

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

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

35 |

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

37 |

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

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

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

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

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

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

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

71 (d) There is a considerably long period of time during
72 which there is a significant burden to provide various systems,
73 facilities, and services on the initial landowners of the Water
74 Street Tampa Improvement District lands, such that there is a
75 need for flexible management, sequencing, timing, and financing

76 | of the various systems, facilities, and services to be provided
77 | to these lands, taking into consideration absorption rates,
78 | commercial viability, and related factors. Therefore, extended
79 | control by the initial landowner with regard to the provision of
80 | systems, facilities, and services for the Water Street Tampa
81 | Improvement District lands, coupled with the special and limited
82 | purpose of such district, is in the public interest.

83 | (e) The existence and use of an independent special
84 | district for the Water Street Tampa Improvement District lands,
85 | subject to the City of Tampa comprehensive plan, will provide
86 | for a comprehensive and complete community development approach
87 | to promote a sustainable and efficient land use pattern for the
88 | district lands with long-term planning to provide opportunities
89 | for the mitigation of impacts and development of infrastructure
90 | in an orderly and timely manner; prevent the overburdening of
91 | the general-purpose local government and the taxpayers therein;
92 | and provide an enhanced tax base and regional employment and
93 | economic development opportunities.

94 | (f) The creation and establishment of the special district
95 | will encourage local government financial self-sufficiency in
96 | providing public facilities and in identifying and implementing
97 | fiscally sound, innovative, and cost-effective techniques to
98 | provide and finance public facilities while encouraging
99 | coordinated development of capital improvement plans by all

100 levels of government, in accordance with the goals of chapter
101 187, Florida Statutes.

102 (g) The creation and establishment of the special district
103 will encourage and enhance cooperation among communities that
104 have unique assets, irrespective of political boundaries, to
105 bring the private and public sectors together for establishing
106 an orderly and economically sound plan for current and future
107 needs and growth.

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

113 (i) In order to be responsive to the critical timing
114 required through the exercise of its special management
115 functions, an independent special district requires the
116 authority to finance capital improvements payable from and
117 secured by lienable and nonlienable revenues, with full and
118 continuing public disclosure and accountability, payable by the
119 benefitted landowners, both present and future, and by users of
120 the systems, facilities, improvements, and services provided to
121 the land area by the special district, without unduly burdening
122 the taxpayers and citizens of the state, Hillsborough County, or
123 the City of Tampa.

124 (j) The special district created and established by this
 125 act shall not have or exercise any comprehensive planning,
 126 zoning, or development permitting power; the establishment of
 127 the special district shall not be considered a development order
 128 within the meaning of part I of chapter 380, Florida Statutes;
 129 and all applicable planning and permitting laws, rules,
 130 regulations, and policies of the City of Tampa and Hillsborough
 131 County control the development of the land to be serviced by the
 132 Water Street Tampa Improvement District.

133 (k) The creation by this act of the Water Street Tampa
 134 Improvement District is not inconsistent with the City of Tampa
 135 comprehensive plan.

136 (l) It is the legislative intent and purpose of this act
 137 that no debt or obligation of the special district constitute a
 138 burden on any general-purpose local government.

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

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

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

147 (c) "Assessment bonds" means special obligations of the
 148 district which are payable solely from proceeds of the special

149 assessments or benefit special assessments levied for assessable
 150 improvements, provided that, in lieu of issuing assessment bonds
 151 to fund the costs of assessable improvements, the district may
 152 issue revenue bonds for such purposes payable from assessments.
 153 Assessment bonds are considered to be revenue bonds for all
 154 purposes of this act.

155 (d) "Assessments" means special assessments, benefit
 156 special assessments, and maintenance special assessments if
 157 authorized by general law.

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

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

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

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

172 1. The expenses of determining the feasibility or
 173 practicability of acquisition, construction, or reconstruction.

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

198 15. Such other expenses as may be necessary or incidental
199 to the acquisition, construction, or reconstruction of any
200 project, or to the financing thereof, or to the development of
201 any lands within the district.

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

205 17. Any other expense or payment permitted by this act or
206 allowable by law.

207 (i) "District" means the Water Street Tampa Improvement
208 District.

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

210 (k) "District roads" means highways, streets, roads,
211 alleys, intersection improvements, sidewalks, bike or cart
212 paths, crossings, landscaping, irrigation, signage,
213 signalization, storm drains, bridges, multi-use trails,
214 lighting, and thoroughfares of all kinds.

215 (l) "General-purpose local government" means a county,
216 municipality, or consolidated city-county government.

217 (m) "Governing board member" means any member of the board
218 of supervisors.

219 (n) "Land development regulations" means those regulations
220 of general purpose local government, adopted under the Community
221 Planning Act, codified under part II of chapter 163, Florida
222 Statutes, to which the district is subject and as to which the

223 district may not do anything that is inconsistent therewith.
 224 Land development regulations shall not mean specific management,
 225 engineering, operations, or capital improvement planning needed
 226 in the daily management, implementation, and supplying by the
 227 district of systems, facilities, services, works, improvements,
 228 projects, or infrastructure, so long as they remain subject to
 229 and are not inconsistent with the applicable city codes.

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

239 (p) "Maintenance special assessments" are assessments
 240 imposed, levied, and collected pursuant to the provisions of
 241 section 6(12)(d).

242 (q) "Non-ad valorem assessment" means only those
 243 assessments that can become a lien against the benefitted lands
 244 within the district, including a homestead as permitted in s. 4,
 245 Art. X of the State Constitution.

