

26 | for tax liens; providing for competitive procurement;
 27 | providing for fees and charges; providing for
 28 | termination, contraction, expansion, or merger of the
 29 | district; providing for required notices to purchasers
 30 | of residential units within the district; specifying
 31 | district public property; providing severability;
 32 | providing for a referendum; providing an effective
 33 | date.

34 |

35 | Be It Enacted by the Legislature of the State of Florida:

36 |

37 | Section 1. This act may be cited as the "Star Farms
 38 | Village at North Port Stewardship District Act."

39 | Section 2. Legislative findings and intent; definitions;
 40 | policy.-

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

42 | (a) The extensive lands located wholly within the City of
 43 | North Port and covered by this act contain many opportunities
 44 | for thoughtful, comprehensive, responsible, and consistent
 45 | development over a long period.

46 | (b) There is a need to use a single special and limited
 47 | purpose independent special district unit of local government
 48 | for the Star Farms Village at North Port Stewardship District
 49 | lands located within the City of North Port and covered by this
 50 | act to provide for a more comprehensive community development

51 approach, which will facilitate an integral relationship between
52 regional transportation, land use, and urban design to provide
53 for a diverse mix of housing and regional employment and
54 economic development opportunities, rather than fragmented
55 development with underutilized infrastructure generally
56 associated with urban sprawl.

57 (c) There is a considerably long period of time during
58 which there is a significant burden on the initial landowners of
59 the district lands to provide various systems, facilities, and
60 services, such that there is a need for flexible management,
61 sequencing, timing, and financing of the various systems,
62 facilities, and services to be provided to these lands, taking
63 into consideration absorption rates, commercial viability, and
64 related factors.

65 (d) While chapter 190, Florida Statutes, provides an
66 opportunity for previous community development services and
67 facilities to be provided by the continued use of community
68 development districts in a manner that furthers the public
69 interest, given the size of the Star Farms Village at North Port
70 Stewardship District lands and the duration of development,
71 continuing to utilize multiple community development districts
72 over these lands would result in an inefficient, duplicative,
73 and needless proliferation of local special purpose governments,
74 contrary to the public interest and the Legislature's findings
75 in chapter 190, Florida Statutes. Instead, it is in the public

76 interest that the long-range provision for, and management,
77 financing, and long-term maintenance, upkeep, and operation of,
78 services and facilities to be provided for ultimate development
79 and conservation of the lands covered by this act be under one
80 coordinated entity. The creation of a single district will
81 assist in integrating the management of state resources and
82 allow for greater and more coordinated stewardship of natural
83 resources.

84 (e) Longer involvement of the initial landowner with
85 regard to the provision of systems, facilities, and services for
86 the Star Farms Village at North Port Stewardship District lands,
87 coupled with the special and limited purpose of the district, is
88 in the public interest.

89 (f) The existence and use of such a special and limited
90 purpose local government for the Star Farms Village at North
91 Port Stewardship District lands, subject to the City of North
92 Port comprehensive plan, will provide for a comprehensive and
93 complete community development approach to promote a sustainable
94 and efficient land use pattern for the Star Farms Village at
95 North Port Stewardship District lands with long-term planning
96 for conservation and development; provide opportunities for the
97 mitigation of impacts and development of infrastructure in an
98 orderly and timely manner; prevent the overburdening of the
99 local general purpose government and the taxpayers; and provide
100 an enhanced tax base and regional employment and economic

101 development opportunities.

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

110 (h) The creation and establishment of the special district
 111 is a legitimate supplemental and alternative method available to
 112 manage, own, operate, construct, and finance capital
 113 infrastructure systems, facilities, and services.

114 (i) In order to be responsive to the critical timing
 115 required through the exercise of its special management
 116 functions, an independent special district requires financing of
 117 those functions, including bondable lienable and nonlienable
 118 revenue, with full and continuing public disclosure and
 119 accountability, funded by landowners, both present and future,
 120 and funded also by users of the systems, facilities, and
 121 services provided to the land area by the special district,
 122 without unduly burdening the taxpayers, citizens, and ratepayers
 123 of the state or the City of North Port.

124 (j) The special district created and established by this
 125 act shall not have or exercise any comprehensive planning,

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126 zoning, or development permitting power; the establishment of
127 the special district shall not be considered a development order
128 within the meaning of chapter 380, Florida Statutes; and all
129 applicable planning and permitting laws, rules, regulations, and
130 policies of the City of North Port control the development of
131 the land to be serviced by the special district.

132 (k) The creation by this act of the Star Farms Village at
133 North Port Stewardship District is not inconsistent with the
134 City of North Port comprehensive plan.

135 (l) It is the legislative intent and purpose that no debt
136 or obligation of the special district constitute a burden on the
137 City of North Port.

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

139 (a) "Ad valorem bonds" means bonds that are payable from
140 the proceeds of ad valorem taxes levied on real and tangible
141 personal property and that are generally referred to as general
142 obligation bonds.

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

147 (c) "Assessment bonds" means special obligations of the
148 district which are payable solely from proceeds of the special
149 assessments or benefit special assessments levied for assessable
150 improvements, provided that, in lieu of issuing assessment bonds

151 to fund the costs of assessable improvements, the district may
 152 issue revenue bonds for such purposes payable from assessments.

153 (d) "Assessments" means those nonmillage district
 154 assessments which include special assessments, benefit special
 155 assessments, and maintenance special assessments and a
 156 nonmillage, non-ad valorem maintenance tax if authorized by
 157 general law.

158 (e) "Benefit special assessments" means district
 159 assessments imposed, levied, and collected pursuant to section
 160 6(12)(b).

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

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

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

- 174 1. The expenses of determining the feasibility or
 175 practicability of acquisition, construction, or reconstruction.

- 176 2. The cost of surveys, estimates, plans, and
- 177 specifications.
- 178 3. The cost of improvements.
- 179 4. Engineering, architectural, fiscal, and legal expenses
- 180 and charges.
- 181 5. The cost of all labor, materials, machinery, and
- 182 equipment.
- 183 6. The cost of all lands, properties, rights, easements,
- 184 and franchises acquired.
- 185 7. Financing charges.
- 186 8. The creation of initial reserve and debt service funds.
- 187 9. Working capital.
- 188 10. Interest charges incurred or estimated to be incurred
- 189 on money borrowed prior to and during construction and
- 190 acquisition and for such reasonable period of time after
- 191 completion of construction or acquisition as the board may
- 192 determine.
- 193 11. The cost of issuance of bonds pursuant to this act,
- 194 including advertisements and printing.
- 195 12. The cost of any bond or tax referendum held pursuant
- 196 to this act and all other expenses of issuance of bonds.
- 197 13. The discount, if any, on the sale or exchange of
- 198 bonds.
- 199 14. Administrative expenses.
- 200 15. Such other expenses as may be necessary or incidental

201 to the acquisition, construction, or reconstruction of any
 202 project, or to the financing thereof, or to the development of
 203 any lands within the district.

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

207 17. Any other expense or payment permitted by this act or
 208 allowable by law.

209 (i) "District" means the Star Farms Village at North Port
 210 Stewardship District.

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

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

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

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

222 (n) "Governing board member" means any member of the board
 223 of supervisors.

224 (o) "Land development regulations" means those regulations
 225 of the general-purpose local government, adopted under the

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226 Community Planning Act, codified as part II of chapter 163,
227 Florida Statutes, to which the district is subject and as to
228 which the district may not do anything that is inconsistent
229 therewith. The term "land development regulations" does not
230 include specific management, engineering, operations, or capital
231 improvement planning needed in the daily management,
232 implementation, and supplying by the district of systems,
233 facilities, services, works, improvements, projects, or
234 infrastructure, so long as they remain subject to and are not
235 inconsistent with the applicable city codes.

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

245 (q) "Maintenance special assessments" means assessments
246 imposed, levied, and collected pursuant to section 6(12)(d).

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

251 (s) "Powers" means powers used and exercised by the board
 252 of supervisors to accomplish the special and limited purpose of
 253 the district, including:

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

258 2. "Special powers," which means those powers enumerated
 259 by the district charter to implement its specialized systems,
 260 facilities, services, projects, improvements, and infrastructure
 261 and related functions in order to carry out its special and
 262 limited purposes.

263 3. Any other powers, authority, or functions set forth in
 264 this act.

265 (t) "Project" means any development, improvement,
 266 property, power, utility, facility, enterprise, service, system,
 267 works, or infrastructure now existing or hereafter undertaken or
 268 established under this act.

269 (u) "Qualified elector" means any person at least 18 years
 270 of age who is a citizen of the United States and a legal
 271 resident of the state and of the district, who registers to vote
 272 with the Supervisor of Elections of Sarasota County, and who
 273 resides in the City of North Port.

274 (v) "Reclaimed water" means water, including from wells or
 275 stormwater management facilities, that has received at least

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276 secondary treatment and basic disinfection and is reused after
277 flowing out of a domestic wastewater treatment facility, or
278 otherwise as an approved use of surface water or groundwater by
279 the water management district.

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

289 (x) "Refunding bonds" means bonds issued to refinance
290 outstanding bonds of any type and the interest and redemption
291 premium thereon. Refunding bonds may be issuable and payable in
292 the same manner as refinanced bonds, except that no approval by
293 the electorate shall be required unless required by the State
294 Constitution.

295 (y) "Revenue bonds" means obligations of the district that
296 are payable from revenues, including, but not limited to,
297 special assessments and benefit special assessments, derived
298 from sources other than ad valorem taxes on real or tangible
299 personal property and that do not pledge the property, credit,
300 or general tax revenue of the district.

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

318 (aa) "Special assessments" means assessments as imposed,
 319 levied, and collected by the district for the costs of
 320 assessable improvements pursuant to this act; chapter 170,
 321 Florida Statutes; and the additional authority under s.
 322 197.3631, Florida Statutes, or other provisions of general law,
 323 now or hereinafter enacted, which provide or authorize a
 324 supplemental means to impose, levy, or collect special
 325 assessments.

326 (bb) "Star Farms Village at North Port Stewardship
 327 District" means the unit of special and limited purpose local
 328 government and political subdivision created and chartered by
 329 this act, and limited to the performance of those general and
 330 special powers authorized by its charter under this act, the
 331 boundaries of which are set forth by the act, the governing
 332 board of which is created and authorized to operate with legal
 333 existence by this act, and the purpose of which is as set forth
 334 in this act.

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

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

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

344 (dd) "Water system" means any plant, system, facility, or
 345 property, and any addition, extension, or improvement thereto at
 346 any future time constructed or acquired as a part thereof,
 347 useful, necessary, or having the present capacity for future use
 348 in connection with the development of sources, treatment,
 349 purification, or distribution of water. The term also includes
 350 dams, reservoirs, storage tanks, mains, lines, valves, pumping

351 stations, laterals, and pipes for the purpose of carrying water
352 to the premises connected with such system, and all rights,
353 easements, and franchises of any nature relating to any such
354 system and necessary or convenient for the operation thereof.

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

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

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

374 (c) The creation of the Star Farms Village at North Port
375 Stewardship District by and pursuant to this act, and its

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

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

389 (e) The special and single purpose Star Farms Village at
390 North Port Stewardship District shall not have the power of a
391 general-purpose local government to adopt a comprehensive plan
392 or related land development regulation as those terms are
393 defined in the Community Planning Act.

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

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

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

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

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

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

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

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

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

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

426 sections 5 and 6.

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

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

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

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

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

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

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

446 (2) The Star Farms Village at North Port Stewardship
447 District is created and incorporated as a public body corporate
448 and politic, an independent special and limited purpose local
449 government, an independent special district, under s. 189.031,
450 Florida Statutes, as amended from time to time, and as defined

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451 in this act and in s. 189.012(3), Florida Statutes, as amended
452 from time to time, in and for portions of the City of North
453 Port. Any amendments to chapter 190, Florida Statutes, after
454 January 1, 2024, granting additional general powers, special
455 powers, authorities, or projects to a community development
456 district by amendment to its uniform charter, ss. 190.006-
457 190.041, Florida Statutes, which are not inconsistent with this
458 act, shall constitute a general power, special power, authority,
459 or function of the Star Farms Village at North Port Stewardship
460 District. All notices for the enactment by the Legislature of
461 this special act have been provided pursuant to the State
462 Constitution, the Laws of Florida, and the Rules of the Florida
463 House of Representatives and of the Florida Senate. No
464 referendum subsequent to the effective date of this act is
465 required as a condition of establishing the district. Therefore,
466 the district, as created by this act, is established on the
467 property described in this act.

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

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

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

498 (5) The exclusive charter of the Star Farms Village at
 499 North Port Stewardship District is this act and, except as
 500 otherwise provided in subsection (2), may be amended only by

501 special act of the Legislature.

502 Section 4. Legal description of the Star Farms Village at
 503 North Port Stewardship District.—The metes and bounds legal
 504 description of the district, within which there are no parcels
 505 of property owned by those who do not wish their property to be
 506 included within the district, is as follows:

507
 508 TRACT 1 (FROM O.R.I. 2002036237)

509
 510 A PORTION OF THE NORTH HALF OF SECTION 5, TOWNSHIP 39
 511 SOUTH, RANGE 22 EAST, SARASOTA COUNTY, FLORIDA, BEING
 512 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

513
 514 BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST
 515 QUARTER OF SAID SECTION 5; THENCE N.89°37'34"W., ALONG
 516 THE SOUTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE
 517 OF 2652.93 FEET TO THE SOUTHEAST CORNER OF THE
 518 NORTHWEST QUARTER OF SAID SECTION 5; THENCE
 519 N.89°37'34"W., ALONG THE SOUTH LINE OF SAID NORTHWEST
 520 QUARTER, A DISTANCE OF 2652.93 FEET TO THE SOUTHWEST
 521 CORNER OF SAID NORTHWEST QUARTER OF SECTION 5; THENCE
 522 N.00°44'41"E., ALONG THE WEST LINE OF SAID NORTHWEST
 523 QUARTER, A DISTANCE OF 1761.54 FEET TO A POINT ON THE
 524 CENTER LINE OF A 100 FOOT WIDE, NON-EXCLUSIVE INGRESS,
 525 EGRESS AND UTILITY EASEMENT RUNNING THROUGH SECTIONS

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526 4, 5 AND 6 AS DESCRIBED IN O.R.I. 2001131259, PUBLIC
527 RECORDS OF SARASOTA COUNTY, FLORIDA, AND TO A POINT ON
528 A CURVE TO THE RIGHT, HAVING A RADIUS OF 2000.00 FEET,
529 A CENTRAL ANGLE OF 00°51'35", A CHORD BEARING OF
530 S.80°38'17"E., AND A CHORD LENGTH OF 30.01 FEET;
531 THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF
532 30.01 FEET TO THE POINT OF TANGENCY OF SAID CURVE;
533 THENCE S.80°12'29"E., CONTINUING ALONG SAID CENTER
534 LINE, A DISTANCE OF 2116.26 FEET TO THE POINT OF
535 CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF
536 1000.00 FEET, A CENTRAL ANGLE OF 25°59'19", A CHORD
537 BEARING OF N.86°47'52"E. AND A CHORD LENGTH OF 449.71
538 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC
539 LENGTH OF 453.59 FEET TO THE POINT OF TANGENCY OF SAID
540 CURVE; THENCE N.73°48'12"E., ALONG SAID CENTER LINE, A
541 DISTANCE OF 348.80 FEET TO THE POINT OF CURVATURE OF A
542 CURVE TO THE RIGHT, HAVING A RADIUS OF 1000.00 FEET, A
543 CENTRAL ANGLE OF 71°05'17", A CHORD BEARING OF
544 S.70°39'09"E., AND A CHORD LENGTH OF 1162.66 FEET;
545 THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF
546 1240.72 FEET TO THE POINT OF TANGENCY OF SAID CURVE;
547 THENCE. S.35°06'31"E., ALONG SAID CENTER LINE, A
548 DISTANCE OF 852.30 FEET TO THE POINT OF CURVATURE OF A
549 CURVE TO THE LEFT, HAVING A RADIUS OF 900.00 FEET, A
550 CENTRAL ANGLE OF 54°12'00", A CHORD BEARING OF

551 S.62°12'31"E. AND A CHORD LENGTH OF 819.98 FEET;
 552 THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF
 553 851.37 FEET TO THE POINT OF TANGENCY OF SAID CURVE;
 554 THENCE S.89°18'31"E., ALONG SAID CENTER LINE, A
 555 DISTANCE OF 72.56 FEET TO A POINT ON THE EAST LINE OF
 556 THE NORTHEAST QUARTER OF SAID SECTION 5; THENCE
 557 S.00°50'30"W., ALONG SAID EAST LINE, A DISTANCE OF
 558 88.02 FEET TO THE POINT OF BEGINNING.

