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A bill to be entitled
 An act relating to the City of Tampa, Hillsborough
 County; creating the Water Street Tampa Improvement
 District; providing a short title; providing
 legislative findings and intent; providing
 definitions; stating legislative policy regarding
 creation of the district; establishing compliance with
 minimum requirements in s. 189.031(3), F.S., for
 creation of an independent special district; providing
 for creation and establishment of the district;
 providing district boundaries; providing for the
 jurisdiction and charter of the district; providing
 for a governing board and establishing membership
 criteria and election procedures; providing for board
 members' terms of office; providing for board
 meetings; providing for administrative duties of the
 board; providing a method for election of the board;
 providing for a district manager and district
 personnel; providing for a district treasurer,
 selection of a public depository, and district budgets
 and financial reports; providing for the general
 powers of the district; providing for the special
 powers of the district to plan, finance, and provide
 community infrastructure and services within the

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26 district; providing for bonds; providing for future ad
 27 valorem taxation; providing for special assessments;
 28 providing for authority to borrow money; providing for
 29 tax liens; providing for competitive procurement;
 30 providing for fees and charges; providing for
 31 amendment to the charter; providing for required
 32 notices to purchasers of units within the district;
 33 defining district public property; providing for
 34 construction; providing severability; providing for a
 35 referendum; providing an effective date.

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

38
 39 Section 1. This act may be cited as the "Water Street
 40 Tampa Improvement District Act."

41 Section 2. Legislative findings and intent; definitions;
 42 policy.—

43 (1) LEGISLATIVE INTENT; PURPOSE OF THE DISTRICT.—

44 (a) The lands located wholly within Hillsborough County
 45 and the City of Tampa covered by this act contain many
 46 opportunities for thoughtful, comprehensive, responsible, and
 47 consistent development over a long period.

48 (b) There is a need to use a special and limited purpose
 49 independent special district as a unit of special-purpose local
 50 government for the Water Street Tampa Improvement District lands

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51 located within Hillsborough County and the City of Tampa to
 52 provide for a more comprehensive community development approach,
 53 which will facilitate an integral relationship among
 54 transportation, land use, and urban design to provide for a
 55 diverse mix of housing, regional employment, and economic
 56 development opportunities, rather than fragmented development
 57 with underutilized infrastructure generally associated with
 58 urban sprawl.

59 (c) The establishment of a special and limited purpose
 60 independent special district for the Water Street Tampa
 61 Improvement District lands will allow the construction and
 62 management of a substantial commercial and mixed-use district
 63 with more than 2 million square feet of new office space,
 64 including the first new office towers in downtown Tampa in
 65 nearly 25 years; 1 million square feet of new retail, cultural,
 66 educational, and entertainment space that complement the active
 67 pedestrian experience at the street level; and new and enhanced
 68 park and public gathering places that will connect existing
 69 cultural, entertainment, and community anchors, including the
 70 Tampa Convention Center, Amalie Arena, Tampa Bay History Center,
 71 Florida Aquarium, and Tampa Riverwalk.

72 (d) The Water Street Tampa Improvement District will
 73 promote a high standard for wellness and sustainability in the
 74 built environment by being the world's first WELL-certified
 75 community under the WELL Community Standard. This standard

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76 presently focuses on seven comprehensive concepts impacting and
 77 influencing human behaviors related to health and well-being,
 78 including strategies to reduce or minimize sources of indoor air
 79 pollution; promoting high quality water and improved
 80 accessibility; limiting the presence of unhealthy foods and the
 81 encouragement of better food culture; promoting lighting systems
 82 designed to increase alertness, enhance experience, and promote
 83 sleep; encouraging the integration of exercise and fitness into
 84 everyday life; creating distraction-free, productive, and
 85 comfortable indoor environments; optimizing cognitive and
 86 emotional health through design, technology, and treatment
 87 strategies; and encouraging innovation by allowing projects to
 88 submit ideas for new features under WELL concepts. It is in the
 89 public interest that the long-range provision for, and
 90 management, financing, and long-term maintenance, upkeep, and
 91 operation of, services and facilities to be provided for
 92 ultimate development of the Water Street Tampa Improvement
 93 District lands be under one coordinated entity.

94 (e) There is a considerably long period of time during
 95 which there is a significant burden to provide various systems,
 96 facilities, and services on the initial landowners of the Water
 97 Street Tampa Improvement District lands, such that there is a
 98 need for flexible management, sequencing, timing, and financing
 99 of the various systems, facilities, and services to be provided
 100 to these lands, taking into consideration absorption rates,

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101 commercial viability, and related factors. Therefore, extended
102 control by the initial landowner with regard to the provision of
103 systems, facilities, and services for the Water Street Tampa
104 Improvement District lands, coupled with the special and limited
105 purpose of such district, is in the public interest.

106 (f) The existence and use of an independent special
107 district for the Water Street Tampa Improvement District lands,
108 subject to the City of Tampa comprehensive plan, will provide
109 for a comprehensive and complete community development approach
110 to promote a sustainable and efficient land use pattern for the
111 district lands with long-term planning to provide opportunities
112 for the mitigation of impacts and development of infrastructure
113 in an orderly and timely manner; prevent the overburdening of
114 the local general purpose government and the taxpayers therein;
115 and provide an enhanced tax base and regional employment and
116 economic development opportunities.

117 (g) The creation and establishment of the special district
118 will encourage local government financial self-sufficiency in
119 providing public facilities and in identifying and implementing
120 fiscally sound, innovative, and cost-effective techniques to
121 provide and finance public facilities while encouraging
122 coordinated development of capital improvement plans by all
123 levels of government, in accordance with the goals of chapter
124 187, Florida Statutes.

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

131 (i) The creation and establishment of a special and
 132 limited purpose independent special district is a legitimate
 133 supplemental and alternative method available to manage, own,
 134 operate, construct, reconstruct, and finance capital
 135 infrastructure systems, facilities, and services.

136 (j) In order to be responsive to the critical timing
 137 required through the exercise of its special management
 138 functions, an independent special district requires the
 139 authority to finance capital improvements payable from and
 140 secured by lienable and nonlienable revenues, with full and
 141 continuing public disclosure and accountability, payable by the
 142 benefitted landowners, both present and future, and by users of
 143 the systems, facilities, improvements, and services provided to
 144 the land area by the special district, without unduly burdening
 145 the taxpayers and citizens of the state, Hillsborough County, or
 146 the City of Tampa.

147 (k) The special district created and established by this
 148 act shall not have or exercise any comprehensive planning,
 149 zoning, or development permitting power; the establishment of

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150 the special district shall not be considered a development order
 151 within the meaning of chapter 380, Florida Statutes; and all
 152 applicable planning and permitting laws, rules, regulations, and
 153 policies of the City of Tampa and Hillsborough County control
 154 the development of the land to be serviced by the Water Street
 155 Tampa Improvement District.

156 (1) The creation by this act of the Water Street Tampa
 157 Improvement District is not inconsistent with the City of Tampa
 158 comprehensive plan.

159 (m) It is the legislative intent and purpose of this act
 160 that no debt or obligation of the special district constitute a
 161 burden on any local general-purpose government.

162 (2) DEFINITIONS.—As used in this act, the term:

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

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

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

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175 to fund the costs of assessable improvements, the district may
 176 issue revenue bonds for such purposes payable from assessments.
 177 Assessment bonds are considered to be revenue bonds for all
 178 purposes of this act.

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

183 (e) "Benefit special assessments" are assessments imposed,
 184 levied, and collected pursuant to section 6(12)(b).

185 (f) "Board of supervisors" or "board" means the governing
 186 body of the district or, if such board has been abolished, the
 187 board, body, or commission assuming the principal functions
 188 thereof or to whom the powers given to the board by this act
 189 have been given by law.

190 (g) "Bond" includes "certificate," and the provisions that
 191 are applicable to bonds are equally applicable to certificates.
 192 The term includes any general obligation bond, assessment bond,
 193 refunding bond, revenue bond, bond anticipation note, and other
 194 such obligation in the nature of a bond as is provided for in
 195 this act.

196 (h) "Cost" or "costs," when used with reference to any
 197 project, includes, but is not limited to:

198 1. The expenses of determining the feasibility or
 199 practicability of acquisition, construction, or reconstruction.

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- 200 2. The cost of surveys, estimates, plans, and
- 201 specifications.
- 202 3. The cost of improvements.
- 203 4. Engineering, architectural, fiscal, and legal expenses
- 204 and charges.
- 205 5. The cost of all labor, materials, machinery, and
- 206 equipment.
- 207 6. The cost of all lands, properties, rights, easements,
- 208 and franchises acquired.
- 209 7. Financing charges.
- 210 8. The creation of initial reserve and debt service funds.
- 211 9. Working capital.
- 212 10. Interest charges incurred or estimated to be incurred
- 213 on money borrowed prior to and during construction and
- 214 acquisition and for such reasonable period of time after
- 215 completion of construction or acquisition as the board may
- 216 determine.
- 217 11. The cost of issuance of bonds pursuant to this act,
- 218 including advertisements and printing.
- 219 12. The cost of any bond or tax referendum held pursuant
- 220 to this act and all other expenses of issuance of bonds.
- 221 13. The discount, if any, on the sale or exchange of
- 222 bonds.
- 223 14. Administrative expenses.

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224 15. Such other expenses as may be necessary or incidental
 225 to the acquisition, construction, or reconstruction of any
 226 project, or to the financing thereof, or to the development of
 227 any lands within the district.

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

231 17. Any other expense or payment permitted by this act or
 232 allowable by law.

233 (i) "District" means the Water Street Tampa Improvement
 234 District.

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

236 (k) "District roads" means highways, streets, roads,
 237 alleys, intersection improvements, sidewalks, bike or cart
 238 paths, crossings, landscaping, irrigation, signage,
 239 signalization, storm drains, bridges, multi-use trails,
 240 lighting, and thoroughfares of all kinds.

241 (l) "General obligation bonds" means bonds that are
 242 secured by, or provide for their payment by, the pledge of the
 243 full faith and credit and taxing power of the district.

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

246 (n) "Governing board member" means any member of the board
 247 of supervisors.

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248 (o) "Land development regulations" means those regulations
 249 of general purpose local government, adopted under the Community
 250 Planning Act, codified as part II of chapter 163, Florida
 251 Statutes, to which the district is subject and as to which the
 252 district may not do anything that is inconsistent therewith.
 253 Land development regulations shall not mean specific management,
 254 engineering, operations, or capital improvement planning needed
 255 in the daily management, implementation, and supplying by the
 256 district of systems, facilities, services, works, improvements,
 257 projects, or infrastructure, so long as they remain subject to
 258 and are not inconsistent with the applicable city codes.

259 (p) "Landowner" means the owner of a freehold estate as it
 260 appears on the deed record, including a trustee, a private
 261 corporation, and an owner of a condominium unit. "Landowner"
 262 does not include a reversioner, remainderman, mortgagee, or any
 263 governmental entity which shall not be counted and need not be
 264 notified of proceedings under this act. "Landowner" also means
 265 the owner of a ground lease from a governmental entity, which
 266 leasehold interest has a remaining term, excluding all renewal
 267 options, in excess of 50 years.

268 (q) "Maintenance special assessments" are assessments
 269 imposed, levied, and collected pursuant to the provisions of
 270 section 6(12)(d).

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

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273 become a lien against the benefitted lands within the district,
 274 including a homestead as permitted in s. 4, Art. X of the State
 275 Constitution.

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

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

283 2. "Special powers," which means those powers enumerated
 284 by the district charter to implement its specialized systems,
 285 facilities, services, projects, improvements, and infrastructure
 286 and related functions in order to carry out its special and
 287 limited purposes.

288 3. Any other powers, authority, or functions set forth in
 289 this act.

290 (t) "Project" means any development, improvement,
 291 property, power, utility, facility, enterprise, service, system,
 292 works, or infrastructure now existing or hereafter undertaken or
 293 established under the provisions of this act.

294 (u) "Reclaimed water" means water that has received at
 295 least secondary treatment and basic disinfection and is reused
 296 after flowing out of a domestic wastewater treatment facility.

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297 (v) "Reclaimed water system" means any plant, system,
 298 facility, or property, and any addition, extension, or
 299 improvement thereto at any future time constructed or acquired
 300 as part thereof, useful, necessary, or having the present
 301 capacity for future use in connection with the development of
 302 sources, treatment, purification, or distribution of reclaimed
 303 water. The term includes franchises of any nature relating to
 304 any such system and necessary or convenient for the operation
 305 thereof.

306 (w) "Refunding bonds" means bonds issued to refinance
 307 outstanding bonds of any type and the interest and redemption
 308 premium thereon. Refunding bonds may be issuable and payable in
 309 the same manner as refinanced bonds, except that no approval by
 310 the electorate shall be required unless required by the State
 311 Constitution.

312 (x) "Residential unit" means a room or group of rooms
 313 forming a single independent habitable unit used for or intended
 314 to be used for living, sleeping, sanitation, cooking, and eating
 315 purposes that is 10,000 square feet or less in size.

316 (y) "Revenue bonds" means obligations of the district that
 317 are payable from revenues, including, but not limited to,
 318 special assessments and benefit special assessments, derived
 319 from sources other than ad valorem taxes on real or tangible
 320 personal property and that do not pledge the property, credit,
 321 or general tax revenue of the district.

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

339 (aa) "Special assessments" means assessments as imposed,
 340 levied, and collected by the district for the costs of
 341 assessable improvements pursuant to the provisions of this act,
 342 chapter 170, Florida Statutes, and the additional authority
 343 under s. 197.3631, Florida Statutes, or other provisions of
 344 general law, now or hereinafter enacted, which provide or
 345 authorize a supplemental means to impose, levy, or collect
 346 special assessments.

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347 (bb) "Taxes" or "tax" means those levies and impositions
 348 of the board of supervisors that support and pay for government
 349 and the administration of law and that may be:

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

353 2. If and when authorized by general law, non-ad valorem
 354 maintenance taxes not based on millage which are used to
 355 maintain district systems, facilities, and services.

356 (cc) "Water Street Tampa Improvement District" means the
 357 special and limited purpose independent special district unit of
 358 local government created and chartered by this act, and limited
 359 to the performance of those general and special powers
 360 authorized by its charter under this act, the boundaries of
 361 which are set forth by the act, the governing board of which is
 362 created and authorized to operate with legal existence by this
 363 act, and the purpose of which is as set forth in this act.