246 (r) "Powers" means powers used and exercised by the board
247 of supervisors to accomplish the special and limited purpose of
248 the district, including:

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

253 2. "Special powers," which means those powers enumerated
254 by the district charter to implement its specialized systems,
255 facilities, services, projects, improvements, and infrastructure
256 and related functions in order to carry out its special and
257 limited purposes.

258 3. Any other powers, authority, or functions set forth in
259 this act.

260 (s) "Project" means any development, improvement,
261 property, power, utility, facility, enterprise, service, system,
262 works, or infrastructure now existing or hereafter undertaken or
263 established under the provisions of this act.

264 (t) "Reclaimed water" means water that has received at
265 least secondary treatment and basic disinfection and is reused
266 after flowing out of a domestic wastewater treatment facility.

267 (u) "Reclaimed water system" means any plant, system,
268 facility, or property, and any addition, extension, or
269 improvement thereto at any future time constructed or acquired
270 as part thereof, useful, necessary, or having the present

271 capacity for future use in connection with the development of
272 sources, treatment, purification, or distribution of reclaimed
273 water. The term includes franchises of any nature relating to
274 any such system and necessary or convenient for the operation
275 thereof.

276 (v) "Refunding bonds" means bonds issued to refinance
277 outstanding bonds of any type and the interest and redemption
278 premium thereon. Refunding bonds may be issuable and payable in
279 the same manner as refinanced bonds, except that no approval by
280 the electorate shall be required unless required by the State
281 Constitution.

282 (w) "Residential unit" means a room or group of rooms
283 forming a single independent habitable unit used for or intended
284 to be used for living, sleeping, sanitation, cooking, and eating
285 purposes that is 10,000 square feet or less in size.

286 (x) "Revenue bonds" means obligations of the district that
287 are payable from revenues, including, but not limited to,
288 special assessments and benefit special assessments, derived
289 from sources other than ad valorem taxes on real or tangible
290 personal property and that do not pledge the property, credit,
291 or general tax revenue of the district.

292 (y) "Sewer system" means any plant, system, facility, or
293 property, and additions, extensions, and improvements thereto at
294 any future time constructed or acquired as part thereof, useful
295 or necessary or having the present capacity for future use in

296 connection with the collection, treatment, purification, or
 297 disposal of sewage, including, but not limited to, industrial
 298 wastes resulting from any process of industry, manufacture,
 299 trade, or business or from the development of any natural
 300 resource. The term includes treatment plants, pumping stations,
 301 lift stations, valves, force mains, intercepting sewers,
 302 laterals, pressure lines, mains, and all necessary appurtenances
 303 and equipment; all sewer mains, laterals, and other devices for
 304 the reception and collection of sewage from premises connected
 305 therewith; and all real and personal property and any interest
 306 therein, and rights, easements, and franchises of any nature
 307 relating to any such system and necessary or convenient for the
 308 operation thereof.

309 (z) "Special assessments" means assessments as imposed,
 310 levied, and collected by the district for the costs of
 311 assessable improvements pursuant to the provisions of this act,
 312 chapter 170, Florida Statutes, and the additional authority
 313 under s. 197.3631, Florida Statutes, or other provisions of
 314 general law, now or hereinafter enacted, which provide or
 315 authorize a supplemental means to impose, levy, or collect
 316 special assessments.

317 (aa) "Taxes" or "tax" means those levies and impositions
 318 of the board of supervisors that support and pay for government
 319 and the administration of law and that may be ad valorem or

320 property taxes based upon both the appraised value of property
 321 and millage, at a rate uniform within the jurisdiction.

322 (bb) "Transferred unit" means any property within the
 323 boundaries of the district acquired by a landowner after the
 324 effective date of this act.

325 (cc) "Water Street Tampa Improvement District" means the
 326 special and limited purpose independent special district unit of
 327 local government created and chartered by this act, and limited
 328 to the performance of those general and special powers
 329 authorized by its charter under this act, the boundaries of
 330 which are set forth by the act, the governing board of which is
 331 created and authorized to operate with legal existence by this
 332 act, and the purpose of which is as set forth in this act.

333 (dd) "Water system" means any plant, system, facility, or
 334 property, and any addition, extension, or improvement thereto at
 335 any future time constructed or acquired as a part thereof,
 336 useful, necessary, or having the present capacity for future use
 337 in connection with the development of sources, treatment,
 338 purification, or distribution of water. The term includes dams,
 339 reservoirs, storage tanks, mains, lines, valves, hydrants,
 340 pumping stations, chilled water distribution systems, laterals,
 341 and pipes for the purpose of carrying water to the premises
 342 connected with such system, and all rights, easements, and
 343 franchises of any nature relating to any such system and
 344 necessary or convenient for the operation thereof.

345 (3) POLICY.—Based upon its findings, ascertainments,
346 determinations, intent, purpose, and definitions, the
347 Legislature states its policy expressly:

348 (a) The district and the district charter, with its
349 general and special powers, as created in this act, are
350 essential and the best alternative for the residential,
351 commercial, office, hotel, industrial, and other community uses,
352 projects, or functions in the included portion of the City of
353 Tampa and Hillsborough County consistent with the effective
354 comprehensive plan and designed to serve a lawful public
355 purpose.