559
 560 TOGETHER WITH THE INGRESS/EGRESS AND UTILITY EASEMENT
 561 GRANTED IN O.R. INSTRUMENT NO. 2002036237 OF THE
 562 PUBLIC RECORDS OF SARASOTA COUNTY, FLORIDA

563
 564 TRACT 2

565
 566 A PORTION OF SECTIONS 4, 5, 6, 8, 9, 15 AND 16,
 567 TOWNSHIP 39 SOUTH, RANGE 22 EAST, SARASOTA COUNTY,
 568 FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 569
 570 COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 6,
 571 TOWNSHIP 39 SOUTH, RANGE 22 EAST, ALSO BEING THE
 572 NORTHEAST CORNER OF THE SECOND ADDITION TO NORTH PORT
 573 CHARLOTTE ESTATES, PER PLAT THEREOF RECORDED IN PLAT
 574 BOOK 19, PAGES 44 AND 44A THROUGH 44-0, PUBLIC RECORDS
 575 OF SAID SARASOTA COUNTY, FLORIDA; THENCE S.00°30'07"W.

576 (GRID BEARING, FLORIDA TRANSVERSE MERCATOR, WEST
 577 ZONE), ALONG THE WEST LINE OF SAID SECTION 6, A
 578 DISTANCE OF 2548.44 FEET TO THE SOUTHWEST CORNER OF
 579 THE NORTH HALF OF SAID SECTION 6; THENCE
 580 S.00°30'07"W., CONTINUING ALONG SAID WEST LINE OF
 581 SECTION 6, A DISTANCE OF 100.02 FEET TO THE POINT OF
 582 BEGINNING; THENCE S.88°26'46"E., PARALLEL WITH AND
 583 100.00 FEET SOUTH OF THE SOUTH LINE OF THE NORTH HALF
 584 OF SAID SECTION 6, A DISTANCE OF 5299.57 FEET TO A
 585 POINT ON THE WEST LINE OF SECTION 5, BEARING
 586 S.00°44'41"W., A DISTANCE OF 100.01 FEET FROM THE
 587 SOUTHWEST CORNER OF THE NORTH HALF OF SAID SECTION 5;
 588 THENCE S.89°37'34"E., PARALLEL WITH AND 100.00 FEET
 589 SOUTH OF THE SOUTH LINE OF THE NORTH HALF OF SAID
 590 SECTION 5, A DISTANCE OF 5305.69 FEET TO A POINT ON
 591 THE WEST LINE OF SECTION 4, BEARING S.00°50'30"W., A
 592 DISTANCE OF 100.01 FEET FROM THE SOUTHWEST CORNER OF
 593 THE NORTH HALF OF SAID SECTION 4; THENCE
 594 S.89°49'42"E., PARALLEL WITH AND 100.00 FEET SOUTH OF
 595 THE SOUTH LINE OF THE NORTH HALF OF SAID SECTION 4, A
 596 DISTANCE OF 4877.78 FEET; THENCE S.16°26'43"E., A
 597 DISTANCE OF 960.52 FEET; THENCE S.00°47'59"W.,
 598 PARALLEL WITH AND 150.00 FEET WEST OF THE EAST LINE OF
 599 SAID SECTION 4, A DISTANCE OF 513.02 FEET; THENCE
 600 S.18°20'50"W., A DISTANCE OF 1189.95 FEET TO A POINT

601 ON THE NORTH LINE OF SECTION 9, BEARING N.89°56'00"W.,
 602 A DISTANCE OF 508.81 FEET FROM THE NORTHEAST CORNER OF
 603 SAID SECTION 9; THENCE N.89°56'00"W., ALONG THE NORTH
 604 LINE OF SAID SECTION 9, A DISTANCE OF 2148.47 FEET TO
 605 THE NORTHWEST CORNER OF THE EAST HALF OF SAID SECTION
 606 9; THENCE S.01°01'52"W., ALONG THE WEST LINE OF THE
 607 EAST HALF OF SAID SECTION 9, A DISTANCE OF 5312.87
 608 FEET TO THE SOUTHWEST CORNER OF THE EAST HALF OF SAID
 609 SECTION 9; THENCE S.89°47'00"E., ALONG THE SOUTH LINE
 610 OF SECTION 9, ALSO THE NORTH LINE OF SECTION 16, A
 611 DISTANCE OF 2662.92 FEET TO THE NORTHWEST CORNER OF
 612 SECTION 15; THENCE S.89°40'03"E., ALONG THE NORTH LINE
 613 OF SAID SECTION 15, A DISTANCE OF 536.06 FEET TO A
 614 POINT IN THE ALDERMAN SLOUGH; THENCE FOLLOWING SAID
 615 ALDERMAN SLOUGH IN A SOUTHERLY DIRECTION, THE
 616 FOLLOWING COURSES THROUGH SECTION 15: THENCE
 617 S.12°02'12"E., A DISTANCE OF 127.44 FEET; THENCE
 618 S.09°19'36"E., A DISTANCE OF 688.88 FEET;. THENCE
 619 S.04°17'39"E., A DISTANCE OF 145.23 FEET; THENCE
 620 S.11°04'54"E., A DISTANCE OF 278.80 FEET; THENCE
 621 S.18°24'37"W., A DISTANCE OF 118.03 FEET; THENCE
 622 S.27°30'33"W., A DISTANCE OF 170.26 FEET; THENCE
 623 S.05°11'15"E., A DISTANCE OF 86.33 FEET; THENCE
 624 S.07°05'59"W., A DISTANCE OF 206.26 FEET; THENCE
 625 S.03°47'11"E., A DISTANCE OF 108.15 FEET; THENCE

626 S.15°38'29"W., A DISTANCE OF 229.08 FEET; THENCE
 627 S.11°11'29"W., A DISTANCE OF 651.33 FEET; THENCE
 628 S.04°17'53"W., A DISTANCE OF 74.25 FEET; THENCE
 629 S.16°13'07"W., A DISTANCE OF 79.94 FEET; THENCE
 630 S.06°56'07"W., A DISTANCE OF 292.06 FEET; THENCE
 631 S.19°33'24"W., A DISTANCE OF 62.42 FEET; THENCE
 632 S.51°48'15"W., A DISTANCE OF 177.50 FEET; THENCE
 633 S.35°17'02"W., A DISTANCE OF 182.82 FEET; THENCE
 634 S.51°44'00"W., A DISTANCE OF 129.18 FEET TO A POINT ON
 635 THE EAST LINE OF SECTION 16, BEARING N.00°16'13"E., A
 636 DISTANCE OF 1734.15 FEET FROM THE SOUTHEAST CORNER OF
 637 SAID SECTION 16; THENCE S.51°44'00'W., THROUGH SECTION
 638 16, A DISTANCE OF 18.84 FEET; THENCE S.35°17'35"W., A
 639 DISTANCE OF 203.28 FEET TO A POINT ON THE NORTHERLY
 640 LIMITED ACCESS RIGHT-OF-WAY LINE FOR INTERSTATE
 641 HIGHWAY #75; THENCE N.44°57'25"W., ALONG SAID RIGHT-
 642 OF- WAY LINE, A DISTANCE OF 7168.47 FEET TO THE POINT
 643 OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS
 644 OF 5846.49 FEET, A CENTRAL ANGLE OF 44°14'48", A CHORD
 645 BEARING OF N.67°04'49'W., AND A CHORD LENGTH OF
 646 4403.59 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN
 647 ARC LENGTH OF 4514.95 FEET TO THE POINT OF TANGENCY OF
 648 SAID CURVE; THENCE N.89°12'13"W., ALONG SAID RIGHT-OF-
 649 WAY LINE, A DISTANCE OF 1309.66 FEET TO A POINT ON THE
 650 WEST LINE OF SECTION 8; THENCE N.01°04'23"E., ALONG

651 THE WEST LINE OF SAID SECTION 8, A DISTANCE OF 2325.50
 652 FEET TO THE SOUTHEAST CORNER OF SECTION 6; THENCE
 653 N.87°10'58"W., ALONG THE SOUTH LINE OF SAID SECTION 6,
 654 ALSO THE NORTH LINE OF SECTION 7, A DISTANCE OF
 655 5292.12 FEET TO THE SOUTHWEST CORNER OF SAID SECTION
 656 6; THENCE N.00°30'07"E., ALONG THE WEST LINE OF
 657 SECTION 6, A DISTANCE OF 2448.42 FEET TO THE POINT OF
 658 BEGINNING.

659
 660 LESS AND EXCEPT:

661
 662 A PORTION OF THE SOUTH HALF OF SECTION 6, TOWNSHIP 39
 663 SOUTH, RANGE 22 EAST, SARASOTA COUNTY, FLORIDA, MORE
 664 PARTICULARLY DESCRIBED AS FOLLOWS:

665
 666 BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 6,
 667 N.= 1007797.74, E.= 605625.27, FLORIDA STATE PLANE
 668 COORDINATE SYSTEM, WEST ZONE; THENCE N.00°30'07"E.,
 669 'GRID BEARING' ALONG THE WEST LINE OF SAID SECTION 6,
 670 A DISTANCE OF 56.50 FEET; THENCE N.42°23'13"E., A
 671 DISTANCE OF 2975.77 FEET; THENCE S.88°26'46"E., A
 672 DISTANCE OF 2676.20 FEET TO A POINT ON THE
 673 NORTHEASTERLY LINE OF THAT CERTAIN 50 FOOT WIDE WATER
 674 PIPE LINE EASEMENT AS DESCRIBED IN O.R.I. #
 675 1999158305, PUBLIC RECORDS OF SAID SARASOTA COUNTY,

676 FLORIDA; THENCE S.44°53'43"E., ALONG SAID
 677 NORTHEASTERLY LINE, A DISTANCE OF 889.05 FEET TO A
 678 POINT ON THE EAST LINE OF SAID SECTION 6; THENCE
 679 S.00°44'41"W., ALONG SAID EAST LINE, A DISTANCE OF
 680 1812.32 FEET TO THE SOUTHEAST CORNER OF SAID SECTION
 681 6; THENCE N.87°10'58"W., ALONG THE SOUTH LINE OF SAID
 682 SECTION 6, A DISTANCE OF 5292.12 FEET TO THE POINT OF
 683 BEGINNING.

684
 685 AND LESS THE PORTION THEREOF CONVEYED IN O.R.
 686 INSTRUMENT NO. 2002056489, OF THE PUBLIC RECORDS OF
 687 SARASOTA COUNTY, FLORIDA

688
 689 TOGETHER WITH AN EASEMENT FOR INGRESS/EGRESS &
 690 UTILITIES OVER, ACROSS AND THROUGH SAID LANDS
 691 DESCRIBED IN O.R. INSTRUMENT NO. 2002056489

692
 693 TRACT 3 (FROM O.R.I. 2000076817)

694
 695 A PORTION OF SECTIONS 3, 4, 5, 6, 9 AND 10, TOWNSHIP
 696 39 SOUTH, RANGE 22 EAST, SARASOTA COUNTY, FLORIDA,
 697 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

698
 699 COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 6,
 700 TOWNSHIP 39 SOUTH, RANGE 22 EAST, ALSO BEING THE

701 NORTHEAST CORNER OF THE SECOND ADDITION TO NORTH PORT
 702 CHARLOTTE ESTATES, PER PLAT THEREOF RECORDED IN PLAT
 703 BOOK 19, PAGES 44 AND 44A THROUGH 44-0, PUBLIC RECORDS
 704 OF SAID SARASOTA COUNTY, FLORIDA; THENCE S.00°30'07"W.
 705 (GRID BEARING, FLORIDA TRANSVERSE MERCATOR, WEST
 706 ZONE), ALONG THE WEST LINE OF SAID SECTION 6, A
 707 DISTANCE OF 2548.44 FEET TO THE SOUTHWEST CORNER OF
 708 THE NORTH HALF OF SAID SECTION 6 AND THE POINT OF
 709 BEGINNING; THENCE S.88°26'46"E., ALONG THE SOUTH LINE
 710 OF SAID NORTH HALF A DISTANCE OF 5299.99 FEET TO THE
 711 SOUTHWEST CORNER OF THE NORTH HALF OF SECTION 5;
 712 THENCE S.89°37'34"E., ALONG THE SOUTH LINE OF SAID
 713 NORTH HALF, A DISTANCE OF 5305.86 FEET TO THE
 714 SOUTHWEST CORNER OF THE NORTH HALF OF SECTION 4;
 715 THENCE S.89°49'42"E., ALONG THE SOUTH LINE OF SAID
 716 NORTH HALF, A DISTANCE OF 5280.31 FEET TO A POINT IN
 717 THE ALDERMAN SLOUGH BEARING N.89°49'42"W., A DISTANCE
 718 OF 32.18 FEET FROM THE SOUTHEAST CORNER OF THE NORTH
 719 HALF OF SAID SECTION 4; THENCE FOLLOWING SAID ALDERMAN
 720 SLOUGH IN A SOUTHERLY DIRECTION, THE FOLLOWING
 721 COURSES: S.19°46'12"W., A DISTANCE OF 384.63 FEET;
 722 THENCE S.06°17'38"E., A DISTANCE OF 74.84 FEET; THENCE
 723 S.16°26'43"E., A DISTANCE OF 499.12 FEET TO A POINT ON
 724 THE WEST LINE OF SECTION 3, BEARING N.00°47'59"E., A
 725 DISTANCE OF 1748.16 FEET FROM THE SOUTHWEST CORNER OF

726 SAID SECTION 3; THENCE S.16°26'43"E., THROUGH SECTION
 727 3, A DISTANCE OF 211.62 FEET; THENCE S.03°07'54"W., A
 728 DISTANCE OF 225.97 FEET; THENCE S.07°53'10"W., A
 729 DISTANCE OF 216.17 FEET; THENCE S.18°35'25"W., A
 730 DISTANCE OF 87.96 FEET TO A POINT ON THE EAST LINE OF
 731 SECTION 4, BEARING N.00°47'59"E., A DISTANCE OF
 732 1022.00 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION
 733 4; THENCE S.18°20'50"W., A DISTANCE OF 1076.23 FEET
 734 TO A POINT ON THE NORTH LINE OF SECTION 9, BEARING
 735 N.89°56'00"W., A DISTANCE OF 324.51 FEET FROM THE
 736 NORTHEAST CORNER OF SAID SECTION 9; THENCE
 737 S.18°25'53"W., THROUGH SECTION 9, A DISTANCE OF 85.39
 738 FEET; THENCE S.27°12'16"E., A DISTANCE OF 517.18 FEET;
 739 THENCE S.57°39'41"E., A DISTANCE OF 124.04 FEET TO A
 740 POINT ON THE WEST LINE OF SECTION 10, BEARING
 741 S.00°58'09"W., A DISTANCE OF 607.04 FEET FROM THE
 742 NORTHWEST CORNER OF SAID SECTION 10; THENCE
 743 S.57°39'41"E., THROUGH SECTION 10, A DISTANCE OF 63.21
 744 FEET; THENCE S.10°12'48"E., A DISTANCE OF 555.38 FEET;
 745 THENCE S.07°21'16"E., A DISTANCE OF 672.34 FEET;
 746 THENCE S.10°44'03"E., A DISTANCE OF 651.24 FEET;
 747 THENCE S.10°36'13"W., A DISTANCE OF 530.75 FEET;
 748 THENCE S.01°14'47"W., A DISTANCE OF 820.24 FEET;
 749 THENCE S.03°22'21"E., A DISTANCE OF 253.99 FEET;
 750 THENCE S.08°05'01"E., A DISTANCE OF 925.01 FEET;