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

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

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

379 (a) The district and the district charter, with its
 380 general and special powers, as created in this act, are
 381 essential and the best alternative for the residential,
 382 commercial, office, hotel, industrial, and other community uses,
 383 projects, or functions in the included portion of the City of
 384 Tampa and Hillsborough County consistent with the effective
 385 comprehensive plan and designed to serve a lawful public
 386 purpose.

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

395 (c) The creation of the Water Street Tampa Improvement
 396 District by and pursuant to this act, and its exercise of its

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

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

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

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

417 Section 3. Minimum charter requirements; creation and
 418 establishment; jurisdiction; construction; charter.-

419 (1) Pursuant to s. 189.031(3), Florida Statutes, the
 420 Legislature sets forth that the minimum requirements in

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421 paragraphs (a) through (o) have been met in the identified
422 provisions of this act as follows:

423 (a) The purpose of the district is stated in the act in
424 subsection (4) of this section and in sections 2 and 3.

425 (b) The powers, functions, and duties of the district
426 regarding ad valorem taxation, bond issuance, other revenue-
427 raising capabilities, budget preparation and approval, liens and
428 foreclosure of liens, use of tax deeds and tax certificates as
429 appropriate for non-ad valorem assessments, and contractual
430 agreements are set forth in section 6.

431 (c) The provisions for methods for establishing the
432 district are in this section.

433 (d) The methods for amending the charter of the district
434 are set forth in this section.

435 (e) The provisions for the membership and organization of
436 the governing body and the establishment of a quorum are in
437 section 5.

438 (f) The provisions regarding maximum compensation of each
439 board member are in section 5.

440 (g) The provisions regarding the administrative duties of
441 the governing body are found in sections 5 and 6.

442 (h) The provisions applicable to financial disclosure,
443 noticing, and reporting requirements generally are set forth in
444 sections 5 and 6.

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445 (i) The provisions regarding procedures and requirements
 446 for issuing bonds are set forth in section 6.

447 (j) The provisions regarding elections or referenda and
 448 the qualifications of an elector of the district are in sections
 449 2 and 5.

450 (k) The provisions regarding methods for financing the
 451 district are generally in section 6.

452 (l) Other than taxes levied for the payment of bonds and
 453 taxes levied for periods not longer than 2 years when authorized
 454 by vote of the electors of the district, the provisions for the
 455 authority to levy ad valorem tax and the authorized millage rate
 456 are in section 6.

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

460 (n) The provisions for planning requirements are in this
 461 section and section 6.

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

464 (2) The Water Street Tampa Improvement District is created
 465 and incorporated as a public body corporate and politic, an
 466 independent special and limited purpose local government, an
 467 independent special district, under s. 189.031, Florida
 468 Statutes, and as defined in this act and in s. 189.012(3),
 469 Florida Statutes, in and for portions of Hillsborough County and

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470 the City of Tampa. Any amendments to chapter 190, Florida
 471 Statutes, after January 1, 2018, granting additional general
 472 powers, special powers, authorities, or projects to a community
 473 development district by amendment to its uniform charter, ss.
 474 190.006-190.041, Florida Statutes, which are not inconsistent
 475 with the provisions of this act, shall constitute a general
 476 power, special power, authority, or function of the Water Street
 477 Tampa Improvement District. All notices for the enactment by the
 478 Legislature of this special act have been provided pursuant to
 479 the State Constitution, the Laws of Florida, and the rules of
 480 the House of Representatives and the Senate. No referendum
 481 subsequent to the effective date of this act is required as a
 482 condition of establishing the district. Therefore, the district,
 483 as created by this act, is established on the property described
 484 in this act.

485 (3) The territorial boundary of the district shall embrace
 486 and include all of that certain real property described in
 487 section 4.

488 (4) The jurisdiction of the district, in the exercise of
 489 its general and special powers, and in the carrying out of its
 490 special and limited purposes, is both within the external
 491 boundaries of the legal description of this district and
 492 extraterritorially when limited to, and as authorized expressly
 493 elsewhere in, the charter of the district as created in this act
 494 or applicable general law. This special and limited purpose

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495 district is created as a public body corporate and politic, and
 496 local government authority and power is limited by its charter,
 497 this act, and subject to the provisions of other general laws,
 498 including chapter 189, Florida Statutes, except that an
 499 inconsistent provision in this act shall control and the
 500 district has jurisdiction to perform such acts and exercise such
 501 authorities, functions, and powers as shall be necessary,
 502 convenient, incidental, proper, or reasonable for the
 503 implementation of its special and limited purpose regarding the
 504 sound planning, provision, acquisition, development, operation,
 505 maintenance, and related financing of those public systems,
 506 facilities, services, improvements, projects, and infrastructure
 507 works as authorized herein, including those necessary and
 508 incidental thereto.

509 (5) The exclusive charter of the Water Street Tampa
 510 Improvement District is this act and, except as otherwise
 511 provided in subsection (2), may be amended only by special act
 512 of the Legislature.

513 Section 4. Legal description of the Water Street Tampa
 514 Improvement District.—The metes and bounds legal description of
 515 the district, within which there are no parcels of property
 516 owned by those who do not wish their property to be included
 517 within the district, is as follows:
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519 That part of Section 24, Township 29 South, Range 18
 520 East, and Section 19, Township 29 South, Range 19
 521 East, all lying within the City of Tampa, Hillsborough
 522 County, Florida, lying within the following described
 523 boundaries to wit:

524
 525 Begin at the intersection of the Centerline of Morgan
 526 Street and the Centerline of Garrison Avenue as shown
 527 on HENDRY & KNIGHT'S MAP OF THE GARRISON, per map or
 528 plat thereof as recorded in Plat Book 2, page 73, of
 529 the Public Records of Hillsborough County, Florida;
 530 run thence Easterly, along the centerline of said
 531 Garrison Avenue, (the same being an un-named street
 532 shown on REVISED MAP OF BELL'S ADDITION TO TAMPA per
 533 map or plat thereof as recorded in Plat Book 1, page
 534 96 of the Public Records of Hillsborough County,
 535 Florida), to the Southerly projection of the Easterly
 536 boundary of the Tampa South Crosstown Expressway; run
 537 thence Northerly and Northeasterly, along said
 538 Easterly boundary as established by Official Record
 539 Book 3530, page 157, City of Tampa Ordinance 97-240,
 540 Official Record Book 3510, page 1148, Official Record
 541 Book 3509, page 108, City of Tampa Ordinance 2001-128,
 542 and Official Record Book 3826, page 184, of the Public
 543 Records of Hillsborough County, Florida, to the

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544 Northern-most corner of said Official Record Book
 545 3826, page 184, said point lying on the West boundary
 546 of Nebraska Avenue as shown on aforementioned REVISED
 547 MAP OF BELL'S ADDITION TO TAMPA; run thence East to
 548 the Centerline of said Nebraska avenue, the same being
 549 shown as Governor Avenue on MAP OF FINLEY AND CAESAR
 550 SUBDIVISION per map or plat thereof as recorded in
 551 Plat Book 1, page 84, of the Public Records of
 552 Hillsborough County, Florida; run thence North to the
 553 Centerline of Finley Street as shown on said MAP OF
 554 FINLEY AND CAESAR SUBDIVISION; run thence East to the
 555 West boundary of Tangent Avenue (being shown as on un-
 556 named Avenue on said MAP OF FINLEY AND CAESAR
 557 SUBDIVISION; run thence Southerly, along said West
 558 boundary, to the Southeast corner of Lot 13, Block 15
 559 of said Subdivision; run thence Southerly to the
 560 Northeast corner of Lot 6, Block 1 of A.W. GILCHRIST'S
 561 OAK GROVE ADDITION TO TAMPA per map or plat thereof as
 562 recorded in Plat Book 2, page 31, of the Public
 563 Records of Hillsborough County, Florida); run thence
 564 South, along the East boundary of Lots 6 and 16, Block
 565 1, Lots 6 and 16, Block 4, and Lot 6, Block 5, and the
 566 projections thereof to the Easterly projection of the
 567 Centerline of Carew Avenue (also formerly known as
 568 Platt Street), as shown on CHAMBERLINS SUBDIVISION per

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569 map or plat thereof as recorded in Plat Book 1, page
 570 104, of the Public Records of Hillsborough County,
 571 Florida; (the same being shown on HENDRY & KNIGHT'S
 572 MAP OF CHAMBERLAINS per map or plat thereof as
 573 recorded in Plat Book 5, page 10, of the Public
 574 Records of Hillsborough County, Florida;); thence
 575 Easterly along said Centerline projection, to the
 576 Northeasterly projection of the Easterly boundary of
 577 Water Lot 70 of aforementioned HENDRY & KNIGHT'S MAP
 578 OF CHAMBERLAINS; run thence Southwesterly along said
 579 projection, Easterly boundary, and its Southwesterly
 580 projection, to the Centerline of Garrison Channel per
 581 the Tampa Port Authority Bulkhead Lines as established
 582 by Hillsborough County Port Authority on September 15,
 583 1960, December 5, 1961 and April 5, 1963, and filed
 584 for record in Plat Book 42, page 37, of the Public
 585 Records of Hillsborough County, Florida; run thence
 586 Southwesterly along said Centerline to the Southerly
 587 projection of the Centerline of Franklin Street as
 588 shown on aforementioned HENDRY & KNIGHT'S MAP OF THE
 589 GARRISON; run thence Northwesterly along said
 590 projection, and said Centerline, to the centerline of
 591 Water Street as shown on said HENDRY & KNIGHT'S MAP OF
 592 THE GARRISON; run thence Northeasterly along said
 593 Centerline to the Centerline of Florida Avenue as

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594 shown on said HENDRY & KNIGHT'S MAP OF THE GARRISON;
 595 run thence Northwesterly along said Centerline to the
 596 Centerline of Carew Avenue as shown on said HENDRY &
 597 KNIGHT'S MAP OF THE GARRISON; run thence Northeasterly
 598 along said Centerline to the Centerline of Morgan
 599 Street as shown on said HENDRY & KNIGHT'S MAP OF THE
 600 GARRISON; run thence Northwesterly along said
 601 Centerline to a point of intersection with the
 602 Southeasterly projection of the Southwesterly boundary
 603 of those lands described in Official Record Book 3166,
 604 page 225 of the Public Records of Hillsborough County,
 605 Florida; run thence along said projection and said
 606 Southwesterly boundary, to the Northwest corner of
 607 said lands; run thence along the Northerly boundary of
 608 said lands, and its Northeasterly projection, to the
 609 Centerline of aforementioned Morgan Street; run thence
 610 Northwesterly along said Centerline to the Centerline
 611 of Hampton Avenue (now known as Brorein Street) as
 612 shown on said HENDRY & KNIGHT'S MAP OF THE GARRISON;
 613 run thence Southwesterly along said Centerline to the
 614 Southerly projection of the Easterly boundary of those
 615 lands described in Official Record Book 22204, page
 616 1038 of the Public Records of Hillsborough County,
 617 Florida; run thence Northwesterly along said
 618 projection and said Easterly Boundary, to the

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619 Northeast corner of said lands; run thence
 620 Southwesterly along the Northerly boundary of said
 621 lands, and its Westerly projection, to the Centerline
 622 of Florida Avenue as shown on said HENDRY & KNIGHT'S
 623 MAP OF THE GARRISON; run thence Northwesterly along
 624 said Centerline to the Westerly projection of the
 625 Southerly boundary of those lands shown on map of
 626 survey prepared by Curtis G. Humphreys (Sullivan,
 627 Humphreys & Sullivan), dated November 13, 1958 (Order
 628 No. C2592), said map being on file with the City Tampa
 629 Survey Department, said boundary, being the some line
 630 as the North boundary of those lands described in
 631 Official Record Book 3565, page 1895, and Official
 632 Record Book 4041, page 1405, of the Public Records of
 633 Hillsborough County, Florida; run thence
 634 Northeasterly, along said boundary and its Easterly
 635 projection, to the Centerline of Morgan Street as
 636 shown on aforementioned REVISED MAP OF BELL'S ADDITION
 637 TO TAMPA; run thence Southeasterly along said
 638 Centerline to the centerline of aforementioned
 639 Garrison Avenue; run thence East, 2.0 feet, more or
 640 less, to the Point of Beginning.

641
 642 LESS AND EXCEPT THEREFROM:

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643 Block 99 of HENDRY & KNIGHT'S MAP OF THE GARRISON, per
 644 map or plat thereof as recorded in Plat Book 2, page
 645 73, of the Public Records of Hillsborough County,
 646 Florida, less that portion thereof conveyed to Tampa-
 647 Hillsborough County Expressway Authority by deed
 648 recorded in Official Record Book 3036, page 1173, of
 649 the Public Records of Hillsborough County, Florida.

650
 651 ALSO LESS AND EXCEPT THEREFROM:
 652 Lots 6, 8, and 10 through 15, inclusive, of Block 11,
 653 MAP OF FINLEY AND CAESAR SUBDIVISION per map or plat
 654 thereof as recorded in Plat Book 1, page 84, of the
 655 Public Records of Hillsborough County, Florida,
 656 together with those portions of Finley Street and
 657 vacated alleys abutting thereon.

658
 659 Notwithstanding anything herein to the contrary, the boundary of
 660 the district shall not include any residential unit subjected to
 661 condominium ownership, as created by recording a condominium
 662 declaration in the public records of Hillsborough County.