356 (b) The district, which is a special purpose local
357 government and a political subdivision, is limited to its
358 special purpose as expressed in this act, with the power to
359 provide, plan, implement, construct, maintain, and finance as a
360 local government management entity systems, facilities,
361 services, improvements, infrastructure, and projects, and
362 possessing financing powers to fund its management power over
363 the long term and with sustained levels of high quality.

364 (c) The creation of the Water Street Tampa Improvement
365 District by and pursuant to this act, and its exercise of its
366 management and related financing powers to implement its
367 limited, single, and special purpose, is not a development order
368 and does not trigger or invoke any provision within the meaning
369 of chapter 380, Florida Statutes, and all applicable

370 governmental planning, environmental, and land development laws,
371 regulations, rules, policies, and ordinances apply to all
372 development of the land within the jurisdiction of the district
373 as created by this act.

374 (d) The district shall operate and function subject to,
375 and not inconsistent with, the applicable comprehensive plan of
376 the City of Tampa and any applicable development orders (e.g.
377 detailed specific area plan development orders), zoning
378 regulations, and other land development regulations.

379 (e) The special and limited purpose Water Street Tampa
380 Improvement District shall not have the power of a general-
381 purpose local government to adopt a comprehensive plan or
382 related land development regulation as those terms are defined
383 in the Community Planning Act pursuant to s. 163.3164, Florida
384 Statutes.

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

387 Section 3. Minimum charter requirements; creation and
388 establishment; jurisdiction; construction; charter.-

389 (1) Pursuant to s. 189.031(3), Florida Statutes, the
390 Legislature sets forth that the minimum requirements in
391 paragraphs (a) through (o) of that section have been met in the
392 identified provisions of this act as follows:

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

395 (b) The powers, functions, and duties of the district
396 regarding ad valorem taxation, bond issuance, other revenue-
397 raising capabilities, budget preparation and approval, liens and
398 foreclosure of liens, use of tax deeds and tax certificates as
399 appropriate for non-ad valorem assessments, and contractual
400 agreements are set forth in section 6.

401 (c) The provisions for methods for establishing the
402 district are in this section.

403 (d) The methods for amending the charter of the district
404 are set forth in this section and section 4.

405 (e) The provisions for the membership and organization of
406 the governing body and the establishment of a quorum are in
407 section 5.

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

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

412 (h) The provisions applicable to financial disclosure,
413 noticing, and reporting requirements generally are set forth in
414 sections 5 and 6.

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

417 (j) The provisions regarding elections or referenda and
418 the qualifications of an elector of the district are in sections
419 2 and 5.

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

422 (l) Other than taxes levied for the payment of bonds and
423 taxes levied for periods not longer than 2 years when authorized
424 by vote of the electors of the district, the provisions for the
425 authority to levy ad valorem tax and the authorized millage rate
426 are in section 6.

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

430 (n) The provisions for planning requirements are in this
431 section and section 6.

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

434 (2) The Water Street Tampa Improvement District is created
435 and incorporated as a public body corporate and politic, an
436 independent special and limited purpose local government, an
437 independent special district, under s. 189.031, Florida
438 Statutes, and as defined in this act and in s. 189.012, Florida
439 Statutes, in and for portions of Hillsborough County and the
440 City of Tampa. All notices for the enactment by the Legislature
441 of this special act have been provided pursuant to the State
442 Constitution, the Laws of Florida, and the rules of the House of
443 Representatives and the Senate. No referendum subsequent to the
444 effective date of this act is required as a condition of

445 establishing the district. Therefore, the district, as created
446 by this act, is established on the property described in this
447 act.

448 (3) The territorial boundary of the district shall embrace
449 and include all of that certain real property described in
450 section 4.

451 (4) The jurisdiction of the district, in the exercise of
452 its general and special powers, and in the carrying out of its
453 special and limited purposes, is both within the external
454 boundaries of the legal description of this district and
455 extraterritorial when limited to, and as authorized expressly
456 elsewhere in, the charter of the district as created in this act
457 or applicable general law. This special and limited purpose
458 district is created as a public body corporate and politic, and
459 local government authority and power is limited by its charter,
460 this act, and subject to the provisions of other general laws,
461 including chapter 189, Florida Statutes, except that an
462 inconsistent provision in this act shall control and the
463 district has jurisdiction to perform such acts and exercise such
464 authorities, functions, and powers as shall be necessary,
465 convenient, incidental, proper, or reasonable for the
466 implementation of its special and limited purpose regarding the
467 sound planning, provision, acquisition, development, operation,
468 maintenance, and related financing of those public systems,
469 facilities, services, improvements, projects, and infrastructure

470 works as authorized herein, including those necessary and
471 incidental thereto.

472 (5) The exclusive charter of the Water Street Tampa
473 Improvement District is this act and, except as otherwise
474 provided in subsection (2) and section 4, may be amended only by
475 special act of the Legislature.