751 THENCE S.12°02'12"E., A DISTANCE OF 324.13 FEET TO A
 752 POINT ON THE SOUTH LINE OF SAID SECTION 10; THENCE
 753 N.89°40'03"W., ALONG THE SOUTH LINE OF SAID SECTION 10
 754 AND LEAVING SAID ALDERMAN SLOUGH, A DISTANCE OF 536.06
 755 FEET TO THE SOUTHEAST CORNER OF SECTION 9; THENCE
 756 N.89°47'00"W., ALONG THE SOUTH LINE OF SAID SECTION 9,
 757 A DISTANCE OF 2662.92 FEET TO THE SOUTHWEST CORNER OF
 758 THE EAST HALF OF SAID SECTION 9; THENCE N.01°01'52"E.,
 759 ALONG THE WEST LINE OF SAID EAST HALF, A DISTANCE OF
 760 5312.87 FEET TO THE NORTHWEST CORNER OF THE EAST HALF
 761 OF SAID SECTION 9; THENCE S89°56'00"E., ALONG THE
 762 NORTH LINE OF SECTION 9, ALSO THE SOUTH LINE OF
 763 SECTION 4, A DISTANCE OF 2148.47 FEET TO A POINT
 764 BEARING N.89°56'00"W., A DISTANCE OF 508.81 FEET FROM
 765 THE SOUTHEAST CORNER OF SAID SECTION 4; THENCE
 766 N.18°20'50"E., THROUGH SECTION 4, A DISTANCE OF
 767 1189.95 FEET; THENCE N.00°47'59"E., PARALLEL WITH AND
 768 150.00 FEET WEST OF THE EAST LINE OF SAID SECTION 4, A
 769 DISTANCE OF 513.02 FEET; THENCE N.16°26'43"W., A
 770 DISTANCE OF 960.52 FEET; THENCE N.89°49'42"W.,
 771 PARALLEL WITH AND 100.00 FEET SOUTH OF THE SOUTH LINE
 772 OF THE NORTH HALF OF SAID SECTION 4, A DISTANCE OF
 773 4877.78 FEET TO A POINT ON THE EAST LINE OF SECTION 5;
 774 THENCE N.89°37'34"W., PARALLEL WITH AND 100.00 FEET
 775 SOUTH OF THE SOUTH LINE OF THE NORTH HALF OF SAID

776 SECTION 5, A DISTANCE OF 5305.69 FEET TO A POINT ON
 777 THE EAST LINE OF SECTION 6; THENCE N.88°26'46"W.,
 778 PARALLEL WITH AND 100.00 FEET SOUTH OF THE SOUTH LINE
 779 OF THE NORTH HALF OF SAID SECTION 6, A DISTANCE OF
 780 5299.57 FEET TO THE WEST LINE OF SAID SECTION 6;
 781 THENCE N.00°30'07"E., ALONG SAID WEST LINE, A DISTANCE
 782 OF 100.02 FEET TO THE SOUTHWEST CORNER OF THE NORTH
 783 HALF OF SAID SECTION 6 AND THE POINT OF BEGINNING.

784
 785 AND LESS THE PORTION THEREOF CONVEYED IN O.R.
 786 INSTRUMENT NO. 2002056489, OF THE PUBLIC RECORDS OF
 787 SARASOTA COUNTY, FLORIDA.

788
 789 TOGETHER WITH AN EASEMENT FOR INGRESS/EGRESS &
 790 UTILITIES OVER, ACROSS AND THROUGH SAID LANDS
 791 DESCRIBED IN O.R. INSTRUMENT NO. 2002056489.

792
 793 CONTAINING A TOTAL AREA OF 2,086 ACRES, MORE OR LESS.

794
 795 Being subject to any rights-of-way, restrictions and
 796 easements of record.

797
 798 Section 5. Board of supervisors; members and meetings;
 799 organization; powers; duties; terms of office; related election
 800 requirements.-

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801 (1) The board of the district shall exercise the powers
802 granted to the district pursuant to this act. The board shall
803 consist of five members, each of whom shall hold office for a
804 term of 4 years, as provided in this section, except as
805 otherwise provided herein for initial board members, and until a
806 successor is chosen and qualified. The members of the board must
807 be residents of the state and citizens of the United States.

808 (2)(a) Within 90 days after the effective date of this
809 act, there shall be held a meeting of the landowners of the
810 district for the purpose of electing five supervisors for the
811 district. Notice of the landowners' meeting shall be published
812 once a week for 2 consecutive weeks in a newspaper that is in
813 general circulation in the area of the district, the last day of
814 such publication to be not less than 14 days or more than 28
815 days before the date of the election. The landowners, when
816 assembled at such meeting, shall organize by electing a chair,
817 who shall conduct the meeting. The chair may be any person
818 present at the meeting. If the chair is a landowner or proxy
819 holder of a landowner, he or she may nominate candidates and
820 make and second motions. The landowners present at the meeting,
821 in person or by proxy, shall constitute a quorum. At any
822 landowners' meeting, 50 percent of the district acreage shall
823 not be required to constitute a quorum, and each governing board
824 member elected by landowners shall be elected by a majority of
825 the acreage represented either by owner or proxy present and

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826 voting at said meeting.

827 (b) At such meeting, each landowner shall be entitled to
828 cast one vote per acre of land owned by him or her and located
829 within the district for each person to be elected. A landowner
830 may vote in person or by proxy in writing. Each proxy must be
831 signed by one of the legal owners of the property for which the
832 vote is cast and must contain the typed or printed name of the
833 individual who signed the proxy; the street address, legal
834 description of the property, or tax parcel identification
835 number; and the number of authorized votes. If the proxy
836 authorizes more than one vote, each property must be listed and
837 the number of acres of each property must be included. The
838 signature on a proxy need not be notarized. A fraction of an
839 acre shall be treated as 1 acre, entitling the landowner to one
840 vote with respect thereto. The three candidates receiving the
841 highest number of votes shall each be elected for terms expiring
842 November 28, 2028, and the two candidates receiving the next
843 highest number of votes shall each be elected for terms expiring
844 November 24, 2026, with the term of office for each successful
845 candidate commencing upon election. The members of the first
846 board elected by landowners shall serve their respective terms;
847 however, the next election of board members shall be held on the
848 first Tuesday after the first Monday in November 2026.
849 Thereafter, there shall be an election by landowners for the
850 district every 2 years on the first Tuesday after the first

851 Monday in November, which shall be noticed pursuant to paragraph
 852 (a). The second and subsequent landowners' election shall be
 853 announced at a public meeting of the board at least 90 days
 854 before the date of the landowners' meeting and shall also be
 855 noticed pursuant to paragraph (a). Instructions on how all
 856 landowners may participate in the election, along with sample
 857 proxies, shall be provided during the board meeting that
 858 announces the landowners' meeting. Each supervisor elected in or
 859 after November 2026 shall serve a 4-year term.

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

864 2.a. Regardless of whether the district has proposed to
 865 levy ad valorem taxes, board members shall begin being elected
 866 by qualified electors of the district as the district becomes
 867 populated with qualified electors. The transition shall occur
 868 such that the composition of the board, after the first general
 869 election following a trigger of the qualified elector population
 870 thresholds set forth below, shall be as follows:

871 (I) Once 1,300 qualified electors reside within the
 872 district, one governing board member shall be a person who is a
 873 qualified elector of the district and who was elected by the
 874 qualified electors, and four governing board members shall be
 875 persons who were elected by the landowners.

876 (II) Once 2,500 qualified electors reside within the
 877 district, two governing board members shall be persons who are
 878 qualified electors of the district and who were elected by the
 879 qualified electors, and three governing board members shall be
 880 persons who were elected by the landowners.

881 (III) Once 3,700 qualified electors reside within the
 882 district, three governing board members shall be persons who are
 883 qualified electors of the district and who were elected by the
 884 qualified electors, and two governing board members shall be
 885 persons who were elected by the landowners.

886 (IV) Once 4,900 qualified electors reside within the
 887 district, four governing board members shall be persons who are
 888 qualified electors of the district and who were elected by the
 889 qualified electors, and one governing board member shall be a
 890 person who was elected by the landowners.

891 (V) Once 6,100 qualified electors reside within the
 892 district, all five governing board members shall be persons who
 893 are qualified electors of the district and who were elected by
 894 the qualified electors.

895
 896 Nothing in this sub-subparagraph is intended to require an
 897 election prior to the expiration of an existing board member's
 898 term.

899 b. On or before June 1 of each election year, the board
 900 shall determine the number of qualified electors in the district

901 as of the immediately preceding April 15. The board shall use
902 and rely upon the official records maintained by the supervisor
903 of elections and property appraiser or tax collector in Sarasota
904 County in making this determination. Such determination shall be
905 made at a properly noticed meeting of the board and shall become
906 a part of the official minutes of the district.

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

910 d. All governing board members elected by qualified
911 electors shall reside in the district.

912 e. Once the district qualifies to have any of its board
913 members elected by the qualified electors of the district, the
914 initial and all subsequent elections by the qualified electors
915 of the district shall be held at the general election in
916 November. The board shall adopt a resolution, if necessary, to
917 implement this requirement. The transition process described
918 herein is intended to be in lieu of the process set forth in s.
919 189.041, Florida Statutes.

920 (b) Elections of board members by qualified electors held
921 pursuant to this subsection shall be nonpartisan and shall be
922 conducted in the manner prescribed by law for holding general
923 elections. Board members shall assume the office on the second
924 Tuesday following their election.

925 (c) Candidates seeking election to office by qualified

926 electors under this subsection shall conduct their campaigns in
 927 accordance with chapter 106, Florida Statutes, and shall file
 928 qualifying papers and qualify for individual seats in accordance
 929 with s. 99.061, Florida Statutes.

930 (d) The supervisor of elections shall appoint the
 931 inspectors and clerks of elections, prepare and furnish the
 932 ballots, designate polling places, and canvass the returns of
 933 the election of board members by qualified electors. The county
 934 canvassing board shall declare and certify the results of the
 935 election.

936 (4) Members of the board, regardless of how elected, shall
 937 be public officers, shall be known as supervisors, and, upon
 938 entering into office, shall take and subscribe to the oath of
 939 office as prescribed by s. 876.05, Florida Statutes. Members of
 940 the board shall be subject to ethics and conflict of interest
 941 laws of the state that apply to all local public officers. They
 942 shall hold office for the terms for which they were elected or
 943 appointed and until their successors are chosen and qualified.
 944 If, during the term of office, a vacancy occurs, the remaining
 945 members of the board shall fill each vacancy by an appointment
 946 for the remainder of the unexpired term.

947 (5) Any elected member of the board of supervisors may be
 948 removed by the Governor for malfeasance, misfeasance,
 949 dishonesty, incompetency, or failure to perform the duties
 950 imposed upon him or her by this act, and any vacancies that may

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951 occur in such office for such reasons shall be filled by the
952 Governor as soon as practicable.

953 (6) A majority of the members of the board constitutes a
954 quorum for the purposes of conducting its business and
955 exercising its powers and for all other purposes. Action taken
956 by the district shall be upon a vote of a majority of the
957 members present unless general law or a rule of the district
958 requires a greater number.

959 (7) As soon as practicable after each election or
960 appointment, the board shall organize by electing one of its
961 members as chair and by electing a secretary, who need not be a
962 member of the board, and such other officers as the board may
963 deem necessary.

964 (8) The board shall keep a permanent record book entitled
965 "Record of Proceedings of Star Farms Village at North Port
966 Stewardship District," in which shall be recorded minutes of all
967 meetings, resolutions, proceedings, certificates, bonds given by
968 all employees, and any and all corporate acts. The record book
969 and all other district records shall at reasonable times be
970 opened to inspection in the same manner as state, county, and
971 municipal records pursuant to chapter 119, Florida Statutes. The
972 record book shall be kept at the office or other regular place
973 of business maintained by the board in a designated location in
974 Sarasota County.

975 (9) No supervisor shall be entitled to receive

976 compensation for his or her services in excess of the limits
 977 established in s. 190.006(8), Florida Statutes, or any successor
 978 statute thereto; however, each supervisor shall receive travel
 979 and per diem expenses as set forth in s. 112.061, Florida
 980 Statutes.

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

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

984 (1) DISTRICT MANAGER AND EMPLOYEES.—The board shall employ
 985 and fix the compensation of a district manager, who shall have
 986 charge and supervision of the works of the district and shall be
 987 responsible for preserving and maintaining any improvement or
 988 facility constructed or erected pursuant to this act, for
 989 maintaining and operating the equipment owned by the district,
 990 and for performing such other duties as may be prescribed by the
 991 board. It shall not be a conflict of interest or constitute an
 992 abuse of public position under chapter 112, Florida Statutes,
 993 for a board member, the district manager, or another employee of
 994 the district to be a stockholder, officer, or employee of a
 995 landowner or an affiliate of a landowner. The district manager
 996 may hire or otherwise employ and terminate the employment of
 997 such other persons, including, without limitation, professional,
 998 supervisory, and clerical employees, as may be necessary and
 999 authorized by the board. The compensation and other conditions
 1000 of employment of the officers and employees of the district

1001 shall be as provided by the board.

1002 (2) TREASURER.—The board shall designate a person who is a
 1003 resident of the state as treasurer of the district, who shall
 1004 have charge of the funds of the district. Such funds shall be
 1005 disbursed only upon the order of or pursuant to a resolution of
 1006 the board by warrant or check countersigned by the treasurer and
 1007 by such other person as may be authorized by the board. The
 1008 board may give the treasurer such other or additional powers and
 1009 duties as the board may deem appropriate and may fix his or her
 1010 compensation. The board may require the treasurer to give a bond
 1011 in such amount, on such terms, and with such sureties as may be
 1012 deemed satisfactory to the board to secure the performance by
 1013 the treasurer of his or her powers and duties. The financial
 1014 records of the board shall be audited by an independent
 1015 certified public accountant in accordance with the requirements
 1016 of general law.

1017 (3) PUBLIC DEPOSITORY.—The board is authorized to select
 1018 as a depository for its funds any qualified public depository as
 1019 defined in s. 280.02, Florida Statutes, which meets all the
 1020 requirements of chapter 280, Florida Statutes, and has been
 1021 designated by the treasurer as a qualified public depository
 1022 upon such terms and conditions as to the payment of interest by
 1023 such depository upon the funds so deposited as the board may
 1024 deem just and reasonable.

1025 (4) BUDGET; REPORTS AND REVIEWS.—

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1026 (a) The district shall provide financial reports in such
1027 form and such manner as prescribed pursuant to this act and
1028 chapter 218, Florida Statutes, as amended from time to time.

1029 (b) On or before July 15 of each year, the district
1030 manager shall prepare a proposed budget for the ensuing fiscal
1031 year to be submitted to the board for board approval. The
1032 proposed budget shall include at the direction of the board an
1033 estimate of all necessary expenditures of the district for the
1034 ensuing fiscal year and an estimate of income to the district
1035 from the taxes and assessments provided in this act. The board
1036 shall consider the proposed budget item by item and may either
1037 approve the budget as proposed by the district manager or modify
1038 the same in part or in whole. The board shall indicate its
1039 approval of the budget by resolution, which resolution shall
1040 provide for a hearing on the budget as approved. Notice of the
1041 hearing on the budget shall be published in a newspaper of
1042 general circulation in the area of the district once a week for
1043 2 consecutive weeks, except that the first publication shall be
1044 no less than 15 days prior to the date of the hearing. The
1045 notice shall further contain a designation of the day, time, and
1046 place of the public hearing. At the time and place designated in
1047 the notice, the board shall hear all objections to the budget as
1048 proposed and may make such changes as the board deems necessary.
1049 At the conclusion of the budget hearing, the board shall, by
1050 resolution, adopt the budget as finally approved by the board.