663 Section 5. Board of supervisors; members and meetings;
 664 organization; powers; duties; terms of office; related election
 665 requirements.-

666 (1) The board of the district shall exercise the powers
 667 granted to the district pursuant to this act. The board shall

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668 consist of five members, each of whom shall hold office for a
 669 term of 4 years, as provided in this section, except as
 670 otherwise provided herein for initial board members.
 671 Notwithstanding anything herein to the contrary, a board member
 672 will continue to serve beyond his or her term until a successor
 673 is chosen and qualified. The members of the board must be
 674 residents of the state and citizens of the United States.
 675 (2) (a) Within 90 days after the effective date of this
 676 act, there shall be held a meeting of the landowners of the
 677 district for the purpose of electing five supervisors for the
 678 district. Notice of the landowners' meeting shall be published
 679 once a week for 2 consecutive weeks in a newspaper that is in
 680 general circulation in the area of the district, the last day of
 681 such publication to be not fewer than 14 days nor more than 28
 682 days before the date of the election. The landowners, when
 683 assembled at such meeting, shall organize by electing a chair,
 684 who shall conduct the meeting. The chair may be any person
 685 present at the meeting. If the chair is a landowner or proxy
 686 holder of a landowner, he or she may nominate candidates and
 687 make and second motions. The landowners present at the meeting,
 688 in person or by proxy, shall constitute a quorum. At any
 689 landowners' meeting, 50 percent of the district acreage shall
 690 not be required to constitute a quorum, and each governing board
 691 member elected by landowners shall be elected by a majority of

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692 the acreage represented either by owner or proxy present and
 693 voting at said meeting.

694 (b) At such meeting, each landowner shall be entitled to
 695 cast one vote per acre of land owned by him or her and located
 696 within the district for each person to be elected. A landowner
 697 may vote in person or by proxy in writing. Each proxy must be
 698 signed by one of the legal owners of the property for which the
 699 vote is cast and must contain the typed or printed name of the
 700 individual who signed the proxy; the street address, legal
 701 description of the property, or tax parcel identification
 702 number; and the number of authorized votes. If the proxy
 703 authorizes more than one vote, each property must be listed and
 704 the number of acres of each property must be included. The
 705 signature on a proxy need not be notarized. A fraction of an
 706 acre shall be treated as 1 acre, entitling the landowner to one
 707 vote with respect thereto. The three candidates receiving the
 708 highest number of votes shall each be elected for terms expiring
 709 November 15, 2022, and the two candidates receiving the next
 710 largest number of votes shall each be elected for terms expiring
 711 November 17, 2020, with the term of office for each successful
 712 candidate commencing upon election. The members of the first
 713 board elected by landowners shall serve their respective terms;
 714 however, the next election of board members shall be held on the
 715 first Tuesday after the first Monday in November 2020.
 716 Thereafter, there shall be an election by landowners for the

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

727 (3) Members of the board, regardless of how elected, shall
 728 be public officers, shall be known as supervisors, and, upon
 729 entering into office, shall take and subscribe to the oath of
 730 office as prescribed by s. 876.05, Florida Statutes. Members of
 731 the board shall be subject to ethics and conflict of interest
 732 laws of the state that apply to all local public officers.
 733 Members of the board shall hold office for the terms for which
 734 they were elected or appointed and until their successors are
 735 chosen and qualified. If, during the term of office, a vacancy
 736 occurs on the board, the remaining members of the board shall
 737 fill each vacancy by an appointment for the remainder of the
 738 unexpired term.

739 (4) Any elected member of the board of supervisors may be
 740 removed by the Governor for malfeasance, misfeasance,
 741 dishonesty, incompetency, or failure to perform the duties

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742 imposed upon him or her by this act, and any vacancies that may
 743 occur in such office for such reasons shall be filled by the
 744 Governor as soon as practicable.

745 (5) A majority of the members of the board constitutes a
 746 quorum for the purposes of conducting its business and
 747 exercising its powers and for all other purposes. Action taken
 748 by the district shall be upon a vote of a majority of the
 749 members present unless general law or a rule of the district
 750 requires a greater number.

751 (6) As soon as practicable after each election or
 752 appointment, the board shall organize by electing one of its
 753 members as chair and by electing a secretary, who need not be a
 754 member of the board, and such other officers as the board may
 755 deem necessary.

756 (7) The board shall keep a permanent record book entitled
 757 "Record of Proceedings of Water Street Tampa Improvement
 758 District," in which shall be recorded minutes of all meetings,
 759 resolutions, proceedings, certificates, bonds given by all
 760 employees, and any and all corporate acts. The record book and
 761 all other district records shall at reasonable times be opened
 762 to inspection in the same manner as state, county, and municipal
 763 records pursuant to chapter 119, Florida Statutes. The record
 764 book shall be kept at the office or other regular place of
 765 business maintained by the board in a designated location in the
 766 City of Tampa.

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767 (8) Each supervisor shall not be entitled to receive
 768 compensation for his or her services; however, each supervisor
 769 shall receive travel and per diem expenses as set forth in s.
 770 112.061, Florida Statutes.

771 (9) All meetings of the board shall be open to the public
 772 and governed by the provisions of chapter 286, Florida Statutes.

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

774 (1) DISTRICT MANAGER AND EMPLOYEES.—The board shall employ
 775 and fix the compensation of a district manager, who shall have
 776 charge and supervision of the works of the district and shall be
 777 responsible for preserving and maintaining any improvement or
 778 facility constructed or erected pursuant to the provisions of
 779 this act, for maintaining and operating the equipment owned by
 780 the district, and for performing such other duties as may be
 781 prescribed by the board. It shall not be a conflict of interest
 782 under chapter 112, Florida Statutes, for a board member, the
 783 district manager, or another employee of the district to be a
 784 stockholder, officer, or employee of a landowner. The district
 785 manager may hire or otherwise employ and terminate the
 786 employment of such other persons, including, without limitation,
 787 professional, supervisory, and clerical employees, as may be
 788 necessary and authorized by the board. The compensation and
 789 other conditions of employment of the officers and employees of
 790 the district shall be as provided by the board.

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791 (2) TREASURER.—The board shall designate a person who is a
 792 resident of the state as treasurer of the district, and who
 793 shall have charge of the funds of the district. Such funds shall
 794 be disbursed only upon the order of or pursuant to a resolution
 795 of the board by warrant or check countersigned by the treasurer
 796 and by such other person as may be authorized by the board. The
 797 board may give the treasurer such other or additional powers and
 798 duties as the board may deem appropriate and may fix his or her
 799 compensation. The board may require the treasurer to give a bond
 800 in such amount, on such terms, and with such sureties as may be
 801 deemed satisfactory to the board to secure the performance by
 802 the treasurer of his or her powers and duties. The financial
 803 records of the board shall be audited by an independent
 804 certified public accountant at least once a year.

805 (3) PUBLIC DEPOSITORY.—The board is authorized to select
 806 as a depository for its funds any qualified public depository as
 807 defined in s. 280.02, Florida Statutes, which meets all the
 808 requirements of chapter 280, Florida Statutes, and has been
 809 designated by the treasurer as a qualified public depository
 810 upon such terms and conditions as to the payment of interest by
 811 such depository upon the funds so deposited as the board may
 812 deem just and reasonable.

813 (4) BUDGET; REPORTS AND REVIEWS.—

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

817 (b) On or before July 15 of each year, the district
 818 manager shall prepare a proposed budget for the ensuing fiscal
 819 year to be submitted to the board for board approval. The
 820 proposed budget shall include at the direction of the board an
 821 estimate of all necessary expenditures of the district for the
 822 ensuing fiscal year and an estimate of income to the district
 823 from the taxes and assessments and other revenues as provided in
 824 this act. The board shall consider the proposed budget item by
 825 item and may either approve the budget as proposed by the
 826 district manager or modify the same in part or in whole. The
 827 board shall indicate its approval of the budget by resolution,
 828 which resolution shall provide for a hearing on the budget as
 829 approved. Notice of the hearing on the budget shall be published
 830 in a newspaper of general circulation in the area of the
 831 district once a week for two consecutive weeks, except that the
 832 first publication shall be no fewer than 15 days prior to the
 833 date of the hearing. The notice shall further contain a
 834 designation of the day, time, and place of the public hearing.
 835 At the time and place designated in the notice, the board shall
 836 hear all objections to the budget as proposed and may make such
 837 changes as the board deems necessary. At the conclusion of the
 838 budget hearing, the board shall, by resolution, adopt the budget

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839 as finally approved by the board. The budget shall be adopted
 840 prior to October 1 of each year.

841 (c) At least 60 days before adoption, the board of
 842 supervisors of the district shall submit to the Tampa City
 843 Council for purposes of disclosure and information only, the
 844 proposed annual budget for the ensuing fiscal year, and the
 845 council may submit written comments to the board of supervisors
 846 solely for the assistance and information of the board of
 847 supervisors of the district in adopting its annual district
 848 budget.

849 (d) The board of supervisors of the district shall submit
 850 annually a public facilities report to the Tampa City Council
 851 pursuant to general law. The council may use and rely on the
 852 district's public facilities report in the preparation or
 853 revision of the comprehensive plan.

854 (5) DISCLOSURE OF PUBLIC INFORMATION; WEB-BASED PUBLIC
 855 ACCESS.—The district shall take affirmative steps to provide for
 856 the full disclosure of information relating to the public
 857 financing and maintenance of improvements to real property
 858 undertaken by the district. Such information shall be made
 859 available to all existing landowners and all prospective owners
 860 of property within the district. The district shall furnish each
 861 developer within the district with sufficient copies of that
 862 information to provide each prospective initial purchaser of
 863 property in that development with a copy; and any developer

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864 within the district, when required by law to provide a public
 865 offering statement, shall include a copy of such information
 866 relating to the public financing and maintenance of improvements
 867 in the public offering statement. The district shall file the
 868 disclosure documents required by this subsection and any
 869 amendments thereto in the property records of each county in
 870 which the district is located. By the end of the first full
 871 fiscal year of the district's creation, the district shall
 872 maintain an official Internet website in accordance with s.
 873 189.069, Florida Statutes.

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

876 (a) To sue and be sued in the name of the district; to
 877 adopt and use a seal and authorize the use of a facsimile
 878 thereof; to acquire, by purchase, gift, devise, or otherwise,
 879 and to dispose of, real and personal property, or any estate
 880 therein; and to make and execute contracts and other instruments
 881 necessary or convenient to the exercise of its powers.

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

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

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

890 (d) To borrow money and accept gifts; to apply for and use
 891 grants or loans of money or other property from the United
 892 States, the state, a unit of local government, or any person for
 893 any district purposes and enter into agreements required in
 894 connection therewith; and to hold, use, and dispose of such
 895 moneys or property for any district purposes in accordance with
 896 the terms of the gift, grant, loan, or agreement relating
 897 thereto.

898 (e) To adopt and enforce rules and orders pursuant to the
 899 provisions of chapter 120, Florida Statutes, prescribing the
 900 powers, duties, and functions of the officers of the district;
 901 the conduct of the business of the district; the maintenance of
 902 records; and the form of certificates evidencing tax liens and
 903 all other documents and records of the district. The board may
 904 also adopt and enforce administrative rules with respect to any
 905 of the projects of the district and define the area to be
 906 included therein. The board may also adopt resolutions which may
 907 be necessary for the conduct of district business.

908 (f) To maintain an office at such place or places as the
 909 board of supervisors designates in the City of Tampa and within
 910 the district when facilities are available.

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

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913 dedications to public use, platted reservations for public
 914 purposes, or any reservations for those purposes authorized by
 915 this act and to make use of such easements, dedications, or
 916 reservations for the purposes authorized by this act.

917 (h) To lease as lessor or lessee to or from any person,
 918 firm, corporation, association, or body, public or private, any
 919 projects of the type that the district is authorized to
 920 undertake and facilities or property of any nature for the use
 921 of the district to carry out the purposes authorized by this
 922 act.

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

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

932 (k) To exercise all powers of eminent domain now or
 933 hereafter conferred on counties in this state provided, however,
 934 that such power of eminent domain may not be exercised outside
 935 the territorial limits of the district unless the district
 936 receives prior approval by vote of a resolution of the governing
 937 body of the county if the taking will occur in an unincorporated

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938 area in that county, or the governing body of the city if the
 939 taking will occur in an incorporated area. The district shall
 940 not have the power to exercise eminent domain over municipal,
 941 county, state, or federal property. The powers hereinabove
 942 granted to the district shall be so construed to enable the
 943 district to fulfill the objects and purposes of the district as
 944 set forth in this act.

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

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

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

953 (o) To determine, order, levy, impose, collect, and
 954 enforce assessments pursuant to this act and chapter 170,
 955 Florida Statutes, pursuant to authority granted in s. 197.3631,
 956 Florida Statutes, or pursuant to other provisions of general law
 957 now or hereinafter enacted which provide or authorize a
 958 supplemental means to order, levy, impose, or collect special
 959 assessments. Such special assessments, in the discretion of the
 960 district, may be collected and enforced pursuant to the
 961 provisions of ss. 197.3632 and 197.3635, Florida Statutes, and
 962 chapters 170 and 173, Florida Statutes, or as provided by this

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963 act, or by other means authorized by general law now or
 964 hereinafter enacted. The district may levy such special
 965 assessments for the purposes enumerated in this act and to pay
 966 special assessments imposed by Hillsborough County on lands
 967 within the district.

968 (p) To exercise such special powers and other express
 969 powers as may be authorized and granted by this act in the
 970 charter of the district, including powers as provided in any
 971 interlocal agreement entered into pursuant to chapter 163,
 972 Florida Statutes, or which shall be required or permitted to be
 973 undertaken by the district pursuant to any development order,
 974 including any detailed specific area plan development order, or
 975 any interlocal service agreement with Hillsborough County for
 976 fair-share capital construction funding for any certain capital
 977 facilities or systems required of a developer pursuant to any
 978 applicable development order or agreement.

979 (q) To exercise all of the powers necessary, convenient,
 980 incidental, or proper in connection with any other powers or
 981 duties or the special and limited purpose of the district
 982 authorized by this act.

983
 984 The provisions of this subsection shall be construed liberally
 985 in order to carry out effectively the special and limited
 986 purpose of this act.