476 Section 4. Legal description of the Water Street Tampa
477 Improvement District.—The metes and bounds legal description of
478 the district, within which there are no parcels of property
479 owned by those who do not wish their property to be included
480 within the district, is as follows:

481
482 That part of Section 24, Township 29 South, Range 18
483 East, and Section 19, Township 29 South, Range 19
484 East, all lying within the City of Tampa, Hillsborough
485 County, Florida, lying within the following described
486 boundaries to wit:

487
488 Begin at the intersection of the Centerline of Morgan
489 Street and the Centerline of Garrison Avenue as shown
490 on HENDRY & KNIGHT'S MAP OF THE GARRISON, per map or
491 plat thereof as recorded in Plat Book 2, page 73, of
492 the Public Records of Hillsborough County, Florida;
493 run thence Easterly, along the centerline of said
494 Garrison Avenue, (the same being an un-named street

495 shown on REVISED MAP OF BELL'S ADDITION TO TAMPA per
 496 map or plat thereof as recorded in Plat Book 1, page
 497 96 of the Public Records of Hillsborough County,
 498 Florida), to the Southerly projection of the Easterly
 499 boundary of the Tampa South Crosstown Expressway; run
 500 thence Northerly and Northeasterly, along said
 501 Easterly boundary as established by Official Record
 502 Book 3530, page 157, City of Tampa Ordinance 97-240,
 503 Official Record Book 3510, page 1148, Official Record
 504 Book 3509, page 108, City of Tampa Ordinance 2001-128,
 505 and Official Record Book 3826, page 184, of the Public
 506 Records of Hillsborough County, Florida, to the
 507 Northern-most corner of said Official Record Book
 508 3826, page 184, said point lying on the West boundary
 509 of Nebraska Avenue as shown on aforementioned REVISED
 510 MAP OF BELL'S ADDITION TO TAMPA; run thence East to
 511 the Centerline of said Nebraska avenue, the same being
 512 shown as Governor Avenue on MAP OF FINLEY AND CAESAR
 513 SUBDIVISION per map or plat thereof as recorded in
 514 Plat Book 1, page 84, of the Public Records of
 515 Hillsborough County, Florida; run thence North to the
 516 Centerline of Finley Street as shown on said MAP OF
 517 FINLEY AND CAESAR SUBDIVISION; run thence East to the
 518 West boundary of Tangent Avenue (being shown as on un-
 519 named Avenue on said MAP OF FINLEY AND CAESAR

520 SUBDIVISION; run thence Southerly, along said West
521 boundary, to the Southeast corner of Lot 13, Block 15
522 of said Subdivision; run thence Southerly to the
523 Northeast corner of Lot 6, Block 1 of A.W. GILCHRIST'S
524 OAK GROVE ADDITION TO TAMPA per map or plat thereof as
525 recorded in Plat Book 2, page 31, of the Public
526 Records of Hillsborough County, Florida); run thence
527 South, along the East boundary of Lots 6 and 16, Block
528 1, Lots 6 and 16, Block 4, and Lot 6, Block 5, and the
529 projections thereof to the Easterly projection of the
530 Centerline of Carew Avenue (also formerly known as
531 Platt Street), as shown on CHAMBERLINS SUBDIVISION per
532 map or plat thereof as recorded in Plat Book 1, page
533 104, of the Public Records of Hillsborough County,
534 Florida; (the same being shown on HENDRY & KNIGHT'S
535 MAP OF CHAMBERLAINS per map or plat thereof as
536 recorded in Plat Book 5, page 10, of the Public
537 Records of Hillsborough County, Florida); thence
538 Easterly along said Centerline projection, to the
539 Northeasterly projection of the Easterly boundary of
540 Water Lot 70 of aforementioned HENDRY & KNIGHT'S MAP
541 OF CHAMBERLAINS; run thence Southwesterly along said
542 projection, Easterly boundary, and its Southwesterly
543 projection, to the Centerline of Garrison Channel per
544 the Tampa Port Authority Bulkhead Lines as established

545 by Hillsborough County Port Authority on September 15,
546 1960, December 5, 1961 and April 5, 1963, and filed
547 for record in Plat Book 42, page 37, of the Public
548 Records of Hillsborough County, Florida; run thence
549 Southwesterly along said Centerline to the Southerly
550 projection of the Centerline of Franklin Street as
551 shown on aforementioned HENDRY & KNIGHT'S MAP OF THE
552 GARRISON; run thence Northwesterly along said
553 projection, and said Centerline, to the centerline of
554 Water Street as shown on said HENDRY & KNIGHT'S MAP OF
555 THE GARRISON; run thence Northeasterly along said
556 Centerline to the Centerline of Florida Avenue as
557 shown on said HENDRY & KNIGHT'S MAP OF THE GARRISON;
558 run thence Northwesterly along said Centerline to the
559 Centerline of Carew Avenue as shown on said HENDRY &
560 KNIGHT'S MAP OF THE GARRISON; run thence Northeasterly
561 along said Centerline to the Centerline of Morgan
562 Street as shown on said HENDRY & KNIGHT'S MAP OF THE
563 GARRISON; run thence Northwesterly along said
564 Centerline to a point of intersection with the
565 Southeasterly projection of the Southwesterly boundary
566 of those lands described in Official Record Book 3166,
567 page 225 of the Public Records of Hillsborough County,
568 Florida; run thence along said projection and said
569 Southwesterly boundary, to the Northwest corner of

570 said lands; run thence along the Northerly boundary of
 571 said lands, and its Northeasterly projection, to the
 572 Centerline of aforementioned Morgan Street; run thence
 573 Northwesterly along said Centerline to the Centerline
 574 of Hampton Avenue (now known as Brorein Street) as
 575 shown on said HENDRY & KNIGHT'S MAP OF THE GARRISON;
 576 run thence Southwesterly along said Centerline to the
 577 Southerly projection of the Easterly boundary of those
 578 lands described in Official Record Book 22204, page
 579 1038 of the Public Records of Hillsborough County,
 580 Florida; run thence Northwesterly along said
 581 projection and said Easterly Boundary, to the
 582 Northeast corner of said lands; run thence
 583 Southwesterly along the Northerly boundary of said
 584 lands, and its Westerly projection, to the Centerline
 585 of Florida Avenue as shown on said HENDRY & KNIGHT'S
 586 MAP OF THE GARRISON; run thence Northwesterly along
 587 said Centerline to the Westerly projection of the
 588 Southerly boundary of those lands shown on map of
 589 survey prepared by Curtis G. Humphreys (Sullivan,
 590 Humphreys & Sullivan), dated November 13, 1958 (Order
 591 No. C2592), said map being on file with the City Tampa
 592 Survey Department, said boundary, being the some line
 593 as the North boundary of those lands described in
 594 Official Record Book 3565, page 1895, and Official

