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CS/CS/HB 1333, Engrossed 1

2017 Legislature

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

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51 Sunbridge Stewardship District lands located within Osceola
52 County and covered by this act to provide for a more
53 comprehensive communities development approach, which will
54 facilitate an integral relationship between transportation, land
55 use and urban design to provide for a diverse mix of housing and
56 regional employment and economic development opportunities,
57 rather than fragmented development with underutilized
58 infrastructure generally associated with urban sprawl.

59 (c) The establishment of a special and limited purpose
60 independent special district for the Sunbridge Stewardship
61 District lands will allow for the responsible management of an
62 area containing three watersheds and the intersection of the two
63 largest water management districts in the state. The headwaters
64 of the Econlockhatchee, St. Johns, and Kissimmee Rivers converge
65 on the Sunbridge Stewardship District lands. The establishment
66 of the district will further contribute to the ability to tailor
67 water resource solutions to the needs of each watershed and
68 basin to ensure the protection of the natural systems and
69 achieve conservation goals while facilitating the highest and
70 best use for the real property within the Sunbridge Stewardship
71 District.

72 (d) There is a considerably long period of time during
73 which there is a significant burden to provide various systems,
74 facilities, and services on the initial landowners of these
75 Sunbridge Stewardship District lands, such that there is a need

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76 | for flexible management, sequencing, timing, and financing of
77 | the various systems, facilities, and services to be provided to
78 | these lands, taking into consideration absorption rates,
79 | commercial viability, and related factors.

80 | (e) While chapter 190, Florida Statutes, provides an
81 | opportunity for community development services and facilities to
82 | be provided by the establishment of community development
83 | districts in a manner that furthers the public interest, given
84 | the size of the Sunbridge Stewardship District lands and the
85 | duration of development and that the Sunbridge Stewardship
86 | District lands are located within the headwaters of three major
87 | river systems, establishing multiple community development
88 | districts over these lands would result in an inefficient,
89 | duplicative, and needless proliferation of local special purpose
90 | government, contrary to the public interest and the
91 | Legislature's findings in chapter 190, Florida Statutes.
92 | Instead, it is in the public interest that the long-range
93 | provision for, and management, financing, and long-term
94 | maintenance, upkeep, and operation of, services and facilities
95 | to be provided for ultimate development and conservation of the
96 | lands covered by this act be under one coordinated entity. The
97 | creation of a single district will assist in integrating the
98 | management of state resources and allow for greater and more
99 | coordinated stewardship of water, waste, energy, habitat and
100 | natural system resources.

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101 (f) Longer involvement of the initial landowner with
102 regard to the provision of systems, facilities, and services for
103 the Sunbridge Stewardship District lands, coupled with the
104 special and limited purpose of the district, is in the public
105 interest.

106 (g) The existence and use of such a special and limited
107 purpose local government for the Sunbridge Stewardship District
108 lands, subject to the Osceola County comprehensive plan, will
109 provide for a comprehensive and complete communities development
110 approach to promote a sustainable and efficient land use pattern
111 for the Sunbridge Stewardship District lands with long-term
112 planning for conservation, development, and agriculture and
113 silviculture on a large scale; provide opportunities for the
114 mitigation of impacts and development of infrastructure in an
115 orderly and timely manner; prevent the overburdening of the
116 local general purpose government and the taxpayers; and provide
117 an enhanced tax base and regional employment and economic
118 development opportunities.

119 (h) The creation and establishment of the special district
120 will encourage local government financial self-sufficiency in
121 providing public facilities and in identifying and implementing
122 physically sound, innovative, and cost-effective techniques to
123 provide and finance public facilities while encouraging
124 development, use, and coordination of capital improvement plans

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125 by all levels of government, in accordance with the goals of
126 chapter 187, Florida Statutes.

127 (i) The creation and establishment of the special district
128 will encourage and enhance cooperation among communities that
129 have unique assets, irrespective of political boundaries, to
130 bring the private and public sectors together for establishing
131 an orderly and economically sound plan for current and future
132 needs and growth.

133 (j) The creation and establishment of the special district
134 is a legitimate supplemental and alternative method available to
135 manage, own, operate, construct, and finance capital
136 infrastructure systems, facilities, and services.

137 (k) In order to be responsive to the critical timing
138 required through the exercise of its special management
139 functions, an independent special district requires financing of
140 those functions, including bondable lienable and nonlienable
141 revenue, with full and continuing public disclosure and
142 accountability, funded by landowners, both present and future,
143 and funded also by users of the systems, facilities, and
144 services provided to the land area by the special district,
145 without unduly burdening the taxpayers, citizens, and ratepayers
146 of the state, Osceola County, any municipality therein, or the
147 Tohopekaliga Water Authority.

148 (l) The special district created and established by this
149 act shall not have or exercise any comprehensive planning,

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150 zoning, or development permitting power; the establishment of
151 the special district shall not be considered a development order
152 within the meaning of chapter 380, Florida Statutes; and all
153 applicable planning and permitting laws, rules, regulations, and
154 policies of Osceola County control the development of the land
155 to be serviced by the special district.

156 (m) The creation by this act of the Sunbridge Stewardship
157 District is not inconsistent with the Osceola County
158 comprehensive plan.

159 (n) It is the legislative intent and purpose that no debt
160 or obligation of the special district constitute a burden on any
161 local general-purpose government or the Tohopekaliga Water
162 Authority without its consent.

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

164 (a) "Ad valorem bonds" means bonds that are payable from
165 the proceeds of ad valorem taxes levied on real and tangible
166 personal property and that are generally referred to as general
167 obligation bonds.

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

172 (c) "Assessment bonds" means special obligations of the
173 district which are payable solely from proceeds of the special
174 assessments or benefit special assessments levied for assessable

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175 improvements, provided that, in lieu of issuing assessment bonds
 176 to fund the costs of assessable improvements, the district may
 177 issue revenue bonds for such purposes payable from assessments.

178 (d) "Assessments" means those nonmillage district
 179 assessments which include special assessments, benefit special
 180 assessments, and maintenance special assessments and a
 181 nonmillage, non-ad valorem maintenance tax if authorized by
 182 general law.

183 (e) "Sunbridge Stewardship District" means the unit of
 184 special and limited purpose local government created and
 185 chartered by this act, and limited to the performance of those
 186 general and special powers authorized by its charter under this
 187 act, the boundaries of which are set forth by the act, the
 188 governing board of which is created and authorized to operate
 189 with legal existence by this act, and the purpose of which is as
 190 set forth in this act.

191 (f) "Benefit special assessments" are district assessments
 192 imposed, levied, and collected pursuant to the provisions of
 193 section 6(12)(b).

194 (g) "Board of supervisors" or "board" means the governing
 195 body of the district or, if such board has been abolished, the
 196 board, body, or commission assuming the principal functions
 197 thereof or to whom the powers given to the board by this act
 198 have been given by law.

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199 (h) "Bond" includes "certificate," and the provisions that
200 are applicable to bonds are equally applicable to certificates.
201 The term also includes any general obligation bond, assessment
202 bond, refunding bond, revenue bond, bond anticipation note, and
203 other such obligation in the nature of a bond as is provided for
204 in this act.

205 (i) "Cost" or "costs," when used with reference to any
206 project, includes, but is not limited to:

207 1. The expenses of determining the feasibility or
208 practicability of acquisition, construction, or reconstruction.

209 2. The cost of surveys, estimates, plans, and
210 specifications.

211 3. The cost of improvements.

212 4. Engineering, architectural, fiscal, and legal expenses
213 and charges.

214 5. The cost of all labor, materials, machinery, and
215 equipment.

216 6. The cost of all lands, properties, rights, easements,
217 and franchises acquired.

218 7. Financing charges.

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

220 9. Working capital.

221 10. Interest charges incurred or estimated to be incurred
222 on money borrowed prior to and during construction and
223 acquisition and for such reasonable period of time after

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224 completion of construction or acquisition as the board may
225 determine.

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

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

230 13. The discount, if any, on the sale or exchange of
231 bonds.

232 14. Administrative expenses.

233 15. Such other expenses as may be necessary or incidental
234 to the acquisition, construction, or reconstruction of any
235 project, or to the financing thereof, or to the development of
236 any lands within the district.

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

240 17. Any other expense or payment permitted by this act or
241 allowable by law.

242 (j) "District" means the Sunbridge Stewardship District.

243 (k) "District manager" means the manager of the district.

244 (l) "District roads" means highways, streets, roads,
245 alleys, intersection improvements, sidewalks, crossings,
246 landscaping, irrigation, signage, signalization, storm drains,
247 bridges, multi-use trails, lighting, and thoroughfares of all
248 kinds.

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249 (m) "General obligation bonds" means bonds which are
 250 secured by, or provide for their payment by, the pledge of the
 251 full faith and credit and taxing power of the district.

252 (n) "Governing board member" means any member of the board
 253 of supervisors.

254 (o) "Land development regulations" means those regulations
 255 of general purpose local government, adopted under the Florida
 256 Local Government Comprehensive Planning and Land Development
 257 Regulation Act, codified as part II of chapter 163, Florida
 258 Statutes, to which the district is subject and as to which the
 259 district may not do anything that is inconsistent therewith.
 260 Land development regulations shall not mean specific management,
 261 engineering, operations, or capital improvement planning, needed
 262 in the daily management, implementation, and supplying by the
 263 district of systems, facilities, services, works, improvements,
 264 projects, or infrastructure, so long as they remain subject to
 265 and are not inconsistent with the applicable county codes.

266 (p) "Landowner" means the owner of a freehold estate as it
 267 appears on the deed record, including a trustee, a private
 268 corporation, and an owner of a condominium unit. "Landowner"
 269 does not include a reversioner, remainderman, mortgagee, or any
 270 governmental entity which shall not be counted and need not be
 271 notified of proceedings under this act. "Landowner" also means
 272 the owner of a ground lease from a governmental entity, which

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273 leasehold interest has a remaining term, excluding all renewal
 274 options, in excess of 50 years.

275 (q) "General-purpose local government" means a county,
 276 municipality, or consolidated city-county government.

277 (r) "Maintenance special assessments" are assessments
 278 imposed, levied, and collected pursuant to the provisions of
 279 section 6(12)(d).

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

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

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

291 2. "Special powers," which means those powers enumerated
 292 by the district charter to implement its specialized systems,
 293 facilities, services, projects, improvements, and infrastructure
 294 and related functions in order to carry out its special and
 295 limited purposes.

296 3. Any other powers, authority, or functions set forth in
 297 this act.

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298 (u) "Project" means any development, improvement,
 299 property, power, utility, facility, enterprise, service, system,
 300 works, or infrastructure now existing or hereafter undertaken or
 301 established under the provisions of this act.

302 (v) "Qualified elector" means any person at least 18 years
 303 of age who is a citizen of the United States and a legal
 304 resident of the state and of the district and who registers to
 305 vote with the Supervisor of Elections in Osceola County and
 306 resides in Osceola County.

307 (w) "Reclaimed water" means water that has received at
 308 least secondary treatment and basic disinfection and is reused
 309 after flowing out of a domestic wastewater treatment facility.

310 (x) "Reclaimed water system" means any plant, system,
 311 facility, or property, and any addition, extension, or
 312 improvement thereto at any future time constructed or acquired
 313 as part thereof, useful, necessary, or having the present
 314 capacity for future use in connection with the development of
 315 sources, treatment, purification, or distribution of reclaimed
 316 water. The term includes franchises of any nature relating to
 317 any such system and necessary or convenient for the operation
 318 thereof.

319 (y) "Refunding bonds" means bonds issued to refinance
 320 outstanding bonds of any type and the interest and redemption
 321 premium thereon. Refunding bonds may be issuable and payable in
 322 the same manner as refinanced bonds, except that no approval by

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323 the electorate shall be required unless required by the State
 324 Constitution.

325 (z) "Revenue bonds" means obligations of the district that
 326 are payable from revenues, including, but not limited to,
 327 special assessments and benefit special assessments, derived
 328 from sources other than ad valorem taxes on real or tangible
 329 personal property and that do not pledge the property, credit,
 330 or general tax revenue of the district.

331 (aa) "Sewer system" means any plant, system, facility, or
 332 property, and additions, extensions, and improvements thereto at
 333 any future time constructed or acquired as part thereof, useful
 334 or necessary or having the present capacity for future use in
 335 connection with the collection, treatment, purification, or
 336 disposal of sewage, including, but not limited to, industrial
 337 wastes resulting from any process of industry, manufacture,
 338 trade, or business or from the development of any natural
 339 resource. The term also includes treatment plants, pumping
 340 stations, lift stations, valves, force mains, intercepting
 341 sewers, laterals, pressure lines, mains, and all necessary
 342 appurtenances and equipment; all sewer mains, laterals, and
 343 other devices for the reception and collection of sewage from
 344 premises connected therewith; and all real and personal property
 345 and any interest therein, and rights, easements, and franchises
 346 of any nature relating to any such system and necessary or
 347 convenient for operation thereof.

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348 (bb) "Special assessments" means assessments as imposed,
349 levied, and collected by the district for the costs of
350 assessable improvements pursuant to the provisions of this act,
351 chapter 170, Florida Statutes, and the additional authority
352 under s. 197.3631, Florida Statutes, or other provisions of
353 general law, now or hereinafter enacted, which provide or
354 authorize a supplemental means to impose, levy, or collect
355 special assessments.

356 (cc) "Taxes" or "tax" means those levies and impositions
357 of the board of supervisors that support and pay for government
358 and the administration of law and that may be:

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

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

365 (dd) "Water system" means any plant, system, facility, or
366 property, and any addition, extension, or improvement thereto at
367 any future time constructed or acquired as a part thereof,
368 useful, necessary, or having the present capacity for future use
369 in connection with the development of sources, treatment,
370 purification, or distribution of water. The term also includes
371 dams, reservoirs, storage tanks, mains, lines, valves, pumping
372 stations, laterals, and pipes for the purpose of carrying water

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373 to the premises connected with such system, and all rights,
374 easements, and franchises of any nature relating to any such
375 system and necessary or convenient for the operation thereof.

376 (3) POLICY.—Based upon its findings, ascertainments,
377 determinations, intent, purpose, and definitions, the
378 Legislature states its policy expressly:

379 (a) The district and the district charter, with its
380 general and special powers, as created in this act, are
381 essential and the best alternative for the residential,
382 commercial, office, hotel, industrial, and other community uses,
383 projects, or functions in the included portion of Osceola County
384 consistent with the effective comprehensive plan, and designed
385 to serve a lawful public purpose. Additionally, the district and
386 the district charter are not in conflict with and shall not be
387 interpreted in a manner that is inconsistent with the
388 Tohopekaliga Water Authority Act.

389 (b) The district, which is a local government and a
390 political subdivision, is limited to its special purpose as
391 expressed in this act, with the power to provide, plan,
392 implement, construct, maintain, and finance as a local
393 government management entity systems, facilities, services,
394 improvements, infrastructure, and projects, and possessing
395 financing powers to fund its management power over the long term
396 and with sustained levels of high quality.