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987 (7) SPECIAL POWERS.—The district shall have, and the board
 988 may exercise, the following special powers to implement its
 989 lawful and special purpose and to provide, pursuant to that
 990 purpose, systems, facilities, services, improvements, projects,
 991 works, and infrastructure, each of which constitutes a lawful
 992 public purpose when exercised pursuant to this charter, subject
 993 to, and not inconsistent with, general law regarding utility
 994 providers' territorial and service agreements and the regulatory
 995 jurisdiction and permitting authority of all other applicable
 996 governmental bodies, agencies, and any special districts having
 997 authority with respect to any area included therein, and to
 998 plan, establish, acquire, construct or reconstruct, enlarge or
 999 extend, equip, operate, finance, fund, and maintain
 1000 improvements, systems, facilities, services, works, projects,
 1001 and infrastructure. Any or all of the following special powers
 1002 are granted by this act in order to implement the special and
 1003 limited purpose of the district:

1004 (a) To provide water management and control for the lands
 1005 within the district and to connect some or any of such
 1006 facilities with roads and bridges. In the event that the board
 1007 assumes the responsibility for providing water management and
 1008 control for the district which is to be financed by benefit
 1009 special assessments, the board shall adopt plans and assessments
 1010 pursuant to law or may proceed to adopt water management and

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1011 control plans, assess for benefits, and apportion and levy
1012 special assessments as follows:

1013 1. The board shall cause to be made by the district's
1014 engineer, or such other engineer or engineers as the board may
1015 employ for that purpose, complete and comprehensive water
1016 management and control plans for the lands located within the
1017 district that will be improved in any part or in whole by any
1018 system of facilities that may be outlined and adopted, and the
1019 engineer shall make a report in writing to the board with maps
1020 and profiles of said surveys and an estimate of the cost of
1021 carrying out and completing the plans.

1022 2. Upon the completion of such plans, the board shall hold
1023 a hearing thereon to hear objections thereto, shall give notice
1024 of the time and place fixed for such hearing by publication once
1025 each week for 2 consecutive weeks in a newspaper of general
1026 circulation in the general area of the district, and shall
1027 permit the inspection of the plan at the office of the district
1028 by all persons interested. All objections to the plan shall be
1029 filed at or before the time fixed in the notice for the hearing
1030 and shall be in writing.

1031 3. After the hearing, the board shall consider the
1032 proposed plan and any objections thereto and may modify, reject,
1033 or adopt the plan or continue the hearing until a day certain
1034 for further consideration of the proposed plan or modifications
1035 thereof.

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1036 4. When the board approves a plan, a resolution shall be
 1037 adopted and a certified copy thereof shall be filed in the
 1038 office of the secretary and incorporated by him or her into the
 1039 records of the district.

1040 5. The water management and control plan may be altered in
 1041 detail from time to time until the engineer's report pursuant to
 1042 s. 298.301, Florida Statutes, is filed but not in such manner as
 1043 to affect materially the conditions of its adoption. After the
 1044 engineer's report has been filed, no alteration of the plan
 1045 shall be made, except as provided by this act.

1046 6. Within 20 days after the final adoption of the plan by
 1047 the board, the board shall proceed pursuant to s. 298.301,
 1048 Florida Statutes.

1049 (b) To provide water supply, sewer, wastewater, and
 1050 reclaimed water management, reclamation, and reuse, or any
 1051 combination thereof, and any irrigation systems, facilities, and
 1052 services; to construct and operate water systems, sewer systems,
 1053 and reclaimed water systems such as connecting intercepting or
 1054 outlet sewers and sewer mains and pipes and water mains,
 1055 conduits, or pipelines in, along, and under any street, alley,
 1056 highway, or other public place or way; and to dispose of any
 1057 effluent, residue, or other byproducts of such water system,
 1058 sewer system, or reclaimed water system and to enter into
 1059 interlocal agreements and other agreements with public or
 1060 private entities for the same.

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1061 (c) To provide district roads equal to or exceeding the
 1062 specifications of the county or city in which such district
 1063 roads are located, and to provide street lights. This special
 1064 power includes, but is not limited to, roads, parkways,
 1065 intersections, bridges, landscaping, hardscaping, irrigation,
 1066 bicycle lanes, bicycle and cart paths, sidewalks, jogging paths,
 1067 multiuse pathways and trails, street lighting, traffic signals,
 1068 regulatory or informational signage, road striping, underground
 1069 conduit, underground cable or fiber or wire installed pursuant
 1070 to an agreement with or tariff of a retail provider of services,
 1071 and all other customary elements of a functioning modern road
 1072 system in general or as tied to the conditions of development
 1073 approval for the area within the district, and parking
 1074 facilities that are freestanding or that may be related to any
 1075 innovative strategic intermodal system of transportation
 1076 pursuant to applicable federal, state, and local laws and
 1077 ordinances.

1078 (d) To provide buses, trolleys, rail access, mass transit
 1079 facilities, transit shelters, ridesharing facilities and
 1080 services, parking improvements, and related signage.

1081 (e) To provide investigation and remediation costs
 1082 associated with the cleanup of actual or perceived environmental
 1083 contamination within the district under the supervision or
 1084 direction of a competent governmental authority unless the

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1085 covered costs benefit any person who is a landowner within the
 1086 district and who caused or contributed to the contamination.

1087 (f) To provide conservation and mitigation of wildlife
 1088 habitat, including the maintenance of any plant or animal
 1089 species, and any related interest in real or personal property.

1090 (g) To provide investigation and remediation costs
 1091 associated with the preservation of actual or perceived historic
 1092 and archaeological resources within the district under the
 1093 supervision or direction of a competent governmental authority.

1094 (h) Using its general and special powers as set forth in
 1095 this act, to provide any other project within or without the
 1096 boundaries of the district when the project is the subject of an
 1097 agreement between the district and the Tampa City Council, the
 1098 Board of County Commissioners of Hillsborough County, or any
 1099 other applicable public or private entity, and is not
 1100 inconsistent with the effective local comprehensive plans.

1101 (i) To provide parks, plazas, and facilities for indoor
 1102 and outdoor recreational, cultural, and educational uses,
 1103 including facilities that meet WELL Community Standards and
 1104 encourage the integration of exercise and fitness into everyday
 1105 life.

1106 (j) To provide school buildings and related structures,
 1107 which may be leased, sold, or donated to the school district, a
 1108 charter school as authorized by law, or educational facilities
 1109 for intermediate and higher education or vocational training,

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1110 for use in the educational system when authorized by the
 1111 district school board or other applicable governmental entity.

1112 (k) To provide security, including, but not limited to,
 1113 guardhouses, electronic intrusion-detection systems, monitoring,
 1114 and patrol cars, when authorized by proper governmental
 1115 agencies; except that the district may not exercise any police
 1116 power, but may contract with the appropriate local general-
 1117 purpose government agencies for an increased level of such
 1118 services within the district boundaries.

1119 (l) To provide traffic control and enforcement when
 1120 authorized by proper governmental agencies. Nothing in this act
 1121 prohibits the district from contracting with a towing operator
 1122 to remove a vehicle or vessel from a district-owned facility or
 1123 property if the district follows the authorization, notice, and
 1124 procedural requirements in s. 715.07, Florida Statutes, for an
 1125 owner or lessee of private property. The district's selection of
 1126 a towing operator is not subject to public bidding if the towing
 1127 operator is included in an approved list of towing operators
 1128 maintained by the City of Tampa.

1129 (m) To provide control and elimination of mosquitoes and
 1130 other arthropods of public health importance.

1131 (n) To enter into impact fee, mobility fee, or other
 1132 similar credit agreements with the City of Tampa, Hillsborough
 1133 County, or a landowner developer and to sell or assign such
 1134 credits on such terms as the district deems appropriate.

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1135 (o) To provide buildings and structures for district
 1136 offices, maintenance facilities, meeting facilities, town
 1137 centers, or any other project authorized or granted by this act.

1138 (p) To establish and create, at noticed meetings, such
 1139 departments of the board of supervisors of the district, as well
 1140 as committees, task forces, boards, or commissions, or other
 1141 agencies under the supervision and control of the district, as
 1142 from time to time the members of the board may deem necessary or
 1143 desirable in the performance of the acts or other things
 1144 necessary to exercise the board's general or special powers to
 1145 implement an innovative project to carry out the special and
 1146 limited purpose of the district as provided in this act and to
 1147 delegate the exercise of its powers to such departments, boards,
 1148 task forces, committees, commissions, or other agencies, and
 1149 such administrative duties and other powers as the board may
 1150 deem necessary or desirable, but only if there is a set of
 1151 expressed limitations for accountability, notice, and periodic
 1152 written reporting to the board that shall retain the powers of
 1153 the board.

1154 (q) To provide electrical, sustainable, or green
 1155 infrastructure improvements, facilities, and services,
 1156 including, but not limited to, recycling of natural resources,
 1157 reduction of energy demands, development and generation of
 1158 alternative or renewable energy sources and technologies,
 1159 mitigation of urban heat islands, sequestration, capping or

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1160 trading of carbon emissions or carbon emissions credits, LEED or
 1161 Florida Green Building Coalition certification, and development
 1162 of facilities and improvements for low-impact development and to
 1163 enter into joint ventures, public-private partnerships, and
 1164 other agreements and to grant such easements as may be necessary
 1165 to accomplish the foregoing. Nothing herein shall authorize the
 1166 district to provide electric service to retail customers or
 1167 otherwise act to impair electric utility service territories or
 1168 franchise agreements.

1169 (r) To provide for any facilities or improvements that may
 1170 otherwise be provided for by any county or municipality,
 1171 including, but not limited to, libraries, annexes, substations,
 1172 and other buildings to house public officials, staff, and
 1173 employees.

1174 (s) To provide for the construction and operation of
 1175 communications systems and related infrastructure for the
 1176 carriage and distribution of communications services, and to
 1177 enter into joint ventures, public-private partnerships, and
 1178 other agreements and to grant such easements as may be necessary
 1179 to accomplish the foregoing. Communications systems shall mean
 1180 all facilities, buildings, equipment, items, and methods
 1181 necessary or desirable in order to provide communications
 1182 services, including, without limitation, wires, cables,
 1183 conduits, wireless cell sites, computers, modems, satellite
 1184 antennae sites, transmission facilities, network facilities, and

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1185 appurtenant devices necessary and appropriate to support the
 1186 provision of communications services. Communications services
 1187 includes, without limitation, internet, voice telephone or
 1188 similar services provided by voice over internet protocol, cable
 1189 television, data transmission services, electronic security
 1190 monitoring services, and multi-channel video programming
 1191 distribution services. Communications services provided by the
 1192 district shall be subject to ss. 125.421 and 350.81, Florida
 1193 Statutes, and carry or include any governmental channel or other
 1194 media content created or produced by Hillsborough County.

1195 (t) To coordinate, work with, and, as the board deems
 1196 appropriate, enter into interlocal agreements with any public or
 1197 private entity for the provision of an institution or
 1198 institutions of higher education.

1199 (u) To coordinate, work with, and, as the board deems
 1200 appropriate, enter into public-private partnerships and
 1201 agreements as may be necessary or useful to effectuate the
 1202 purposes of this act.

1203
 1204 The enumeration of special powers herein shall not be deemed
 1205 exclusive or restrictive but shall be deemed to incorporate all
 1206 powers express or implied necessary or incident to carrying out
 1207 such enumerated special powers, including the general powers
 1208 provided by this special act charter to the district to
 1209 implement its purposes. The provisions of this subsection shall

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1210 be construed liberally in order to carry out effectively the
 1211 special and limited purpose of this district under this act.
 1212 (8) ISSUANCE OF BOND ANTICIPATION NOTES.—In addition to
 1213 the other powers provided for in this act, and not in limitation
 1214 thereof, the district shall have the power, at any time and from
 1215 time to time after the issuance of any bonds of the district are
 1216 authorized, to borrow money for the purposes for which such
 1217 bonds are to be issued in anticipation of the receipt of the
 1218 proceeds of the sale of such bonds and to issue bond
 1219 anticipation notes in a principal sum not in excess of the
 1220 authorized maximum amount of such bond issue. Such notes shall
 1221 be in such denomination or denominations, bear interest at such
 1222 rate as the board may determine not to exceed the maximum rate
 1223 allowed by general law, mature at such time or times not later
 1224 than 5 years from the date of issuance, and be in such form and
 1225 executed in such manner as the board shall prescribe. Such notes
 1226 may be sold at either public or private sale or, if such notes
 1227 shall be renewal notes, may be exchanged for notes then
 1228 outstanding on such terms as the board shall determine. Such
 1229 notes shall be paid from the proceeds of such bonds when issued.
 1230 The board may, in its discretion, in lieu of retiring the notes
 1231 by means of bonds, retire them by means of current revenues or
 1232 from any taxes or assessments levied for the payment of such
 1233 bonds, but, in such event, a like amount of the bonds authorized
 1234 shall not be issued.

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1235 (9) BORROWING.—The district at any time may obtain loans,
 1236 in such amount and on such terms and conditions as the board may
 1237 approve, for the purpose of paying any of the expenses of the
 1238 district or any costs incurred or that may be incurred in
 1239 connection with any of the projects of the district, which loans
 1240 shall bear interest as the board determines, not to exceed the
 1241 maximum rate allowed by general law, and may be payable from and
 1242 secured by a pledge of such funds, revenues, taxes, and
 1243 assessments as the board may determine, subject, however, to the
 1244 provisions contained in any proceeding under which bonds were
 1245 theretofore issued and are then outstanding. For the purpose of
 1246 defraying such costs and expenses, the district may issue
 1247 negotiable notes, warrants, or other evidences of debt to be
 1248 payable at such times and to bear such interest as the board may
 1249 determine, not to exceed the maximum rate allowed by general
 1250 law, and to be sold or discounted at such price or prices not
 1251 less than 95 percent of par value and on such terms as the board
 1252 may deem advisable. The board shall have the right to provide
 1253 for the payment thereof by pledging the whole or any part of the
 1254 funds, revenues, taxes, and assessments of the district or by
 1255 covenanting to budget and appropriate from such funds. The
 1256 approval of the electors residing in the district shall not be
 1257 necessary except when required by the State Constitution.

1258 (10) BONDS.—

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1259 (a) Sale of bonds.—Bonds may be sold in blocks or
 1260 installments at different times, or an entire issue or series
 1261 may be sold at one time. Bonds may be sold at public or private
 1262 sale after such advertisement, if any, as the board may deem
 1263 advisable, but not in any event at less than 90 percent of the
 1264 par value thereof, together with accrued interest thereon. Bonds
 1265 may be sold or exchanged for refunding bonds. Special assessment
 1266 and revenue bonds may be delivered by the district as payment of
 1267 the purchase price of any project or part thereof, or a
 1268 combination of projects or parts thereof, or as the purchase
 1269 price or exchange for any property, real, personal, or mixed,
 1270 including franchises or services rendered by any contractor,
 1271 engineer, or other person, all at one time or in blocks from
 1272 time to time, in such manner and upon such terms as the board in
 1273 its discretion shall determine. The price or prices for any
 1274 bonds sold, exchanged, or delivered may be:

- 1275 1. The money paid for the bonds.
- 1276 2. The principal amount, plus accrued interest to the date
 1277 of redemption or exchange, or outstanding obligations exchanged
 1278 for refunding bonds.
- 1279 3. In the case of special assessment or revenue bonds, the
 1280 amount of any indebtedness to contractors or other persons paid
 1281 with such bonds, or the fair value of any properties exchanged
 1282 for the bonds, as determined by the board.