595 Record Book 4041, page 1405, of the Public Records of
 596 Hillsborough County, Florida; run thence
 597 Northeasterly, along said boundary and its Easterly
 598 projection, to the Centerline of Morgan Street as
 599 shown on aforementioned REVISED MAP OF BELL'S ADDITION
 600 TO TAMPA; run thence Southeasterly along said
 601 Centerline to the centerline of aforementioned
 602 Garrison Avenue; run thence East, 2.0 feet, more or
 603 less, to the Point of Beginning.

604
 605 LESS AND EXCEPT THEREFROM:
 606 Block 99 of HENDRY & KNIGHT'S MAP OF THE GARRISON, per
 607 map or plat thereof as recorded in Plat Book 2, page
 608 73, of the Public Records of Hillsborough County,
 609 Florida, less that portion thereof conveyed to Tampa-
 610 Hillsborough County Expressway Authority by deed
 611 recorded in Official Record Book 3036, page 1173, of
 612 the Public Records of Hillsborough County, Florida.

613
 614 ALSO LESS AND EXCEPT THEREFROM:
 615 Lots 6, 8, and 10 through 15, inclusive, of Block 11,
 616 MAP OF FINLEY AND CAESAR SUBDIVISION per map or plat
 617 thereof as recorded in Plat Book 1, page 84, of the
 618 Public Records of Hillsborough County, Florida,

619 together with those portions of Finley Street and
 620 vacated alleys abutting thereon.

621
 622 (1) Notwithstanding anything herein to the contrary, the
 623 boundary of the district shall not include any residential unit
 624 subjected to condominium ownership, as created by recording a
 625 condominium declaration in the public records of Hillsborough
 626 County.

627 (2) Notwithstanding anything herein to the contrary, upon
 628 any property meeting the definition of a residential unit or a
 629 transferred unit after the effective date of this act, then the
 630 boundary of the district shall be reduced by the legal
 631 description of such property and this section of the charter
 632 shall stand amended automatically with no further legislative
 633 action by the Legislature required.

634 Section 5. Board of supervisors; members and meetings;
 635 organization; powers; duties; terms of office; additional
 636 requirements.-

637 (1) The board of the district shall exercise the powers
 638 granted to the district pursuant to this act. The board shall
 639 consist of five members, each of whom shall hold office for a
 640 term of 4 years, as provided in this section, except as
 641 otherwise provided herein for initial board members.
 642 Notwithstanding anything herein to the contrary, a board member
 643 will continue to serve beyond his or her term until a successor

644 is chosen and qualified. The members of the board must be
645 residents of the state and citizens of the United States.

646 (2) (a) Within 90 days after the effective date of this
647 act, there shall be held a meeting of the landowners of the
648 district for the purpose of electing five supervisors for the
649 district. Notice of the landowners' meeting shall be published
650 once a week for 2 consecutive weeks in a newspaper that is in
651 general circulation in the area of the district, the last day of
652 such publication to be not fewer than 14 days nor more than 28
653 days before the date of the election. The landowners, when
654 assembled at such meeting, shall organize by electing a chair,
655 who shall conduct the meeting. The chair may be any person
656 present at the meeting. If the chair is a landowner or proxy
657 holder of a landowner, he or she may nominate candidates and
658 make and second motions. The landowners present at the meeting,
659 in person or by proxy, shall constitute a quorum. At any
660 landowners' meeting, 50 percent of the district acreage shall
661 not be required to constitute a quorum, and each governing board
662 member elected by landowners shall be elected by a majority of
663 the acreage represented either by owner or proxy present and
664 voting at said meeting.

665 (b) At such meeting, each landowner shall be entitled to
666 cast one vote per acre of land owned by him or her and located
667 within the district for each person to be elected. A landowner
668 may vote in person or by proxy in writing. Each proxy must be

669 signed by one of the legal owners of the property for which the
670 vote is cast and must contain the typed or printed name of the
671 individual who signed the proxy; the street address, legal
672 description of the property, or tax parcel identification
673 number; and the number of authorized votes. If the proxy
674 authorizes more than one vote, each property must be listed and
675 the number of acres of each property must be included. The
676 signature on a proxy need not be notarized. A fraction of an
677 acre shall be treated as 1 acre, entitling the landowner to one
678 vote with respect thereto. The three candidates receiving the
679 highest number of votes shall each be elected for terms expiring
680 November 15, 2022, and the two candidates receiving the next
681 largest number of votes shall each be elected for terms expiring
682 November 17, 2020, with the term of office for each successful
683 candidate commencing upon election. The members of the first
684 board elected by landowners shall serve their respective terms;
685 however, the next election of board members shall be held on
686 November 17, 2020. Thereafter, there shall be an election by
687 landowners for the district every 2 years on the first Tuesday
688 after the first Monday in November, which shall be noticed
689 pursuant to paragraph (a). The second and subsequent landowners'
690 election shall be announced at a public meeting of the board at
691 least 90 days before the date of the landowners' meeting and
692 shall also be noticed pursuant to paragraph (a). Instructions on
693 how all landowners may participate in the election, along with

694 sample proxies, shall be provided during the board meeting that
 695 announces the landowners' meeting. Each supervisor elected in or
 696 after November 2018 shall serve a 4-year term.