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397 (c) The creation of the Sunbridge Stewardship District by
 398 and pursuant to this act, and its exercise of its management and
 399 related financing powers to implement its limited, single, and
 400 special purpose, is not a development order and does not trigger
 401 or invoke any provision within the meaning of chapter 380,
 402 Florida Statutes, and all applicable governmental planning,
 403 environmental, and land development laws, regulations, rules,
 404 policies, and ordinances apply to all development of the land
 405 within the jurisdiction of the district as created by this act.

406 (d) The district shall operate and function subject to,
 407 and not inconsistent with, the applicable comprehensive plan of
 408 Osceola County and any applicable development orders (e.g.
 409 detailed specific area plan development orders), zoning
 410 regulations, and other land development regulations.

411 (e) The special and single purpose Sunbridge Stewardship
 412 District shall not have the power of a general-purpose local
 413 government to adopt a comprehensive plan or related land
 414 development regulation as those terms are defined in the
 415 Community Planning Act.

416 (f) This act may be amended, in whole or in part, only by
 417 special act of the Legislature. The board of supervisors of the
 418 district shall not ask the Legislature to amend this act without
 419 first obtaining a resolution or official statement from Osceola
 420 County as required by s. 189.031(2)(e)4., Florida Statutes, for
 421 creation of an independent special district. The board shall not

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422 ask the Legislature to amend this act related to the delivery of
423 potable and nonpotable water and wastewater services in Osceola
424 County without first obtaining a resolution approving such
425 amendment from the Tohopekaliga Water Authority or its
426 successors.

427 (g) Nothing in this act is intended to, or shall be
428 construed to, conflict with the Tohopekaliga Water Authority
429 Act. Nothing in this act is intended to, or shall be construed
430 to, limit the power of the Tohopekaliga Water Authority or its
431 successors.

432 Section 3. Minimum charter requirements; creation and
433 establishment; jurisdiction; construction; charter.-

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

438 (a) The purpose of the district is stated in the act in
439 subsection (4) and in sections 2 and 3.

440 (b) The powers, functions, and duties of the district
441 regarding ad valorem taxation, bond issuance, other revenue-
442 raising capabilities, budget preparation and approval, liens and
443 foreclosure of liens, use of tax deeds and tax certificates as
444 appropriate for non-ad valorem assessments, and contractual
445 agreements are set forth in section 6.

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- 446 (c) The provisions for methods for establishing the
 447 district are in this section.
- 448 (d) The methods for amending the charter of the district
 449 are set forth in section 2.
- 450 (e) The provisions for the membership and organization of
 451 the governing body and the establishment of a quorum are in
 452 section 5.
- 453 (f) The provisions regarding maximum compensation of each
 454 board member are in section 5.
- 455 (g) The provisions regarding the administrative duties of
 456 the governing body are found in sections 5 and 6.
- 457 (h) The provisions applicable to financial disclosure,
 458 noticing, and reporting requirements generally are set forth in
 459 sections 5 and 6.
- 460 (i) The provisions regarding procedures and requirements
 461 for issuing bonds are set forth in section 6.
- 462 (j) The provisions regarding elections or referenda and
 463 the qualifications of an elector of the district are in sections
 464 2 and 5.
- 465 (k) The provisions regarding methods for financing the
 466 district are generally in section 6.
- 467 (l) Other than taxes levied for the payment of bonds and
 468 taxes levied for periods not longer than 2 years when authorized
 469 by vote of the electors of the district, the provisions for the

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470 authority to levy ad valorem tax and the authorized millage rate
471 are in section 6.

472 (m) The provisions for the method or methods of collecting
473 non-ad valorem assessments, fees, or service charges are in
474 section 6.

475 (n) The provisions for planning requirements are in this
476 section and section 6.

477 (o) The provisions for geographic boundary limitations of
478 the district are set forth in sections 4 and 6.

479 (2) The Sunbridge Stewardship District is created and
480 incorporated as a public body corporate and politic, an
481 independent special and limited purpose local government, an
482 independent special district, under s. 189.031, Florida
483 Statutes, as amended from time to time, and as defined in this
484 act and in s. 189.012(3), Florida Statutes, as amended from time
485 to time, in and for portions of Osceola County. Any amendments
486 to chapter 190, Florida Statutes, after January 1, 2017,
487 granting additional general powers, special powers, authorities,
488 or projects to a community development district by amendment to
489 its uniform charter, ss. 190.006-190.041, Florida Statutes,
490 which are not inconsistent with the provisions of this act,
491 shall constitute a general power, special power, authority, or
492 function of the Sunbridge Stewardship District. All notices for
493 the enactment by the Legislature of this special act have been
494 provided pursuant to the State Constitution, the Laws of

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495 Florida, and the Rules of the Florida House of Representatives
496 and of the Florida Senate. No referendum subsequent to the
497 effective date of this act is required as a condition of
498 establishing the district. Therefore, the district, as created
499 by this act, is established on the property described in this
500 act.

501 (3) The territorial boundary of the district shall embrace
502 and include all of that certain real property described in
503 section 4.

504 (4) The jurisdiction of this district, in the exercise of
505 its general and special powers, and in the carrying out of its
506 special and limited purposes, is both within the external
507 boundaries of the legal description of this district and
508 extraterritorially when limited to, and as authorized expressly
509 elsewhere in, the charter of the district as created in this act
510 or applicable general law. This special and limited purpose
511 district is created as a public body corporate and politic, and
512 local government authority and power is limited by its charter,
513 this act, and subject to the provisions of other general laws,
514 including chapter 189, Florida Statutes, except that an
515 inconsistent provision in this act shall control and the
516 district has jurisdiction to perform such acts and exercise such
517 authorities, functions, and powers as shall be necessary,
518 convenient, incidental, proper, or reasonable for the
519 implementation of its special and limited purpose regarding the

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520 sound planning, provision, acquisition, development, operation,
521 maintenance, and related financing of those public systems,
522 facilities, services, improvements, projects, and infrastructure
523 works as authorized herein, including those necessary and
524 incidental thereto. The district shall exercise any of its
525 powers extraterritorially within Osceola County upon execution
526 of an interlocal agreement between the district and Osceola
527 County consenting to the district's exercise of any of such
528 powers within Osceola County or an applicable development order
529 issued by Osceola County. The district shall exercise its power
530 concerning the acquisition, development, operation, and
531 management of a water system, reclaimed water system, and sewer
532 system within the boundaries or the service area of the
533 Tohopekaliga Water Authority upon execution of and in a manner
534 consistent with an interlocal or similar agreement between the
535 district and the Tohopekaliga Water Authority or an investor
536 owned utility regulated by the Florida Public Service
537 Commission.

538 (5) The exclusive charter of the Sunbridge Stewardship
539 District is this act and, except as otherwise provided in
540 subsection (2), may be amended only by special act of the
541 Legislature.

542 Section 4. Legal description of the Sunbridge Stewardship
543 District.—The metes and bounds legal description of the
544 district, within which there are no parcels of property owned by

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545 those who do not wish their property to be included within the
 546 district, is as follows:

547
 548 Sections 1, 2, 11, 12, 13, 14, 23 and 24, Township 25
 549 South, Range 31 East, Osceola County, Florida. AND:
 550 The Northwest one-quarter (NW 1/4), The Northeast one-
 551 quarter (NE 1/4) and all unsurveyed properties in the
 552 Northeast one-quarter (NE 1/4) of Section 25, Township
 553 25 South, Range 31 East, Osceola County, Florida. AND:
 554 The Northeast one-quarter (NE 1/4) of Section 27,
 555 Township 25 South, Range 31 East, Osceola County,
 556 Florida. AND: The West one-half (W 1/2) of the
 557 Northwest one-quarter (NW 1/4) of Section 26, Township
 558 25 South, Range 31 East, Osceola County, Florida. AND:
 559 Sections 5, 6, 7, 8, 16 17, 18, 19, 20, 21, 28, 29,
 560 30, 31, 32 and 33, Township 25 South, Range 32 East,
 561 Osceola County, Florida. AND: All lands in Sections 4,
 562 9, 10, 15, 22, 27 and 34, Township 25 South, Range 32
 563 East, Osceola County, Florida, lying West of the
 564 Easterly limits of the jurisdictional wetlands
 565 comprising the Econlockhatchee River Swamp.

566
 567 AND:
 568

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569 The South 1/2 of Section 36, Township 25 South, Range
 570 31 East, Osceola County, Florida.

571
 572 All of New Eden on the Lakes, Unit 8, as filed and
 573 recorded in Plat Book 1, Page 336 of the Public
 574 Records of Osceola County, Florida.

575
 576 All of New Eden on the Lakes, Replat of Unit 9, as
 577 filed and recorded in Plat Book 1, Page 341 of the
 578 Public Records of Osceola County, Florida, together
 579 with: Beginning at the Southeast corner of the NE 1/4
 580 of the NW 1/4 of Section 36, T25S, R31E, Osceola
 581 County, Florida, run N00°56'29"W, along the East line
 582 of the NW 1/4 of said Section 36, 1196.59 ft. to the
 583 South Right of Way line of State Road No. 532; run
 584 thence S86°43'09"W, along said South Right of Way
 585 line, 100.57 ft. to the Point of Curve of a 13596.54
 586 ft. Radius Curve to the Left; run thence along said
 587 Curve, 64.40 ft. (Chord bearing S86°35'01"W, Chord =
 588 64.40 ft.); run thence S03°13'22"E, 1191.61 ft. to the
 589 North line of New Eden on the Lakes, Replat of Unit 9,
 590 as filed and recorded in Plat Book 1, Page 341 of the
 591 Public Records of Osceola County, Florida; run thence
 592 N88°35'24"E, along said North line, 117.40 ft. to the
 593 Point of Beginning. Said land also described as Lot 1

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594 of the unrecorded plat of a portion of the N 1/2 of
 595 the NW 1/4 of Section 36, T25S, R31E, Osceola County,
 596 Florida, done by Johnston's Engineers, Inc. under the
 597 date of March 29, 1966.

598
 599 AND:

600
 601 Lot 1, COUNTRY MEADOW NORTH, according to the plat
 602 thereof as recorded in Plat Book 2, Page 233 of the
 603 Public Records of Osceola County, Florida.

604
 605 LESS AND EXCEPT: The West thirty (30) feet of the
 606 Northwest quarter of the Southwest quarter (NW1/4 of
 607 SW1/4) of said Section Fourteen (14), Township twenty-
 608 five (25) South, Range thirty-one (31) East, Osceola
 609 County, Florida (Deed Book 95, Page 353).

610
 611 LESS AND EXCEPT: BEGIN at the Southwest corner of
 612 Section 23, Township 25 South, Range 31 East, Osceola
 613 County, Florida, thence run North 00°00'10" West along
 614 the West line of said Section 23, a distance of
 615 1,150.00 feet to a point; thence departing said West
 616 line run North 89°52'31" East, a distance of 465.00
 617 feet to a point; thence run South 00°00'10" East, a
 618 distance of 600.00 feet to a point; thence run South

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619 89°52'31" West, a distance of 340.00 feet to a point;
 620 thence run South 00°00'10" East, a distance of 550.00
 621 feet to a point on the South line of said Section 23;
 622 thence run South 89°52'31" West along said South line,
 623 a distance of 125.00 feet to the POINT OF BEGINNING
 624 (Official Records Book 945, Page 2911).

625
 626 LESS AND EXCEPT: A Parcel of Land in that part of
 627 Section 1, Township 25 South, Range 31 East, Osceola
 628 County, Florida, lying within the right-of-way of
 629 Canal 30 as described in Official Records Book 12,
 630 Page 143, Osceola County, Florida, public records:
 631 said parcel of land being more specifically described
 632 as follows: From a 5" x 5" concrete monument marking
 633 the Northeast (NE) corner of the South one-half (S1/2)
 634 of said Section 1, the coordinates of which are X =
 635 448,239.56 and Y = 1,456,639.11, bear South 89°41'18"
 636 West, along the North line of the South one-half
 637 (S1/2) of said Section 1, a distance of 4190.40 feet
 638 to the intersection thereof with the Easterly right-
 639 of-way line of said Canal 30; Thence, South 0°05'45"
 640 East, along said Easterly right-of-way line, a
 641 distance of 756.08 feet to the point of beginning;
 642 Thence, continue South 0°05'45" East, along said
 643 Easterly right-of-way line, a distance of 196.57 feet;

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644 Thence, South 89°54'15" West, a distance of 350.00
 645 feet to the intersection thereof with the Westerly
 646 right-of-way line of said Canal 30; Thence, North
 647 0°05'45" West, along said Westerly right-of-way line,
 648 a distance of 196.57 feet; Thence, North 89°54'15"
 649 East, along said Westerly right-of-way line a distance
 650 of 350.00 feet to the point of beginning. The bearings
 651 and coordinates in the above description refer to the
 652 standard plane rectangular coordinate system for the
 653 East Zone of Florida (Official Records Book 169, Page
 654 298).

655
 656 LESS AND EXCEPT: Jones Road Right-of-Way as described
 657 in Deed Book 155, Page 318 of the Public Records of
 658 Osceola County, Florida.

659
 660 LESS AND EXCEPT: County Road 532 (Nova Road) Right-of-
 661 Way as described in Official Records Book 118, Page 4
 662 of the Public Records of Osceola County, Florida.

663
 664 Being subject to any rights-of-way, restrictions and easements
 665 of record.

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667 Section 5. Board of supervisors; members and meetings;
668 organization; powers; duties; terms of office; related election
669 requirements.-

670 (1) The board of the district shall exercise the powers
671 granted to the district pursuant to this act. The board shall
672 consist of five members, each of whom shall hold office for a
673 term of 4 years, as provided in this section, except as
674 otherwise provided herein for initial board members, and until a
675 successor is chosen and qualified. The members of the board must
676 be residents of the state and citizens of the United States.

677 (2) (a) Within 90 days after the effective date of this
678 act, there shall be held a meeting of the landowners of the
679 district for the purpose of electing five supervisors for the
680 district. Notice of the landowners' meeting shall be published
681 once a week for 2 consecutive weeks in a newspaper that is in
682 general circulation in the area of the district, the last day of
683 such publication to be not fewer than 14 days or more than 28
684 days before the date of the election. The landowners, when
685 assembled at such meeting, shall organize by electing a chair,
686 who shall conduct the meeting. The chair may be any person
687 present at the meeting. If the chair is a landowner or proxy
688 holder of a landowner, he or she may nominate candidates and
689 make and second motions. The landowners present at the meeting,
690 in person or by proxy, shall constitute a quorum. At any
691 landowners' meeting, 50 percent of the district acreage shall

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692 not be required to constitute a quorum, and each governing board
693 member elected by landowners shall be elected by a majority of
694 the acreage represented either by owner or proxy present and
695 voting at said meeting.