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1283 (b) Authorization and form of bonds.—Any general
 1284 obligation bonds, special assessment bonds, or revenue bonds may
 1285 be authorized by resolution or resolutions of the board which
 1286 shall be adopted by a majority of all the members thereof then
 1287 in office. Such resolution or resolutions may be adopted at the
 1288 same meeting at which they are introduced and need not be
 1289 published or posted. The board may, by resolution, authorize the
 1290 issuance of bonds and fix the aggregate amount of bonds to be
 1291 issued; the purpose or purposes for which the moneys derived
 1292 therefrom shall be expended, including, but not limited to,
 1293 payment of costs as defined in section 2(2)(h); the rate or
 1294 rates of interest, not to exceed the maximum rate allowed by
 1295 general law; the denomination of the bonds; whether or not the
 1296 bonds are to be issued in one or more series; the date or dates
 1297 of maturity, which shall not exceed 40 years from their
 1298 respective dates of issuance; the medium of payment; the place
 1299 or places within or without the state at which payment shall be
 1300 made; registration privileges; redemption terms and privileges,
 1301 whether with or without premium; the manner of execution; the
 1302 form of the bonds, including any interest coupons to be attached
 1303 thereto; the manner of execution of bonds and coupons; and any
 1304 and all other terms, covenants, and conditions thereof and the
 1305 establishment of revenue or other funds. Such authorizing
 1306 resolution or resolutions may further provide for the contracts
 1307 authorized by s. 159.825(1)(f) and (g), Florida Statutes,

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1308 regardless of the tax treatment of such bonds being authorized,
 1309 subject to the finding by the board of a net saving to the
 1310 district resulting by reason thereof. Such authorizing
 1311 resolution may further provide that such bonds may be executed
 1312 in accordance with the Registered Public Obligations Act, except
 1313 that bonds not issued in registered form shall be valid if
 1314 manually countersigned by an officer designated by appropriate
 1315 resolution of the board. The seal of the district may be
 1316 affixed, lithographed, engraved, or otherwise reproduced in
 1317 facsimile on such bonds. In case any officer whose signature
 1318 shall appear on any bonds or coupons shall cease to be such
 1319 officer before the delivery of such bonds, such signature or
 1320 facsimile shall nevertheless be valid and sufficient for all
 1321 purposes as if he or she had remained in office until such
 1322 delivery.

1323 (c) Interim certificates; replacement certificates.—
 1324 Pending the preparation of definitive bonds, the board may issue
 1325 interim certificates or receipts or temporary bonds, in such
 1326 form and with such provisions as the board may determine,
 1327 exchangeable for definitive bonds when such bonds have been
 1328 executed and are available for delivery. The board may also
 1329 provide for the replacement of any bonds which become mutilated,
 1330 lost, or destroyed.

1331 (d) Negotiability of bonds.—Any bond issued under this act
 1332 or any temporary bond, in the absence of an express recital on

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1333 the face thereof that it is nonnegotiable, shall be fully
 1334 negotiable and shall be and constitute a negotiable instrument
 1335 within the meaning and for all purposes of the law merchant and
 1336 the laws of the state.

1337 (e) Defeasance.—The board may make such provision with
 1338 respect to the defeasance of the right, title, and interest of
 1339 the holders of any of the bonds and obligations of the district
 1340 in any revenues, funds, or other properties by which such bonds
 1341 are secured as the board deems appropriate and, without
 1342 limitation on the foregoing, may provide that when such bonds or
 1343 obligations become due and payable or shall have been called for
 1344 redemption and the whole amount of the principal and interest
 1345 and premium, if any, due and payable upon the bonds or
 1346 obligations then outstanding shall be held in trust for such
 1347 purpose, and provision shall also be made for paying all other
 1348 sums payable in connection with such bonds or other obligations,
 1349 then and in such event the right, title, and interest of the
 1350 holders of the bonds in any revenues, funds, or other properties
 1351 by which such bonds are secured shall thereupon cease,
 1352 terminate, and become void; and the board may apply any surplus
 1353 in any sinking fund established in connection with such bonds or
 1354 obligations and all balances remaining in all other funds or
 1355 accounts other than moneys held for the redemption or payment of
 1356 the bonds or other obligations to any lawful purpose of the
 1357 district as the board shall determine.

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1358 (f) Issuance of additional bonds.—If the proceeds of any
 1359 bonds are less than the cost of completing the project in
 1360 connection with which such bonds were issued, the board may
 1361 authorize the issuance of additional bonds, upon such terms and
 1362 conditions as the board may provide in the resolution
 1363 authorizing the issuance thereof, but only in compliance with
 1364 the resolution or other proceedings authorizing the issuance of
 1365 the original bonds.

1366 (g) Refunding bonds.—The district is authorized to issue
 1367 bonds to provide for the retirement or refunding of any bonds or
 1368 obligations of the district that at the time of such issuance
 1369 are or subsequent thereto become due and payable, or that at the
 1370 time of issuance have been called or are, or will be, subject to
 1371 call for redemption within 10 years thereafter, or the surrender
 1372 of which can be procured from the holders thereof at prices
 1373 satisfactory to the board. Refunding bonds may be issued at any
 1374 time that in the judgment of the board such issuance will be
 1375 advantageous to the district. No approval of the landowners in
 1376 the district shall be required for the issuance of refunding
 1377 bonds except in cases in which such approval is required by the
 1378 State Constitution. The board may by resolution confer upon the
 1379 holders of such refunding bonds all rights, powers, and remedies
 1380 to which the holders would be entitled if they continued to be
 1381 the owners and had possession of the bonds for the refinancing
 1382 of which such refunding bonds are issued, including, but not

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1383 limited to, the preservation of the lien of such bonds on the
 1384 revenues of any project or on pledged funds, without
 1385 extinguishment, impairment, or diminution thereof. The
 1386 provisions of this act pertaining to bonds of the district
 1387 shall, unless the context otherwise requires, govern the
 1388 issuance of refunding bonds, the form and other details thereof,
 1389 the rights of the holders thereof, and the duties of the board
 1390 with respect to such bonds.

1391 (h) Revenue bonds.—

1392 1. The district shall have the power to issue revenue
 1393 bonds from time to time without limitation as to amount. Such
 1394 revenue bonds may be secured by, or payable from, the gross or
 1395 net pledge of the revenues to be derived from any project or
 1396 combination of projects; from the rates, fees, or other charges
 1397 to be collected from the users of any project or projects; from
 1398 any revenue-producing undertaking or activity of the district;
 1399 from special assessments; from benefit special assessments; or
 1400 from any other source or pledged security. Such bonds shall not
 1401 constitute an indebtedness of the district, and the approval of
 1402 the landowners shall not be required unless such bonds are
 1403 additionally secured by the full faith and credit and taxing
 1404 power of the district.

1405 2. Any two or more projects may be combined and
 1406 consolidated into a single project and may hereafter be operated
 1407 and maintained as a single project. The revenue bonds authorized

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1408 herein may be issued to finance any one or more of such
 1409 projects, regardless of whether or not such projects have been
 1410 combined and consolidated into a single project. If the board
 1411 deems it advisable, the proceedings authorizing such revenue
 1412 bonds may provide that the district may thereafter combine the
 1413 projects then being financed or theretofore financed with other
 1414 projects to be subsequently financed by the district and that
 1415 revenue bonds to be thereafter issued by the district shall be
 1416 on parity with the revenue bonds then being issued, all on such
 1417 terms, conditions, and limitations as shall have been provided
 1418 in the proceeding which authorized the original bonds.

1419 (i) General obligation bonds.—

1420 1. Subject to the limitations of this charter, the
 1421 district shall have the power from time to time to issue general
 1422 obligation bonds to finance or refinance capital projects or to
 1423 refund outstanding bonds in an aggregate principal amount of
 1424 bonds outstanding at any one time not in excess of 35 percent of
 1425 the assessed value of the taxable property within the district
 1426 as shown on the pertinent tax records at the time of the
 1427 authorization of the general obligation bonds for which the full
 1428 faith and credit of the district is pledged. Except for
 1429 refunding bonds, no general obligation bonds shall be issued
 1430 unless the bonds are issued to finance or refinance a capital
 1431 project and the issuance has been approved at an election held
 1432 in accordance with the requirements for such election as

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1433 prescribed by the State Constitution. Such elections shall be
 1434 called to be held in the district by the Board of County
 1435 Commissioners of Hillsborough County upon the request of the
 1436 board of the district. The expenses of calling and holding an
 1437 election shall be at the expense of the district and the
 1438 district shall reimburse the county for any expenses incurred in
 1439 calling or holding such election.

1440 2. The district may pledge its full faith and credit for
 1441 the payment of the principal and interest on such general
 1442 obligation bonds and for any reserve funds provided therefor and
 1443 may unconditionally and irrevocably pledge itself to levy ad
 1444 valorem taxes on all taxable property in the district, to the
 1445 extent necessary for the payment thereof, without limitation as
 1446 to rate or amount.

1447 3. If the board determines to issue general obligation
 1448 bonds for more than one capital project, the approval of the
 1449 issuance of the bonds for each and all such projects may be
 1450 submitted to the electors on one and the same ballot, if
 1451 permitted by applicable law. The failure of the electors to
 1452 approve the issuance of bonds for any one or more capital
 1453 projects shall not defeat the approval of bonds for any capital
 1454 project which has been approved by the electors.

1455 4. In arriving at the amount of general obligation bonds
 1456 permitted to be outstanding at any one time pursuant to

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1457 subparagraph 1., there shall not be included any general
 1458 obligation bonds that are additionally secured by the pledge of:
 1459 a. Any assessments levied in an amount sufficient to pay
 1460 the principal and interest on the general obligation bonds so
 1461 additionally secured, which assessments have been equalized and
 1462 confirmed by resolution of the board pursuant to this act or s.
 1463 170.08, Florida Statutes.
 1464 b. Water revenues, sewer revenues, or water and sewer
 1465 revenues of the district to be derived from user fees in an
 1466 amount sufficient to pay the principal and interest on the
 1467 general obligation bonds so additionally secured.
 1468 c. Any combination of assessments and revenues described
 1469 in sub-subparagraphs a. and b.
 1470 (j) Bonds as legal investment or security.-
 1471 1. Notwithstanding any provisions of any other law to the
 1472 contrary, all bonds issued under the provisions of this act
 1473 shall constitute legal investments for savings banks, banks,
 1474 trust companies, insurance companies, executors, administrators,
 1475 trustees, guardians, and other fiduciaries and for any board,
 1476 body, agency, instrumentality, county, municipality, or other
 1477 political subdivision of the state and shall be and constitute
 1478 security which may be deposited by banks or trust companies as
 1479 security for deposits of state, county, municipal, or other
 1480 public funds or by insurance companies as required or voluntary
 1481 statutory deposits.

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1482 2. Any bonds issued by the district shall be incontestable
 1483 in the hands of bona fide purchasers or holders for value and
 1484 shall not be invalid because of any irregularity or defect in
 1485 the proceedings for the issue and sale thereof.

1486 (k) Covenants.—Any resolution authorizing the issuance of
 1487 bonds may contain such covenants as the board may deem
 1488 advisable, and all such covenants shall constitute valid and
 1489 legally binding and enforceable contracts between the district
 1490 and the bondholders, regardless of the time of issuance thereof.
 1491 Such covenants may include, without limitation, covenants
 1492 concerning the disposition of the bond proceeds; the use and
 1493 disposition of project revenues; the pledging of revenues,
 1494 taxes, and assessments; the obligations of the district with
 1495 respect to the operation of the project and the maintenance of
 1496 adequate project revenues; the issuance of additional bonds; the
 1497 appointment, powers, and duties of trustees and receivers; the
 1498 acquisition of outstanding bonds and obligations; restrictions
 1499 on the establishing of competing projects or facilities;
 1500 restrictions on the sale or disposal of the assets and property
 1501 of the district; the priority of assessment liens; the priority
 1502 of claims by bondholders on the taxing power of the district;
 1503 the maintenance of deposits to ensure the payment of revenues by
 1504 users of district facilities and services; the discontinuance of
 1505 district services by reason of delinquent payments; acceleration
 1506 upon default; the execution of necessary instruments; the

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1507 procedure for amending or abrogating covenants with the
 1508 bondholders; and such other covenants as may be deemed necessary
 1509 or desirable for the security of the bondholders.

1510 (l) Validation proceedings.—The power of the district to
 1511 issue bonds under the provisions of this act may be determined,
 1512 and any of the bonds of the district maturing over a period of
 1513 more than 5 years shall be validated and confirmed, by court
 1514 decree, under the provisions of chapter 75, Florida Statutes,
 1515 and laws amendatory thereof or supplementary thereto.

1516 (m) Tax exemption.—To the extent allowed by general law,
 1517 all bonds issued hereunder and interest paid thereon and all
 1518 fees, charges, and other revenues derived by the district from
 1519 the projects provided by this act are exempt from all taxes by
 1520 the state or by any political subdivision, agency, or
 1521 instrumentality thereof; however, any interest, income, or
 1522 profits on debt obligations issued hereunder are not exempt from
 1523 the tax imposed by chapter 220, Florida Statutes. Further, the
 1524 district is not exempt from the provisions of chapter 212,
 1525 Florida Statutes.

1526 (n) Application of s. 189.051, Florida Statutes.—Bonds
 1527 issued by the district shall meet the criteria set forth in s.
 1528 189.051, Florida Statutes.

1529 (o) Act furnishes full authority for issuance of bonds.—
 1530 This act constitutes full and complete authority for the
 1531 issuance of bonds and the exercise of the powers of the district

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1532 provided herein. No procedures or proceedings, publications,
 1533 notices, consents, approvals, orders, acts, or things by the
 1534 board, or any board, officer, commission, department, agency, or
 1535 instrumentality of the district, other than those required by
 1536 this act, shall be required to perform anything under this act,
 1537 except that the issuance or sale of bonds pursuant to the
 1538 provisions of this act shall comply with the general law
 1539 requirements applicable to the issuance or sale of bonds by the
 1540 district. Nothing in this act shall be construed to authorize
 1541 the district to utilize bond proceeds to fund the ongoing
 1542 operations of the district.