697 (3) Members of the board, regardless of how elected, shall
 698 be public officers, shall be known as supervisors, and, upon
 699 entering into office, shall take and subscribe to the oath of
 700 office as prescribed by s. 876.05, Florida Statutes. Members of
 701 the board shall be subject to ethics and conflict of interest
 702 laws of the state that apply to all local public officers.
 703 Members of the board shall hold office for the terms for which
 704 they were elected or appointed and until their successors are
 705 chosen and qualified. Except as provided in subsection (4), if,
 706 during the term of office, a vacancy occurs on the board, the
 707 remaining members of the board shall fill each vacancy by an
 708 appointment for the remainder of the unexpired term.

709 (4) Any elected member of the board of supervisors may be
 710 removed by the Governor for malfeasance, misfeasance,
 711 dishonesty, incompetency, or failure to perform the duties
 712 imposed upon him or her by this act, and any vacancies that may
 713 occur in such office for such reasons shall be filled by the
 714 Governor as soon as practicable.

715 (5) A majority of the members of the board constitutes a
 716 quorum for the purposes of conducting its business and
 717 exercising its powers and for all other purposes. Action taken
 718 by the district shall be upon a vote of a majority of the

719 members present unless general law or a rule of the district
720 requires a greater number.

721 (6) As soon as practicable after each election or
722 appointment, the board shall organize by electing one of its
723 members as chair and by electing a secretary, who need not be a
724 member of the board, and such other officers as the board may
725 deem necessary.

726 (7) The board shall keep a permanent record book entitled
727 "Record of Proceedings of Water Street Tampa Improvement
728 District," in which shall be recorded minutes of all meetings,
729 resolutions, proceedings, certificates, bonds given by all
730 employees, and any and all corporate acts. The record book and
731 all other district records shall at reasonable times be opened
732 to inspection in the same manner as state, county, and municipal
733 records pursuant to chapter 119, Florida Statutes. The record
734 book shall be kept at the office or other regular place of
735 business maintained by the board in a designated location in the
736 City of Tampa.

737 (8) Each supervisor shall not be entitled to receive
738 compensation for his or her services; however, each supervisor
739 shall receive travel and per diem expenses as set forth in s.
740 112.061, Florida Statutes.

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

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

744 (1) DISTRICT MANAGER AND EMPLOYEES.—The board shall employ
745 and fix the compensation of a district manager, who shall have
746 charge and supervision of the works of the district and shall be
747 responsible for preserving and maintaining any improvement or
748 facility constructed or erected pursuant to the provisions of
749 this act, for maintaining and operating the equipment owned by
750 the district, and for performing such other duties as may be
751 prescribed by the board. It shall not be a conflict of interest
752 under chapter 112, Florida Statutes, for a board member, the
753 district manager, or another employee of the district to be a
754 stockholder, officer, or employee of a landowner. The district
755 manager may hire or otherwise employ and terminate the
756 employment of such other persons, including, without limitation,
757 professional, supervisory, and clerical employees, as may be
758 necessary and authorized by the board. The compensation and
759 other conditions of employment of the officers and employees of
760 the district shall be as provided by the board.

761 (2) TREASURER.—The board shall designate a person who is a
762 resident of the state as treasurer of the district, and who
763 shall have charge of the funds of the district. Such funds shall
764 be disbursed only upon the order of or pursuant to a resolution
765 of the board by warrant or check countersigned by the treasurer
766 and by such other person as may be authorized by the board. The
767 board may give the treasurer such other or additional powers and
768 duties as the board may deem appropriate and may fix his or her

769 compensation. The board may require the treasurer to give a bond
 770 in such amount, on such terms, and with such sureties as may be
 771 deemed satisfactory to the board to secure the performance by
 772 the treasurer of his or her powers and duties. The financial
 773 records of the board shall be audited by an independent
 774 certified public accountant at least once a year.

775 (3) PUBLIC DEPOSITORY.—The board is authorized to select
 776 as a depository for its funds any qualified public depository as
 777 defined in s. 280.02, Florida Statutes, which meets all the
 778 requirements of chapter 280, Florida Statutes, and has been
 779 designated by the treasurer as a qualified public depository
 780 upon such terms and conditions as to the payment of interest by
 781 such depository upon the funds so deposited as the board may
 782 deem just and reasonable.

783 (4) BUDGET; REPORTS AND REVIEWS.—

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

787 (b) On or before July 15 of each year, the district
 788 manager shall prepare a proposed budget for the ensuing fiscal
 789 year to be submitted to the board for board approval. The
 790 proposed budget shall include at the direction of the board an
 791 estimate of all necessary expenditures of the district for the
 792 ensuing fiscal year and an estimate of income to the district
 793 from the taxes and assessments and other revenues as provided in

794 this act. The board shall consider the proposed budget item by
795 item and may either approve the budget as proposed by the
796 district manager or modify the same in part or in whole. The
797 board shall indicate its approval of the budget by resolution,
798 which resolution shall provide for a hearing on the budget as
799 approved. Notice of the hearing on the budget shall be published
800 in a newspaper of general circulation in the area of the
801 district once a week for two consecutive weeks, except that the
802 first publication shall be no fewer than 15 days prior to the
803 date of the hearing. The notice shall further contain a
804 designation of the day, time, and place of the public hearing.
805 At the time and place designated in the notice, the board shall
806 hear all objections to the budget as proposed and may make such
807 changes as the board deems necessary. At the conclusion of the
808 budget hearing, the board shall, by resolution, adopt the budget
809 as finally approved by the board. The budget shall be adopted
810 prior to October 1 of each year.