696 (b) At such meeting, each landowner shall be entitled to
697 cast one vote per acre of land owned by him or her and located
698 within the district for each person to be elected. A landowner
699 may vote in person or by proxy in writing. Each proxy must be
700 signed by one of the legal owners of the property for which the
701 vote is cast and must contain the typed or printed name of the
702 individual who signed the proxy; the street address, legal
703 description of the property, or tax parcel identification
704 number; and the number of authorized votes. If the proxy
705 authorizes more than one vote, each property must be listed and
706 the number of acres of each property must be included. The
707 signature on a proxy need not be notarized. A fraction of an
708 acre shall be treated as 1 acre, entitling the landowner to one
709 vote with respect thereto. The three candidates receiving the
710 highest number of votes shall each be elected for terms expiring
711 November 17, 2020, and the two candidates receiving the next
712 largest number of votes shall each be elected for terms expiring
713 November 20, 2018, with the term of office for each successful
714 candidate commencing upon election. The members of the first
715 board elected by landowners shall serve their respective terms;
716 however, the next election of board members shall be held on the

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717 first Tuesday after the first Monday in November 2018.
718 Thereafter, there shall be an election by landowners for the
719 district every 2 years on the first Tuesday after the first
720 Monday in November, which shall be noticed pursuant to paragraph
721 (a). The second and subsequent landowners' election shall be
722 announced at a public meeting of the board at least 90 days
723 before the date of the landowners' meeting and shall also be
724 noticed pursuant to paragraph (a). Instructions on how all
725 landowners may participate in the election, along with sample
726 proxies, shall be provided during the board meeting that
727 announces the landowners' meeting. Each supervisor elected in or
728 after November 2018 shall serve a 4-year term.

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

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

740 (I) Once 10,000 qualified electors reside within the
741 district, one governing board member shall be a person who is a

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742 qualified elector of the district and who was elected by the
743 qualified electors, and four governing board members shall be
744 persons who were elected by the landowners.

745 (II) Once 20,000 qualified electors reside within the
746 district, two governing board members shall be persons who are
747 qualified electors of the district and who were elected by the
748 qualified electors, and three governing board members shall be
749 persons elected by the landowners.

750 (III) Once 30,000 qualified electors reside within the
751 district, three governing board members shall be persons who are
752 qualified electors of the district and who were elected by the
753 qualified electors and two governing board members shall be
754 persons who were elected by the landowners.

755 (IV) Once 40,000 qualified electors reside within the
756 district, four governing board members shall be persons who are
757 qualified electors of the district and who were elected by the
758 qualified electors and one governing board member shall be a
759 person who was elected by the landowners.

760 (V) Once 45,000 qualified electors reside within the
761 district, all five governing board members shall be persons who
762 are qualified electors of the district and who were elected by
763 the qualified electors. In the event less than 45,000 qualified
764 electors reside within the district, but the development of the
765 district has completed the construction of 25,000 residential

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766 units or more, all five governing board members shall be persons
767 who were elected by the qualified electors.

768
769 Nothing in this sub-subparagraph is intended to require an
770 election prior to the expiration of an existing board member's
771 term.

772 b. On or before June 1 of each election year, the board
773 shall determine the number of qualified electors in the district
774 as of the immediately preceding April 15. The board shall use
775 and rely upon the official records maintained by the supervisor
776 of elections and property appraiser or tax collector in Osceola
777 County in making this determination. Such determination shall be
778 made at a properly noticed meeting of the board and shall become
779 a part of the official minutes of the district.

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

783 d. All governing board members elected by qualified
784 electors shall reside in the district.

785 e. Once the district qualifies to have any of its board
786 members elected by the qualified electors of the district, the
787 initial and all subsequent elections by the qualified electors
788 of the district shall be held at the general election in
789 November. The board shall adopt a resolution, if necessary, to
790 implement this requirement. The transition process described

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791 herein is intended to be in lieu of the process set forth in s.
792 189.041, Florida Statutes.

793 (b) Elections of board members by qualified electors held
794 pursuant to this subsection shall be nonpartisan and shall be
795 conducted in the manner prescribed by law for holding general
796 elections. Board members shall assume the office on the second
797 Tuesday following their election.

798 (c) Candidates seeking election to office by qualified
799 electors under this subsection shall conduct their campaigns in
800 accordance with the provisions of chapter 106, Florida Statutes,
801 and shall file qualifying papers and qualify for individual
802 seats in accordance with s. 99.061, Florida Statutes.

803 (d) The supervisor of elections shall appoint the
804 inspectors and clerks of elections, prepare and furnish the
805 ballots, designate polling places, and canvass the returns of
806 the election of board members by qualified electors. The county
807 canvassing board shall declare and certify the results of the
808 election.

809 (4) Members of the board, regardless of how elected, shall
810 be public officers, shall be known as supervisors, and, upon
811 entering into office, shall take and subscribe to the oath of
812 office as prescribed by s. 876.05, Florida Statutes. Members of
813 the board shall be subject to ethics and conflict of interest
814 laws of the state that apply to all local public officers. They
815 shall hold office for the terms for which they were elected or

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816 appointed and until their successors are chosen and qualified.
 817 If, during the term of office, a vacancy occurs, the remaining
 818 members of the board shall fill each vacancy by an appointment
 819 for the remainder of the unexpired term.

820 (5) Any elected member of the board of supervisors may be
 821 removed by the Governor for malfeasance, misfeasance,
 822 dishonesty, incompetency, or failure to perform the duties
 823 imposed upon him or her by this act, and any vacancies that may
 824 occur in such office for such reasons shall be filled by the
 825 Governor as soon as practicable.

826 (6) A majority of the members of the board constitutes a
 827 quorum for the purposes of conducting its business and
 828 exercising its powers and for all other purposes. Action taken
 829 by the district shall be upon a vote of a majority of the
 830 members present unless general law or a rule of the district
 831 requires a greater number.

832 (7) As soon as practicable after each election or
 833 appointment, the board shall organize by electing one of its
 834 members as chair and by electing a secretary, who need not be a
 835 member of the board, and such other officers as the board may
 836 deem necessary.

837 (8) The board shall keep a permanent record book entitled
 838 "Record of Proceedings of Sunbridge Stewardship District," in
 839 which shall be recorded minutes of all meetings, resolutions,
 840 proceedings, certificates, bonds given by all employees, and any

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841 and all corporate acts. The record book and all other district
 842 records shall at reasonable times be opened to inspection in the
 843 same manner as state, county, and municipal records pursuant to
 844 chapter 119, Florida Statutes. The record book shall be kept at
 845 the office or other regular place of business maintained by the
 846 board in a designated location in Osceola County.

847 (9) Each supervisor shall not be entitled to receive
 848 compensation for his or her services; however, each supervisor
 849 shall receive travel and per diem expenses as set forth in s.
 850 112.061, Florida Statutes.

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

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

854 (1) DISTRICT MANAGER AND EMPLOYEES.—The board shall employ
 855 and fix the compensation of a district manager, who shall have
 856 charge and supervision of the works of the district and shall be
 857 responsible for preserving and maintaining any improvement or
 858 facility constructed or erected pursuant to the provisions of
 859 this act, for maintaining and operating the equipment owned by
 860 the district, and for performing such other duties as may be
 861 prescribed by the board. It shall not be a conflict of interest
 862 under chapter 112, Florida Statutes, for a board member, the
 863 district manager, or another employee of the district to be a
 864 stockholder, officer, or employee of a landowner. The district
 865 manager may hire or otherwise employ and terminate the

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866 employment of such other persons, including, without limitation,
 867 professional, supervisory, and clerical employees, as may be
 868 necessary and authorized by the board. The compensation and
 869 other conditions of employment of the officers and employees of
 870 the district shall be as provided by the board.

871 (2) TREASURER.—The board shall designate a person who is a
 872 resident of the state as treasurer of the district, who shall
 873 have charge of the funds of the district. Such funds shall be
 874 disbursed only upon the order of or pursuant to a resolution of
 875 the board by warrant or check countersigned by the treasurer and
 876 by such other person as may be authorized by the board. The
 877 board may give the treasurer such other or additional powers and
 878 duties as the board may deem appropriate and may fix his or her
 879 compensation. The board may require the treasurer to give a bond
 880 in such amount, on such terms, and with such sureties as may be
 881 deemed satisfactory to the board to secure the performance by
 882 the treasurer of his or her powers and duties. The financial
 883 records of the board shall be audited by an independent
 884 certified public accountant at least once a year.

885 (3) PUBLIC DEPOSITORY.—The board is authorized to select
 886 as a depository for its funds any qualified public depository as
 887 defined in s. 280.02, Florida Statutes, which meets all the
 888 requirements of chapter 280, Florida Statutes, and has been
 889 designated by the treasurer as a qualified public depository
 890 upon such terms and conditions as to the payment of interest by

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891 such depository upon the funds so deposited as the board may
892 deem just and reasonable.

893 (4) BUDGET; REPORTS AND REVIEWS.—

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

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

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916 proposed and may make such changes as the board deems necessary.
 917 At the conclusion of the budget hearing, the board shall, by
 918 resolution, adopt the budget as finally approved by the board.
 919 The budget shall be adopted prior to October 1 of each year.

920 (c) At least 60 days prior to adoption, the board of
 921 supervisors of the district shall submit to the Board of County
 922 Commissioners of Osceola County, for purposes of disclosure and
 923 information only, the proposed annual budget for the ensuing
 924 fiscal year, and the board of county commissioners may submit
 925 written comments to the board of supervisors solely for the
 926 assistance and information of the board of supervisors of the
 927 district in adopting its annual district budget.

928 (d) The board of supervisors of the district shall submit
 929 annually a public facilities report to the Board of County
 930 Commissioners of Osceola County pursuant to Florida Statutes.
 931 The board of county commissioners may use and rely on the
 932 district's public facilities report in the preparation or
 933 revision of the Osceola County comprehensive plan.

934 (5) DISCLOSURE OF PUBLIC INFORMATION; WEB-BASED PUBLIC
 935 ACCESS.—The district shall take affirmative steps to provide for
 936 the full disclosure of information relating to the public
 937 financing and maintenance of improvements to real property
 938 undertaken by the district. Such information shall be made
 939 available to all existing residents and all prospective
 940 residents of the district. The district shall furnish each

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941 developer of a residential development within the district with
942 sufficient copies of that information to provide each
943 prospective initial purchaser of property in that development
944 with a copy; and any developer of a residential development
945 within the district, when required by law to provide a public
946 offering statement, shall include a copy of such information
947 relating to the public financing and maintenance of improvements
948 in the public offering statement. The district shall file the
949 disclosure documents required by this subsection and any
950 amendments thereto in the property records of each county in
951 which the district is located. By the end of the first full
952 fiscal year of the district's creation, the district shall
953 maintain an official Internet website in accordance with s.
954 189.069, Florida Statutes.

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

957 (a) To sue and be sued in the name of the district; to
958 adopt and use a seal and authorize the use of a facsimile
959 thereof; to acquire, by purchase, gift, devise, or otherwise,
960 and to dispose of, real and personal property, or any estate
961 therein; and to make and execute contracts and other instruments
962 necessary or convenient to the exercise of its powers.

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

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

971 (d) To borrow money and accept gifts; to apply for and use
 972 grants or loans of money or other property from the United
 973 States, the state, a unit of local government, or any person for
 974 any district purposes and enter into agreements required in
 975 connection therewith; and to hold, use, and dispose of such
 976 moneys or property for any district purposes in accordance with
 977 the terms of the gift, grant, loan, or agreement relating
 978 thereto.

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

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989 (f) To maintain an office at such place or places as the
990 board of supervisors designates in Osceola County, and within
991 the district when facilities are available.

992 (g) To hold, control, and acquire by donation, purchase,
993 or condemnation, or dispose of, any public easements,
994 dedications to public use, platted reservations for public
995 purposes, or any reservations for those purposes authorized by
996 this act and to make use of such easements, dedications, or
997 reservations for the purposes authorized by this act.

998 (h) To lease as lessor or lessee to or from any person,
999 firm, corporation, association, or body, public or private, any
1000 projects of the type that the district is authorized to
1001 undertake and facilities or property of any nature for the use
1002 of the district to carry out the purposes authorized by this
1003 act.

1004 (i) To borrow money and issue bonds, certificates,
1005 warrants, notes, or other evidence of indebtedness as provided
1006 herein; to levy such taxes and assessments as may be authorized;
1007 and to charge, collect, and enforce fees and other user charges.

1008 (j) To raise, by user charges or fees authorized by
1009 resolution of the board, amounts of money which are necessary
1010 for the conduct of district activities and services and to
1011 enforce their receipt and collection in the manner prescribed by
1012 resolution not inconsistent with law.

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1013 (k) To exercise all powers of eminent domain now or
 1014 hereafter conferred on counties in this state provided, however,
 1015 that such power of eminent domain may not be exercised outside
 1016 the territorial limits of the district unless the district
 1017 receives prior approval by vote of a resolution of the governing
 1018 body of the county if the taking will occur in an unincorporated
 1019 area in that county, or the governing body of the city if the
 1020 taking will occur in an incorporated area. The district shall
 1021 not have the power to exercise eminent domain over municipal,
 1022 county, state, or federal property. The powers hereinabove
 1023 granted to the district shall be so construed to enable the
 1024 district to fulfill the objects and purposes of the district as
 1025 set forth in this act.

1026 (l) To cooperate with, or contract with, other
 1027 governmental agencies as may be necessary, convenient,
 1028 incidental, or proper in connection with any of the powers,
 1029 duties, or purposes authorized by this act.

1030 (m) To assess and to impose upon lands in the district ad
 1031 valorem taxes as provided by this act.

1032 (n) If and when authorized by general law, to determine,
 1033 order, levy, impose, collect, and enforce maintenance taxes.

1034 (o) To determine, order, levy, impose, collect, and
 1035 enforce assessments pursuant to this act and chapter 170,
 1036 Florida Statutes, as amended from time to time, pursuant to
 1037 authority granted in s. 197.3631, Florida Statutes, or pursuant

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1038 to other provisions of general law now or hereinafter enacted
 1039 which provide or authorize a supplemental means to order, levy,
 1040 impose, or collect special assessments. Such special
 1041 assessments, in the discretion of the district, may be collected
 1042 and enforced pursuant to the provisions of ss. 197.3632 and
 1043 197.3635, Florida Statutes, and chapters 170 and 173, Florida
 1044 Statutes, as they may be amended from time to time, or as
 1045 provided by this act, or by other means authorized by general
 1046 law now or hereinafter enacted. The district may levy such
 1047 special assessments for the purposes enumerated in this act and
 1048 to pay special assessments imposed by Osceola County on lands
 1049 within the district.