1051 The budget shall be adopted prior to October 1 of each year.

1052 (c) At least 60 days prior to adoption, the board of
 1053 supervisors of the district shall submit to the City Commission
 1054 of the City of North Port, for purposes of disclosure and
 1055 information only, the proposed annual budget for the ensuing
 1056 fiscal year, and the commission may submit written comments to
 1057 the board of supervisors solely for the assistance and
 1058 information of the board of supervisors of the district in
 1059 adopting its annual district budget.

1060 (d) The board of supervisors of the district shall submit
 1061 annually a public facilities report to the City Commission of
 1062 the City of North Port pursuant to Florida Statutes. The
 1063 commission may use and rely on the district's public facilities
 1064 report in the preparation or revision of the City of North Port
 1065 comprehensive plan.

1066 (5) DISCLOSURE OF PUBLIC INFORMATION; WEB-BASED PUBLIC
 1067 ACCESS.—The district shall take affirmative steps to provide for
 1068 the full disclosure of information relating to the public
 1069 financing and maintenance of improvements to real property
 1070 undertaken by the district. Such information shall be made
 1071 available to all existing residents and all prospective
 1072 residents of the district. The district shall furnish each
 1073 developer of a residential development within the district with
 1074 sufficient copies of that information to provide each
 1075 prospective initial purchaser of property in that development

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1076 with a copy; and any developer of a residential development
1077 within the district, when required by law to provide a public
1078 offering statement, shall include a copy of such information
1079 relating to the public financing and maintenance of improvements
1080 in the public offering statement. The district shall file the
1081 disclosure documents required by this subsection and any
1082 amendments thereto in the property records of each county in
1083 which the district is located. By the end of the first full
1084 fiscal year of the district's creation, the district shall
1085 maintain an official Internet website in accordance with s.
1086 189.069, Florida Statutes.

1087 (6) GENERAL POWERS.—The district shall have, and the board
1088 may exercise, the following general powers:

1089 (a) To sue and be sued in the name of the district; to
1090 adopt and use a seal and authorize the use of a facsimile
1091 thereof; to acquire, by purchase, gift, devise, or otherwise,
1092 and to dispose of, real and personal property, or any estate
1093 therein; and to make and execute contracts and other instruments
1094 necessary or convenient to the exercise of its powers.

1095 (b) To apply for coverage of its employees under the
1096 Florida Retirement System in the same manner as if such
1097 employees were state employees.

1098 (c) To contract for the services of consultants to perform
1099 planning, engineering, legal, or other appropriate services of a
1100 professional nature. Such contracts shall be subject to public

1101 bidding or competitive negotiation requirements as set forth in
 1102 general law applicable to independent special districts.

1103 (d) To borrow money and accept gifts; to apply for and use
 1104 grants or loans of money or other property from the United
 1105 States, the state, a unit of local government, or any person for
 1106 any district purposes and enter into agreements required in
 1107 connection therewith; and to hold, use, and dispose of such
 1108 moneys or property for any district purposes in accordance with
 1109 the terms of the gift, grant, loan, or agreement relating
 1110 thereto.

1111 (e) To adopt and enforce rules and orders pursuant to
 1112 chapter 120, Florida Statutes, prescribing the powers, duties,
 1113 and functions of the officers of the district; the conduct of
 1114 the business of the district; the maintenance of records; and
 1115 the form of certificates evidencing tax liens and all other
 1116 documents and records of the district. The board may also adopt
 1117 and enforce administrative rules with respect to any of the
 1118 projects of the district and define the area to be included
 1119 therein. The board may also adopt resolutions which may be
 1120 necessary for the conduct of district business.

1121 (f) To maintain an office at such place or places as the
 1122 board of supervisors designates in Sarasota County and within
 1123 the district when facilities are available.

1124 (g) To hold, control, and acquire by donation, purchase,
 1125 or condemnation, or dispose of, any public easements,

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1126 dedications to public use, platted reservations for public
1127 purposes, or any reservations for those purposes authorized by
1128 this act and to make use of such easements, dedications, or
1129 reservations for the purposes authorized by this act.

1130 (h) To lease as lessor or lessee to or from any person,
1131 firm, corporation, association, or body, public or private, any
1132 projects of the type that the district is authorized to
1133 undertake and facilities or property of any nature for the use
1134 of the district to carry out the purposes authorized by this
1135 act.

1136 (i) To borrow money and issue bonds, certificates,
1137 warrants, notes, or other evidence of indebtedness as provided
1138 herein; to levy such taxes and assessments as may be authorized;
1139 and to charge, collect, and enforce fees and other user charges.

1140 (j) To raise, by user charges or fees authorized by
1141 resolution of the board, amounts of money which are necessary
1142 for the conduct of district activities and services and to
1143 enforce their receipt and collection in the manner prescribed by
1144 resolution not inconsistent with law.

1145 (k) To exercise all powers of eminent domain now or
1146 hereafter conferred on counties in this state, provided,
1147 however, that such power of eminent domain may not be exercised
1148 outside the territorial limits of the district unless the
1149 district receives prior approval by vote of a resolution of the
1150 governing body of the county if the taking will occur in an

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1151 unincorporated area in that county, or the governing body of the
1152 city if the taking will occur in an incorporated area. The
1153 district shall not have the power to exercise eminent domain
1154 over municipal, county, state, or federal property. The powers
1155 hereinabove granted to the district shall be so construed to
1156 enable the district to fulfill the objects and purposes of the
1157 district as set forth in this act.

1158 (l) To cooperate with, or contract with, other
1159 governmental agencies as may be necessary, convenient,
1160 incidental, or proper in connection with any of the powers,
1161 duties, or purposes authorized by this act.

1162 (m) To assess and to impose upon lands in the district ad
1163 valorem taxes as provided by this act.

1164 (n) If and when authorized by general law, to determine,
1165 order, levy, impose, collect, and enforce maintenance taxes.

1166 (o) To determine, order, levy, impose, collect, and
1167 enforce assessments pursuant to this act and chapter 170,
1168 Florida Statutes, as amended from time to time, pursuant to
1169 authority granted in s. 197.3631, Florida Statutes, or pursuant
1170 to other provisions of general law now or hereinafter enacted
1171 which provide or authorize a supplemental means to order, levy,
1172 impose, or collect special assessments. Such special
1173 assessments, in the discretion of the district, may be collected
1174 and enforced pursuant to ss. 197.3632 and 197.3635, Florida
1175 Statutes, and chapters 170 and 173, Florida Statutes, as they

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1176 may be amended from time to time, or as provided by this act, or
 1177 by other means authorized by general law now or hereinafter
 1178 enacted. The district may levy such special assessments for the
 1179 purposes enumerated in this act and to pay special assessments
 1180 imposed by the City of North Port on lands within the district.

1181 (p) To exercise such special powers and other express
 1182 powers as may be authorized and granted by this act in the
 1183 charter of the district, including powers as provided in any
 1184 interlocal agreement entered into pursuant to chapter 163,
 1185 Florida Statutes, or which shall be required or permitted to be
 1186 undertaken by the district pursuant to any development order,
 1187 including any detailed specific area plan development order, or
 1188 any interlocal service agreement with the City of North Port or
 1189 other unit of government for fair-share capital construction
 1190 funding for any certain capital facilities or systems required
 1191 of a developer pursuant to any applicable development order or
 1192 agreement.

1193 (q) To exercise all of the powers necessary, convenient,
 1194 incidental, or proper in connection with any other powers or
 1195 duties or the special and limited purpose of the district
 1196 authorized by this act.

1197
 1198 This subsection shall be construed liberally in order to carry
 1199 out effectively the special and limited purpose of this act.

1200 (7) SPECIAL POWERS.—The district shall have, and the board

1201 may exercise, the following special powers to implement its
 1202 lawful and special purpose and to provide, pursuant to that
 1203 purpose, systems, facilities, services, improvements, projects,
 1204 works, and infrastructure, each of which constitutes a lawful
 1205 public purpose when exercised pursuant to this charter, subject
 1206 to, and not inconsistent with, general law regarding utility
 1207 providers' territorial and service agreements, the regulatory
 1208 jurisdiction and permitting authority of all other applicable
 1209 governmental bodies, agencies, and any special districts having
 1210 authority with respect to any area included therein, and to
 1211 plan, establish, acquire, construct or reconstruct, enlarge or
 1212 extend, equip, operate, finance, fund, and maintain
 1213 improvements, systems, facilities, services, works, projects,
 1214 and infrastructure. Any or all of the following special powers
 1215 are granted by this act in order to implement the special and
 1216 limited purpose of the district but do not constitute
 1217 obligations to undertake such improvements, systems, facilities,
 1218 services, works, projects, or infrastructure:

1219 (a) To provide water management and control for the lands
 1220 within the district, including irrigation systems and
 1221 facilities, and to connect some or any of such facilities with
 1222 roads and bridges. In the event that the board assumes the
 1223 responsibility for providing water management and control for
 1224 the district which is to be financed by benefit special
 1225 assessments, the board shall adopt plans and assessments

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1226 pursuant to law or may proceed to adopt water management and
1227 control plans, assess for benefits, and apportion and levy
1228 special assessments, as follows:

1229 1. The board shall cause to be made by the district's
1230 engineer, or such other engineer or engineers as the board may
1231 employ for that purpose, complete and comprehensive water
1232 management and control plans for the lands located within the
1233 district that will be improved in any part or in whole by any
1234 system of facilities that may be outlined and adopted, and the
1235 engineer shall make a report in writing to the board with maps
1236 and profiles of said surveys and an estimate of the cost of
1237 carrying out and completing the plans.

1238 2. Upon the completion of such plans, the board shall hold
1239 a hearing thereon to hear objections thereto, shall give notice
1240 of the time and place fixed for such hearing by publication once
1241 each week for 2 consecutive weeks in a newspaper of general
1242 circulation in the general area of the district, and shall
1243 permit the inspection of the plan at the office of the district
1244 by all persons interested. All objections to the plan shall be
1245 filed at or before the time fixed in the notice for the hearing
1246 and shall be in writing.

1247 3. After the hearing, the board shall consider the
1248 proposed plan and any objections thereto and may modify, reject,
1249 or adopt the plan or continue the hearing until a day certain
1250 for further consideration of the proposed plan or modifications

1251 thereof.

1252 4. When the board approves a plan, a resolution shall be
 1253 adopted and a certified copy thereof shall be filed in the
 1254 office of the secretary and incorporated by him or her into the
 1255 records of the district.

1256 5. The water management and control plan may be altered in
 1257 detail from time to time until the engineer's report pursuant to
 1258 s. 298.301, Florida Statutes, is filed but not in such manner as
 1259 to affect materially the conditions of its adoption. After the
 1260 engineer's report has been filed, no alteration of the plan
 1261 shall be made, except as provided by this act.

1262 6. Within 20 days after the final adoption of the plan by
 1263 the board, the board shall proceed pursuant to s. 298.301,
 1264 Florida Statutes.

1265 (b) To provide water supply, sewer, wastewater, and
 1266 reclaimed water management, reclamation, and reuse, or any
 1267 combination thereof, and any irrigation systems, facilities, and
 1268 services and to construct and operate water systems, sewer
 1269 systems, irrigation systems, and reclaimed water systems such as
 1270 connecting intercepting or outlet sewers and sewer mains and
 1271 pipes and water mains, conduits, or pipelines in, along, and
 1272 under any street, alley, highway, or other public place or ways,
 1273 and to dispose of any water, effluent, residue, or other
 1274 byproducts of such water system, sewer system, irrigation
 1275 system, or reclaimed water system and to enter into interlocal

1276 agreements and other agreements with public or private entities
 1277 for the same.

1278 (c) To provide bridges, culverts, wildlife corridors, or
 1279 road crossings that may be needed across any drain, ditch,
 1280 canal, floodway, holding basin, excavation, public highway,
 1281 tract, grade, fill, or cut and roadways over levees and
 1282 embankments, and to construct any and all of such works and
 1283 improvements across, through, or over any public right-of-way,
 1284 highway, grade, fill, or cut.

1285 (d) To provide district or other roads equal to or
 1286 exceeding the specifications of the county in which such
 1287 district or other roads are located, and to provide street
 1288 lights. This special power includes, but is not limited to,
 1289 roads, parkways, intersections, bridges, landscaping,
 1290 hardscaping, irrigation, bicycle lanes, sidewalks, jogging
 1291 paths, multiuse pathways and trails, street lighting, traffic
 1292 signals, regulatory or informational signage, road striping,
 1293 underground conduit, underground cable or fiber or wire
 1294 installed pursuant to an agreement with or tariff of a retail
 1295 provider of services, and all other customary elements of a
 1296 functioning modern road system in general or as tied to the
 1297 conditions of development approval for the area within and
 1298 without the district, and parking facilities that are
 1299 freestanding or that may be related to any innovative strategic
 1300 intermodal system of transportation pursuant to applicable

1301 federal, state, and local law and ordinance.

1302 (e) To provide buses, trolleys, rail access, mass transit
 1303 facilities, transit shelters, ridesharing facilities and
 1304 services, parking improvements, and related signage.

1305 (f) To provide investigation and remediation costs
 1306 associated with the cleanup of actual or perceived environmental
 1307 contamination within the district under the supervision or
 1308 direction of a competent governmental authority unless the
 1309 covered costs benefit any person who is a landowner within the
 1310 district and who caused or contributed to the contamination.

1311 (g) To provide observation areas, mitigation areas,
 1312 wetland creation areas, and wildlife habitat, including the
 1313 maintenance of any plant or animal species, and any related
 1314 interest in real or personal property.

1315 (h) Using its general and special powers as set forth in
 1316 this act, to provide any other project within or without the
 1317 boundaries of the district when the project is the subject of an
 1318 agreement between the district and the City Commission of the
 1319 City of North Port or with any other applicable public or
 1320 private entity and is not inconsistent with the effective local
 1321 comprehensive plans.

1322 (i) To provide parks and facilities for indoor and outdoor
 1323 recreational, cultural, and educational uses.

1324 (j) To provide school buildings and related structures,
 1325 which may be leased, sold, or donated to the school district,

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1326 for use in the educational system when authorized by the
1327 district school board.

1328 (k) To provide security, including electronic intrusion-
1329 detection systems and patrol vehicles, when authorized by proper
1330 governmental agencies, and to contract with the appropriate
1331 local general-purpose government agencies for an increased level
1332 of such services within the district boundaries. However, this
1333 paragraph does not prohibit the district from contracting with a
1334 towing operator to remove a vehicle or vessel from a district-
1335 owned facility or property if the district follows the
1336 authorization and notice and procedural requirements in s.
1337 715.07, Florida Statutes, for an owner or lessee of private
1338 property. The district's selection of a towing operator is not
1339 subject to public bidding if the towing operator is included in
1340 an approved list of town operators maintained by the local
1341 government that has jurisdiction over the district's facility or
1342 property.

1343 (l) To provide control and elimination of mosquitoes and
1344 other arthropods of public health importance.

1345 (m) To enter into impact fee, mobility fee, or other
1346 similar credit agreements with the City of North Port or other
1347 governmental bodies or a landowner developer and to sell or
1348 assign such credits, on such terms as the district deems
1349 appropriate.

1350 (n) To provide buildings and structures for district

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1351 offices, maintenance facilities, meeting facilities, town
1352 centers, stadiums, or any other project authorized or granted by
1353 this act.

1354 (o) To establish and create, at noticed meetings, such
1355 departments of the board of supervisors of the district, as well
1356 as committees, task forces, boards, or commissions, or other
1357 agencies under the supervision and control of the district, as
1358 from time to time the members of the board may deem necessary or
1359 desirable in the performance of the acts or other things
1360 necessary to exercise the board's general or special powers to
1361 implement an innovative project to carry out the special and
1362 limited purpose of the district as provided in this act and to
1363 delegate the exercise of its powers to such departments, boards,
1364 task forces, committees, or other agencies, and such
1365 administrative duties and other powers as the board may deem
1366 necessary or desirable, but only if there is a set of expressed
1367 limitations for accountability, notice, and periodic written
1368 reporting to the board that shall retain the powers of the
1369 board.