1543 (p) Pledge by the state to the bondholders of the
 1544 district.—The state pledges to the holders of any bonds issued
 1545 under this act that it will not limit or alter the rights of the
 1546 district to own, acquire, construct, reconstruct, improve,
 1547 maintain, operate, or furnish the projects or to levy and
 1548 collect the taxes, assessments, rentals, rates, fees, and other
 1549 charges provided for herein and to fulfill the terms of any
 1550 agreement made with the holders of such bonds or other
 1551 obligations and that it will not in any way impair the rights or
 1552 remedies of such holders.

1553 (q) Default.—A default on the bonds or obligations of the
 1554 district shall not constitute a debt or obligation of the state
 1555 or any general-purpose local government or the state. In the
 1556 event of a default or dissolution of the district, no local

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1557 general-purpose government shall be required to assume the
 1558 property of the district, the debts of the district, or the
 1559 district's obligations to complete any infrastructure
 1560 improvements or provide any services to the district. The
 1561 provisions of s. 189.076(2), Florida Statutes, shall not apply
 1562 to the district.

1563 (11) TRUST AGREEMENTS.—Any issue of bonds shall be secured
 1564 by a trust agreement or resolution by and between the district
 1565 and a corporate trustee or trustees, which may be any trust
 1566 company or bank having the powers of a trust company within or
 1567 without the state. The resolution authorizing the issuance of
 1568 the bonds or such trust agreement may pledge the revenues to be
 1569 received from any projects of the district and may contain such
 1570 provisions for protecting and enforcing the rights and remedies
 1571 of the bondholders as the board may approve, including, without
 1572 limitation, covenants setting forth the duties of the district
 1573 in relation to the acquisition, construction, reconstruction,
 1574 improvement, maintenance, repair, operation, and insurance of
 1575 any projects; the fixing and revising of the rates, fees, and
 1576 charges; and the custody, safeguarding, and application of all
 1577 moneys and for the employment of consulting engineers in
 1578 connection with such acquisition, construction, reconstruction,
 1579 improvement, maintenance, repair, operation, or insurance. It
 1580 shall be lawful for any bank or trust company within or without
 1581 the state which may act as a depository of the proceeds of bonds

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1582 or of revenues to furnish such indemnifying bonds or to pledge
 1583 such securities as may be required by the district. Such
 1584 resolution or trust agreement may set forth the rights and
 1585 remedies of the bondholders and of the trustee, if any, and may
 1586 restrict the individual right of action by bondholders. The
 1587 board may provide for the payment of proceeds of the sale of the
 1588 bonds and the revenues of any project to such officer, board, or
 1589 depository as it may designate for the custody thereof and may
 1590 provide for the method of disbursement thereof with such
 1591 safeguards and restrictions as it may determine. All expenses
 1592 incurred in carrying out the provisions of such resolution or
 1593 trust agreement may be treated as part of the cost of operation
 1594 of the project to which such trust agreement pertains.

1595 (12) AD VALOREM TAXES; ASSESSMENTS, BENEFIT SPECIAL
 1596 ASSESSMENTS, MAINTENANCE SPECIAL ASSESSMENTS, AND SPECIAL
 1597 ASSESSMENTS; MAINTENANCE TAXES.—

1598 (a) Ad valorem taxes.—The board shall have the power to
 1599 levy and assess an ad valorem tax on all the taxable property in
 1600 the district to construct, operate, and maintain assessable
 1601 improvements; to pay the principal of, and interest on, any
 1602 general obligation bonds of the district; and to provide for any
 1603 sinking or other funds established in connection with any such
 1604 bonds. An ad valorem tax levied by the board for operating
 1605 purposes, exclusive of debt service on bonds, shall not exceed 3
 1606 mills. The ad valorem tax provided for herein shall be in

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1607 addition to county and all other ad valorem taxes provided for
 1608 by law. Such tax shall be assessed, levied, and collected in the
 1609 same manner and at the same time as county taxes. The levy of ad
 1610 valorem taxes must be approved by referendum as required by
 1611 Section 9 of Article VII of the State Constitution.

1612 (b) Benefit special assessments.—The board annually shall
 1613 determine, order, and levy the annual installment of the total
 1614 benefit special assessments for bonds issued and related
 1615 expenses to finance assessable improvements. These assessments
 1616 may be due and collected during each year county taxes are due
 1617 and collected, in which case such annual installment and levy
 1618 shall be evidenced to and certified to the property appraiser by
 1619 the board not later than August 31 of each year. Such assessment
 1620 shall be entered by the property appraiser on the county tax
 1621 rolls and shall be collected and enforced by the tax collector
 1622 in the same manner and at the same time as county taxes, and the
 1623 proceeds thereof shall be paid to the district. However, this
 1624 subsection shall not prohibit the district in its discretion
 1625 from using the method prescribed in s. 197.3632, Florida
 1626 Statutes, or chapter 173, Florida Statutes, for collecting and
 1627 enforcing these assessments. Each annual installment of benefit
 1628 special assessments shall be a lien on the property against
 1629 which assessed until paid and shall be enforceable in like
 1630 manner as county taxes. The amount of the assessment for the
 1631 exercise of the district's powers under subsections (6) and (7)

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1632 shall be determined by the board based upon a report of the
 1633 district's engineer and assessed by the board upon such lands,
 1634 which may be part or all of the lands within the district
 1635 benefited by the improvement, apportioned between benefited
 1636 lands in proportion to the benefits received by each tract of
 1637 land. The board may, if it determines it is in the best
 1638 interests of the district, set forth in the proceedings
 1639 initially levying such benefit special assessments or in
 1640 subsequent proceedings a formula for the determination of an
 1641 amount, which when paid by a taxpayer with respect to any tax
 1642 parcel, shall constitute a prepayment of all future annual
 1643 installments of such benefit special assessments and that the
 1644 payment of which amount with respect to such tax parcel shall
 1645 relieve and discharge such tax parcel of the lien of such
 1646 benefit special assessments and any subsequent annual
 1647 installment thereof. The board may provide further that upon
 1648 delinquency in the payment of any annual installment of benefit
 1649 special assessments, the prepayment amount of all future annual
 1650 installments of benefit special assessments as determined in the
 1651 preceding sentence shall be and become immediately due and
 1652 payable together with such delinquent annual installment.

1653 (c) Non-ad valorem maintenance taxes.—If and when
 1654 authorized by general law, to maintain and to preserve the
 1655 physical facilities and services constituting the works,
 1656 improvements, or infrastructure owned by the district pursuant

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1657 to this act, to repair and restore any one or more of them, when
 1658 needed, and to defray the current expenses of the district,
 1659 including any sum which may be required to pay state and county
 1660 ad valorem taxes on any lands which may have been purchased and
 1661 which are held by the district under the provisions of this act,
 1662 the board of supervisors may, upon the completion of said
 1663 systems, facilities, services, works, improvements, or
 1664 infrastructure, in whole or in part, as may be certified to the
 1665 board by the engineer of the board, levy annually a non-ad
 1666 valorem and nonmillage tax upon each tract or parcel of land
 1667 within the district, to be known as a "maintenance tax." This
 1668 non-ad valorem maintenance tax shall be apportioned upon the
 1669 basis of the net assessments of benefits assessed as accruing
 1670 from the original construction and shall be evidenced to and
 1671 certified by the board of supervisors of the district by June 1
 1672 of each year to the Hillsborough County tax collector and shall
 1673 be extended on the tax rolls and collected by the tax collector
 1674 on the merged collection roll of the tax collector in the same
 1675 manner and at the same time as county ad valorem taxes, and the
 1676 proceeds therefrom shall be paid to the district. This non-ad
 1677 valorem maintenance tax shall be a lien until paid on the
 1678 property against which assessed and enforceable in like manner
 1679 and of the same dignity as county ad valorem taxes.

1680 (d) Maintenance special assessments.—To maintain and
 1681 preserve the facilities and projects of the district, the board

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1682 may levy a maintenance special assessment. This assessment may
 1683 be evidenced to and certified to the tax collector by the board
 1684 of supervisors by August 31 of each year and shall be entered by
 1685 the property appraiser on the county tax rolls and shall be
 1686 collected and enforced by the tax collector in the same manner
 1687 and at the same time as county taxes, and the proceeds therefrom
 1688 shall be paid to the district. However, this subsection shall
 1689 not prohibit the district in its discretion from using the
 1690 method prescribed in s. 197.363, s. 197.3631, or s. 197.3632,
 1691 Florida Statutes, for collecting and enforcing these
 1692 assessments. These maintenance special assessments shall be a
 1693 lien on the property against which assessed until paid and shall
 1694 be enforceable in like manner as county taxes. The amount of the
 1695 maintenance special assessment for the exercise of the
 1696 district's powers under this section shall be determined by the
 1697 board based upon a report of the district's engineer and
 1698 assessed by the board upon such lands, which may be all of the
 1699 lands within the district benefited by the maintenance thereof,
 1700 apportioned between the benefited lands in proportion to the
 1701 benefits received by each tract of land.

1702 (e) Special assessments.—The board may levy and impose any
 1703 special assessments pursuant to this subsection.

1704 (f) Enforcement of taxes.—The collection and enforcement
 1705 of all taxes levied by the district shall be at the same time
 1706 and in like manner as county taxes, and the provisions of

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1707 general law relating to the sale of lands for unpaid and
 1708 delinquent county taxes; the issuance, sale, and delivery of tax
 1709 certificates for such unpaid and delinquent county taxes; the
 1710 redemption thereof; the issuance to individuals of tax deeds
 1711 based thereon; and all other procedures in connection therewith
 1712 shall be applicable to the district to the same extent as if
 1713 such statutory provisions were expressly set forth herein. All
 1714 taxes shall be subject to the same discounts as county taxes.

1715 (g) When unpaid tax is delinquent; penalty.—All taxes
 1716 provided for in this act shall become delinquent and bear
 1717 penalties on the amount of such taxes in the same manner as
 1718 county taxes.

1719 (h) Status of assessments.—Benefit special assessments,
 1720 maintenance special assessments, and special assessments are
 1721 hereby found and determined to be non-ad valorem assessments as
 1722 defined in s. 197.3632, Florida Statutes. Maintenance taxes are
 1723 non-ad valorem taxes and are not special assessments.

1724 (i) Assessments constitute liens; collection.—Any and all
 1725 assessments, including special assessments, benefit special
 1726 assessments, and maintenance special assessments authorized by
 1727 this section, and including special assessments as defined in
 1728 section 2(2) and granted and authorized by this subsection, and
 1729 including maintenance taxes if authorized by general law, shall
 1730 constitute a lien on the property against which assessed from
 1731 the date of levy and imposition thereof until paid, coequal with

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1732 the lien of state, county, municipal, and school board taxes.
 1733 These assessments may be collected, at the district's
 1734 discretion, under authority of s. 197.3631, Florida Statutes, by
 1735 the tax collector pursuant to the provisions of ss. 197.3632 and
 1736 197.3635, Florida Statutes, or in accordance with other
 1737 collection measures provided by law. In addition to, and not in
 1738 limitation of, any powers otherwise set forth herein or in
 1739 general law, these assessments may also be enforced pursuant to
 1740 the provisions of chapter 173, Florida Statutes.

1741 (j) Land owned by governmental entity.—Except as otherwise
 1742 provided by law, no levy of ad valorem taxes or non-ad valorem
 1743 assessments under this act, chapter 170 or chapter 197, Florida
 1744 Statutes, or otherwise by a board of the district, on property
 1745 of a governmental entity that is subject to a ground lease as
 1746 described in s. 190.003(14), Florida Statutes, shall constitute
 1747 a lien or encumbrance on the underlying fee interest of such
 1748 governmental entity.

1749 (13) SPECIAL ASSESSMENTS.—

1750 (a) As an alternative method to the levy and imposition of
 1751 special assessments pursuant to chapter 170, Florida Statutes,
 1752 pursuant to the authority of s. 197.3631, Florida Statutes, or
 1753 pursuant to other provisions of general law, now or hereafter
 1754 enacted, which provide a supplemental means or authority to
 1755 impose, levy, and collect special assessments as otherwise
 1756 authorized under this act, the board may levy and impose special

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1757 assessments to finance the exercise of any of its powers
 1758 permitted under this act using the following uniform procedures:
 1759 1. At a noticed meeting, the board of supervisors of the
 1760 district may consider and review an engineer's report on the
 1761 costs of the systems, facilities, and services to be provided; a
 1762 preliminary special assessment methodology; and a preliminary
 1763 roll based on acreage or platted lands, depending upon whether
 1764 platting has occurred.
 1765 a. The special assessment methodology shall address and
 1766 discuss and the board shall consider whether the systems,
 1767 facilities, and services being contemplated will result in
 1768 special benefits peculiar to the property, different in kind and
 1769 degree than general benefits, as a logical connection between
 1770 the systems, facilities, and services themselves and the
 1771 property, and whether the duty to pay the special assessments by
 1772 the property owners is apportioned in a manner that is fair and
 1773 equitable and not in excess of the special benefit received. It
 1774 shall be fair and equitable to designate a fixed proportion of
 1775 the annual debt service, together with interest thereon, on the
 1776 aggregate principal amount of bonds issued to finance such
 1777 systems, facilities, and services which give rise to unique,
 1778 special, and peculiar benefits to property of the same or
 1779 similar characteristics under the special assessment methodology
 1780 so long as such fixed proportion does not exceed the unique,

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1781 special, and peculiar benefits enjoyed by such property from
 1782 such systems, facilities, and services.

1783 b. The engineer's cost report shall identify the nature of
 1784 the proposed systems, facilities, and services, their location,
 1785 a cost breakdown plus a total estimated cost, including cost of
 1786 construction or reconstruction, labor, and materials, lands,
 1787 property, rights, easements, franchises, or systems, facilities,
 1788 and services to be acquired, cost of plans and specifications,
 1789 surveys of estimates of costs and revenues, costs of
 1790 engineering, legal, and other professional consultation
 1791 services, and other expenses or costs necessary or incident to
 1792 determining the feasibility or practicability of such
 1793 construction, reconstruction, or acquisition, administrative
 1794 expenses, relationship to the authority and power of the
 1795 district in its charter, and such other expenses or costs as may
 1796 be necessary or incident to the financing to be authorized by
 1797 the board of supervisors.

