as will produce revenues, together with any other  
 2291 assessments, taxes, revenues, or funds available or pledged for  
 2292 such purpose, at least sufficient to provide for the following  
 2293 items, but not necessarily in the order stated:

2294 1. To provide for all expenses of operation and  
 2295 maintenance of such facility or service.

2296 2. To pay when due all bonds and interest thereon for the  
 2297 payment of which such revenues are, or shall have been, pledged  
 2298 or encumbered, including reserves for such purpose.

2299 3. To provide for any other funds which may be required  
 2300 under the resolution or resolutions authorizing the issuance of

2301 bonds pursuant to this act.

2302 (e) The board shall have the power to enter into contracts  
 2303 for the use of the projects of the district and with respect to  
 2304 the services, systems, and facilities furnished or to be  
 2305 furnished by the district.

2306 (21) RECOVERY OF DELINQUENT CHARGES.-In the event that any  
 2307 rates, fees, rentals, charges, or delinquent penalties are not  
 2308 paid as and when due and are in default for 60 days or more, the  
 2309 unpaid balance thereof and all interest accrued thereon,  
 2310 together with reasonable attorney fees and costs, may be  
 2311 recovered by the district in a civil action.

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

2326 facilities and reasonable attorney fees and other expenses, may  
 2327 be recovered by the district, which may also enforce payment of  
 2328 such delinquent fees, rentals, or other charges by any other  
 2329 lawful method of enforcement.

2330 (23) ENFORCEMENT AND PENALTIES.—The board or any aggrieved  
 2331 person may have recourse to such remedies in general law and at  
 2332 equity as may be necessary to ensure compliance with this act,  
 2333 including injunctive relief to enjoin or restrain any person  
 2334 violating this act or any bylaws, resolutions, regulations,  
 2335 rules, codes, or orders adopted under this act. In case any  
 2336 building or structure is erected, constructed, reconstructed,  
 2337 altered, repaired, converted, or maintained, or any building,  
 2338 structure, land, or water is used, in violation of this act or  
 2339 of any code, order, resolution, or other regulation made under  
 2340 authority conferred by this act or under general law, the board  
 2341 or any citizen residing in the district may institute any  
 2342 appropriate action or proceeding to prevent such unlawful  
 2343 erection, construction, reconstruction, alteration, repair,  
 2344 conversion, maintenance, or use; to restrain, correct, or avoid  
 2345 such violation; to prevent the occupancy of such building,  
 2346 structure, land, or water; and to prevent any illegal act,  
 2347 conduct, business, or use in or about such premises, land, or  
 2348 water.

2349 (24) SUITS AGAINST THE DISTRICT.—Any suit or action  
 2350 brought or maintained against the district for damages arising

2351 out of tort, including, without limitation, any claim arising  
 2352 upon account of an act causing an injury or loss of property,  
 2353 personal injury, or death, shall be subject to the limitations  
 2354 provided in s. 768.28, Florida Statutes.

2355 (25) EXEMPTION OF DISTRICT PROPERTY FROM EXECUTION.—All  
 2356 district property shall be exempt from levy and sale by virtue  
 2357 of an execution, and no execution or other judicial process  
 2358 shall issue against such property, nor shall any judgment  
 2359 against the district be a charge or lien on its property or  
 2360 revenues; however, nothing contained herein shall apply to or  
 2361 limit the rights of bondholders to pursue any remedy for the  
 2362 enforcement of any lien or pledge given by the district in  
 2363 connection with any of the bonds or obligations of the district.

2364 (26) TERMINATION, CONTRACTION, OR EXPANSION OF DISTRICT.—

2365 (a) The board of supervisors of the district may not ask  
 2366 the Legislature to repeal or amend this act to expand or to  
 2367 contract the boundaries of the district or otherwise cause the  
 2368 merger or termination of the district without first obtaining a  
 2369 resolution or official statement from Manatee County as required  
 2370 by s. 189.031(2)(e)4., Florida Statutes, for creation of an  
 2371 independent special district. The district's consent may be  
 2372 evidenced by a resolution or other official written statement of  
 2373 the district.

2374 (b) The district shall remain in existence until:

2375 1. The district is terminated and dissolved pursuant to

2376 | amendment to this act by the Legislature.

2377 |       2. The district has become inactive pursuant to s.

2378 | 189.062, Florida Statutes.