811 (c) At least 60 days before adoption, the board of
812 supervisors of the district shall submit to the Tampa City
813 Council for purposes of disclosure and information only, the
814 proposed annual budget for the ensuing fiscal year, and the
815 council may submit written comments to the board of supervisors
816 solely for the assistance and information of the board of
817 supervisors of the district in adopting its annual district
818 budget.

819 (d) The board of supervisors of the district shall submit
820 annually a public facilities report to the Tampa City Council
821 pursuant to s. 189.08, Florida Statutes. The council may use and
822 rely on the district's public facilities report in the
823 preparation or revision of the comprehensive plan.

824 (5) DISCLOSURE OF PUBLIC INFORMATION; WEB-BASED PUBLIC
825 ACCESS.—The district will provide for the full disclosure of
826 information relating to the public financing and maintenance of
827 improvements to real property undertaken by the district. Such
828 information shall be made available to all existing landowners
829 and all prospective owners of property within the district. The
830 district shall furnish each developer within the district with
831 sufficient copies of that information to provide each
832 prospective initial purchaser of property in that development
833 with a copy; and any developer within the district, when
834 required by law to provide a public offering statement, shall
835 include a copy of such information relating to the public
836 financing and maintenance of improvements in the public offering
837 statement. The district shall file the disclosure documents
838 required by this subsection and any amendments thereto in the
839 property records of each county in which the district is
840 located. By the end of the first full fiscal year of the
841 district's creation, the district shall maintain an official
842 Internet website in accordance with s. 189.069, Florida
843 Statutes.

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

846 (a) To sue and be sued in the name of the district; to
847 adopt and use a seal and authorize the use of a facsimile
848 thereof; to acquire, by purchase, gift, devise, or otherwise,
849 and to dispose of, real and personal property, or any estate
850 therein; and to make and execute contracts and other instruments
851 necessary or convenient to the exercise of its powers.

852 (b) To contract for the services of consultants to perform
853 planning, engineering, legal, or other appropriate services of a
854 professional nature. Such contracts shall be subject to public
855 bidding or competitive negotiation requirements as set forth in
856 general law applicable to independent special districts.

857 (c) To borrow money and accept gifts; to apply for and use
858 grants or loans of money or other property from the United
859 States, the state, a unit of local government, or any person for
860 any district purposes and enter into agreements required in
861 connection therewith; and to hold, use, and dispose of such
862 moneys or property for any district purposes in accordance with
863 the terms of the gift, grant, loan, or agreement relating
864 thereto.

865 (d) To adopt and enforce rules and orders pursuant to the
866 provisions of chapter 120, Florida Statutes, prescribing the
867 powers, duties, and functions of the officers of the district;
868 the conduct of the business of the district; the maintenance of

869 records; and the form of certificates evidencing tax liens and
870 all other documents and records of the district. The board may
871 also adopt and enforce administrative rules with respect to any
872 of the projects of the district and define the area to be
873 included therein. The board may also adopt resolutions which may
874 be necessary for the conduct of district business.

875 (e) To maintain an office at such place or places as the
876 board of supervisors designates in the City of Tampa and within
877 the district when facilities are available.

878 (f) To hold, control, and acquire by donation, purchase,
879 or condemnation, or dispose of, any public easements,
880 dedications to public use, platted reservations for public
881 purposes, or any reservations for those purposes authorized by
882 this act and to make use of such easements, dedications, or
883 reservations for the purposes authorized by this act.

884 (g) To lease as lessor or lessee to or from any person,
885 firm, corporation, association, or body, public or private, any
886 projects of the type that the district is authorized to
887 undertake and facilities or property of any nature for the use
888 of the district to carry out the purposes authorized by this
889 act.

890 (h) To borrow money and issue bonds, certificates,
891 warrants, notes, or other evidence of indebtedness as provided
892 herein; to levy such taxes and assessments as may be authorized;
893 and to charge, collect, and enforce fees and other user charges.

894 (i) To raise, by user charges or fees authorized by
 895 resolution of the board, amounts of money which are necessary
 896 for the conduct of district activities and services and to
 897 enforce their receipt and collection in the manner prescribed by
 898 resolution not inconsistent with law.

899 (j) To exercise all powers of eminent domain now or
 900 hereafter conferred on counties in this state provided, however,
 901 that such power of eminent domain may not be exercised outside
 902 the territorial limits of the district. The district shall not
 903 have the power to exercise eminent domain over municipal,
 904 county, state, or federal property. The powers hereinabove
 905 granted to the district shall be so construed to enable the
 906 district to fulfill the objects and purposes of the district as
 907 set forth in this act.

908 (k) To cooperate with, or contract with, other
 909 governmental agencies as may be necessary, convenient,
 910 incidental, or proper in connection with any of the powers,
 911 duties, or purposes authorized by this act.

912 (l) To assess and to impose upon lands in the district ad
 913 valorem taxes as provided by this act.