1798 c. The preliminary special assessment roll will be in
 1799 accordance with the assessment methodology as may be adopted by
 1800 the board of supervisors; the special assessment roll shall be
 1801 completed as promptly as possible and shall show the acreage,
 1802 lots, lands, or plats assessed and the amount of the fairly and
 1803 reasonably apportioned assessment based on special and peculiar
 1804 benefit to the property, lot, parcel, or acreage of land; and,
 1805 if the special assessment against such lot, parcel, acreage, or

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1806 portion of land is to be paid in installments, the number of
 1807 annual installments in which the special assessment is divided
 1808 shall be entered into and shown upon the special assessment
 1809 roll.

1810 2. The board of supervisors of the district may determine
 1811 and declare by an initial special assessment resolution to levy
 1812 and assess the special assessments with respect to assessable
 1813 improvements stating the nature of the systems, facilities, and
 1814 services, improvements, projects, or infrastructure constituting
 1815 such assessable improvements, the information in the engineer's
 1816 cost report, the information in the special assessment
 1817 methodology as determined by the board at the noticed meeting
 1818 and referencing and incorporating as part of the resolution the
 1819 engineer's cost report, the preliminary special assessment
 1820 methodology, and the preliminary special assessment roll as
 1821 referenced exhibits to the resolution by reference. If the board
 1822 determines to declare and levy the special assessments by the
 1823 initial special assessment resolution, the board shall also
 1824 adopt and declare a notice resolution which shall provide and
 1825 cause the initial special assessment resolution to be published
 1826 once a week for a period of 2 weeks in newspapers of general
 1827 circulation published in Hillsborough County and said board
 1828 shall by the same resolution fix a time and place at which the
 1829 owner or owners of the property to be assessed or any other
 1830 persons interested therein may appear before said board and be

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1831 heard as to the propriety and advisability of making such
 1832 improvements, as to the costs thereof, as to the manner of
 1833 payment therefor, and as to the amount thereof to be assessed
 1834 against each property so improved. Thirty days' notice in
 1835 writing of such time and place shall be given to such property
 1836 owners. The notice shall include the amount of the special
 1837 assessment and shall be served by mailing a copy to each
 1838 assessed property owner at his or her last known address, the
 1839 names and addresses of such property owners to be obtained from
 1840 the record of the property appraiser of the county political
 1841 subdivision in which the land is located or from such other
 1842 sources as the district manager or engineer deems reliable, and
 1843 proof of such mailing shall be made by the affidavit of the
 1844 manager of the district or by the engineer, said proof to be
 1845 filed with the district manager, provided that failure to mail
 1846 said notice or notices shall not invalidate any of the
 1847 proceedings hereunder. It is provided further that the last
 1848 publication shall be at least 1 week prior to the date of the
 1849 hearing on the final special assessment resolution. Said notice
 1850 shall describe the general areas to be improved and advise all
 1851 persons interested that the description of each property to be
 1852 assessed and the amount to be assessed to each piece, parcel,
 1853 lot, or acre of property may be ascertained at the office of the
 1854 manager of the district. Such service by publication shall be
 1855 verified by the affidavit of the publisher and filed with the

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1856 manager of the district. Moreover, the initial special
 1857 assessment resolution with its attached, referenced, and
 1858 incorporated engineer's cost report, preliminary special
 1859 assessment methodology, and preliminary special assessment roll,
 1860 along with the notice resolution, shall be available for public
 1861 inspection at the office of the manager and the office of the
 1862 engineer or any other office designated by the board of
 1863 supervisors in the notice resolution. Notwithstanding the
 1864 foregoing, the landowners of all of the property which is
 1865 proposed to be assessed may give the district written notice of
 1866 waiver of any notice and publication provided for in this
 1867 subparagraph and such notice and publication shall not be
 1868 required, provided, however, that any meeting of the board of
 1869 supervisors to consider such resolution shall be a publicly
 1870 noticed meeting.

1871 3. At the time and place named in the noticed resolution
 1872 as provided for in subparagraph 2., the board of supervisors of
 1873 the district shall meet and hear testimony from affected
 1874 property owners as to the propriety and advisability of making
 1875 the systems, facilities, services, projects, works,
 1876 improvements, or infrastructure and funding them with
 1877 assessments referenced in the initial special assessment
 1878 resolution on the property. Following the testimony and
 1879 questions from the members of the board or any professional
 1880 advisors to the district of the preparers of the engineer's cost

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1881 report, the special assessment methodology, and the special
 1882 assessment roll, the board of supervisors shall make a final
 1883 decision on whether to levy and assess the particular special
 1884 assessments. Thereafter, the board of supervisors shall meet as
 1885 an equalizing board to hear and to consider any and all
 1886 complaints as to the particular special assessments and shall
 1887 adjust and equalize the special assessments to ensure proper
 1888 assessment based on the benefit conferred on the property.

1889 4. When so equalized and approved by resolution or
 1890 ordinance by the board of supervisors, to be called the final
 1891 special assessment resolution, a final special assessment roll
 1892 shall be filed with the clerk of the board and such special
 1893 assessment shall stand confirmed and remain legal, valid, and
 1894 binding first liens on the property against which such special
 1895 assessments are made until paid, equal in dignity to the first
 1896 liens of ad valorem taxation of county and municipal governments
 1897 and school boards. However, upon completion of the systems,
 1898 facilities, service, project, improvement, works, or
 1899 infrastructure, the district shall credit to each of the
 1900 assessments the difference in the special assessment as
 1901 originally made, approved, levied, assessed, and confirmed and
 1902 the proportionate part of the actual cost of the improvement to
 1903 be paid by the particular special assessments as finally
 1904 determined upon the completion of the improvement; but in no
 1905 event shall the final special assessment exceed the amount of

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1906 | the special and peculiar benefits as apportioned fairly and
 1907 | reasonably to the property from the system, facility, or service
 1908 | being provided as originally assessed. Promptly after such
 1909 | confirmation, the special assessment shall be recorded by the
 1910 | clerk of the district in the minutes of the proceedings of the
 1911 | district, and the record of the lien in this set of minutes
 1912 | shall constitute prima facie evidence of its validity. The board
 1913 | of supervisors, in its sole discretion, may by resolution grant
 1914 | a discount equal to all or a part of the payee's proportionate
 1915 | share of the cost of the project consisting of bond financing
 1916 | cost, such as capitalized interest, funded reserves, and bond
 1917 | discounts included in the estimated cost of the project, upon
 1918 | payment in full of any special assessments during such period
 1919 | prior to the time such financing costs are incurred as may be
 1920 | specified by the board of supervisors in such resolution.

1921 | 5. District special assessments may be made payable in
 1922 | installments over no more than 40 years from the date of the
 1923 | payment of the first installment thereof and may bear interest
 1924 | at fixed or variable rates.

1925 | (b) Notwithstanding any provision of this act or chapter
 1926 | 170, Florida Statutes, that portion of s. 170.09, Florida
 1927 | Statutes, that provides that special assessments may be paid
 1928 | without interest at any time within 30 days after the
 1929 | improvement is completed and a resolution accepting the same has
 1930 | been adopted by the governing authority shall not be applicable

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1931 to any district special assessments, whether imposed, levied,
 1932 and collected pursuant to the provisions of this act or other
 1933 provisions of general law, including, but not limited to,
 1934 chapter 170, Florida Statutes.

1935 (c) In addition, the district is authorized expressly in
 1936 the exercise of its rulemaking power to adopt a rule or rules
 1937 which provides or provide for notice, levy, imposition,
 1938 equalization, and collection of assessments.

1939 (14) ISSUANCE OF CERTIFICATES OF INDEBTEDNESS BASED ON
 1940 ASSESSMENTS FOR ASSESSABLE IMPROVEMENTS; ASSESSMENT BONDS.—

1941 (a) The board may, after any special assessments or
 1942 benefit special assessments for assessable improvements are
 1943 made, determined, and confirmed as provided in this act, issue
 1944 certificates of indebtedness for the amount so assessed against
 1945 the abutting property or property otherwise benefited, as the
 1946 case may be, and separate certificates shall be issued against
 1947 each part or parcel of land or property assessed, which
 1948 certificates shall state the general nature of the improvement
 1949 for which the assessment is made. The certificates shall be
 1950 payable in annual installments in accordance with the
 1951 installments of the special assessment for which they are
 1952 issued. The board may determine the interest to be borne by such
 1953 certificates, not to exceed the maximum rate allowed by general
 1954 law, and may sell such certificates at either private or public
 1955 sale and determine the form, manner of execution, and other

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1956 | details of such certificates. The certificates shall recite that
 1957 | they are payable only from the special assessments levied and
 1958 | collected from the part or parcel of land or property against
 1959 | which they are issued. The proceeds of such certificates may be
 1960 | pledged for the payment of principal of and interest on any
 1961 | revenue bonds or general obligation bonds issued to finance in
 1962 | whole or in part such assessable improvement, or, if not so
 1963 | pledged, may be used to pay the cost or part of the cost of such
 1964 | assessable improvements.

1965 | (b) The district may also issue assessment bonds, revenue
 1966 | bonds, or other obligations payable from a special fund into
 1967 | which such certificates of indebtedness referred to in paragraph
 1968 | (a) may be deposited or, if such certificates of indebtedness
 1969 | have not been issued, the district may assign to such special
 1970 | fund for the benefit of the holders of such assessment bonds or
 1971 | other obligations, or to a trustee for such bondholders, the
 1972 | assessment liens provided for in this act unless such
 1973 | certificates of indebtedness or assessment liens have been
 1974 | theretofore pledged for any bonds or other obligations
 1975 | authorized hereunder. In the event of the creation of such
 1976 | special fund and the issuance of such assessment bonds or other
 1977 | obligations, the proceeds of such certificates of indebtedness
 1978 | or assessment liens deposited therein shall be used only for the
 1979 | payment of the assessment bonds or other obligations issued as
 1980 | provided in this section. The district is authorized to covenant

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1981 with the holders of such assessment bonds, revenue bonds, or
 1982 other obligations that it will diligently and faithfully enforce
 1983 and collect all the special assessments, and interest and
 1984 penalties thereon, for which such certificates of indebtedness
 1985 or assessment liens have been deposited in or assigned to such
 1986 fund; to foreclose such assessment liens so assigned to such
 1987 special fund or represented by the certificates of indebtedness
 1988 deposited in the special fund, after such assessment liens have
 1989 become delinquent, and deposit the proceeds derived from such
 1990 foreclosure, including interest and penalties, in such special
 1991 fund; and to make any other covenants deemed necessary or
 1992 advisable in order to properly secure the holders of such
 1993 assessment bonds or other obligations.

1994 (c) The assessment bonds, revenue bonds, or other
 1995 obligations issued pursuant to this section shall have such
 1996 dates of issue and maturity as shall be deemed advisable by the
 1997 board; however, the maturities of such assessment bonds or other
 1998 obligations shall not be more than 2 years after the due date of
 1999 the last installment which will be payable on any of the special
 2000 assessments for which such assessment liens, or the certificates
 2001 of indebtedness representing such assessment liens, are assigned
 2002 to or deposited in such special fund.

2003 (d) Such assessment bonds, revenue bonds, or other
 2004 obligations issued under this section shall bear such interest
 2005 as the board may determine, not to exceed the maximum rate

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2006 allowed by general law, and shall be executed, shall have such
 2007 provisions for redemption prior to maturity, shall be sold in
 2008 the manner, and shall be subject to all of the applicable
 2009 provisions contained in this act for revenue bonds, except as
 2010 the same may be inconsistent with the provisions of this
 2011 section.

2012 (e) All assessment bonds, revenue bonds, or other
 2013 obligations issued under the provisions of this section shall
 2014 be, shall constitute, and shall have all the qualities and
 2015 incidents of negotiable instruments under the law merchant and
 2016 the laws of the state.

2017 (15) TAX LIENS.—All taxes of the district provided for in
 2018 this act, together with all penalties for default in the payment
 2019 of the same and all costs in collecting the same, including a
 2020 reasonable attorney fee fixed by the court and taxed as a cost
 2021 in the action brought to enforce payment, shall, from January 1
 2022 for each year the property is liable to assessment and until
 2023 paid, constitute a lien of equal dignity with the liens for
 2024 state and county taxes and other taxes of equal dignity with
 2025 state and county taxes upon all the lands against which such
 2026 taxes shall be levied. A sale of any of the real property within
 2027 the district for state and county or other taxes shall not
 2028 operate to relieve or release the property so sold from the lien
 2029 for subsequent district taxes or installments of district taxes,
 2030 which lien may be enforced against such property as though no

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2031 such sale thereof had been made. In addition to, and not in
 2032 limitation of, the preceding sentence, for purposes of s.
 2033 197.552, Florida Statutes, the lien of all special assessments
 2034 levied by the district shall constitute a lien of record held by
 2035 a municipal or county governmental unit. The provisions of ss.
 2036 194.171, 197.122, 197.333, and 197.432, Florida Statutes, shall
 2037 be applicable to district taxes with the same force and effect
 2038 as if such provisions were expressly set forth in this act.

2039 (16) PAYMENT OF TAXES AND REDEMPTION OF TAX LIENS BY THE
 2040 DISTRICT; SHARING IN PROCEEDS OF TAX SALE.-

2041 (a) The district shall have the power and right to:

2042 1. Pay any delinquent state, county, district, municipal,
 2043 or other tax or assessment upon lands located wholly or
 2044 partially within the boundaries of the district.

2045 2. Redeem or purchase any tax sales certificates issued or
 2046 sold on account of any state, county, district, municipal, or
 2047 other taxes or assessments upon lands located wholly or
 2048 partially within the boundaries of the district.

2049 (b) Delinquent taxes paid, or tax sales certificates
 2050 redeemed or purchased, by the district, together with all
 2051 penalties for the default in payment of the same and all costs
 2052 in collecting the same and a reasonable attorney fee, shall
 2053 constitute a lien in favor of the district of equal dignity with
 2054 the liens of state and county taxes and other taxes of equal
 2055 dignity with state and county taxes upon all the real property

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2056 against which the taxes were levied. The lien of the district
 2057 may be foreclosed in the manner provided in this act.