1050 (p) To exercise such special powers and other express
 1051 powers as may be authorized and granted by this act in the
 1052 charter of the district, including powers as provided in any
 1053 interlocal agreement entered into pursuant to chapter 163,
 1054 Florida Statutes, or which shall be required or permitted to be
 1055 undertaken by the district pursuant to any development order,
 1056 including any detailed specific area plan development order, or
 1057 any interlocal service agreement with Osceola County for fair-
 1058 share capital construction funding for any certain capital
 1059 facilities or systems required of a developer pursuant to any
 1060 applicable development order or agreement.

1061 (q) To exercise all of the powers necessary, convenient,
 1062 incidental, or proper in connection with any other powers or

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1063 duties or the special and limited purpose of the district
 1064 authorized by this act.

1065
 1066 The provisions of this subsection shall be construed liberally
 1067 in order to carry out effectively the special and limited
 1068 purpose of this act.

1069 (7) SPECIAL POWERS.—The district shall have, and the board
 1070 may exercise, the following special powers to implement its
 1071 lawful and special purpose and to provide, pursuant to that
 1072 purpose, systems, facilities, services, improvements, projects,
 1073 works, and infrastructure, each of which constitutes a lawful
 1074 public purpose when exercised pursuant to this charter, subject
 1075 to, and not inconsistent with, general law regarding utility
 1076 providers' territorial and service agreements, the regulatory
 1077 jurisdiction and permitting authority of all other applicable
 1078 governmental bodies, agencies, and any special districts having
 1079 authority with respect to any area included therein, and to
 1080 plan, establish, acquire, construct or reconstruct, enlarge or
 1081 extend, equip, operate, finance, fund, and maintain
 1082 improvements, systems, facilities, services, works, projects,
 1083 and infrastructure. Any or all of the following special powers
 1084 are granted by this act in order to implement the special and
 1085 limited purpose of the district:

1086 (a) To provide water management and control for the lands
 1087 within the district and to connect some or any of such

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1088 facilities with roads and bridges. In the event that the board
1089 assumes the responsibility for providing water management and
1090 control for the district which is to be financed by benefit
1091 special assessments, the board shall adopt plans and assessments
1092 pursuant to law or may proceed to adopt water management and
1093 control plans, assess for benefits, and apportion and levy
1094 special assessments, as follows:

1095 1. The board shall cause to be made by the district's
1096 engineer, or such other engineer or engineers as the board may
1097 employ for that purpose, complete and comprehensive water
1098 management and control plans for the lands located within the
1099 district that will be improved in any part or in whole by any
1100 system of facilities that may be outlined and adopted, and the
1101 engineer shall make a report in writing to the board with maps
1102 and profiles of said surveys and an estimate of the cost of
1103 carrying out and completing the plans.

1104 2. Upon the completion of such plans, the board shall hold
1105 a hearing thereon to hear objections thereto, shall give notice
1106 of the time and place fixed for such hearing by publication once
1107 each week for 2 consecutive weeks in a newspaper of general
1108 circulation in the general area of the district, and shall
1109 permit the inspection of the plan at the office of the district
1110 by all persons interested. All objections to the plan shall be
1111 filed at or before the time fixed in the notice for the hearing
1112 and shall be in writing.

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1113 3. After the hearing, the board shall consider the
1114 proposed plan and any objections thereto and may modify, reject,
1115 or adopt the plan or continue the hearing until a day certain
1116 for further consideration of the proposed plan or modifications
1117 thereof.

1118 4. When the board approves a plan, a resolution shall be
1119 adopted and a certified copy thereof shall be filed in the
1120 office of the secretary and incorporated by him or her into the
1121 records of the district.

1122 5. The water management and control plan may be altered in
1123 detail from time to time until the engineer's report pursuant to
1124 s. 298.301, Florida Statutes, is filed but not in such manner as
1125 to affect materially the conditions of its adoption. After the
1126 engineer's report has been filed, no alteration of the plan
1127 shall be made, except as provided by this act.

1128 6. Within 20 days after the final adoption of the plan by
1129 the board, the board shall proceed pursuant to s. 298.301,
1130 Florida Statutes.

1131 (b) To provide water supply, sewer, wastewater, and
1132 reclaimed water management, reclamation, and reuse, or any
1133 combination thereof, and any irrigation systems, facilities, and
1134 services and to construct and operate water systems, sewer
1135 systems, and reclaimed water systems such as connecting
1136 intercepting or outlet sewers and sewer mains and pipes and
1137 water mains, conduits, or pipelines in, along, and under any

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1138 street, alley, highway, or other public place or ways, and to
 1139 dispose of any effluent, residue, or other byproducts of such
 1140 water system, sewer system, or reclaimed water system and to
 1141 enter into interlocal agreements and other agreements with
 1142 public or private entities for the same. However, such authority
 1143 shall be subordinate and subject to the existing powers of the
 1144 Tohopekaliga Water Authority to provide water supply, sewer,
 1145 wastewater, and reclaimed water service within the Tohopekaliga
 1146 Water Authority's service area; and such authority shall be
 1147 subordinate and subject to the existing powers of East Central
 1148 Florida Services, Inc., to provide water supply service within
 1149 its service area as set forth in its certificate from the
 1150 Florida Public Service Commission.

1151 (c) To provide bridges, culverts, wildlife corridors, or
 1152 road crossings that may be needed across any drain, ditch,
 1153 canal, floodway, holding basin, excavation, public highway,
 1154 tract, grade, fill, or cut and roadways over levees and
 1155 embankments, and to construct any and all of such works and
 1156 improvements across, through, or over any public right-of way,
 1157 highway, grade, fill, or cut.

1158 (d) To provide district roads equal to or exceeding the
 1159 specifications of the county in which such district roads are
 1160 located, and to provide street lights. This special power
 1161 includes, but is not limited to, roads, parkways, intersections,
 1162 bridges, landscaping, hardscaping, irrigation, bicycle lanes,

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1163 sidewalks, jogging paths, multiuse pathways and trails, street
1164 lighting, traffic signals, regulatory or informational signage,
1165 road striping, underground conduit, underground cable or fiber
1166 or wire installed pursuant to an agreement with or tariff of a
1167 retail provider of services, and all other customary elements of
1168 a functioning modern road system in general or as tied to the
1169 conditions of development approval for the area within the
1170 district, and parking facilities that are freestanding or that
1171 may be related to any innovative strategic intermodal system of
1172 transportation pursuant to applicable federal, state, and local
1173 law and ordinance.

1174 (e) To provide buses, trolleys, rail access, mass transit
1175 facilities, transit shelters, ridesharing facilities and
1176 services, parking improvements, and related signage.

1177 (f) To provide investigation and remediation costs
1178 associated with the cleanup of actual or perceived environmental
1179 contamination within the district under the supervision or
1180 direction of a competent governmental authority unless the
1181 covered costs benefit any person who is a landowner within the
1182 district and who caused or contributed to the contamination.

1183 (g) To provide observation areas, mitigation areas,
1184 wetland creation areas, and wildlife habitat, including the
1185 maintenance of any plant or animal species, and any related
1186 interest in real or personal property.

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1187 (h) Using its general and special powers as set forth in
1188 this act, to provide any other project within or without the
1189 boundaries of the district when the project is the subject of an
1190 agreement between the district and the Board of County
1191 Commissioners of Osceola County or with any other applicable
1192 public or private entity, and is not inconsistent with the
1193 effective local comprehensive plans.

1194 (i) To provide parks and facilities for indoor and outdoor
1195 recreational, cultural, and educational uses.

1196 (j) To provide school buildings and related structures,
1197 which may be leased, sold, or donated to the school district,
1198 for use in the educational system when authorized by the
1199 district school board.

1200 (k) To provide security, including electronic intrusion-
1201 detection systems and patrol cars, when authorized by proper
1202 governmental agencies, and may contract with the appropriate
1203 local general-purpose government agencies for an increased level
1204 of such services within the district boundaries.

1205 (l) To provide control and elimination of mosquitoes and
1206 other arthropods of public health importance.

1207 (m) To enter into impact fee, mobility fee, or other
1208 similar credit agreements with Osceola County or a landowner
1209 developer and to sell or assign such credits, on such terms as
1210 the district deems appropriate.

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1211 (n) To provide buildings and structures for district
 1212 offices, maintenance facilities, meeting facilities, town
 1213 centers, or any other project authorized or granted by this act.

1214 (o) To establish and create, at noticed meetings, such
 1215 departments of the board of supervisors of the district, as well
 1216 as committees, task forces, boards, or commissions, or other
 1217 agencies under the supervision and control of the district, as
 1218 from time to time the members of the board may deem necessary or
 1219 desirable in the performance of the acts or other things
 1220 necessary to exercise the board's general or special powers to
 1221 implement an innovative project to carry out the special and
 1222 limited purpose of the district as provided in this act and to
 1223 delegate the exercise of its powers to such departments, boards,
 1224 task forces, committees, or other agencies, and such
 1225 administrative duties and other powers as the board may deem
 1226 necessary or desirable, but only if there is a set of expressed
 1227 limitations for accountability, notice, and periodic written
 1228 reporting to the board that shall retain the powers of the
 1229 board.

1230 (p) To provide electrical, sustainable, or green
 1231 infrastructure improvements, facilities, and services,
 1232 including, but not limited to, recycling of natural resources,
 1233 reduction of energy demands, development and generation of
 1234 alternative or renewable energy sources and technologies,
 1235 mitigation of urban heat islands, sequestration, capping or

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1236 trading of carbon emissions or carbon emissions credits, LEED or
 1237 Florida Green Building Coalition certification, and development
 1238 of facilities and improvements for low-impact development and to
 1239 enter into joint ventures, public-private partnerships, and
 1240 other agreements and to grant such easements as may be necessary
 1241 to accomplish the foregoing. Nothing herein shall authorize the
 1242 district to provide electric service to retail customers or
 1243 otherwise act to impair electric utility franchise agreements.

1244 (q) To provide for any facilities or improvements that may
 1245 otherwise be provided for by any county or municipality,
 1246 including, but not limited to, libraries, annexes, substations,
 1247 and other buildings to house public officials, staff, and
 1248 employees.

1249 (r) To provide waste collection and disposal, beginning
 1250 not earlier than October 1, 2018.

1251 (s) To provide for the construction and operation of
 1252 communications systems and related infrastructure for the
 1253 carriage and distribution of communications services, and to
 1254 enter into joint ventures, public-private partnerships, and
 1255 other agreements and to grant such easements as may be necessary
 1256 to accomplish the foregoing. Communications systems shall mean
 1257 all facilities, buildings, equipment, items, and methods
 1258 necessary or desirable in order to provide communications
 1259 services, including, without limitation, wires, cables,
 1260 conduits, wireless cell sites, computers, modems, satellite

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1261 antennae sites, transmission facilities, network facilities, and
 1262 appurtenant devices necessary and appropriate to support the
 1263 provision of communications services. Communications services
 1264 includes, without limitation, internet, voice telephone or
 1265 similar services provided by voice over internet protocol, cable
 1266 television, data transmission services, electronic security
 1267 monitoring services, and multi-channel video programming
 1268 distribution services. Communications services provided by the
 1269 district shall carry or include any governmental channel or
 1270 other media content created or produced by Osceola County.

1271 (t) To provide health care facilities and to enter into
 1272 public-private partnerships and agreements as may be necessary
 1273 to accomplish the foregoing.

1274 (u) To coordinate, work with, and, as the board deems
 1275 appropriate, enter into interlocal agreements with any public or
 1276 private entity for the provision of an institution or
 1277 institutions of higher education.

1278 (v) To coordinate, work with, and as the board deems
 1279 appropriate, enter into public-private partnerships and
 1280 agreements as may be necessary or useful to effectuate the
 1281 purposes of this act.

1282
 1283 The enumeration of special powers herein shall not be deemed
 1284 exclusive or restrictive but shall be deemed to incorporate all
 1285 powers express or implied necessary or incident to carrying out

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1286 such enumerated special powers, including also the general
 1287 powers provided by this special act charter to the district to
 1288 implement its purposes. The district shall not initiate any
 1289 service during a fiscal year, if such service is then provided
 1290 by Osceola County and funded by Osceola County from the proceeds
 1291 of special assessments imposed within the district or from ad
 1292 valorem taxes levied within a municipal service taxing unit that
 1293 includes all or any portion of the district, unless notice is
 1294 provided to Osceola County not later than April 1 of the fiscal
 1295 year prior to initiating such service identifying such service
 1296 and the geographic area of the district in which such service
 1297 will be provided. Following the provision of such notice, the
 1298 district and Osceola County shall enter into an interlocal
 1299 agreement providing for a service transition that is revenue-
 1300 neutral for Osceola County prior to initiation of any such
 1301 service by the district. Further, the provisions of this
 1302 subsection shall be construed liberally in order to carry out
 1303 effectively the special and limited purpose of this district
 1304 under this act.

1305 (8) ISSUANCE OF BOND ANTICIPATION NOTES.—In addition to
 1306 the other powers provided for in this act, and not in limitation
 1307 thereof, the district shall have the power, at any time and from
 1308 time to time after the issuance of any bonds of the district
 1309 shall have been authorized, to borrow money for the purposes for
 1310 which such bonds are to be issued in anticipation of the receipt

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1311 of the proceeds of the sale of such bonds and to issue bond
1312 anticipation notes in a principal sum not in excess of the
1313 authorized maximum amount of such bond issue. Such notes shall
1314 be in such denomination or denominations, bear interest at such
1315 rate as the board may determine not to exceed the maximum rate
1316 allowed by general law, mature at such time or times not later
1317 than 5 years from the date of issuance, and be in such form and
1318 executed in such manner as the board shall prescribe. Such notes
1319 may be sold at either public or private sale or, if such notes
1320 shall be renewal notes, may be exchanged for notes then
1321 outstanding on such terms as the board shall determine. Such
1322 notes shall be paid from the proceeds of such bonds when issued.
1323 The board may, in its discretion, in lieu of retiring the notes
1324 by means of bonds, retire them by means of current revenues or
1325 from any taxes or assessments levied for the payment of such
1326 bonds, but, in such event, a like amount of the bonds authorized
1327 shall not be issued.

1328 (9) BORROWING.—The district at any time may obtain loans,
1329 in such amount and on such terms and conditions as the board may
1330 approve, for the purpose of paying any of the expenses of the
1331 district or any costs incurred or that may be incurred in
1332 connection with any of the projects of the district, which loans
1333 shall bear interest as the board determines, not to exceed the
1334 maximum rate allowed by general law, and may be payable from and
1335 secured by a pledge of such funds, revenues, taxes, and

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1336 assessments as the board may determine, subject, however, to the
1337 provisions contained in any proceeding under which bonds were
1338 theretofore issued and are then outstanding. For the purpose of
1339 defraying such costs and expenses, the district may issue
1340 negotiable notes, warrants, or other evidences of debt to be
1341 payable at such times and to bear such interest as the board may
1342 determine, not to exceed the maximum rate allowed by general
1343 law, and to be sold or discounted at such price or prices not
1344 less than 95 percent of par value and on such terms as the board
1345 may deem advisable. The board shall have the right to provide
1346 for the payment thereof by pledging the whole or any part of the
1347 funds, revenues, taxes, and assessments of the district or by
1348 covenanting to budget and appropriate from such funds. The
1349 approval of the electors residing in the district shall not be
1350 necessary except when required by the State Constitution.