1370 (p) To provide electrical, sustainable, or green
1371 infrastructure improvements, facilities, and services,
1372 including, but not limited to, recycling of natural resources,
1373 reduction of energy demands, development and generation of
1374 alternative or renewable energy sources and technologies,
1375 mitigation of urban heat islands, sequestration, capping or

1376 trading of carbon emissions or carbon emissions credits, LEED or
1377 Florida Green Building Coalition certification, and development
1378 of facilities and improvements for low-impact development, and
1379 to enter into joint ventures, public-private partnerships, and
1380 other agreements and to grant such easements as may be necessary
1381 to accomplish the foregoing. Nothing herein shall authorize the
1382 district to provide electric service to retail customers or
1383 otherwise act to impair electric utility franchise agreements.

1384 (q) To provide for any facilities or improvements that may
1385 otherwise be provided for by any county or municipality,
1386 including, but not limited to, libraries, annexes, substations,
1387 and other buildings to house public officials, staff, and
1388 employees.

1389 (r) To provide waste collection and disposal.

1390 (s) To provide for the construction and operation of
1391 communications systems and related infrastructure for the
1392 carriage and distribution of communications services, and to
1393 enter into joint ventures, public-private partnerships, and
1394 other agreements and to grant such easements as may be necessary
1395 to accomplish the foregoing. The term "communications systems"
1396 means all facilities, buildings, equipment, items, and methods
1397 necessary or desirable in order to provide communications
1398 services, including, without limitation, wires, cables,
1399 conduits, wireless cell sites, computers, modems, satellite
1400 antennae sites, transmission facilities, network facilities, and

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1401 appurtenant devices necessary and appropriate to support the
1402 provision of communications services. The term "communications
1403 services" includes, without limitation, Internet, voice
1404 telephone or similar services provided by voice-over-Internet
1405 protocol, cable television, data transmission services,
1406 electronic security monitoring services, and multichannel video
1407 programming distribution services. Nothing herein shall
1408 authorize the district to provide communications services to
1409 retail customers or otherwise act to impair existing service
1410 provider franchise agreements, though the district may contract
1411 with such providers for resale purposes.

1412 (t) To provide health care facilities and to enter into
1413 public-private partnerships and agreements as may be necessary
1414 to accomplish the foregoing.

1415 (u) To coordinate, work with, and, as the board deems
1416 appropriate, enter into interlocal agreements with any public or
1417 private entity for the provision of an institution or
1418 institutions of higher education.

1419 (v) To coordinate, work with, and, as the board deems
1420 appropriate, enter into public-private partnerships and
1421 agreements as may be necessary or useful to effectuate the
1422 purposes of this act.

1423
1424 The enumeration of special powers herein shall not be deemed
1425 exclusive or restrictive but shall be deemed to incorporate all

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1426 powers, express or implied, necessary or incidental to carrying
1427 out such enumerated special powers, including also the general
1428 powers provided by this special act charter to the district to
1429 implement its purposes. Further, this subsection shall be
1430 construed liberally in order to carry out effectively the
1431 special and limited purpose of this district under this act.

1432 (8) ISSUANCE OF BOND ANTICIPATION NOTES.—In addition to
1433 the other powers provided for in this act, and not in limitation
1434 thereof, the district shall have the power, at any time and from
1435 time to time after the issuance of any bonds of the district
1436 shall have been authorized, to borrow money for the purposes for
1437 which such bonds are to be issued in anticipation of the receipt
1438 of the proceeds of the sale of such bonds and to issue bond
1439 anticipation notes in a principal sum not in excess of the
1440 authorized maximum amount of such bond issue. Such notes shall
1441 be in such denomination or denominations, bear interest at such
1442 rate, not to exceed the maximum rate allowed by general law,
1443 mature at such time or times not later than 5 years from the
1444 date of issuance, and be in such form and executed in such
1445 manner as the board shall prescribe. Such notes may be sold at
1446 either public or private sale or, if such notes shall be renewal
1447 notes, may be exchanged for notes then outstanding on such terms
1448 as the board shall determine. Such notes shall be paid from the
1449 proceeds of such bonds when issued. The board may, in its
1450 discretion, in lieu of retiring the notes by means of bonds,

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1451 retire them by means of current revenues or from any taxes or
1452 assessments levied for the payment of such bonds, but, in such
1453 event, a like amount of the bonds authorized shall not be
1454 issued.

1455 (9) BORROWING.—The district at any time may obtain loans,
1456 in such amount and on such terms and conditions as the board may
1457 approve, for the purpose of paying any of the expenses of the
1458 district or any costs incurred or that may be incurred in
1459 connection with any of the projects of the district, which loans
1460 shall bear interest as the board determines, not to exceed the
1461 maximum rate allowed by general law, and may be payable from and
1462 secured by a pledge of such funds, revenues, taxes, and
1463 assessments as the board may determine, subject, however, to the
1464 provisions contained in any proceeding under which bonds were
1465 theretofore issued and are then outstanding. For the purpose of
1466 defraying such costs and expenses, the district may issue
1467 negotiable notes, warrants, or other evidences of debt to be
1468 payable at such times and to bear such interest as the board may
1469 determine, not to exceed the maximum rate allowed by general
1470 law, and to be sold or discounted at such price or prices not
1471 less than 95 percent of par value and on such terms as the board
1472 may deem advisable. The board shall have the right to provide
1473 for the payment thereof by pledging the whole or any part of the
1474 funds, revenues, taxes, and assessments of the district or by
1475 covenanting to budget and appropriate from such funds. The

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1476 approval of the electors residing in the district shall not be
 1477 necessary except when required by the State Constitution.

1478 (10) BONDS.—

1479 (a) Sale of bonds.—Bonds may be sold in blocks or
 1480 installments at different times, or an entire issue or series
 1481 may be sold at one time. Bonds may be sold at public or private
 1482 sale after such advertisement, if any, as the board may deem
 1483 advisable, but not in any event at less than 90 percent of the
 1484 par value thereof, together with accrued interest thereon. Bonds
 1485 may be sold or exchanged for refunding bonds. Special assessment
 1486 and revenue bonds may be delivered by the district as payment of
 1487 the purchase price of any project or part thereof, or a
 1488 combination of projects or parts thereof, or as the purchase
 1489 price or exchange for any property, real, personal, or mixed,
 1490 including franchises or services rendered by any contractor,
 1491 engineer, or other person, all at one time or in blocks from
 1492 time to time, in such manner and upon such terms as the board in
 1493 its discretion shall determine. The price or prices for any
 1494 bonds sold, exchanged, or delivered may be:

1495 1. The money paid for the bonds.

1496 2. The principal amount, plus accrued interest to the date
 1497 of redemption or exchange, or outstanding obligations exchanged
 1498 for refunding bonds.

1499 3. In the case of special assessment or revenue bonds, the
 1500 amount of any indebtedness to contractors or other persons paid

1501 with such bonds, or the fair value of any properties exchanged
1502 for the bonds, as determined by the board.

1503 (b) Authorization and form of bonds.—Any general
1504 obligation bonds, special assessment bonds, or revenue bonds may
1505 be authorized by resolution or resolutions of the board which
1506 shall be adopted by a majority of all the members thereof then
1507 in office. Such resolution or resolutions may be adopted at the
1508 same meeting at which they are introduced and need not be
1509 published or posted. The board may, by resolution, authorize the
1510 issuance of bonds and fix the aggregate amount of bonds to be
1511 issued; the purpose or purposes for which the moneys derived
1512 therefrom shall be expended, including, but not limited to,
1513 payment of costs as defined in section 2(2)(h); the rate or
1514 rates of interest, not to exceed the maximum rate allowed by
1515 general law; the denomination of the bonds; whether the bonds
1516 are to be issued in one or more series; the date or dates of
1517 maturity, which shall not exceed 40 years from their respective
1518 dates of issuance; the medium of payment; the place or places
1519 within or without the state at which payment shall be made;
1520 registration privileges; redemption terms and privileges,
1521 whether with or without premium; the manner of execution; the
1522 form of the bonds, including any interest coupons to be attached
1523 thereto; the manner of execution of bonds and coupons; and any
1524 and all other terms, covenants, and conditions thereof and the
1525 establishment of revenue or other funds. Such authorizing

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1526 resolution or resolutions may further provide for the contracts
1527 authorized by s. 159.825(1) (f) and (g), Florida Statutes,
1528 regardless of the tax treatment of such bonds being authorized,
1529 subject to the finding by the board of a net saving to the
1530 district resulting by reason thereof. Such authorizing
1531 resolution may further provide that such bonds may be executed
1532 in accordance with the Registered Public Obligations Act, except
1533 that bonds not issued in registered form shall be valid if
1534 manually countersigned by an officer designated by appropriate
1535 resolution of the board. The seal of the district may be
1536 affixed, lithographed, engraved, or otherwise reproduced in
1537 facsimile on such bonds. In case any officer whose signature
1538 shall appear on any bonds or coupons shall cease to be such
1539 officer before the delivery of such bonds, such signature or
1540 facsimile shall nevertheless be valid and sufficient for all
1541 purposes the same as if he or she had remained in office until
1542 such delivery.

1543 (c) Interim certificates; replacement certificates.—
1544 Pending the preparation of definitive bonds, the board may issue
1545 interim certificates or receipts or temporary bonds, in such
1546 form and with such provisions as the board may determine,
1547 exchangeable for definitive bonds when such bonds have been
1548 executed and are available for delivery. The board may also
1549 provide for the replacement of any bonds which become mutilated,
1550 lost, or destroyed.

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1551 (d) Negotiability of bonds.—Any bond issued under this act
1552 or any temporary bond, in the absence of an express recital on
1553 the face thereof that it is nonnegotiable, shall be fully
1554 negotiable and shall be and constitute a negotiable instrument
1555 within the meaning and for all purposes of the law merchant and
1556 the laws of the state.

1557 (e) Defeasance.—The board may make such provision with
1558 respect to the defeasance of the right, title, and interest of
1559 the holders of any of the bonds and obligations of the district
1560 in any revenues, funds, or other properties by which such bonds
1561 are secured as the board deems appropriate and, without
1562 limitation on the foregoing, may provide that when such bonds or
1563 obligations become due and payable or shall have been called for
1564 redemption and the whole amount of the principal and interest
1565 and premium, if any, due and payable upon the bonds or
1566 obligations then outstanding shall be held in trust for such
1567 purpose, and provision shall also be made for paying all other
1568 sums payable in connection with such bonds or other obligations,
1569 then and in such event the right, title, and interest of the
1570 holders of the bonds in any revenues, funds, or other properties
1571 by which such bonds are secured shall thereupon cease,
1572 terminate, and become void; and the board may apply any surplus
1573 in any sinking fund established in connection with such bonds or
1574 obligations and all balances remaining in all other funds or
1575 accounts other than moneys held for the redemption or payment of

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1576 the bonds or other obligations to any lawful purpose of the
1577 district as the board shall determine.

1578 (f) Issuance of additional bonds.—If the proceeds of any
1579 bonds are less than the cost of completing the project in
1580 connection with which such bonds were issued, the board may
1581 authorize the issuance of additional bonds, upon such terms and
1582 conditions as the board may provide in the resolution
1583 authorizing the issuance thereof, but only in compliance with
1584 the resolution or other proceedings authorizing the issuance of
1585 the original bonds.

1586 (g) Refunding bonds.—The district shall have the power to
1587 issue bonds to provide for the retirement or refunding of any
1588 bonds or obligations of the district that at the time of such
1589 issuance are or subsequent thereto become due and payable, or
1590 that at the time of issuance have been called or are, or will
1591 be, subject to call for redemption within 10 years thereafter,
1592 or the surrender of which can be procured from the holders
1593 thereof at prices satisfactory to the board. Refunding bonds may
1594 be issued at any time that in the judgment of the board such
1595 issuance will be advantageous to the district. No approval of
1596 the qualified electors residing in the district shall be
1597 required for the issuance of refunding bonds except in cases in
1598 which such approval is required by the State Constitution. The
1599 board may by resolution confer upon the holders of such
1600 refunding bonds all rights, powers, and remedies to which the

1601 holders would be entitled if they continued to be the owners and
 1602 had possession of the bonds for the refinancing of which such
 1603 refunding bonds are issued, including, but not limited to, the
 1604 preservation of the lien of such bonds on the revenues of any
 1605 project or on pledged funds, without extinguishment, impairment,
 1606 or diminution thereof. The provisions of this act pertaining to
 1607 bonds of the district shall, unless the context otherwise
 1608 requires, govern the issuance of refunding bonds, the form and
 1609 other details thereof, the rights of the holders thereof, and
 1610 the duties of the board with respect thereto.

1611 (h) Revenue bonds.—

1612 1. The district shall have the power to issue revenue
 1613 bonds from time to time without limitation as to amount. Such
 1614 revenue bonds may be secured by, or payable from, the gross or
 1615 net pledge of the revenues to be derived from any project or
 1616 combination of projects; from the rates, fees, or other charges
 1617 to be collected from the users of any project or projects; from
 1618 any revenue-producing undertaking or activity of the district;
 1619 from special assessments; from benefit special assessments; or
 1620 from any other source or pledged security. Such bonds shall not
 1621 constitute an indebtedness of the district, and the approval of
 1622 the qualified electors shall not be required unless such bonds
 1623 are additionally secured by the full faith and credit and taxing
 1624 power of the district.

1625 2. Any two or more projects may be combined and

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1626 consolidated into a single project and may hereafter be operated
1627 and maintained as a single project. The revenue bonds authorized
1628 herein may be issued to finance any one or more of such
1629 projects, regardless of whether such projects have been combined
1630 and consolidated into a single project. If the board deems it
1631 advisable, the proceedings authorizing such revenue bonds may
1632 provide that the district may thereafter combine the projects
1633 then being financed or theretofore financed with other projects
1634 to be subsequently financed by the district and that revenue
1635 bonds to be thereafter issued by the district shall be on parity
1636 with the revenue bonds then being issued, all on such terms,
1637 conditions, and limitations as shall have been provided in the
1638 proceeding which authorized the original bonds.

1639 (i) General obligation bonds.—

1640 1. Subject to the limitations of this charter, the
1641 district shall have the power from time to time to issue general
1642 obligation bonds to finance or refinance capital projects or to
1643 refund outstanding bonds in an aggregate principal amount of
1644 bonds outstanding at any one time not in excess of 35 percent of
1645 the assessed value of the taxable property within the district
1646 as shown on the pertinent tax records at the time of the
1647 authorization of the general obligation bonds for which the full
1648 faith and credit of the district is pledged. Except for
1649 refunding bonds, no general obligation bonds shall be issued
1650 unless the bonds are issued to finance or refinance a capital

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1651 project and the issuance has been approved at an election held
1652 in accordance with the requirements for such election as
1653 prescribed by the State Constitution. Such elections shall be
1654 called to be held in the district by the Sarasota County
1655 Supervisor of Elections upon the request of the board of the
1656 district. The expenses of calling and holding an election shall
1657 be at the expense of the district, and the district shall
1658 reimburse the county for any expenses incurred in calling or
1659 holding such election.

1660 2. The district may pledge its full faith and credit for
1661 the payment of the principal and interest on such general
1662 obligation bonds and for any reserve funds provided therefor and
1663 may unconditionally and irrevocably pledge itself to levy ad
1664 valorem taxes on all taxable property in the district, to the
1665 extent necessary for the payment thereof, without limitation as
1666 to rate or amount.

1667 3. If the board determines to issue general obligation
1668 bonds for more than one capital project, the approval of the
1669 issuance of the bonds for each and all such projects may be
1670 submitted to the electors on one and the same ballot. The
1671 failure of the electors to approve the issuance of bonds for any
1672 one or more capital projects shall not defeat the approval of
1673 bonds for any capital project which has been approved by the
1674 electors.

1675 4. In arriving at the amount of general obligation bonds

1676 permitted to be outstanding at any one time pursuant to
 1677 subparagraph 1., there shall not be included any general
 1678 obligation bonds that are additionally secured by the pledge of:

1679 a. Any assessments levied in an amount sufficient to pay
 1680 the principal and interest on the general obligation bonds so
 1681 additionally secured, which assessments have been equalized and
 1682 confirmed by resolution of the board pursuant to this act or s.
 1683 170.08, Florida Statutes.