2058 (c) In any sale of land pursuant to s. 197.542, Florida
 2059 Statutes, the district may certify to the clerk of the circuit
 2060 court of the county holding such sale the amount of taxes due to
 2061 the district upon the lands sought to be sold, and the district
 2062 shall share in the disbursement of the sales proceeds in
 2063 accordance with the provisions of this act and under the laws of
 2064 the state.

2065 (17) FORECLOSURE OF LIENS.—Any lien in favor of the
 2066 district arising under this act may be foreclosed by the
 2067 district by foreclosure proceedings in the name of the district
 2068 in a court of competent jurisdiction as provided by general law
 2069 in like manner as is provided in chapter 170 or chapter 173,
 2070 Florida Statutes, and amendments thereto, and the provisions of
 2071 those chapters shall be applicable to such proceedings with the
 2072 same force and effect as if those provisions were expressly set
 2073 forth in this act. Any act required or authorized to be done by
 2074 or on behalf of a municipality in foreclosure proceedings under
 2075 chapter 170 or chapter 173, Florida Statutes, may be performed
 2076 by such officer or agent of the district as the board of
 2077 supervisors may designate. Such foreclosure proceedings may be
 2078 brought at any time after the expiration of 1 year from the date
 2079 any tax, or installment thereof, becomes delinquent; however, no
 2080 lien shall be foreclosed against any political subdivision or

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2081 agency of the state. Other legal remedies shall remain
 2082 available.

2083 (18) MANDATORY USE OF CERTAIN DISTRICT SYSTEMS,
 2084 FACILITIES, AND SERVICES.—To the full extent permitted by law,
 2085 the district shall require all lands, buildings, premises,
 2086 persons, firms, and corporations within the district to use the
 2087 facilities of the district.

2088 (19) COMPETITIVE PROCUREMENT; BIDS; NEGOTIATIONS; RELATED
 2089 PROVISIONS REQUIRED.—

2090 (a) No contract shall be let by the board for any goods,
 2091 supplies, or materials to be purchased when the amount thereof
 2092 to be paid by the district shall exceed the amount provided in
 2093 s. 287.017, Florida Statutes, for category four, unless notice
 2094 of bids shall be advertised once in a newspaper in general
 2095 circulation in Hillsborough County. Any board seeking to
 2096 construct or improve a public building, structure, or other
 2097 public works shall comply with the bidding procedures of s.
 2098 255.20, Florida Statutes, and other applicable general law. In
 2099 each case, the bid of the lowest responsive and responsible
 2100 bidder shall be accepted unless all bids are rejected because
 2101 the bids are too high or the board determines it is in the best
 2102 interests of the district to reject all bids. The board may
 2103 require the bidders to furnish bond with a responsible surety to
 2104 be approved by the board. Nothing in this subsection shall
 2105 prevent the board from undertaking and performing the

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2106 construction, operation, and maintenance of any project or
 2107 facility authorized by this act by the employment of labor,
 2108 material, and machinery.

2109 (b) The provisions of the Consultants' Competitive
 2110 Negotiation Act, s. 287.055, Florida Statutes, apply to
 2111 contracts for engineering, architecture, landscape architecture,
 2112 or registered surveying and mapping services let by the board.

2113 (c) Contracts for maintenance services for any district
 2114 facility or project shall be subject to competitive bidding
 2115 requirements when the amount thereof to be paid by the district
 2116 exceeds the amount provided in s. 287.017, Florida Statutes, for
 2117 category four. The district shall adopt rules, policies, or
 2118 procedures establishing competitive bidding procedures for
 2119 maintenance services. Contracts for other services shall not be
 2120 subject to competitive bidding unless the district adopts a
 2121 rule, policy, or procedure applying competitive bidding
 2122 procedures to said contracts. Nothing herein shall preclude the
 2123 use of requests for proposal instead of invitations to bid as
 2124 determined by the district to be in its best interest.

2125 (20) FEES, RENTALS, AND CHARGES; PROCEDURE FOR ADOPTION
 2126 AND MODIFICATIONS; MINIMUM REVENUE REQUIREMENTS.—

2127 (a) The district is authorized to prescribe, fix,
 2128 establish, and collect rates, fees, rentals, or other charges,
 2129 hereinafter sometimes referred to as "revenues," and to revise
 2130 the same from time to time, for the systems, facilities, and

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2131 services furnished by the district, within the limits of the
 2132 district, including, but not limited to, recreational
 2133 facilities, water management and control facilities, and water
 2134 and sewer systems; to recover the costs of making connection
 2135 with any district service, facility, or system; and to provide
 2136 for reasonable penalties against any user or property for any
 2137 such rates, fees, rentals, or other charges that are delinquent.
 2138 (b) No such rates, fees, rentals, or other charges for any
 2139 of the facilities or services of the district shall be fixed
 2140 until after a public hearing at which all the users of the
 2141 proposed facility or services or owners, tenants, or occupants
 2142 served or to be served thereby and all other interested persons
 2143 shall have an opportunity to be heard concerning the proposed
 2144 rates, fees, rentals, or other charges. Rates, fees, rentals,
 2145 and other charges shall be adopted under the administrative
 2146 rulemaking authority of the district, but shall not apply to
 2147 district leases. Notice of such public hearing setting forth the
 2148 proposed schedule or schedules of rates, fees, rentals, and
 2149 other charges shall have been published in a newspaper of
 2150 general circulation in Hillsborough County at least once and at
 2151 least 10 days prior to such public hearing. The rulemaking
 2152 hearing may be adjourned from time to time. After such hearing,
 2153 such schedule or schedules, either as initially proposed or as
 2154 modified or amended, may be finally adopted. A copy of the
 2155 schedule or schedules of such rates, fees, rentals, or charges

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2156 as finally adopted shall be kept on file in an office designated
 2157 by the board and shall be open at all reasonable times to public
 2158 inspection. The rates, fees, rentals, or charges so fixed for
 2159 any class of users or property served shall be extended to cover
 2160 any additional users or properties thereafter served which shall
 2161 fall in the same class, without the necessity of any notice or
 2162 hearing.

2163 (c) Such rates, fees, rentals, and charges shall be just
 2164 and equitable and uniform for users of the same class, and when
 2165 appropriate may be based or computed either upon the amount of
 2166 service furnished, upon the average number of persons residing
 2167 or working in or otherwise occupying the premises served, or
 2168 upon any other factor affecting the use of the facilities
 2169 furnished, or upon any combination of the foregoing factors, as
 2170 may be determined by the board on an equitable basis.

2171 (d) The rates, fees, rentals, or other charges prescribed
 2172 shall be such as will produce revenues, together with any other
 2173 assessments, taxes, revenues, or funds available or pledged for
 2174 such purpose, at least sufficient to provide for the items
 2175 hereinafter listed, but not necessarily in the order stated:

2176 1. To provide for all expenses of operation and
 2177 maintenance of such facility or service.

2178 2. To pay when due all bonds and interest thereon for the
 2179 payment of which such revenues are, or shall have been, pledged
 2180 or encumbered, including reserves for such purpose.

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2181 3 . To provide for any other funds which may be required
 2182 under the resolution or resolutions authorizing the issuance of
 2183 bonds pursuant to this act.

2184 (e) The board shall have the power to enter into contracts
 2185 for the use of the projects of the district and with respect to
 2186 the services, systems, and facilities furnished or to be
 2187 furnished by the district.

2188 (21) RECOVERY OF DELINQUENT CHARGES.-In the event that any
 2189 rates, fees, rentals, charges, or delinquent penalties shall not
 2190 be paid as and when due and shall be in default for 60 days or
 2191 more, the unpaid balance thereof and all interest accrued
 2192 thereon, together with reasonable attorney fees and costs, may
 2193 be recovered by the district in a civil action.

2194 (22) DISCONTINUANCE OF SERVICE.-In the event the fees,
 2195 rentals, or other charges for district services or facilities
 2196 are not paid when due, the board shall have the power, under
 2197 such reasonable rules and regulations as the board may adopt, to
 2198 discontinue and shut off such services until such fees, rentals,
 2199 or other charges, including interest, penalties, and charges for
 2200 the shutting off and discontinuance and the restoration of such
 2201 services, are fully paid; and, for such purposes, the board may
 2202 enter on any lands, waters, or premises of any person, firm,
 2203 corporation, or body, public or private, within the district
 2204 limits. Such delinquent fees, rentals, or other charges,
 2205 together with interest, penalties, and charges for the shutting

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2206 off and discontinuance and the restoration of such services and
 2207 facilities and reasonable attorney fees and other expenses, may
 2208 be recovered by the district, which may also enforce payment of
 2209 such delinquent fees, rentals, or other charges by any other
 2210 lawful method of enforcement.

2211 (23) ENFORCEMENT AND PENALTIES.—The board or any aggrieved
 2212 person may have recourse to such remedies in law and at equity
 2213 as may be necessary to ensure compliance with the provisions of
 2214 this act, including injunctive relief to enjoin or restrain any
 2215 person violating the provisions of this act or any bylaws,
 2216 resolutions, regulations, rules, codes, or orders adopted under
 2217 this act. In case any building or structure is erected,
 2218 constructed, reconstructed, altered, repaired, converted, or
 2219 maintained, or any building, structure, land, or water is used,
 2220 in violation of this act or of any code, order, resolution, or
 2221 other regulation made under authority conferred by this act or
 2222 under law, the board or any citizen residing in the district may
 2223 institute any appropriate action or proceeding to prevent such
 2224 unlawful erection, construction, reconstruction, alteration,
 2225 repair, conversion, maintenance, or use; to restrain, correct,
 2226 or avoid such violation; to prevent the occupancy of such
 2227 building, structure, land, or water; and to prevent any illegal
 2228 act, conduct, business, or use in or about such premises, land,
 2229 or water.

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2230 (24) SUITS AGAINST THE DISTRICT.—Any suit or action
 2231 brought or maintained against the district for damages arising
 2232 out of tort, including, without limitation, any claim arising
 2233 upon account of an act causing an injury or loss of property,
 2234 personal injury, or death, shall be subject to the limitations
 2235 provided in s. 768.28, Florida Statutes.

2236 (25) EXEMPTION OF DISTRICT PROPERTY FROM EXECUTION.—All
 2237 district property shall be exempt from levy and sale by virtue
 2238 of an execution, and no execution or other judicial process
 2239 shall issue against such property, nor shall any judgment
 2240 against the district be a charge or lien on its property or
 2241 revenues; however, nothing contained herein shall apply to or
 2242 limit the rights of bondholders to pursue any remedy for the
 2243 enforcement of any lien or pledge given by the district in
 2244 connection with any of the bonds or obligations of the district.

2245 (26) TERMINATION OF DISTRICT.—The district shall remain in
 2246 existence until:

2247 (a) The district is terminated and dissolved pursuant to
 2248 amendment to this act by the Legislature.

2249 (b) The district has become inactive pursuant to s.
 2250 189.062, Florida Statutes.

2251 (27) INCLUSION OF TERRITORY.—The inclusion of any or all
 2252 territory of the district within a municipality does not change,
 2253 alter, or affect the boundary, territory, existence, or
 2254 jurisdiction of the district.

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2255 (28) SALE OF REAL ESTATE WITHIN THE DISTRICT; REQUIRED
 2256 DISCLOSURE TO PURCHASER.—Subsequent to the creation of this
 2257 district under this act, each contract for the initial sale of a
 2258 parcel of real property and each contract for the initial sale
 2259 of a unit within the district shall include, immediately prior
 2260 to the space reserved in the contract for the signature of the
 2261 purchaser, the following disclosure statement in boldfaced and
 2262 conspicuous type that is larger than the type in the remaining
 2263 text of the contract: "THE WATER STREET TAMPA IMPROVEMENT
 2264 DISTRICT MAY IMPOSE AND LEVY TAXES, USER FEES, AND/OR
 2265 ASSESSMENTS ON THIS PROPERTY. THESE TAXES AND ASSESSMENTS PAY
 2266 FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE COSTS OF
 2267 CERTAIN PUBLIC SYSTEMS, FACILITIES, AND SERVICES OF THE DISTRICT
 2268 AND ARE SET ANNUALLY AND/OR PERIODICALLY BY THE GOVERNING BOARD
 2269 OF THE DISTRICT. THESE TAXES, USER FEES, AND ASSESSMENTS ARE IN
 2270 ADDITION TO COUNTY AND OTHER LOCAL GOVERNMENTAL TAXES, USER
 2271 FEES, AND ASSESSMENTS AND ALL OTHER TAXES, USER FEES, AND
 2272 ASSESSMENTS PROVIDED FOR BY LAW."

2273 (29) NOTICE OF CREATION AND ESTABLISHMENT.—Within 30 days
 2274 after the election of the first board of supervisors creating
 2275 this district, the district shall cause to be recorded in the
 2276 grantor-grantee index of the property records in Hillsborough
 2277 County a "Notice of Creation and Establishment of the Water
 2278 Street Tampa Improvement District." The notice shall, at a

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2279 minimum, include the legal description of the property covered
 2280 by this act.

2281 (30) DISTRICT PROPERTY PUBLIC; FEES.-Any system, facility,
 2282 service, works, improvement, project, or other infrastructure
 2283 owned by the district, or funded by federal tax-exempt bonds
 2284 issued by the district, is public; and the district by rule may
 2285 regulate, and may impose reasonable charges or fees for, the use
 2286 thereof, but not to the extent that such regulation or
 2287 imposition of such charges or fees constitutes denial of
 2288 reasonable access.

2289 Section 7. If any provision of this act is determined
 2290 unconstitutional or otherwise determined invalid by a court of
 2291 law, all the rest and remainder of the act shall remain in full
 2292 force and effect as the law of this state.

2293 Section 8. This act shall take effect upon becoming a law,
 2294 except that the provisions of this act which authorize the levy
 2295 of ad valorem taxation shall take effect only upon express
 2296 approval by a majority vote of those owners of freeholds of the
 2297 Water Street Tampa Improvement District, as required by Section
 2298 9 of Article VII of the State Constitution, voting in a
 2299 referendum election.