1351 (10) BONDS.—

1352 (a) Sale of bonds.—Bonds may be sold in blocks or
1353 installments at different times, or an entire issue or series
1354 may be sold at one time. Bonds may be sold at public or private
1355 sale after such advertisement, if any, as the board may deem
1356 advisable, but not in any event at less than 90 percent of the
1357 par value thereof, together with accrued interest thereon. Bonds
1358 may be sold or exchanged for refunding bonds. Special assessment
1359 and revenue bonds may be delivered by the district as payment of
1360 the purchase price of any project or part thereof, or a

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1361 combination of projects or parts thereof, or as the purchase
 1362 price or exchange for any property, real, personal, or mixed,
 1363 including franchises or services rendered by any contractor,
 1364 engineer, or other person, all at one time or in blocks from
 1365 time to time, in such manner and upon such terms as the board in
 1366 its discretion shall determine. The price or prices for any
 1367 bonds sold, exchanged, or delivered may be:

- 1368 1. The money paid for the bonds.
 1369 2. The principal amount, plus accrued interest to the date
 1370 of redemption or exchange, or outstanding obligations exchanged
 1371 for refunding bonds.

- 1372 3. In the case of special assessment or revenue bonds, the
 1373 amount of any indebtedness to contractors or other persons paid
 1374 with such bonds, or the fair value of any properties exchanged
 1375 for the bonds, as determined by the board.

1376 (b) Authorization and form of bonds.—Any general
 1377 obligation bonds, special assessment bonds, or revenue bonds may
 1378 be authorized by resolution or resolutions of the board which
 1379 shall be adopted by a majority of all the members thereof then
 1380 in office. Such resolution or resolutions may be adopted at the
 1381 same meeting at which they are introduced and need not be
 1382 published or posted. The board may, by resolution, authorize the
 1383 issuance of bonds and fix the aggregate amount of bonds to be
 1384 issued; the purpose or purposes for which the moneys derived
 1385 therefrom shall be expended, including, but not limited to,

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1386 payment of costs as defined in section 2(2)(i); the rate or
 1387 rates of interest, not to exceed the maximum rate allowed by
 1388 general law; the denomination of the bonds; whether or not the
 1389 bonds are to be issued in one or more series; the date or dates
 1390 of maturity, which shall not exceed 40 years from their
 1391 respective dates of issuance; the medium of payment; the place
 1392 or places within or without the state at which payment shall be
 1393 made; registration privileges; redemption terms and privileges,
 1394 whether with or without premium; the manner of execution; the
 1395 form of the bonds, including any interest coupons to be attached
 1396 thereto; the manner of execution of bonds and coupons; and any
 1397 and all other terms, covenants, and conditions thereof and the
 1398 establishment of revenue or other funds. Such authorizing
 1399 resolution or resolutions may further provide for the contracts
 1400 authorized by s. 159.825(1)(f) and (g), Florida Statutes,
 1401 regardless of the tax treatment of such bonds being authorized,
 1402 subject to the finding by the board of a net saving to the
 1403 district resulting by reason thereof. Such authorizing
 1404 resolution may further provide that such bonds may be executed
 1405 in accordance with the Registered Public Obligations Act, except
 1406 that bonds not issued in registered form shall be valid if
 1407 manually countersigned by an officer designated by appropriate
 1408 resolution of the board. The seal of the district may be
 1409 affixed, lithographed, engraved, or otherwise reproduced in
 1410 facsimile on such bonds. In case any officer whose signature

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1411 shall appear on any bonds or coupons shall cease to be such
1412 officer before the delivery of such bonds, such signature or
1413 facsimile shall nevertheless be valid and sufficient for all
1414 purposes the same as if he or she had remained in office until
1415 such delivery.

1416 (c) Interim certificates; replacement certificates.—
1417 Pending the preparation of definitive bonds, the board may issue
1418 interim certificates or receipts or temporary bonds, in such
1419 form and with such provisions as the board may determine,
1420 exchangeable for definitive bonds when such bonds have been
1421 executed and are available for delivery. The board may also
1422 provide for the replacement of any bonds which become mutilated,
1423 lost, or destroyed.

1424 (d) Negotiability of bonds.—Any bond issued under this act
1425 or any temporary bond, in the absence of an express recital on
1426 the face thereof that it is nonnegotiable, shall be fully
1427 negotiable and shall be and constitute a negotiable instrument
1428 within the meaning and for all purposes of the law merchant and
1429 the laws of the state.

1430 (e) Defeasance.—The board may make such provision with
1431 respect to the defeasance of the right, title, and interest of
1432 the holders of any of the bonds and obligations of the district
1433 in any revenues, funds, or other properties by which such bonds
1434 are secured as the board deems appropriate and, without
1435 limitation on the foregoing, may provide that when such bonds or

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1436 obligations become due and payable or shall have been called for
1437 redemption and the whole amount of the principal and interest
1438 and premium, if any, due and payable upon the bonds or
1439 obligations then outstanding shall be held in trust for such
1440 purpose, and provision shall also be made for paying all other
1441 sums payable in connection with such bonds or other obligations,
1442 then and in such event the right, title, and interest of the
1443 holders of the bonds in any revenues, funds, or other properties
1444 by which such bonds are secured shall thereupon cease,
1445 terminate, and become void; and the board may apply any surplus
1446 in any sinking fund established in connection with such bonds or
1447 obligations and all balances remaining in all other funds or
1448 accounts other than moneys held for the redemption or payment of
1449 the bonds or other obligations to any lawful purpose of the
1450 district as the board shall determine.

1451 (f) Issuance of additional bonds.—If the proceeds of any
1452 bonds are less than the cost of completing the project in
1453 connection with which such bonds were issued, the board may
1454 authorize the issuance of additional bonds, upon such terms and
1455 conditions as the board may provide in the resolution
1456 authorizing the issuance thereof, but only in compliance with
1457 the resolution or other proceedings authorizing the issuance of
1458 the original bonds.

1459 (g) Refunding bonds.—The district shall have the power to
1460 issue bonds to provide for the retirement or refunding of any

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1461 bonds or obligations of the district that at the time of such
 1462 issuance are or subsequent thereto become due and payable, or
 1463 that at the time of issuance have been called or are, or will
 1464 be, subject to call for redemption within 10 years thereafter,
 1465 or the surrender of which can be procured from the holders
 1466 thereof at prices satisfactory to the board. Refunding bonds may
 1467 be issued at any time that in the judgment of the board such
 1468 issuance will be advantageous to the district. No approval of
 1469 the qualified electors residing in the district shall be
 1470 required for the issuance of refunding bonds except in cases in
 1471 which such approval is required by the State Constitution. The
 1472 board may by resolution confer upon the holders of such
 1473 refunding bonds all rights, powers, and remedies to which the
 1474 holders would be entitled if they continued to be the owners and
 1475 had possession of the bonds for the refinancing of which such
 1476 refunding bonds are issued, including, but not limited to, the
 1477 preservation of the lien of such bonds on the revenues of any
 1478 project or on pledged funds, without extinguishment, impairment,
 1479 or diminution thereof. The provisions of this act pertaining to
 1480 bonds of the district shall, unless the context otherwise
 1481 requires, govern the issuance of refunding bonds, the form and
 1482 other details thereof, the rights of the holders thereof, and
 1483 the duties of the board with respect to them.

1484 (h) Revenue bonds.—

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1485 1. The district shall have the power to issue revenue
1486 bonds from time to time without limitation as to amount. Such
1487 revenue bonds may be secured by, or payable from, the gross or
1488 net pledge of the revenues to be derived from any project or
1489 combination of projects; from the rates, fees, or other charges
1490 to be collected from the users of any project or projects; from
1491 any revenue-producing undertaking or activity of the district;
1492 from special assessments; or from benefit special assessments;
1493 or from any other source or pledged security. Such bonds shall
1494 not constitute an indebtedness of the district, and the approval
1495 of the qualified electors shall not be required unless such
1496 bonds are additionally secured by the full faith and credit and
1497 taxing power of the district.

1498 2. Any two or more projects may be combined and
1499 consolidated into a single project and may hereafter be operated
1500 and maintained as a single project. The revenue bonds authorized
1501 herein may be issued to finance any one or more of such
1502 projects, regardless of whether or not such projects have been
1503 combined and consolidated into a single project. If the board
1504 deems it advisable, the proceedings authorizing such revenue
1505 bonds may provide that the district may thereafter combine the
1506 projects then being financed or theretofore financed with other
1507 projects to be subsequently financed by the district and that
1508 revenue bonds to be thereafter issued by the district shall be
1509 on parity with the revenue bonds then being issued, all on such

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1510 terms, conditions, and limitations as shall have been provided
 1511 in the proceeding which authorized the original bonds.

1512 (i) General obligation bonds.—

1513 1. Subject to the limitations of this charter, the
 1514 district shall have the power from time to time to issue general
 1515 obligation bonds to finance or refinance capital projects or to
 1516 refund outstanding bonds in an aggregate principal amount of
 1517 bonds outstanding at any one time not in excess of 35 percent of
 1518 the assessed value of the taxable property within the district
 1519 as shown on the pertinent tax records at the time of the
 1520 authorization of the general obligation bonds for which the full
 1521 faith and credit of the district is pledged. Except for
 1522 refunding bonds, no general obligation bonds shall be issued
 1523 unless the bonds are issued to finance or refinance a capital
 1524 project and the issuance has been approved at an election held
 1525 in accordance with the requirements for such election as
 1526 prescribed by the State Constitution. Such elections shall be
 1527 called to be held in the district by the Board of County
 1528 Commissioners of Osceola County upon the request of the board of
 1529 the district. The expenses of calling and holding an election
 1530 shall be at the expense of the district and the district shall
 1531 reimburse the county for any expenses incurred in calling or
 1532 holding such election.

1533 2. The district may pledge its full faith and credit for
 1534 the payment of the principal and interest on such general

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1535 obligation bonds and for any reserve funds provided therefor and
 1536 may unconditionally and irrevocably pledge itself to levy ad
 1537 valorem taxes on all taxable property in the district, to the
 1538 extent necessary for the payment thereof, without limitation as
 1539 to rate or amount.

1540 3. If the board determines to issue general obligation
 1541 bonds for more than one capital project, the approval of the
 1542 issuance of the bonds for each and all such projects may be
 1543 submitted to the electors on one and the same ballot. The
 1544 failure of the electors to approve the issuance of bonds for any
 1545 one or more capital projects shall not defeat the approval of
 1546 bonds for any capital project which has been approved by the
 1547 electors.

1548 4. In arriving at the amount of general obligation bonds
 1549 permitted to be outstanding at any one time pursuant to
 1550 subparagraph 1., there shall not be included any general
 1551 obligation bonds that are additionally secured by the pledge of:

1552 a. Any assessments levied in an amount sufficient to pay
 1553 the principal and interest on the general obligation bonds so
 1554 additionally secured, which assessments have been equalized and
 1555 confirmed by resolution of the board pursuant to this act or s.
 1556 170.08, Florida Statutes.

1557 b. Water revenues, sewer revenues, or water and sewer
 1558 revenues of the district to be derived from user fees in an

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1559 amount sufficient to pay the principal and interest on the
 1560 general obligation bonds so additionally secured.

1561 c. Any combination of assessments and revenues described
 1562 in sub-subparagraphs a. and b.

1563 (j) Bonds as legal investment or security.—

1564 1. Notwithstanding any provisions of any other law to the
 1565 contrary, all bonds issued under the provisions of this act
 1566 shall constitute legal investments for savings banks, banks,
 1567 trust companies, insurance companies, executors, administrators,
 1568 trustees, guardians, and other fiduciaries and for any board,
 1569 body, agency, instrumentality, county, municipality, or other
 1570 political subdivision of the state and shall be and constitute
 1571 security which may be deposited by banks or trust companies as
 1572 security for deposits of state, county, municipal, or other
 1573 public funds or by insurance companies as required or voluntary
 1574 statutory deposits.

1575 2. Any bonds issued by the district shall be incontestable
 1576 in the hands of bona fide purchasers or holders for value and
 1577 shall not be invalid because of any irregularity or defect in
 1578 the proceedings for the issue and sale thereof.

1579 (k) Covenants.—Any resolution authorizing the issuance of
 1580 bonds may contain such covenants as the board may deem
 1581 advisable, and all such covenants shall constitute valid and
 1582 legally binding and enforceable contracts between the district
 1583 and the bondholders, regardless of the time of issuance thereof.

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1584 Such covenants may include, without limitation, covenants
 1585 concerning the disposition of the bond proceeds; the use and
 1586 disposition of project revenues; the pledging of revenues,
 1587 taxes, and assessments; the obligations of the district with
 1588 respect to the operation of the project and the maintenance of
 1589 adequate project revenues; the issuance of additional bonds; the
 1590 appointment, powers, and duties of trustees and receivers; the
 1591 acquisition of outstanding bonds and obligations; restrictions
 1592 on the establishing of competing projects or facilities;
 1593 restrictions on the sale or disposal of the assets and property
 1594 of the district; the priority of assessment liens; the priority
 1595 of claims by bondholders on the taxing power of the district;
 1596 the maintenance of deposits to ensure the payment of revenues by
 1597 users of district facilities and services; the discontinuance of
 1598 district services by reason of delinquent payments; acceleration
 1599 upon default; the execution of necessary instruments; the
 1600 procedure for amending or abrogating covenants with the
 1601 bondholders; and such other covenants as may be deemed necessary
 1602 or desirable for the security of the bondholders.

1603 (1) Validation proceedings.—The power of the district to
 1604 issue bonds under the provisions of this act may be determined,
 1605 and any of the bonds of the district maturing over a period of
 1606 more than 5 years shall be validated and confirmed, by court
 1607 decree, under the provisions of chapter 75, Florida Statutes,
 1608 and laws amendatory thereof or supplementary thereto.

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1609 (m) Tax exemption.—To the extent allowed by general law,
 1610 all bonds issued hereunder and interest paid thereon and all
 1611 fees, charges, and other revenues derived by the district from
 1612 the projects provided by this act are exempt from all taxes by
 1613 the state or by any political subdivision, agency, or
 1614 instrumentality thereof; however, any interest, income, or
 1615 profits on debt obligations issued hereunder are not exempt from
 1616 the tax imposed by chapter 220, Florida Statutes. Further, the
 1617 district is not exempt from the provisions of chapter 212,
 1618 Florida Statutes.

1619 (n) Application of s. 189.051, Florida Statutes.—Bonds
 1620 issued by the district shall meet the criteria set forth in s.
 1621 189.051, Florida Statutes.