1684 b. Water revenues, sewer revenues, or water and sewer
 1685 revenues of the district to be derived from user fees in an
 1686 amount sufficient to pay the principal and interest on the
 1687 general obligation bonds so additionally secured.

1688 c. Any combination of assessments and revenues described
 1689 in sub-subparagraphs a. and b.

1690 (j) Bonds as legal investment or security.-

1691 1. Notwithstanding any provisions of any other law to the
 1692 contrary, all bonds issued under this act shall constitute legal
 1693 investments for savings banks, banks, trust companies, insurance
 1694 companies, executors, administrators, trustees, guardians, and
 1695 other fiduciaries and for any board, body, agency,
 1696 instrumentality, county, municipality, or other political
 1697 subdivision of the state and shall be and constitute security
 1698 which may be deposited by banks or trust companies as security
 1699 for deposits of state, county, municipal, or other public funds
 1700 or by insurance companies as required or voluntary statutory

1701 deposits.

1702 2. Any bonds issued by the district shall be incontestable

1703 in the hands of bona fide purchasers or holders for value and

1704 shall not be invalid because of any irregularity or defect in

1705 the proceedings for the issue and sale thereof.

1706 (k) Covenants.—Any resolution authorizing the issuance of

1707 bonds may contain such covenants as the board may deem

1708 advisable, and all such covenants shall constitute valid and

1709 legally binding and enforceable contracts between the district

1710 and the bondholders, regardless of the time of issuance thereof.

1711 Such covenants may include, without limitation, covenants

1712 concerning the disposition of the bond proceeds; the use and

1713 disposition of project revenues; the pledging of revenues,

1714 taxes, and assessments; the obligations of the district with

1715 respect to the operation of the project and the maintenance of

1716 adequate project revenues; the issuance of additional bonds; the

1717 appointment, powers, and duties of trustees and receivers; the

1718 acquisition of outstanding bonds and obligations; restrictions

1719 on the establishing of competing projects or facilities;

1720 restrictions on the sale or disposal of the assets and property

1721 of the district; the priority of assessment liens; the priority

1722 of claims by bondholders on the taxing power of the district;

1723 the maintenance of deposits to ensure the payment of revenues by

1724 users of district facilities and services; the discontinuance of

1725 district services by reason of delinquent payments; acceleration

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1726 upon default; the execution of necessary instruments; the
1727 procedure for amending or abrogating covenants with the
1728 bondholders; and such other covenants as may be deemed necessary
1729 or desirable for the security of the bondholders.

1730 (l) Validation proceedings.—The power of the district to
1731 issue bonds under this act may be determined, and any of the
1732 bonds of the district maturing over a period of more than 5
1733 years shall be validated and confirmed, by court decree, under
1734 chapter 75, Florida Statutes, and laws amendatory thereof or
1735 supplementary thereto.

1736 (m) Tax exemption.—To the extent allowed by general law,
1737 all bonds issued hereunder and interest paid thereon and all
1738 fees, charges, and other revenues derived by the district from
1739 the projects provided by this act are exempt from all taxes by
1740 the state or by any political subdivision, agency, or
1741 instrumentality thereof; however, any interest, income, or
1742 profits on debt obligations issued hereunder are not exempt from
1743 the tax imposed by chapter 220, Florida Statutes. Further, the
1744 district is not exempt from chapter 212, Florida Statutes.

1745 (n) Application of s. 189.051, Florida Statutes.—Bonds
1746 issued by the district shall meet the criteria set forth in s.
1747 189.051, Florida Statutes.

1748 (o) Act furnishes full authority for issuance of bonds.—
1749 This act constitutes full and complete authority for the
1750 issuance of bonds and the exercise of the powers of the district

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1751 provided herein. No procedures or proceedings, publications,
1752 notices, consents, approvals, orders, acts, or things by the
1753 board, or any board, officer, commission, department, agency, or
1754 instrumentality of the district, other than those required by
1755 this act, shall be required to perform anything under this act,
1756 except that the issuance or sale of bonds pursuant to this act
1757 shall comply with the general law requirements applicable to the
1758 issuance or sale of bonds by the district. Nothing in this act
1759 shall be construed to authorize the district to utilize bond
1760 proceeds to fund the ongoing operations of the district.

1761 (p) Pledge by the state to the bondholders of the
1762 district.—The state pledges to the holders of any bonds issued
1763 under this act that it will not limit or alter the rights of the
1764 district to own, acquire, construct, reconstruct, improve,
1765 maintain, operate, or furnish the projects or to levy and
1766 collect the taxes, assessments, rentals, rates, fees, and other
1767 charges provided for herein and to fulfill the terms of any
1768 agreement made with the holders of such bonds or other
1769 obligations and that it will not in any way impair the rights or
1770 remedies of such holders.

1771 (q) Default.—A default on the bonds or obligations of the
1772 district shall not constitute a debt or obligation of the state
1773 or any general-purpose local government of the state. In the
1774 event of a default or dissolution of the district, no general-
1775 purpose local government shall be required to assume the

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1776 property of the district, the debts of the district, or the
1777 district's obligations to complete any infrastructure
1778 improvements or provide any services to the district. The
1779 provisions of s. 189.076(2), Florida Statutes, shall not apply
1780 to the district.

1781 (11) TRUST AGREEMENTS.—Any issue of bonds shall be secured
1782 by a trust agreement or resolution by and between the district
1783 and a corporate trustee or trustees, which may be any trust
1784 company or bank having the powers of a trust company within or
1785 without the state. The resolution authorizing the issuance of
1786 the bonds or such trust agreement may pledge the revenues to be
1787 received from any projects of the district and may contain such
1788 provisions for protecting and enforcing the rights and remedies
1789 of the bondholders as the board may approve, including, without
1790 limitation, covenants setting forth the duties of the district
1791 in relation to: the acquisition, construction, reconstruction,
1792 improvement, maintenance, repair, operation, and insurance of
1793 any projects; the fixing and revising of the rates, fees, and
1794 charges; and the custody, safeguarding, and application of all
1795 moneys and for the employment of consulting engineers in
1796 connection with such acquisition, construction, reconstruction,
1797 improvement, maintenance, repair, or operation. It shall be
1798 lawful for any bank or trust company within or without the state
1799 which may act as a depository of the proceeds of bonds or of
1800 revenues to furnish such indemnifying bonds or to pledge such

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1801 securities as may be required by the district. Such resolution
 1802 or trust agreement may set forth the rights and remedies of the
 1803 bondholders and of the trustee, if any, and may restrict the
 1804 individual right of action by bondholders. The board may provide
 1805 for the payment of proceeds of the sale of the bonds and the
 1806 revenues of any project to such officer, board, or depository as
 1807 it may designate for the custody thereof and may provide for the
 1808 method of disbursement thereof with such safeguards and
 1809 restrictions as it may determine. All expenses incurred in
 1810 carrying out the provisions of such resolution or trust
 1811 agreement may be treated as part of the cost of operation of the
 1812 project to which such resolution or trust agreement pertains.

1813 (12) AD VALOREM TAXES; ASSESSMENTS, BENEFIT SPECIAL
 1814 ASSESSMENTS, MAINTENANCE SPECIAL ASSESSMENTS, AND SPECIAL
 1815 ASSESSMENTS; MAINTENANCE TAXES.-

1816 (a) Ad valorem taxes.-At such time as all members of the
 1817 board are qualified electors who are elected by qualified
 1818 electors of the district, the board shall have the power to levy
 1819 and assess an ad valorem tax on all the taxable property in the
 1820 district to construct, operate, and maintain assessable
 1821 improvements; to pay the principal of, and interest on, any
 1822 general obligation bonds of the district; and to provide for any
 1823 sinking or other funds established in connection with any such
 1824 bonds. An ad valorem tax levied by the board for operating
 1825 purposes, exclusive of debt service on bonds, shall not exceed 3

1826 mills. The ad valorem tax provided for herein shall be in
 1827 addition to county and all other ad valorem taxes provided for
 1828 by law. Such tax shall be assessed, levied, and collected in the
 1829 same manner and at the same time as county taxes. The levy of ad
 1830 valorem taxes must be approved by referendum as required by s.
 1831 9, Article VII of the State Constitution.

1832 (b) Benefit special assessments.—The board annually shall
 1833 determine, order, and levy the annual installment of the total
 1834 benefit special assessments for bonds issued and related
 1835 expenses to finance assessable improvements. These assessments
 1836 may be due and collected during each year county taxes are due
 1837 and collected, in which case such annual installment and levy
 1838 shall be evidenced to and certified to the property appraiser by
 1839 the board not later than August 31 of each year. Such assessment
 1840 shall be entered by the property appraiser on the county tax
 1841 rolls and shall be collected and enforced by the tax collector
 1842 in the same manner and at the same time as county taxes, and the
 1843 proceeds thereof shall be paid to the district. However, this
 1844 paragraph shall not prohibit the district in its discretion from
 1845 using the method prescribed in s. 197.3632, Florida Statutes, or
 1846 chapter 173, Florida Statutes, as each may be amended from time
 1847 to time, for collecting and enforcing these assessments. Each
 1848 annual installment of benefit special assessments shall be a
 1849 lien on the property against which assessed until paid and shall
 1850 be enforceable in like manner as county taxes. The amount of the

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1851 assessment for the exercise of the district's powers under
1852 subsections (6) and (7) shall be determined by the board based
1853 upon a report of the district's engineer and assessed by the
1854 board upon such lands, which may be part or all of the lands
1855 within the district benefited by the improvement, apportioned
1856 between benefited lands in proportion to the benefits received
1857 by each tract of land. The board may, if it determines it is in
1858 the best interests of the district, set forth in the proceedings
1859 initially levying such benefit special assessments or in
1860 subsequent proceedings a formula for the determination of an
1861 amount, which, when paid by a taxpayer with respect to any tax
1862 parcel, shall constitute a prepayment of all future annual
1863 installments of such benefit special assessments and that the
1864 payment of which amount with respect to such tax parcel shall
1865 relieve and discharge such tax parcel of the lien of such
1866 benefit special assessments and any subsequent annual
1867 installment thereof. The board may provide further that upon
1868 delinquency in the payment of any annual installment of benefit
1869 special assessments, the prepayment amount of all future annual
1870 installments of benefit special assessments as determined in the
1871 preceding sentence shall be and become immediately due and
1872 payable together with such delinquent annual installment.

1873 (c) Non-ad valorem maintenance taxes.—If and when
1874 authorized by general law, to maintain and to preserve the
1875 physical facilities and services constituting the works,

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1876 improvements, or infrastructure owned by the district pursuant
1877 to this act, to repair and restore any one or more of them, when
1878 needed, and to defray the current expenses of the district,
1879 including any sum which may be required to pay state and county
1880 ad valorem taxes on any lands which may have been purchased and
1881 which are held by the district under this act, the board of
1882 supervisors may, upon the completion of said systems,
1883 facilities, services, works, improvements, or infrastructure, in
1884 whole or in part, as may be certified to the board by the
1885 engineer of the board, levy annually a non-ad valorem and
1886 nonmillage tax upon each tract or parcel of land within the
1887 district, to be known as a "maintenance tax." This non-ad
1888 valorem maintenance tax shall be apportioned upon the basis of
1889 the net assessments of benefits assessed as accruing from the
1890 original construction and shall be evidenced to and certified by
1891 the board of supervisors of the district not later than June 1
1892 of each year to the Sarasota County tax collector and shall be
1893 extended on the tax rolls and collected by the tax collector on
1894 the merged collection roll of the tax collector in the same
1895 manner and at the same time as county ad valorem taxes, and the
1896 proceeds therefrom shall be paid to the district. This non-ad
1897 valorem maintenance tax shall be a lien until paid on the
1898 property against which assessed and enforceable in like manner
1899 and of the same dignity as county ad valorem taxes.

1900 (d) Maintenance special assessments.-To maintain and

1901 preserve the facilities and projects of the district, the board
 1902 may levy a maintenance special assessment. This assessment may
 1903 be evidenced to and certified to the tax collector by the board
 1904 of supervisors not later than August 31 of each year and shall
 1905 be entered by the property appraiser on the county tax rolls and
 1906 shall be collected and enforced by the tax collector in the same
 1907 manner and at the same time as county taxes, and the proceeds
 1908 therefrom shall be paid to the district. However, this paragraph
 1909 shall not prohibit the district in its discretion from using the
 1910 method prescribed in s. 197.363, s. 197.3631, or s. 197.3632,
 1911 Florida Statutes, for collecting and enforcing these
 1912 assessments. These maintenance special assessments shall be a
 1913 lien on the property against which assessed until paid and shall
 1914 be enforceable in like manner as county taxes. The amount of the
 1915 maintenance special assessment for the exercise of the
 1916 district's powers under this section shall be determined by the
 1917 board based upon a report of the district's engineer and
 1918 assessed by the board upon such lands, which may be all of the
 1919 lands within the district benefited by the maintenance thereof,
 1920 apportioned between the benefited lands in proportion to the
 1921 benefits received by each tract of land.

1922 (e) Special assessments.—The board may levy and impose any
 1923 special assessments pursuant to this subsection.

1924 (f) Enforcement of taxes.—The collection and enforcement
 1925 of all taxes levied by the district shall be at the same time

1926 and in like manner as county taxes, and the provisions of the
 1927 laws of Florida relating to the sale of lands for unpaid and
 1928 delinquent county taxes; the issuance, sale, and delivery of tax
 1929 certificates for such unpaid and delinquent county taxes; the
 1930 redemption thereof; the issuance to individuals of tax deeds
 1931 based thereon; and all other procedures in connection therewith
 1932 shall be applicable to the district to the same extent as if
 1933 such statutory provisions were expressly set forth herein. All
 1934 taxes shall be subject to the same discounts as county taxes.

1935 (g) When unpaid tax is delinquent; penalty.—All taxes
 1936 provided for in this act shall become delinquent and bear
 1937 penalties on the amount of such taxes in the same manner as
 1938 county taxes.

1939 (h) Status of assessments.—Benefit special assessments,
 1940 maintenance special assessments, and special assessments are
 1941 hereby found and determined to be non-ad valorem assessments as
 1942 defined by s. 197.3632, Florida Statutes. Maintenance taxes are
 1943 non-ad valorem taxes and are not special assessments.

1944 (i) Assessments constitute liens; collection.—Any and all
 1945 assessments, including special assessments, benefit special
 1946 assessments, and maintenance special assessments authorized by
 1947 this section, and including special assessments as defined by
 1948 section 2(2)(aa) and granted and authorized by this subsection,
 1949 and including maintenance taxes if authorized by general law,
 1950 shall constitute a lien on the property against which assessed

1951 from the date of levy and imposition thereof until paid, coequal
 1952 with the lien of state, county, municipal, and school board
 1953 taxes. These assessments may be collected, at the district's
 1954 discretion, under authority of s. 197.3631, Florida Statutes, as
 1955 amended from time to time, by the tax collector pursuant to ss.
 1956 197.3632 and 197.3635, Florida Statutes, as amended from time to
 1957 time, or in accordance with other collection measures provided
 1958 by law. In addition to, and not in limitation of, any powers
 1959 otherwise set forth herein or in general law, these assessments
 1960 may also be enforced pursuant to chapter 173, Florida Statutes,
 1961 as amended from time to time.

1962 (j) Land owned by governmental entity.—Except as otherwise
 1963 provided by law, no levy of ad valorem taxes or non-ad valorem
 1964 assessments under this act or chapter 170 or chapter 197,
 1965 Florida Statutes, as each may be amended from time to time, or
 1966 otherwise, by a board of the district, on property of a
 1967 governmental entity that is subject to a ground lease as
 1968 described in s. 190.003(14), Florida Statutes, shall constitute
 1969 a lien or encumbrance on the underlying fee interest of such
 1970 governmental entity.