2379 |       (27) MERGER WITH COMMUNITY DEVELOPMENT DISTRICTS.—The

2380 | district may merge with one or more community development

2381 | districts situated wholly within its boundaries. The district

2382 | shall be the surviving entity of the merger. Any mergers shall

2383 | commence upon each such community development district filing a

2384 | written request for merger with the district. A copy of the

2385 | written request shall also be filed with Manatee County. The

2386 | district, subject to the direction of its board of supervisors,

2387 | shall enter into a merger agreement which shall provide for the

2388 | proper allocation of debt, the manner in which such debt shall

2389 | be retired, the transition of the community development district

2390 | board, and the transfer of all financial obligations and

2391 | operating and maintenance responsibilities to the district. The

2392 | execution of the merger agreement by the district and each

2393 | community development district constitutes consent of the

2394 | landowners within each district. The district and each community

2395 | development district requesting merger shall hold a public

2396 | hearing within its boundaries to provide information about and

2397 | take public comment on the proposed merger in the merger

2398 | agreement. The public hearing shall be held within 45 days after

2399 | the execution of the merger agreement by all parties thereto.

2400 | Notice of the public hearing shall be published in a newspaper

2401 of general circulation in Manatee County at least 14 days before  
 2402 the hearing. At the conclusion of the public hearing, each  
 2403 district shall consider a resolution approving or disapproving  
 2404 the proposed merger. If the district and each community  
 2405 development district which is a party to the merger agreement  
 2406 adopt a resolution approving the proposed merger, the  
 2407 resolutions and the merger agreement shall be filed with Manatee  
 2408 County. Upon receipt of the resolutions approving the merger and  
 2409 the merger agreement, Manatee County shall adopt a nonemergency  
 2410 ordinance dissolving each community development district  
 2411 pursuant to s. 190.046(10), Florida Statutes.

2412 (28) INCLUSION OF TERRITORY.—The inclusion of any or all  
 2413 territory of the district within a municipality does not change,  
 2414 alter, or affect the boundary, territory, existence, or  
 2415 jurisdiction of the district.

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

2426 ASSESSMENTS, OR BOTH TAXES AND ASSESSMENTS, ON THIS PROPERTY.  
 2427 THESE TAXES AND ASSESSMENTS PAY FOR THE CONSTRUCTION, OPERATION,  
 2428 AND MAINTENANCE COSTS OF CERTAIN PUBLIC SYSTEMS, FACILITIES, AND  
 2429 SERVICES OF THE DISTRICT AND ARE SET ANNUALLY BY THE GOVERNING  
 2430 BOARD OF THE DISTRICT. THESE TAXES AND ASSESSMENTS ARE IN  
 2431 ADDITION TO COUNTY AND OTHER LOCAL GOVERNMENTAL TAXES AND  
 2432 ASSESSMENTS AND ALL OTHER TAXES AND ASSESSMENTS PROVIDED FOR BY  
 2433 GENERAL LAW."

2434 (30) NOTICE OF CREATION AND ESTABLISHMENT.—Within 30 days  
 2435 after the election of the first board of supervisors creating  
 2436 the district, the district shall cause to be recorded in the  
 2437 grantor-grantee index of the property records in Manatee County  
 2438 a "Notice of Creation and Establishment of the North River Ranch  
 2439 Improvement Stewardship District." The notice shall, at a  
 2440 minimum, include the legal description of the territory  
 2441 described in this act.

2442 (31) DISTRICT PROPERTY PUBLIC; FEES.—Any system, facility,  
 2443 service, works, improvement, project, or other infrastructure  
 2444 owned by the district, or funded by federal tax exempt bonding  
 2445 issued by the district, is public; and the district by rule may  
 2446 regulate, and may impose reasonable charges or fees for, the use  
 2447 thereof, but not to the extent that such regulation or  
 2448 imposition of such charges or fees constitutes denial of  
 2449 reasonable access.

2450 Section 2. If any provision of this act or its application

2451 to any person or circumstance is held invalid, the invalidity  
2452 does not affect the remaining provisions or applications of the  
2453 act which can be given effect without the invalid provision or  
2454 application, and to this end the provisions of this act are  
2455 severable.

2456 Section 3. This act shall take effect upon becoming a law  
2457 except that the provisions of this act which authorize the levy  
2458 of ad valorem taxation shall take effect only upon express  
2459 approval by a majority vote of those qualified electors of the  
2460 North River Ranch Improvement Stewardship District, as required  
2461 by Section 9, Article VII of the State Constitution, voting in a  
2462 referendum election held at such time as all members of the  
2463 board are qualified electors who are elected by qualified  
2464 electors of the district as provided in this act.