1622 (o) Act furnishes full authority for issuance of bonds.—
 1623 This act constitutes full and complete authority for the
 1624 issuance of bonds and the exercise of the powers of the district
 1625 provided herein. No procedures or proceedings, publications,
 1626 notices, consents, approvals, orders, acts, or things by the
 1627 board, or any board, officer, commission, department, agency, or
 1628 instrumentality of the district, other than those required by
 1629 this act, shall be required to perform anything under this act,
 1630 except that the issuance or sale of bonds pursuant to the
 1631 provisions of this act shall comply with the general law
 1632 requirements applicable to the issuance or sale of bonds by the
 1633 district. Nothing in this act shall be construed to authorize

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1634 the district to utilize bond proceeds to fund the ongoing
1635 operations of the district.

1636 (p) Pledge by the state to the bondholders of the
1637 district.—The state pledges to the holders of any bonds issued
1638 under this act that it will not limit or alter the rights of the
1639 district to own, acquire, construct, reconstruct, improve,
1640 maintain, operate, or furnish the projects or to levy and
1641 collect the taxes, assessments, rentals, rates, fees, and other
1642 charges provided for herein and to fulfill the terms of any
1643 agreement made with the holders of such bonds or other
1644 obligations and that it will not in any way impair the rights or
1645 remedies of such holders.

1646 (q) Default.—A default on the bonds or obligations of a
1647 district shall not constitute a debt or obligation of the state
1648 or any general-purpose local government or the state. In the
1649 event of a default or dissolution of the district, no local
1650 general-purpose government shall be required to assume the
1651 property of the district, the debts of the district, or the
1652 district's obligations to complete any infrastructure
1653 improvements or provide any services to the district. The
1654 provisions of s. 189.076(2), Florida Statutes, shall not apply
1655 to the district.

1656 (11) TRUST AGREEMENTS.—Any issue of bonds shall be secured
1657 by a trust agreement or resolution by and between the district
1658 and a corporate trustee or trustees, which may be any trust

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1659 company or bank having the powers of a trust company within or
1660 without the state. The resolution authorizing the issuance of
1661 the bonds or such trust agreement may pledge the revenues to be
1662 received from any projects of the district and may contain such
1663 provisions for protecting and enforcing the rights and remedies
1664 of the bondholders as the board may approve, including, without
1665 limitation, covenants setting forth the duties of the district
1666 in relation to: the acquisition, construction, reconstruction,
1667 improvement, maintenance, repair, operation, and insurance of
1668 any projects; the fixing and revising of the rates, fees, and
1669 charges; and the custody, safeguarding, and application of all
1670 moneys and for the employment of consulting engineers in
1671 connection with such acquisition, construction, reconstruction,
1672 improvement, maintenance, repair, or operation. It shall be
1673 lawful for any bank or trust company within or without the state
1674 which may act as a depository of the proceeds of bonds or of
1675 revenues to furnish such indemnifying bonds or to pledge such
1676 securities as may be required by the district. Such resolution
1677 or trust agreement may set forth the rights and remedies of the
1678 bondholders and of the trustee, if any, and may restrict the
1679 individual right of action by bondholders. The board may provide
1680 for the payment of proceeds of the sale of the bonds and the
1681 revenues of any project to such officer, board, or depository as
1682 it may designate for the custody thereof and may provide for the
1683 method of disbursement thereof with such safeguards and

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1684 restrictions as it may determine. All expenses incurred in
 1685 carrying out the provisions of such resolution or trust
 1686 agreement may be treated as part of the cost of operation of the
 1687 project to which such trust agreement pertains.

1688 (12) AD VALOREM TAXES; ASSESSMENTS, BENEFIT SPECIAL
 1689 ASSESSMENTS, MAINTENANCE SPECIAL ASSESSMENTS, AND SPECIAL
 1690 ASSESSMENTS; MAINTENANCE TAXES.—

1691 (a) Ad valorem taxes.—At such time as all members of the
 1692 board are qualified electors who are elected by qualified
 1693 electors of the district, the board shall have the power to levy
 1694 and assess an ad valorem tax on all the taxable property in the
 1695 district to construct, operate, and maintain assessable
 1696 improvements; to pay the principal of, and interest on, any
 1697 general obligation bonds of the district; and to provide for any
 1698 sinking or other funds established in connection with any such
 1699 bonds. An ad valorem tax levied by the board for operating
 1700 purposes, exclusive of debt service on bonds, shall not exceed 3
 1701 mills. The ad valorem tax provided for herein shall be in
 1702 addition to county and all other ad valorem taxes provided for
 1703 by law. Such tax shall be assessed, levied, and collected in the
 1704 same manner and at the same time as county taxes. The levy of ad
 1705 valorem taxes must be approved by referendum as required by
 1706 Section 9 of Article VII of the State Constitution.

1707 (b) Benefit special assessments.—The board annually shall
 1708 determine, order, and levy the annual installment of the total

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1709 benefit special assessments for bonds issued and related
1710 expenses to finance assessable improvements. These assessments
1711 may be due and collected during each year county taxes are due
1712 and collected, in which case such annual installment and levy
1713 shall be evidenced to and certified to the property appraiser by
1714 the board not later than August 31 of each year. Such assessment
1715 shall be entered by the property appraiser on the county tax
1716 rolls and shall be collected and enforced by the tax collector
1717 in the same manner and at the same time as county taxes, and the
1718 proceeds thereof shall be paid to the district. However, this
1719 subsection shall not prohibit the district in its discretion
1720 from using the method prescribed in either s. 197.3632 or
1721 chapter 173, Florida Statutes, as each may be amended from time
1722 to time, for collecting and enforcing these assessments. Each
1723 annual installment of benefit special assessments shall be a
1724 lien on the property against which assessed until paid and shall
1725 be enforceable in like manner as county taxes. The amount of the
1726 assessment for the exercise of the district's powers under
1727 subsections (6) and (7) shall be determined by the board based
1728 upon a report of the district's engineer and assessed by the
1729 board upon such lands, which may be part or all of the lands
1730 within the district benefited by the improvement, apportioned
1731 between benefited lands in proportion to the benefits received
1732 by each tract of land. The board may, if it determines it is in
1733 the best interests of the district, set forth in the proceedings

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1734 initially levying such benefit special assessments or in
 1735 subsequent proceedings a formula for the determination of an
 1736 amount, which when paid by a taxpayer with respect to any tax
 1737 parcel, shall constitute a prepayment of all future annual
 1738 installments of such benefit special assessments and that the
 1739 payment of which amount with respect to such tax parcel shall
 1740 relieve and discharge such tax parcel of the lien of such
 1741 benefit special assessments and any subsequent annual
 1742 installment thereof. The board may provide further that upon
 1743 delinquency in the payment of any annual installment of benefit
 1744 special assessments, the prepayment amount of all future annual
 1745 installments of benefit special assessments as determined in the
 1746 preceding sentence shall be and become immediately due and
 1747 payable together with such delinquent annual installment.

1748 (c) Non-ad valorem maintenance taxes.—If and when
 1749 authorized by general law, to maintain and to preserve the
 1750 physical facilities and services constituting the works,
 1751 improvements, or infrastructure owned by the district pursuant
 1752 to this act, to repair and restore any one or more of them, when
 1753 needed, and to defray the current expenses of the district,
 1754 including any sum which may be required to pay state and county
 1755 ad valorem taxes on any lands which may have been purchased and
 1756 which are held by the district under the provisions of this act,
 1757 the board of supervisors may, upon the completion of said
 1758 systems, facilities, services, works, improvements, or

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1759 infrastructure, in whole or in part, as may be certified to the
1760 board by the engineer of the board, levy annually a non-ad
1761 valorem and nonmillage tax upon each tract or parcel of land
1762 within the district, to be known as a "maintenance tax." This
1763 non-ad valorem maintenance tax shall be apportioned upon the
1764 basis of the net assessments of benefits assessed as accruing
1765 from the original construction and shall be evidenced to and
1766 certified by the board of supervisors of the district not later
1767 than June 1 of each year to the Osceola County tax collector and
1768 shall be extended on the tax rolls and collected by the tax
1769 collector on the merged collection roll of the tax collector in
1770 the same manner and at the same time as county ad valorem taxes,
1771 and the proceeds therefrom shall be paid to the district. This
1772 non-ad valorem maintenance tax shall be a lien until paid on the
1773 property against which assessed and enforceable in like manner
1774 and of the same dignity as county ad valorem taxes.

1775 (d) Maintenance special assessments.—To maintain and
1776 preserve the facilities and projects of the district, the board
1777 may levy a maintenance special assessment. This assessment may
1778 be evidenced to and certified to the tax collector by the board
1779 of supervisors not later than August 31 of each year and shall
1780 be entered by the property appraiser on the county tax rolls and
1781 shall be collected and enforced by the tax collector in the same
1782 manner and at the same time as county taxes, and the proceeds
1783 therefrom shall be paid to the district. However, this

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1784 subsection shall not prohibit the district in its discretion
 1785 from using the method prescribed in s. 197.363, s. 197.3631, or
 1786 s. 197.3632, Florida Statutes, for collecting and enforcing
 1787 these assessments. These maintenance special assessments shall
 1788 be a lien on the property against which assessed until paid and
 1789 shall be enforceable in like manner as county taxes. The amount
 1790 of the maintenance special assessment for the exercise of the
 1791 district's powers under this section shall be determined by the
 1792 board based upon a report of the district's engineer and
 1793 assessed by the board upon such lands, which may be all of the
 1794 lands within the district benefited by the maintenance thereof,
 1795 apportioned between the benefited lands in proportion to the
 1796 benefits received by each tract of land.

1797 (e) Special assessments.—The board may levy and impose any
 1798 special assessments pursuant to this subsection.

1799 (f) Enforcement of taxes.—The collection and enforcement
 1800 of all taxes levied by the district shall be at the same time
 1801 and in like manner as county taxes, and the provisions of the
 1802 laws of Florida relating to the sale of lands for unpaid and
 1803 delinquent county taxes; the issuance, sale, and delivery of tax
 1804 certificates for such unpaid and delinquent county taxes; the
 1805 redemption thereof; the issuance to individuals of tax deeds
 1806 based thereon; and all other procedures in connection therewith
 1807 shall be applicable to the district to the same extent as if

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1808 such statutory provisions were expressly set forth herein. All
 1809 taxes shall be subject to the same discounts as county taxes.

1810 (g) When unpaid tax is delinquent; penalty.—All taxes
 1811 provided for in this act shall become delinquent and bear
 1812 penalties on the amount of such taxes in the same manner as
 1813 county taxes.

1814 (h) Status of assessments.—Benefit special assessments,
 1815 maintenance special assessments, and special assessments are
 1816 hereby found and determined to be non-ad valorem assessments as
 1817 defined by s. 197.3632, Florida Statutes. Maintenance taxes are
 1818 non-ad valorem taxes and are not special assessments.

1819 (i) Assessments constitute liens; collection.—Any and all
 1820 assessments, including special assessments, benefit special
 1821 assessments, and maintenance special assessments authorized by
 1822 this section, and including special assessments as defined by
 1823 section 2(2)(z) and granted and authorized by this subsection,
 1824 and including maintenance taxes if authorized by general law,
 1825 shall constitute a lien on the property against which assessed
 1826 from the date of levy and imposition thereof until paid, coequal
 1827 with the lien of state, county, municipal, and school board
 1828 taxes. These assessments may be collected, at the district's
 1829 discretion, under authority of s. 197.3631, Florida Statutes, as
 1830 amended from time to time, by the tax collector pursuant to the
 1831 provisions of ss. 197.3632 and 197.3635, Florida Statutes, as
 1832 amended from time to time, or in accordance with other

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1833 collection measures provided by law. In addition to, and not in
 1834 limitation of, any powers otherwise set forth herein or in
 1835 general law, these assessments may also be enforced pursuant to
 1836 the provisions of chapter 173, Florida Statutes, as amended from
 1837 time to time.

1838 (j) Land owned by governmental entity.—Except as otherwise
 1839 provided by law, no levy of ad valorem taxes or non-ad valorem
 1840 assessments under this act or chapter 170 or chapter 197,
 1841 Florida Statutes, as each may be amended from time to time, or
 1842 otherwise, by a board of the district, on property of a
 1843 governmental entity that is subject to a ground lease as
 1844 described in s. 190.003(14), Florida Statutes, shall constitute
 1845 a lien or encumbrance on the underlying fee interest of such
 1846 governmental entity.

1847 (13) SPECIAL ASSESSMENTS.—

1848 (a) As an alternative method to the levy and imposition of
 1849 special assessments pursuant to chapter 170, Florida Statutes,
 1850 pursuant to the authority of s. 197.3631, Florida Statutes, or
 1851 pursuant to other provisions of general law, now or hereafter
 1852 enacted, which provide a supplemental means or authority to
 1853 impose, levy, and collect special assessments as otherwise
 1854 authorized under this act, the board may levy and impose special
 1855 assessments to finance the exercise of any of its powers
 1856 permitted under this act using the following uniform procedures:

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1857 1. At a noticed meeting, the board of supervisors of the
1858 district may consider and review an engineer's report on the
1859 costs of the systems, facilities, and services to be provided, a
1860 preliminary special assessment methodology, and a preliminary
1861 roll based on acreage or platted lands, depending upon whether
1862 platting has occurred.

1863 a. The special assessment methodology shall address and
1864 discuss and the board shall consider whether the systems,
1865 facilities, and services being contemplated will result in
1866 special benefits peculiar to the property, different in kind and
1867 degree than general benefits, as a logical connection between
1868 the systems, facilities, and services themselves and the
1869 property, and whether the duty to pay the special assessments by
1870 the property owners is apportioned in a manner that is fair and
1871 equitable and not in excess of the special benefit received. It
1872 shall be fair and equitable to designate a fixed proportion of
1873 the annual debt service, together with interest thereon, on the
1874 aggregate principal amount of bonds issued to finance such
1875 systems, facilities, and services which give rise to unique,
1876 special, and peculiar benefits to property of the same or
1877 similar characteristics under the special assessment methodology
1878 so long as such fixed proportion does not exceed the unique,
1879 special, and peculiar benefits enjoyed by such property from
1880 such systems, facilities, and services.

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1881 b. The engineer's cost report shall identify the nature of
 1882 the proposed systems, facilities, and services, their location,
 1883 a cost breakdown plus a total estimated cost, including cost of
 1884 construction or reconstruction, labor, and materials, lands,
 1885 property, rights, easements, franchises, or systems, facilities,
 1886 and services to be acquired, cost of plans and specifications,
 1887 surveys of estimates of costs and revenues, costs of
 1888 engineering, legal, and other professional consultation
 1889 services, and other expenses or costs necessary or incident to
 1890 determining the feasibility or practicability of such
 1891 construction, reconstruction, or acquisition, administrative
 1892 expenses, relationship to the authority and power of the
 1893 district in its charter, and such other expenses or costs as may
 1894 be necessary or incident to the financing to be authorized by
 1895 the board of supervisors.