1971 (13) SPECIAL ASSESSMENTS.—

1972 (a) As an alternative method to the levy and imposition of
 1973 special assessments pursuant to chapter 170, Florida Statutes,
 1974 pursuant to the authority of s. 197.3631, Florida Statutes, or
 1975 pursuant to other provisions of general law, now or hereafter

1976 enacted, which provide a supplemental means or authority to
 1977 impose, levy, and collect special assessments as otherwise
 1978 authorized under this act, the board may levy and impose special
 1979 assessments to finance the exercise of any of its powers
 1980 permitted under this act using the following uniform procedures:

1981 1. At a noticed meeting, the board of supervisors of the
 1982 district may consider and review an engineer's report on the
 1983 costs of the systems, facilities, and services to be provided, a
 1984 preliminary special assessment methodology, and a preliminary
 1985 roll based on acreage or platted lands, depending upon whether
 1986 platting has occurred.

1987 a. The special assessment methodology shall address and
 1988 discuss, and the board shall consider, whether the systems,
 1989 facilities, and services being contemplated will result in
 1990 special benefits peculiar to the property, different in kind and
 1991 degree than general benefits, as a logical connection between
 1992 the systems, facilities, and services themselves and the
 1993 property, and whether the duty to pay the special assessments by
 1994 the property owners is apportioned in a manner that is fair and
 1995 equitable and not in excess of the special benefit received. It
 1996 shall be fair and equitable to designate a fixed proportion of
 1997 the annual debt service, together with interest thereon, on the
 1998 aggregate principal amount of bonds issued to finance such
 1999 systems, facilities, and services which give rise to unique,
 2000 special, and peculiar benefits to property of the same or

2001 similar characteristics under the special assessment methodology
 2002 so long as such fixed proportion does not exceed the unique,
 2003 special, and peculiar benefits enjoyed by such property from
 2004 such systems, facilities, and services.

2005 b. The engineer's cost report shall identify the nature of
 2006 the proposed systems, facilities, and services, their location,
 2007 a cost breakdown plus a total estimated cost, including cost of
 2008 construction or reconstruction, labor, and materials, lands,
 2009 property, rights, easements, franchises, or systems, facilities,
 2010 and services to be acquired, cost of plans and specifications,
 2011 surveys of estimates of costs and revenues, costs of
 2012 engineering, legal, and other professional consultation
 2013 services, and other expenses or costs necessary or incidental to
 2014 determining the feasibility or practicability of such
 2015 construction, reconstruction, or acquisition, administrative
 2016 expenses, relationship to the authority and power of the
 2017 district in its charter, and such other expenses or costs as may
 2018 be necessary or incidental to the financing to be authorized by
 2019 the board of supervisors.

2020 c. The preliminary special assessment roll will be in
 2021 accordance with the assessment methodology as may be adopted by
 2022 the board of supervisors; the special assessment roll shall be
 2023 completed as promptly as possible and shall show the acreage,
 2024 lots, lands, or plats assessed and the amount of the fairly and
 2025 reasonably apportioned assessment based on special and peculiar

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2026 benefit to the property, lot, parcel, or acreage of land; and,
2027 if the special assessment against such lot, parcel, acreage, or
2028 portion of land is to be paid in installments, the number of
2029 annual installments in which the special assessment is divided
2030 shall be entered into and shown upon the special assessment
2031 roll.

2032 2. The board of supervisors of the district may determine
2033 and declare by an initial special assessment resolution to levy
2034 and assess the special assessments with respect to assessable
2035 improvements stating the nature of the systems, facilities, and
2036 services, improvements, projects, or infrastructure constituting
2037 such assessable improvements, the information in the engineer's
2038 cost report, the information in the special assessment
2039 methodology as determined by the board at the noticed meeting
2040 and referencing and incorporating as part of the resolution the
2041 engineer's cost report, the preliminary special assessment
2042 methodology, and the preliminary special assessment roll as
2043 referenced exhibits to the resolution by reference. If the board
2044 determines to declare and levy the special assessments by the
2045 initial special assessment resolution, the board shall also
2046 adopt and declare a notice resolution which shall provide and
2047 cause the initial special assessment resolution to be published
2048 once a week for a period of 2 weeks in newspapers of general
2049 circulation published in the City of North Port, and said board
2050 shall by the same resolution fix a time and place at which the

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2051 owner or owners of the property to be assessed or any other
2052 persons interested therein may appear before said board and be
2053 heard as to the propriety and advisability of making such
2054 improvements, as to the costs thereof, as to the manner of
2055 payment therefor, and as to the amount thereof to be assessed
2056 against each property so improved. Thirty days' notice in
2057 writing of such time and place shall be given to such property
2058 owners. The notice shall include the amount of the special
2059 assessment and shall be served by mailing a copy to each
2060 assessed property owner at his or her last known address, the
2061 names and addresses of such property owners to be obtained from
2062 the record of the property appraiser of the county political
2063 subdivision in which the land is located or from such other
2064 sources as the district manager or engineer deems reliable, and
2065 proof of such mailing shall be made by the affidavit of the
2066 district manager or by the engineer, said proof to be filed with
2067 the district manager, provided that failure to mail said notice
2068 or notices shall not invalidate any of the proceedings
2069 hereunder. It is provided further that the last publication
2070 shall be at least 1 week prior to the date of the hearing on the
2071 final special assessment resolution. Said notice shall describe
2072 the general areas to be improved and advise all persons
2073 interested that the description of each property to be assessed
2074 and the amount to be assessed to each piece, parcel, lot, or
2075 acre of property may be ascertained at the office of the

2076 district manager. Such service by publication shall be verified
 2077 by the affidavit of the publisher and filed with the district
 2078 manager. Moreover, the initial special assessment resolution
 2079 with its attached, referenced, and incorporated engineer's cost
 2080 report, preliminary special assessment methodology, and
 2081 preliminary special assessment roll, along with the notice
 2082 resolution, shall be available for public inspection at the
 2083 office of the district manager and the office of the engineer or
 2084 any other office designated by the board of supervisors in the
 2085 notice resolution. Notwithstanding the foregoing, the landowners
 2086 of all of the property which is proposed to be assessed may give
 2087 the district written notice of waiver of any notice and
 2088 publication provided for in this subparagraph, and such notice
 2089 and publication shall not be required, provided, however, that
 2090 any meeting of the board of supervisors to consider such
 2091 resolution shall be a publicly noticed meeting.

2092 3. At the time and place named in the noticed resolution
 2093 as provided for in subparagraph 2., the board of supervisors of
 2094 the district shall meet and hear testimony from affected
 2095 property owners as to the propriety and advisability of making
 2096 the systems, facilities, services, projects, works,
 2097 improvements, or infrastructure and funding them with
 2098 assessments referenced in the initial special assessment
 2099 resolution on the property. Following the testimony and
 2100 questions from the members of the board or any professional

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2101 advisors to the district of the preparers of the engineer's cost
2102 report, the special assessment methodology, and the special
2103 assessment roll, the board of supervisors shall make a final
2104 decision on whether to levy and assess the particular special
2105 assessments. Thereafter, the board of supervisors shall meet as
2106 an equalizing board to hear and to consider any and all
2107 complaints as to the particular special assessments and shall
2108 adjust and equalize the special assessments to ensure proper
2109 assessment based on the benefit conferred on the property.

2110 4. When so equalized and approved by resolution or
2111 ordinance by the board of supervisors, to be called the final
2112 special assessment resolution, a final special assessment roll
2113 shall be filed with the clerk of the board and such special
2114 assessment shall stand confirmed and remain legal, valid, and
2115 binding first liens on the property against which such special
2116 assessments are made until paid, equal in dignity to the first
2117 liens of ad valorem taxation of county and municipal governments
2118 and school boards. However, upon completion of the systems,
2119 facilities, services, projects, improvements, works, or
2120 infrastructure, the district shall credit to each of the
2121 assessments the difference in the special assessment as
2122 originally made, approved, levied, assessed, and confirmed and
2123 the proportionate part of the actual cost of the improvement to
2124 be paid by the particular special assessments as finally
2125 determined upon the completion of the improvement; but in no

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2126 event shall the final special assessment exceed the amount of
2127 the special and peculiar benefits as apportioned fairly and
2128 reasonably to the property from the system, facility, or service
2129 being provided as originally assessed. Promptly after such
2130 confirmation, the special assessment shall be recorded by the
2131 clerk of the district in the minutes of the proceedings of the
2132 district, and the record of the lien in this set of minutes
2133 shall constitute prima facie evidence of its validity. The board
2134 of supervisors, in its sole discretion, may by resolution grant
2135 a discount equal to all or a part of the payee's proportionate
2136 share of the cost of the project consisting of bond financing
2137 cost, such as capitalized interest, funded reserves, and bond
2138 discounts included in the estimated cost of the project, upon
2139 payment in full of any special assessments during such period
2140 prior to the time such financing costs are incurred as may be
2141 specified by the board of supervisors in such resolution.

2142 5. District special assessments may be made payable in
2143 installments over no more than 40 years from the date of the
2144 payment of the first installment thereof and may bear interest
2145 at fixed or variable rates.

2146 (b) Notwithstanding any provision of this act or chapter
2147 170, Florida Statutes, that portion of s. 170.09, Florida
2148 Statutes, that provides that special assessments may be paid
2149 without interest at any time within 30 days after the
2150 improvement is completed and a resolution accepting the same has

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2151 been adopted by the governing authority shall not be applicable
2152 to any district special assessments, whether imposed, levied,
2153 and collected pursuant to this act or other provisions of
2154 Florida law, including, but not limited to, chapter 170, Florida
2155 Statutes.

2156 (c) In addition, the district is authorized expressly in
2157 the exercise of its rulemaking power to adopt a rule or rules
2158 which provide for notice, levy, imposition, equalization, and
2159 collection of assessments.

2160 (14) ISSUANCE OF CERTIFICATES OF INDEBTEDNESS BASED ON
2161 ASSESSMENTS FOR ASSESSABLE IMPROVEMENTS; ASSESSMENT BONDS.—

2162 (a) The board may, after any special assessments or
2163 benefit special assessments for assessable improvements are
2164 made, determined, and confirmed as provided in this act, issue
2165 certificates of indebtedness for the amount so assessed against
2166 the abutting property or property otherwise benefited, as the
2167 case may be, and separate certificates shall be issued against
2168 each part or parcel of land or property assessed, which
2169 certificates shall state the general nature of the improvement
2170 for which the assessment is made. The certificates shall be
2171 payable in annual installments in accordance with the
2172 installments of the special assessment for which they are
2173 issued. The board may determine the interest to be borne by such
2174 certificates, not to exceed the maximum rate allowed by general
2175 law, and may sell such certificates at either private or public

2176 sale and determine the form, manner of execution, and other
 2177 details of such certificates. The certificates shall recite that
 2178 they are payable only from the special assessments levied and
 2179 collected from the part or parcel of land or property against
 2180 which they are issued. The proceeds of such certificates may be
 2181 pledged for the payment of principal of and interest on any
 2182 revenue bonds or general obligation bonds issued to finance in
 2183 whole or in part such assessable improvement, or, if not so
 2184 pledged, may be used to pay the cost or part of the cost of such
 2185 assessable improvements.

2186 (b) The district may also issue assessment bonds, revenue
 2187 bonds, or other obligations payable from a special fund into
 2188 which such certificates of indebtedness referred to in paragraph
 2189 (a) may be deposited, or, if such certificates of indebtedness
 2190 have not been issued, the district may assign to such special
 2191 fund for the benefit of the holders of such assessment bonds or
 2192 other obligations, or to a trustee for such bondholders, the
 2193 assessment liens provided for in this act unless such
 2194 certificates of indebtedness or assessment liens have been
 2195 theretofore pledged for any bonds or other obligations
 2196 authorized hereunder. In the event of the creation of such
 2197 special fund and the issuance of such assessment bonds or other
 2198 obligations, the proceeds of such certificates of indebtedness
 2199 or assessment liens deposited therein shall be used only for the
 2200 payment of the assessment bonds or other obligations issued as

2201 provided in this section. The district is authorized to covenant
 2202 with the holders of such assessment bonds, revenue bonds, or
 2203 other obligations that it will diligently and faithfully enforce
 2204 and collect all the special assessments, and interest and
 2205 penalties thereon, for which such certificates of indebtedness
 2206 or assessment liens have been deposited in or assigned to such
 2207 fund; to foreclose such assessment liens so assigned to such
 2208 special fund or represented by the certificates of indebtedness
 2209 deposited in the special fund, after such assessment liens have
 2210 become delinquent, and deposit the proceeds derived from such
 2211 foreclosure, including interest and penalties, in such special
 2212 fund; and to make any other covenants deemed necessary or
 2213 advisable in order to properly secure the holders of such
 2214 assessment bonds or other obligations.

2215 (c) The assessment bonds, revenue bonds, or other
 2216 obligations issued pursuant to this section shall have such
 2217 dates of issue and maturity as shall be deemed advisable by the
 2218 board; however, the maturities of such assessment bonds or other
 2219 obligations shall not be more than 2 years after the due date of
 2220 the last installment which will be payable on any of the special
 2221 assessments for which such assessment liens, or the certificates
 2222 of indebtedness representing such assessment liens, are assigned
 2223 to or deposited in such special fund.

2224 (d) Such assessment bonds, revenue bonds, or other
 2225 obligations issued under this section shall bear such interest

2226 as the board may determine, not to exceed the maximum rate
 2227 allowed by general law, and shall be executed, shall have such
 2228 provisions for redemption prior to maturity, shall be sold in
 2229 the manner, and shall be subject to all of the applicable
 2230 provisions contained in this act for revenue bonds, except as
 2231 the same may be inconsistent with this section.

2232 (e) All assessment bonds, revenue bonds, or other
 2233 obligations issued under this section shall be, shall
 2234 constitute, and shall have all the qualities and incidents of
 2235 negotiable instruments under the law merchant and the laws of
 2236 the state.

2237 (15) TAX LIENS.—All taxes of the district provided for in
 2238 this act, together with all penalties for default in the payment
 2239 of the same and all costs in collecting the same, including a
 2240 reasonable attorney fee fixed by the court and taxed as a cost
 2241 in the action brought to enforce payment, shall, from January 1
 2242 for each year the property is liable to assessment and until
 2243 paid, constitute a lien of equal dignity with the liens for
 2244 state and county taxes and other taxes of equal dignity with
 2245 state and county taxes upon all the lands against which such
 2246 taxes shall be levied. A sale of any of the real property within
 2247 the district for state and county or other taxes shall not
 2248 operate to relieve or release the property so sold from the lien
 2249 for subsequent district taxes or installments of district taxes,
 2250 which lien may be enforced against such property as though no

2251 such sale thereof had been made. In addition to, and not in
 2252 limitation of, the preceding sentence, for purposes of s.
 2253 197.552, Florida Statutes, the lien of all special assessments
 2254 levied by the district shall constitute a lien of record held by
 2255 a municipal or county governmental unit. The provisions of ss.
 2256 194.171, 197.122, 197.333, and 197.432, Florida Statutes, shall
 2257 be applicable to district taxes with the same force and effect
 2258 as if such provisions were expressly set forth in this act.

2259 (16) PAYMENT OF TAXES AND REDEMPTION OF TAX LIENS BY THE
 2260 DISTRICT; SHARING IN PROCEEDS OF TAX SALE.—

2261 (a) The district shall have the power and right to:

2262 1. Pay any delinquent state, county, district, municipal,
 2263 or other tax or assessment upon lands located wholly or
 2264 partially within the boundaries of the district.

2265 2. Redeem or purchase any tax sales certificates issued or
 2266 sold on account of any state, county, district, municipal, or
 2267 other taxes or assessments upon lands located wholly or
 2268 partially within the boundaries of the district.

2269 (b) Delinquent taxes paid, or tax sales certificates
 2270 redeemed or purchased, by the district, together with all
 2271 penalties for the default in payment of the same and all costs
 2272 in collecting the same and a reasonable attorney fee, shall
 2273 constitute a lien in favor of the district of equal dignity with
 2274 the liens of state and county taxes and other taxes of equal
 2275 dignity with state and county taxes upon all the real property

2276 against which the taxes were levied. The lien of the district
 2277 may be foreclosed in the manner provided in this act.