1896 c. The preliminary special assessment roll will be in
 1897 accordance with the assessment methodology as may be adopted by
 1898 the board of supervisors; the special assessment roll shall be
 1899 completed as promptly as possible and shall show the acreage,
 1900 lots, lands, or plats assessed and the amount of the fairly and
 1901 reasonably apportioned assessment based on special and peculiar
 1902 benefit to the property, lot, parcel, or acreage of land; and,
 1903 if the special assessment against such lot, parcel, acreage, or
 1904 portion of land is to be paid in installments, the number of
 1905 annual installments in which the special assessment is divided

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1906 | shall be entered into and shown upon the special assessment
 1907 | roll.
 1908 | 2. The board of supervisors of the district may determine
 1909 | and declare by an initial special assessment resolution to levy
 1910 | and assess the special assessments with respect to assessable
 1911 | improvements stating the nature of the systems, facilities, and
 1912 | services, improvements, projects, or infrastructure constituting
 1913 | such assessable improvements, the information in the engineer's
 1914 | cost report, the information in the special assessment
 1915 | methodology as determined by the board at the noticed meeting
 1916 | and referencing and incorporating as part of the resolution the
 1917 | engineer's cost report, the preliminary special assessment
 1918 | methodology, and the preliminary special assessment roll as
 1919 | referenced exhibits to the resolution by reference. If the board
 1920 | determines to declare and levy the special assessments by the
 1921 | initial special assessment resolution, the board shall also
 1922 | adopt and declare a notice resolution which shall provide and
 1923 | cause the initial special assessment resolution to be published
 1924 | once a week for a period of 2 weeks in newspapers of general
 1925 | circulation published in Osceola County and said board shall by
 1926 | the same resolution fix a time and place at which the owner or
 1927 | owners of the property to be assessed or any other persons
 1928 | interested therein may appear before said board and be heard as
 1929 | to the propriety and advisability of making such improvements,
 1930 | as to the costs thereof, as to the manner of payment therefor,

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1931 and as to the amount thereof to be assessed against each
 1932 property so improved. Thirty days' notice in writing of such
 1933 time and place shall be given to such property owners. The
 1934 notice shall include the amount of the special assessment and
 1935 shall be served by mailing a copy to each assessed property
 1936 owner at his or her last known address, the names and addresses
 1937 of such property owners to be obtained from the record of the
 1938 property appraiser of the county political subdivision in which
 1939 the land is located or from such other sources as the district
 1940 manager or engineer deems reliable, and proof of such mailing
 1941 shall be made by the affidavit of the manager of the district or
 1942 by the engineer, said proof to be filed with the district
 1943 manager, provided that failure to mail said notice or notices
 1944 shall not invalidate any of the proceedings hereunder. It is
 1945 provided further that the last publication shall be at least 1
 1946 week prior to the date of the hearing on the final special
 1947 assessment resolution. Said notice shall describe the general
 1948 areas to be improved and advise all persons interested that the
 1949 description of each property to be assessed and the amount to be
 1950 assessed to each piece, parcel, lot, or acre of property may be
 1951 ascertained at the office of the manager of the district. Such
 1952 service by publication shall be verified by the affidavit of the
 1953 publisher and filed with the manager of the district. Moreover,
 1954 the initial special assessment resolution with its attached,
 1955 referenced, and incorporated engineer's cost report, preliminary

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1956 special assessment methodology, and preliminary special
 1957 assessment roll, along with the notice resolution, shall be
 1958 available for public inspection at the office of the manager and
 1959 the office of the engineer or any other office designated by the
 1960 board of supervisors in the notice resolution. Notwithstanding
 1961 the foregoing, the landowners of all of the property which is
 1962 proposed to be assessed may give the district written notice of
 1963 waiver of any notice and publication provided for in this
 1964 subparagraph and such notice and publication shall not be
 1965 required, provided, however, that any meeting of the board of
 1966 supervisors to consider such resolution shall be a publicly
 1967 noticed meeting.

1968 3. At the time and place named in the noticed resolution
 1969 as provided for in subparagraph 2., the board of supervisors of
 1970 the district shall meet and hear testimony from affected
 1971 property owners as to the propriety and advisability of making
 1972 the systems, facilities, services, projects, works,
 1973 improvements, or infrastructure and funding them with
 1974 assessments referenced in the initial special assessment
 1975 resolution on the property. Following the testimony and
 1976 questions from the members of the board or any professional
 1977 advisors to the district of the preparers of the engineer's cost
 1978 report, the special assessment methodology, and the special
 1979 assessment roll, the board of supervisors shall make a final
 1980 decision on whether to levy and assess the particular special

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1981 assessments. Thereafter, the board of supervisors shall meet as
 1982 an equalizing board to hear and to consider any and all
 1983 complaints as to the particular special assessments and shall
 1984 adjust and equalize the special assessments to ensure proper
 1985 assessment based on the benefit conferred on the property.

1986 4. When so equalized and approved by resolution or
 1987 ordinance by the board of supervisors, to be called the final
 1988 special assessment resolution, a final special assessment roll
 1989 shall be filed with the clerk of the board and such special
 1990 assessment shall stand confirmed and remain legal, valid, and
 1991 binding first liens on the property against which such special
 1992 assessments are made until paid, equal in dignity to the first
 1993 liens of ad valorem taxation of county and municipal governments
 1994 and school boards. However, upon completion of the systems,
 1995 facilities, service, project, improvement, works, or
 1996 infrastructure, the district shall credit to each of the
 1997 assessments the difference in the special assessment as
 1998 originally made, approved, levied, assessed, and confirmed and
 1999 the proportionate part of the actual cost of the improvement to
 2000 be paid by the particular special assessments as finally
 2001 determined upon the completion of the improvement; but in no
 2002 event shall the final special assessment exceed the amount of
 2003 the special and peculiar benefits as apportioned fairly and
 2004 reasonably to the property from the system, facility, or service
 2005 being provided as originally assessed. Promptly after such

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2006 confirmation, the special assessment shall be recorded by the
2007 clerk of the district in the minutes of the proceedings of the
2008 district, and the record of the lien in this set of minutes
2009 shall constitute prima facie evidence of its validity. The board
2010 of supervisors, in its sole discretion, may, by resolution grant
2011 a discount equal to all or a part of the payee's proportionate
2012 share of the cost of the project consisting of bond financing
2013 cost, such as capitalized interest, funded reserves, and bond
2014 discounts included in the estimated cost of the project, upon
2015 payment in full of any special assessments during such period
2016 prior to the time such financing costs are incurred as may be
2017 specified by the board of supervisors in such resolution.

2018 5. District special assessments may be made payable in
2019 installments over no more than 40 years from the date of the
2020 payment of the first installment thereof and may bear interest
2021 at fixed or variable rates.

2022 (b) Notwithstanding any provision of this act or chapter
2023 170, Florida Statutes, that portion of s. 170.09, Florida
2024 Statutes, that provides that special assessments may be paid
2025 without interest at any time within 30 days after the
2026 improvement is completed and a resolution accepting the same has
2027 been adopted by the governing authority shall not be applicable
2028 to any district special assessments, whether imposed, levied,
2029 and collected pursuant to the provisions of this act or other

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2030 provisions of Florida law, including, but not limited to,
 2031 chapter 170, Florida Statutes.

2032 (c) In addition, the district is authorized expressly in
 2033 the exercise of its rulemaking power to adopt a rule or rules
 2034 which provides or provide for notice, levy, imposition,
 2035 equalization, and collection of assessments.

2036 (14) ISSUANCE OF CERTIFICATES OF INDEBTEDNESS BASED ON
 2037 ASSESSMENTS FOR ASSESSABLE IMPROVEMENTS; ASSESSMENT BONDS.—

2038 (a) The board may, after any special assessments or
 2039 benefit special assessments for assessable improvements are
 2040 made, determined, and confirmed as provided in this act, issue
 2041 certificates of indebtedness for the amount so assessed against
 2042 the abutting property or property otherwise benefited, as the
 2043 case may be, and separate certificates shall be issued against
 2044 each part or parcel of land or property assessed, which
 2045 certificates shall state the general nature of the improvement
 2046 for which the assessment is made. The certificates shall be
 2047 payable in annual installments in accordance with the
 2048 installments of the special assessment for which they are
 2049 issued. The board may determine the interest to be borne by such
 2050 certificates, not to exceed the maximum rate allowed by general
 2051 law, and may sell such certificates at either private or public
 2052 sale and determine the form, manner of execution, and other
 2053 details of such certificates. The certificates shall recite that
 2054 they are payable only from the special assessments levied and

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2055 collected from the part or parcel of land or property against
 2056 which they are issued. The proceeds of such certificates may be
 2057 pledged for the payment of principal of and interest on any
 2058 revenue bonds or general obligation bonds issued to finance in
 2059 whole or in part such assessable improvement, or, if not so
 2060 pledged, may be used to pay the cost or part of the cost of such
 2061 assessable improvements.

2062 (b) The district may also issue assessment bonds, revenue
 2063 bonds, or other obligations payable from a special fund into
 2064 which such certificates of indebtedness referred to in paragraph
 2065 (a) may be deposited or, if such certificates of indebtedness
 2066 have not been issued, the district may assign to such special
 2067 fund for the benefit of the holders of such assessment bonds or
 2068 other obligations, or to a trustee for such bondholders, the
 2069 assessment liens provided for in this act unless such
 2070 certificates of indebtedness or assessment liens have been
 2071 theretofore pledged for any bonds or other obligations
 2072 authorized hereunder. In the event of the creation of such
 2073 special fund and the issuance of such assessment bonds or other
 2074 obligations, the proceeds of such certificates of indebtedness
 2075 or assessment liens deposited therein shall be used only for the
 2076 payment of the assessment bonds or other obligations issued as
 2077 provided in this section. The district is authorized to covenant
 2078 with the holders of such assessment bonds, revenue bonds, or
 2079 other obligations that it will diligently and faithfully enforce

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2080 and collect all the special assessments, and interest and
2081 penalties thereon, for which such certificates of indebtedness
2082 or assessment liens have been deposited in or assigned to such
2083 fund; to foreclose such assessment liens so assigned to such
2084 special fund or represented by the certificates of indebtedness
2085 deposited in the special fund, after such assessment liens have
2086 become delinquent, and deposit the proceeds derived from such
2087 foreclosure, including interest and penalties, in such special
2088 fund; and to make any other covenants deemed necessary or
2089 advisable in order to properly secure the holders of such
2090 assessment bonds or other obligations.

2091 (c) The assessment bonds, revenue bonds, or other
2092 obligations issued pursuant to this section shall have such
2093 dates of issue and maturity as shall be deemed advisable by the
2094 board; however, the maturities of such assessment bonds or other
2095 obligations shall not be more than 2 years after the due date of
2096 the last installment which will be payable on any of the special
2097 assessments for which such assessment liens, or the certificates
2098 of indebtedness representing such assessment liens, are assigned
2099 to or deposited in such special fund.

2100 (d) Such assessment bonds, revenue bonds, or other
2101 obligations issued under this section shall bear such interest
2102 as the board may determine, not to exceed the maximum rate
2103 allowed by general law, and shall be executed, shall have such
2104 provisions for redemption prior to maturity, shall be sold in

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2105 the manner, and shall be subject to all of the applicable
 2106 provisions contained in this act for revenue bonds, except as
 2107 the same may be inconsistent with the provisions of this
 2108 section.

2109 (e) All assessment bonds, revenue bonds, or other
 2110 obligations issued under the provisions of this section shall
 2111 be, shall constitute, and shall have all the qualities and
 2112 incidents of negotiable instruments under the law merchant and
 2113 the laws of the state.

2114 (15) TAX LIENS.—All taxes of the district provided for in
 2115 this act, together with all penalties for default in the payment
 2116 of the same and all costs in collecting the same, including a
 2117 reasonable attorney fee fixed by the court and taxed as a cost
 2118 in the action brought to enforce payment, shall, from January 1
 2119 for each year the property is liable to assessment and until
 2120 paid, constitute a lien of equal dignity with the liens for
 2121 state and county taxes and other taxes of equal dignity with
 2122 state and county taxes upon all the lands against which such
 2123 taxes shall be levied. A sale of any of the real property within
 2124 the district for state and county or other taxes shall not
 2125 operate to relieve or release the property so sold from the lien
 2126 for subsequent district taxes or installments of district taxes,
 2127 which lien may be enforced against such property as though no
 2128 such sale thereof had been made. In addition to, and not in
 2129 limitation of, the preceding sentence, for purposes of s.

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2130 197.552, Florida Statutes, the lien of all special assessments
 2131 levied by the district shall constitute a lien of record held by
 2132 a municipal or county governmental unit. The provisions of ss.
 2133 194.171, 197.122, 197.333, and 197.432, Florida Statutes, shall
 2134 be applicable to district taxes with the same force and effect
 2135 as if such provisions were expressly set forth in this act.

2136 (16) PAYMENT OF TAXES AND REDEMPTION OF TAX LIENS BY THE
 2137 DISTRICT; SHARING IN PROCEEDS OF TAX SALE.-

2138 (a) The district shall have the power and right to:

2139 1. Pay any delinquent state, county, district, municipal,
 2140 or other tax or assessment upon lands located wholly or
 2141 partially within the boundaries of the district.

2142 2. Redeem or purchase any tax sales certificates issued or
 2143 sold on account of any state, county, district, municipal, or
 2144 other taxes or assessments upon lands located wholly or
 2145 partially within the boundaries of the district.

2146 (b) Delinquent taxes paid, or tax sales certificates
 2147 redeemed or purchased, by the district, together with all
 2148 penalties for the default in payment of the same and all costs
 2149 in collecting the same and a reasonable attorney fee, shall
 2150 constitute a lien in favor of the district of equal dignity with
 2151 the liens of state and county taxes and other taxes of equal
 2152 dignity with state and county taxes upon all the real property
 2153 against which the taxes were levied. The lien of the district
 2154 may be foreclosed in the manner provided in this act.

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2155 (c) In any sale of land pursuant to s. 197.542, Florida
 2156 Statutes, as may be amended from time to time, the district may
 2157 certify to the clerk of the circuit court of the county holding
 2158 such sale the amount of taxes due to the district upon the lands
 2159 sought to be sold, and the district shall share in the
 2160 disbursement of the sales proceeds in accordance with the
 2161 provisions of this act and under the laws of the state.

2162 (17) FORECLOSURE OF LIENS.—Any lien in favor of the
 2163 district arising under this act may be foreclosed by the
 2164 district by foreclosure proceedings in the name of the district
 2165 in a court of competent jurisdiction as provided by general law
 2166 in like manner as is provided in chapter 170 or chapter 173,
 2167 Florida Statutes, and amendments thereto and the provisions of
 2168 those chapters shall be applicable to such proceedings with the
 2169 same force and effect as if those provisions were expressly set
 2170 forth in this act. Any act required or authorized to be done by
 2171 or on behalf of a municipality in foreclosure proceedings under
 2172 chapter 170 or chapter 173, Florida Statutes, may be performed
 2173 by such officer or agent of the district as the board of
 2174 supervisors may designate. Such foreclosure proceedings may be
 2175 brought at any time after the expiration of 1 year from the date
 2176 any tax, or installment thereof, becomes delinquent; however, no
 2177 lien shall be foreclosed against any political subdivision or
 2178 agency of the state. Other legal remedies shall remain
 2179 available.

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2180 (18) MANDATORY USE OF CERTAIN DISTRICT SYSTEMS,
 2181 FACILITIES, AND SERVICES.—To the full extent permitted by law,
 2182 the district shall require all lands, buildings, premises,
 2183 persons, firms, and corporations within the district to use the
 2184 facilities of the district.

2185 (19) COMPETITIVE PROCUREMENT; BIDS; NEGOTIATIONS; RELATED
 2186 PROVISIONS REQUIRED.—

2187 (a) No contract shall be let by the board for any goods,
 2188 supplies, or materials to be purchased when the amount thereof
 2189 to be paid by the district shall exceed the amount provided in
 2190 s. 287.017, Florida Statutes, as amended from time to time, for
 2191 category four, unless notice of bids shall be advertised once in
 2192 a newspaper in general circulation in Osceola County. Any board
 2193 seeking to construct or improve a public building, structure, or
 2194 other public works shall comply with the bidding procedures of
 2195 s. 255.20, Florida Statutes, as amended from time to time, and
 2196 other applicable general law. In each case, the bid of the
 2197 lowest responsive and responsible bidder shall be accepted
 2198 unless all bids are rejected because the bids are too high or
 2199 the board determines it is in the best interests of the district
 2200 to reject all bids. The board may require the bidders to furnish
 2201 bond with a responsible surety to be approved by the board.
 2202 Nothing in this subsection shall prevent the board from
 2203 undertaking and performing the construction, operation, and

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2204 maintenance of any project or facility authorized by this act by
 2205 the employment of labor, material, and machinery.

2206 (b) The provisions of the Consultants' Competitive
 2207 Negotiation Act, s. 287.055, Florida Statutes, apply to
 2208 contracts for engineering, architecture, landscape architecture,
 2209 or registered surveying and mapping services let by the board.

2210 (c) Contracts for maintenance services for any district
 2211 facility or project shall be subject to competitive bidding
 2212 requirements when the amount thereof to be paid by the district
 2213 exceeds the amount provided in s. 287.017, Florida Statutes, as
 2214 amended from time to time, for category four. The district shall
 2215 adopt rules, policies, or procedures establishing competitive
 2216 bidding procedures for maintenance services. Contracts for other
 2217 services shall not be subject to competitive bidding unless the
 2218 district adopts a rule, policy, or procedure applying
 2219 competitive bidding procedures to said contracts. Nothing herein
 2220 shall preclude the use of requests for proposal instead of
 2221 invitations to bid as determined by the district to be in its
 2222 best interest.

2223 (20) FEES, RENTALS, AND CHARGES; PROCEDURE FOR ADOPTION
 2224 AND MODIFICATIONS; MINIMUM REVENUE REQUIREMENTS.—

2225 (a) The district is authorized to prescribe, fix,
 2226 establish, and collect rates, fees, rentals, or other charges,
 2227 hereinafter sometimes referred to as "revenues," and to revise
 2228 the same from time to time, for the systems, facilities, and

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2229 services furnished by the district, within the limits of the
 2230 district, including, but not limited to, recreational
 2231 facilities, water management and control facilities, and water
 2232 and sewer systems; to recover the costs of making connection
 2233 with any district service, facility, or system; and to provide
 2234 for reasonable penalties against any user or property for any
 2235 such rates, fees, rentals, or other charges that are delinquent.
 2236 (b) No such rates, fees, rentals, or other charges for any
 2237 of the facilities or services of the district shall be fixed
 2238 until after a public hearing at which all the users of the
 2239 proposed facility or services or owners, tenants, or occupants
 2240 served or to be served thereby and all other interested persons
 2241 shall have an opportunity to be heard concerning the proposed
 2242 rates, fees, rentals, or other charges. Rates, fees, rentals,
 2243 and other charges shall be adopted under the administrative
 2244 rulemaking authority of the district, but shall not apply to
 2245 district leases. Notice of such public hearing setting forth the
 2246 proposed schedule or schedules of rates, fees, rentals, and
 2247 other charges shall have been published in a newspaper of
 2248 general circulation in Osceola County at least once and at least
 2249 10 days prior to such public hearing. The rulemaking hearing may
 2250 be adjourned from time to time. After such hearing, such
 2251 schedule or schedules, either as initially proposed or as
 2252 modified or amended, may be finally adopted. A copy of the
 2253 schedule or schedules of such rates, fees, rentals, or charges

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2254 as finally adopted shall be kept on file in an office designated
2255 by the board and shall be open at all reasonable times to public
2256 inspection. The rates, fees, rentals, or charges so fixed for
2257 any class of users or property served shall be extended to cover
2258 any additional users or properties thereafter served which shall
2259 fall in the same class, without the necessity of any notice or
2260 hearing.

2261 (c) Such rates, fees, rentals, and charges shall be just
2262 and equitable and uniform for users of the same class, and when
2263 appropriate may be based or computed either upon the amount of
2264 service furnished, upon the average number of persons residing
2265 or working in or otherwise occupying the premises served, or
2266 upon any other factor affecting the use of the facilities
2267 furnished, or upon any combination of the foregoing factors, as
2268 may be determined by the board on an equitable basis.

2269 (d) The rates, fees, rentals, or other charges prescribed
2270 shall be such as will produce revenues, together with any other
2271 assessments, taxes, revenues, or funds available or pledged for
2272 such purpose, at least sufficient to provide for the items
2273 hereinafter listed, but not necessarily in the order stated:

2274 1. To provide for all expenses of operation and
2275 maintenance of such facility or service.

2276 2. To pay when due all bonds and interest thereon for the
2277 payment of which such revenues are, or shall have been, pledged
2278 or encumbered, including reserves for such purpose.

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2279 3. To provide for any other funds which may be required
 2280 under the resolution or resolutions authorizing the issuance of
 2281 bonds pursuant to this act.

2282 (e) The board shall have the power to enter into contracts
 2283 for the use of the projects of the district and with respect to
 2284 the services, systems, and facilities furnished or to be
 2285 furnished by the district.

2286 (21) RECOVERY OF DELINQUENT CHARGES.-In the event that any
 2287 rates, fees, rentals, charges, or delinquent penalties shall not
 2288 be paid as and when due and shall be in default for 60 days or
 2289 more, the unpaid balance thereof and all interest accrued
 2290 thereon, together with reasonable attorney fees and costs, may
 2291 be recovered by the district in a civil action.

2292 (22) DISCONTINUANCE OF SERVICE.-In the event the fees,
 2293 rentals, or other charges for district services or facilities
 2294 are not paid when due, the board shall have the power, under
 2295 such reasonable rules and regulations as the board may adopt, to
 2296 discontinue and shut off such services until such fees, rentals,
 2297 or other charges, including interest, penalties, and charges for
 2298 the shutting off and discontinuance and the restoration of such
 2299 services, are fully paid; and, for such purposes, the board may
 2300 enter on any lands, waters, or premises of any person, firm,
 2301 corporation, or body, public or private, within the district
 2302 limits. Such delinquent fees, rentals, or other charges,
 2303 together with interest, penalties, and charges for the shutting

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2304 off and discontinuance and the restoration of such services and
 2305 facilities and reasonable attorney fees and other expenses, may
 2306 be recovered by the district, which may also enforce payment of
 2307 such delinquent fees, rentals, or other charges by any other
 2308 lawful method of enforcement.

2309 (23) ENFORCEMENT AND PENALTIES.—The board or any aggrieved
 2310 person may have recourse to such remedies in law and at equity
 2311 as may be necessary to ensure compliance with the provisions of
 2312 this act, including injunctive relief to enjoin or restrain any
 2313 person violating the provisions of this act or any bylaws,
 2314 resolutions, regulations, rules, codes, or orders adopted under
 2315 this act. In case any building or structure is erected,
 2316 constructed, reconstructed, altered, repaired, converted, or
 2317 maintained, or any building, structure, land, or water is used,
 2318 in violation of this act or of any code, order, resolution, or
 2319 other regulation made under authority conferred by this act or
 2320 under law, the board or any citizen residing in the district may
 2321 institute any appropriate action or proceeding to prevent such
 2322 unlawful erection, construction, reconstruction, alteration,
 2323 repair, conversion, maintenance, or use; to restrain, correct,
 2324 or avoid such violation; to prevent the occupancy of such
 2325 building, structure, land, or water; and to prevent any illegal
 2326 act, conduct, business, or use in or about such premises, land,
 2327 or water.

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2328 (24) SUITS AGAINST THE DISTRICT.—Any suit or action
 2329 brought or maintained against the district for damages arising
 2330 out of tort, including, without limitation, any claim arising
 2331 upon account of an act causing an injury or loss of property,
 2332 personal injury, or death, shall be subject to the limitations
 2333 provided in s. 768.28, Florida Statutes.

2334 (25) EXEMPTION OF DISTRICT PROPERTY FROM EXECUTION.—All
 2335 district property shall be exempt from levy and sale by virtue
 2336 of an execution, and no execution or other judicial process
 2337 shall issue against such property, nor shall any judgment
 2338 against the district be a charge or lien on its property or
 2339 revenues; however, nothing contained herein shall apply to or
 2340 limit the rights of bondholders to pursue any remedy for the
 2341 enforcement of any lien or pledge given by the district in
 2342 connection with any of the bonds or obligations of the district.

2343 (26) TERMINATION, CONTRACTION, OR EXPANSION OF DISTRICT.—

2344 (a) The board of supervisors of the district shall not ask
 2345 the Legislature to repeal or amend this act to expand or to
 2346 contract the boundaries of the district or otherwise cause the
 2347 merger or termination of the district without first obtaining a
 2348 resolution or official statement from the Tohopekaliga Water
 2349 Authority and Osceola County as required by s. 189.031(2)(e)4.,
 2350 Florida Statutes, for creation of an independent special
 2351 district.

2352 (b) The district shall remain in existence until:

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2353 | 1. The district is terminated and dissolved pursuant to
 2354 | amendment to this act by the Legislature.

2355 | 2. The district has become inactive pursuant to s.
 2356 | 189.062, Florida Statutes.

2357 | (27) INCLUSION OF TERRITORY.—

2358 | (a) The inclusion of any or all territory of the district
 2359 | within a municipality does not change, alter, or affect the
 2360 | boundary, territory, existence, or jurisdiction of the district.

2361 | (b) The creation and establishment of the district shall
 2362 | not impair or alter the authority, power, obligations, or
 2363 | purpose of the Tohopekaliga Water Authority or its successors in
 2364 | providing water or wastewater services and facilities under the
 2365 | Tohopekaliga Water Authority Act.

2366 | (c) The creation and establishment of the district shall
 2367 | not impair or alter the authority, power, obligations, or
 2368 | purpose of East Central Florida Services, Inc., to provide water
 2369 | services or facilities pursuant to its Florida Public Service
 2370 | Commission issued certificate of service.

2371 | (28) SALE OF REAL ESTATE WITHIN THE DISTRICT; REQUIRED
 2372 | DISCLOSURE TO PURCHASER.—Subsequent to the creation of this
 2373 | district under this act, each contract for the initial sale of a
 2374 | parcel of real property and each contract for the initial sale
 2375 | of a residential unit within the district shall include,
 2376 | immediately prior to the space reserved in the contract for the
 2377 | signature of the purchaser, the following disclosure statement

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2378 in boldfaced and conspicuous type which is larger than the type
 2379 in the remaining text of the contract: "THE SUNBRIDGE
 2380 STEWARDSHIP DISTRICT MAY IMPOSE AND LEVY TAXES OR ASSESSMENTS,
 2381 OR BOTH TAXES AND ASSESSMENTS, ON THIS PROPERTY. THESE TAXES AND
 2382 ASSESSMENTS PAY FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE
 2383 COSTS OF CERTAIN PUBLIC SYSTEMS, FACILITIES, AND SERVICES OF THE
 2384 DISTRICT AND ARE SET ANNUALLY BY THE GOVERNING BOARD OF THE
 2385 DISTRICT. THESE TAXES AND ASSESSMENTS ARE IN ADDITION TO COUNTY
 2386 AND OTHER LOCAL GOVERNMENTAL TAXES AND ASSESSMENTS AND ALL OTHER
 2387 TAXES AND ASSESSMENTS PROVIDED FOR BY LAW."

2388 (29) NOTICE OF CREATION AND ESTABLISHMENT.—Within 30 days
 2389 after the election of the first board of supervisors creating
 2390 this district, the district shall cause to be recorded in the
 2391 grantor-grantee index of the property records in Osceola County
 2392 a "Notice of Creation and Establishment of the Sunbridge
 2393 Stewardship District." The notice shall, at a minimum, include
 2394 the legal description of the property covered by this act.

2395 (30) DISTRICT PROPERTY PUBLIC; FEES.—Any system, facility,
 2396 service, works, improvement, project, or other infrastructure
 2397 owned by the district, or funded by federal tax exempt bonding
 2398 issued by the district, is public; and the district by rule may
 2399 regulate, and may impose reasonable charges or fees for, the use
 2400 thereof, but not to the extent that such regulation or
 2401 imposition of such charges or fees constitutes denial of
 2402 reasonable access.

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2403 Section 7. This act being for the purpose of developing
 2404 and promoting the public good and welfare of Osceola County, the
 2405 territory included in the district, and the service area
 2406 authorized to be served by the Tohopekaliga Water Authority, and
 2407 the citizens, inhabitants, ratepayers, and taxpayers residing
 2408 therein, shall be liberally construed to effect the purposes of
 2409 the act as consistent with, cumulative, and supplemental to the
 2410 powers of the county and the Tohopekaliga Water Authority.

2411 Section 8. If any provision of this act is determined
 2412 unconstitutional or otherwise determined invalid by a court of
 2413 law, all the rest and remainder of the act shall remain in full
 2414 force and effect as the law of this state.

2415 Section 9. This act shall take effect upon becoming a law
 2416 except that the provisions of this act which authorize the levy
 2417 of ad valorem taxation shall take effect only upon express
 2418 approval by a majority vote of those qualified electors of the
 2419 Sunbridge Stewardship District, as required by Section 9 of
 2420 Article VII of the State Constitution, voting in a referendum
 2421 election held at such time as all members of the board are
 2422 qualified electors who are elected by qualified electors of the
 2423 district as provided in this act.