2278 (c) In any sale of land pursuant to s. 197.542, Florida
 2279 Statutes, as may be amended from time to time, the district may
 2280 certify to the clerk of the circuit court of the county holding
 2281 such sale the amount of taxes due to the district upon the lands
 2282 sought to be sold, and the district shall share in the
 2283 disbursement of the sales proceeds in accordance with this act
 2284 and under the laws of the state.

2285 (17) FORECLOSURE OF LIENS.—Any lien in favor of the
 2286 district arising under this act may be foreclosed by the
 2287 district by foreclosure proceedings in the name of the district
 2288 in a court of competent jurisdiction as provided by general law
 2289 in like manner as is provided in chapter 170 or chapter 173,
 2290 Florida Statutes, and amendments thereto and the provisions of
 2291 those chapters shall be applicable to such proceedings with the
 2292 same force and effect as if those provisions were expressly set
 2293 forth in this act. Any act required or authorized to be done by
 2294 or on behalf of a municipality in foreclosure proceedings under
 2295 chapter 170 or chapter 173, Florida Statutes, may be performed
 2296 by such officer or agent of the district as the board of
 2297 supervisors may designate. Such foreclosure proceedings may be
 2298 brought at any time after the expiration of 1 year from the date
 2299 any tax, or installment thereof, becomes delinquent; however, no
 2300 lien shall be foreclosed against any political subdivision or

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2301 agency of the state. Other legal remedies shall remain
 2302 available.

2303 (18) MANDATORY USE OF CERTAIN DISTRICT FACILITIES.—To the
 2304 full extent permitted by law, the district shall require all
 2305 lands, buildings, premises, persons, firms, and corporations
 2306 within the district to use the facilities of the district.

2307 (19) COMPETITIVE PROCUREMENT; BIDS; NEGOTIATIONS; RELATED
 2308 PROVISIONS REQUIRED.—

2309 (a) No contract shall be let by the board for any goods,
 2310 supplies, or materials to be purchased when the amount thereof
 2311 to be paid by the district shall exceed the amount provided in
 2312 s. 287.017, Florida Statutes, as amended from time to time, for
 2313 category four, unless notice of bids shall be advertised once in
 2314 a newspaper in general circulation in the City of North Port.
 2315 Any board seeking to construct or improve a public building,
 2316 structure, or other public works shall comply with the bidding
 2317 procedures of s. 255.20, Florida Statutes, as amended from time
 2318 to time, and other applicable general law. In each case, the bid
 2319 of the lowest responsive and responsible bidder shall be
 2320 accepted unless all bids are rejected because the bids are too
 2321 high or the board determines it is in the best interests of the
 2322 district to reject all bids. The board may require the bidders
 2323 to furnish bond with a responsible surety to be approved by the
 2324 board. Nothing in this subsection shall prevent the board from
 2325 undertaking and performing the construction, operation, and

2326 maintenance of any project or facility authorized by this act by
 2327 the employment of labor, material, and machinery.

2328 (b) The provisions of the Consultants' Competitive
 2329 Negotiation Act, s. 287.055, Florida Statutes, apply to
 2330 contracts for engineering, architecture, landscape architecture,
 2331 or registered surveying and mapping services let by the board.

2332 (c) Contracts for maintenance services for any district
 2333 facility or project shall be subject to competitive bidding
 2334 requirements when the amount thereof to be paid by the district
 2335 exceeds the amount provided in s. 287.017, Florida Statutes, as
 2336 amended from time to time, for category four. The district shall
 2337 adopt rules, policies, or procedures establishing competitive
 2338 bidding procedures for maintenance services. Contracts for other
 2339 services shall not be subject to competitive bidding unless the
 2340 district adopts a rule, policy, or procedure applying
 2341 competitive bidding procedures to said contracts. Nothing herein
 2342 shall preclude the use of requests for proposal instead of
 2343 invitations to bid as determined by the district to be in its
 2344 best interest.

2345 (20) RATES, FEES, RENTALS, AND CHARGES; PROCEDURE FOR
 2346 ADOPTION AND MODIFICATIONS; MINIMUM REVENUE REQUIREMENTS.-

2347 (a) The district is authorized to prescribe, fix,
 2348 establish, and collect rates, fees, rentals, or other charges,
 2349 hereinafter sometimes referred to as "revenues," and to revise
 2350 the same from time to time, for the systems, facilities, and

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2351 services furnished by the district, including, but not limited
2352 to, recreational facilities, water management and control
2353 facilities, and water and sewer systems; to recover the costs of
2354 making connection with any district service, facility, or
2355 system; and to provide for reasonable penalties against any user
2356 or property for any such rates, fees, rentals, or other charges
2357 that are delinquent.

2358 (b) No such rates, fees, rentals, or other charges for any
2359 of the facilities or services of the district shall be fixed
2360 until after a public hearing at which all the users of the
2361 proposed facility or services or owners, tenants, or occupants
2362 served or to be served thereby and all other interested persons
2363 shall have an opportunity to be heard concerning the proposed
2364 rates, fees, rentals, or other charges. Rates, fees, rentals,
2365 and other charges shall be adopted under the administrative
2366 rulemaking authority of the district, but shall not apply to
2367 district leases. Notice of such public hearing setting forth the
2368 proposed schedule or schedules of rates, fees, rentals, and
2369 other charges shall have been published in a newspaper of
2370 general circulation in the City of North Port at least once and
2371 at least 10 days prior to such public hearing. The rulemaking
2372 hearing may be adjourned from time to time. After such hearing,
2373 such schedule or schedules, either as initially proposed or as
2374 modified or amended, may be finally adopted. A copy of the
2375 schedule or schedules of such rates, fees, rentals, or other

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2376 charges as finally adopted shall be kept on file in an office
2377 designated by the board and shall be open at all reasonable
2378 times to public inspection. The rates, fees, rentals, or other
2379 charges so fixed for any class of users or property served shall
2380 be extended to cover any additional users or properties
2381 thereafter served which shall fall in the same class, without
2382 the necessity of any notice or hearing.

2383 (c) Such rates, fees, rentals, and other charges shall be
2384 just and equitable and uniform for users of the same class, and,
2385 when appropriate, may be based or computed either upon the
2386 amount of service furnished, upon the average number of persons
2387 residing or working in or otherwise occupying the premises
2388 served, or upon any other factor affecting the use of the
2389 facilities furnished, or upon any combination of the foregoing
2390 factors, as may be determined by the board on an equitable
2391 basis.

2392 (d) The rates, fees, rentals, or other charges prescribed
2393 shall be such as will produce revenues, together with any other
2394 assessments, taxes, revenues, or funds available or pledged for
2395 such purpose, at least sufficient to provide for the items
2396 hereinafter listed, but not necessarily in the order stated:

2397 1. To provide for all expenses of operation and
2398 maintenance of such facility or service.

2399 2. To pay when due all bonds and interest thereon for the
2400 payment of which such revenues are, or shall have been, pledged

2401 or encumbered, including reserves for such purpose.

2402 3. To provide for any other funds which may be required
 2403 under the resolution or resolutions authorizing the issuance of
 2404 bonds pursuant to this act.

2405 (e) The board shall have the power to enter into contracts
 2406 for the use of the projects of the district and with respect to
 2407 the services, systems, and facilities furnished or to be
 2408 furnished by the district.

2409 (21) RECOVERY OF DELINQUENT CHARGES.—In the event that any
 2410 rates, fees, rentals, charges, or delinquent penalties are not
 2411 paid when due and are in default for 60 days or more, the unpaid
 2412 balance thereof and all interest accrued thereon, together with
 2413 reasonable attorney fees and costs, may be recovered by the
 2414 district in a civil action.

2415 (22) DISCONTINUANCE OF SERVICE.—In the event the fees,
 2416 rentals, or other charges for district services or facilities
 2417 are not paid when due, the board shall have the power, under
 2418 such reasonable rules and regulations as the board may adopt, to
 2419 discontinue and shut off such services until such fees, rentals,
 2420 or other charges, including interest, penalties, and charges for
 2421 the shutting off and discontinuance and the restoration of such
 2422 services, are fully paid; and, for such purposes, the board may
 2423 enter on any lands, waters, or premises of any person, firm,
 2424 corporation, or body, public or private, within the district
 2425 limits. Such delinquent fees, rentals, or other charges,

2426 together with interest, penalties, and charges for the shutting
 2427 off and discontinuance and the restoration of such services and
 2428 facilities and reasonable attorney fees and other expenses, may
 2429 be recovered by the district, which may also enforce payment of
 2430 such delinquent fees, rentals, or other charges by any other
 2431 lawful method of enforcement.

2432 (23) ENFORCEMENT AND PENALTIES.—The board or any aggrieved
 2433 person may have recourse to such remedies in law and at equity
 2434 as may be necessary to ensure compliance with this act,
 2435 including injunctive relief to enjoin or restrain any person
 2436 violating this act or any bylaws, resolutions, regulations,
 2437 rules, codes, or orders adopted under this act. In case any
 2438 building or structure is erected, constructed, reconstructed,
 2439 altered, repaired, converted, or maintained, or any building,
 2440 structure, land, or water is used, in violation of this act or
 2441 of any code, order, resolution, or other regulation made under
 2442 authority conferred by this act or under law, the board or any
 2443 citizen residing in the district may institute any appropriate
 2444 action or proceeding to prevent such unlawful erection,
 2445 construction, reconstruction, alteration, repair, conversion,
 2446 maintenance, or use; to restrain, correct, or avoid such
 2447 violation; to prevent the occupancy of such building, structure,
 2448 land, or water; and to prevent any illegal act, conduct,
 2449 business, or use in or about such premises, land, or water.

2450 (24) SUITS AGAINST THE DISTRICT.—Any suit or action

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2451 brought or maintained against the district for damages arising
2452 out of tort, including, without limitation, any claim arising
2453 upon account of an act causing an injury or loss of property,
2454 personal injury, or death, shall be subject to the limitations
2455 provided in s. 768.28, Florida Statutes.

2456 (25) EXEMPTION OF DISTRICT PROPERTY FROM EXECUTION.—All
2457 district property shall be exempt from levy and sale by virtue
2458 of an execution, and no execution or other judicial process
2459 shall issue against such property, nor shall any judgment
2460 against the district be a charge or lien on its property or
2461 revenues; however, nothing contained herein shall apply to or
2462 limit the rights of bondholders to pursue any remedy for the
2463 enforcement of any lien or pledge given by the district in
2464 connection with any of the bonds or obligations of the district.

2465 (26) TERMINATION, CONTRACTION, OR EXPANSION OF DISTRICT.—

2466 (a) The board of supervisors of the district shall not ask
2467 the Legislature to repeal or amend this act to expand or to
2468 contract the boundaries of the district or otherwise cause the
2469 merger or termination of the district without first obtaining a
2470 resolution or official statement from the City of North Port as
2471 required by s. 189.031(2)(e)4., Florida Statutes, for creation
2472 of an independent special district. The district's consent may
2473 be evidenced by a resolution or other official written statement
2474 of the district.

2475 (b) The district shall remain in existence until:

2476 1. The district is terminated and dissolved pursuant to
 2477 amendment to this act by the Legislature.

2478 2. The district has become inactive pursuant to s.
 2479 189.062, Florida Statutes.

2480 (27) MERGER WITH COMMUNITY DEVELOPMENT DISTRICTS.—The
 2481 district may merge with one or more community development
 2482 districts situated wholly within its boundaries. The district
 2483 shall be the surviving entity of the merger. Any mergers shall
 2484 commence upon each such community development district filing a
 2485 written request for merger with the district. A copy of the
 2486 written request shall also be filed with the City of North Port.
 2487 The district, subject to the direction of its board of
 2488 supervisors, shall enter into a merger agreement which shall
 2489 provide for the proper allocation of debt, the manner in which
 2490 such debt shall be retired, the transition of the community
 2491 development district board, and the transfer of all financial
 2492 obligations and operating and maintenance responsibilities to
 2493 the district. The execution of the merger agreement by the
 2494 district and each community development district constitutes
 2495 consent of the landowners within each district. The district and
 2496 each community development district requesting merger shall hold
 2497 a public hearing within its boundaries to provide information
 2498 about and take public comment on the proposed merger in the
 2499 merger agreement. The public hearing shall be held within 45
 2500 days before the execution of the merger agreement by all parties

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2501 thereto. Notice of the public hearing shall be published at
2502 least 14 days before the hearing in a newspaper of general
2503 circulation in the City of North Port. At the conclusion of the
2504 public hearing, each district shall consider a resolution either
2505 approving or disapproving the proposed merger. If the district
2506 and each community development district which is a party to the
2507 merger agreement adopt a resolution approving the proposed
2508 merger, the resolutions and the merger agreement shall be filed
2509 with the City of North Port. Upon receipt of the resolutions
2510 approving the merger and the merger agreement, the City of North
2511 Port shall adopt a nonemergency ordinance dissolving each
2512 community development district pursuant to s. 190.046(10),
2513 Florida Statutes.

2514 (28) INCLUSION OF TERRITORY.—The inclusion of any or all
2515 territory of the district within a municipality does not change,
2516 alter, or affect the boundary, territory, existence, or
2517 jurisdiction of the district.

2518 (29) SALE OF REAL ESTATE WITHIN THE DISTRICT; REQUIRED
2519 DISCLOSURE TO PURCHASER.—Subsequent to the creation of this
2520 district under this act, each contract for the initial sale of a
2521 parcel of real property and each contract for the initial sale
2522 of a residential unit within the district shall include,
2523 immediately prior to the space reserved in the contract for the
2524 signature of the purchaser, the following disclosure statement
2525 in boldfaced and conspicuous type which is larger than the type

2526 in the remaining text of the contract: "THE STAR FARMS VILLAGE
 2527 AT NORTH PORT STEWARDSHIP DISTRICT MAY IMPOSE AND LEVY TAXES OR
 2528 ASSESSMENTS, OR BOTH TAXES AND ASSESSMENTS, ON THIS PROPERTY.
 2529 THESE TAXES AND ASSESSMENTS PAY FOR THE CONSTRUCTION, OPERATION,
 2530 AND MAINTENANCE COSTS OF CERTAIN PUBLIC SYSTEMS, FACILITIES, AND
 2531 SERVICES OF THE DISTRICT AND ARE SET ANNUALLY BY THE GOVERNING
 2532 BOARD OF THE DISTRICT. THESE TAXES AND ASSESSMENTS ARE IN
 2533 ADDITION TO COUNTY AND OTHER LOCAL GOVERNMENTAL TAXES AND
 2534 ASSESSMENTS AND ALL OTHER TAXES AND ASSESSMENTS PROVIDED FOR BY
 2535 LAW."

2536 (30) NOTICE OF CREATION AND ESTABLISHMENT.—Within 30 days
 2537 after the election of the first board of supervisors creating
 2538 this district, the district shall cause to be recorded in the
 2539 grantor-grantee index of the property records in Sarasota County
 2540 a "Notice of Creation and Establishment of the Star Farms
 2541 Village at North Port Stewardship District." The notice shall,
 2542 at a minimum, include the legal description of the property
 2543 covered by this act.

2544 (31) DISTRICT PROPERTY PUBLIC; FEES.—Any system, facility,
 2545 service, works, improvement, project, or other infrastructure
 2546 owned by the district, or funded by federal tax exempt bonding
 2547 issued by the district, is public, and the district by rule may
 2548 regulate, and may impose reasonable charges or fees for, the use
 2549 thereof, but not to the extent that such regulation or
 2550 imposition of such charges or fees constitutes denial of

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2551 | reasonable access.

2552 | Section 7. If any provision of this act is determined
2553 | unconstitutional or otherwise determined invalid by a court of
2554 | law, all the rest and remainder of the act shall remain in full
2555 | force and effect as the law of this state.

2556 | Section 8. This act shall take effect upon becoming a law,
2557 | except that the provisions of this act which authorize the levy
2558 | of ad valorem taxation shall take effect only upon express
2559 | approval by a majority vote of those qualified electors of the
2560 | Star Farms Village at North Port Stewardship District, as
2561 | required by Section 9 of Article VII of the State Constitution,
2562 | voting in a referendum election held at such time as all members
2563 | of the board are qualified electors who are elected by qualified
2564 | electors of the district as provided in this act.