914 (m) To determine, order, levy, impose, collect, and
 915 enforce assessments pursuant to this act and chapter 170,
 916 Florida Statutes, pursuant to authority granted in s. 197.3631,
 917 Florida Statutes, or pursuant to other provisions of general law
 918 now or hereinafter enacted which provide or authorize a

919 supplemental means to order, levy, impose, or collect special
 920 assessments. Such special assessments, in the discretion of the
 921 district, may be collected and enforced pursuant to the
 922 provisions of ss. 197.3632 and 197.3635, Florida Statutes, and
 923 chapters 170 and 173, Florida Statutes, or as provided by this
 924 act, or by other means authorized by general law now or
 925 hereinafter enacted. The district may levy such special
 926 assessments for the purposes enumerated in this act and to pay
 927 special assessments imposed by Hillsborough County on lands
 928 within the district.

929 (n) To exercise such special powers and other express
 930 powers as may be authorized and granted by this act in the
 931 charter of the district, including powers as provided in any
 932 interlocal agreement entered into pursuant to chapter 163,
 933 Florida Statutes, or which shall be required or permitted to be
 934 undertaken by the district pursuant to any development order,
 935 including any detailed specific area plan development order, or
 936 any interlocal service agreement with Hillsborough County for
 937 fair-share capital construction funding for any certain capital
 938 facilities or systems required of a developer pursuant to any
 939 applicable development order or agreement.

940 (o) To exercise all of the powers necessary, convenient,
 941 incidental, or proper in connection with any other powers or
 942 duties or the special and limited purpose of the district
 943 authorized by this act.

944
945 The provisions of this subsection shall be construed liberally
946 in order to carry out effectively the special and limited
947 purpose of this act.

948 (7) SPECIAL POWERS.—The district shall have, and the board
949 may exercise, the following special powers to implement its
950 lawful and special purpose and to provide, pursuant to that
951 purpose, systems, facilities, services, improvements, projects,
952 works, and infrastructure, each of which constitutes a lawful
953 public purpose when exercised pursuant to this charter, subject
954 to, and not inconsistent with, general law regarding utility
955 providers' territorial and service agreements and the regulatory
956 jurisdiction and permitting authority of all other applicable
957 governmental bodies, agencies, and any special districts having
958 authority with respect to any area included therein, and to
959 plan, establish, acquire, construct or reconstruct, enlarge or
960 extend, equip, operate, finance, fund, and maintain
961 improvements, systems, facilities, services, works, projects,
962 and infrastructure. If the district's special powers and the
963 City of Tampa's general powers will cause unnecessary
964 duplication of services and facilities, the district and the
965 City of Tampa, or another governmental body if the services
966 implemented by the power lies within that other governmental
967 body's jurisdiction, shall enter into an interlocal agreement to
968 avoid inefficiencies and jointly exercise their common powers

969 and authority. Nothing herein shall preempt the powers and
970 authority of the City of Tampa. Any or all of the following
971 special powers are granted by this act in order to implement the
972 special and limited purpose of the district:

973 (a) To provide water management and control for the lands
974 within the district, subject to the City of Tampa's stormwater
975 utility system, and to connect some or any of such facilities
976 with roads and bridges. Nothing herein shall permit the district
977 to adversely impact the City of Tampa's bond resolutions or
978 covenants. In the event that the board assumes the
979 responsibility for providing water management and control for
980 the district which is to be financed by benefit special
981 assessments, the board shall adopt plans and assessments
982 pursuant to law or may proceed to adopt water management and
983 control plans, assess for benefits, and apportion and levy
984 special assessments as follows:

985 1. The board shall cause to be made by the district's
986 engineer, or such other engineer or engineers as the board may
987 employ for that purpose, complete and comprehensive water
988 management and control plans for the lands located within the
989 district which will be improved in any part or in whole by any
990 system of facilities which may be outlined and adopted, and the
991 engineer shall make a report in writing to the board with maps
992 and profiles of said surveys and an estimate of the cost of
993 carrying out and completing the plans.

994 2. Upon the completion of such plans, the board shall hold
995 a hearing thereon to hear objections thereto, shall give notice
996 of the time and place fixed for such hearing by publication once
997 each week for 2 consecutive weeks in a newspaper of general
998 circulation in the general area of the district, and shall
999 permit the inspection of the plan at the office of the district
1000 by all persons interested. All objections to the plan shall be
1001 filed at or before the time fixed in the notice for the hearing
1002 and shall be in writing.

1003 3. After the hearing, the board shall consider the
1004 proposed plan and any objections thereto and may modify, reject,
1005 or adopt the plan or continue the hearing until a day certain
1006 for further consideration of the proposed plan or modifications
1007 thereof.

1008 4. When the board approves a plan, a resolution shall be
1009 adopted and a certified copy thereof shall be filed in the
1010 office of the secretary and incorporated by him or her into the
1011 records of the district.

1012 5. The water management and control plan may be altered in
1013 detail from time to time until the engineer's report pursuant to
1014 s. 298.301, Florida Statutes, is filed but not in such manner as
1015 to affect materially the conditions of its adoption. After the
1016 engineer's report has been filed, no alteration of the plan
1017 shall be made, except as provided by this act.

1018 6. Within 20 days after the final adoption of the plan by
 1019 the board, the board shall proceed pursuant to s. 298.301,
 1020 Florida Statutes.

1021 (b) To provide, subject to the City of Tampa's utility
 1022 systems, water supply, sewer, wastewater, and reclaimed water
 1023 management, reclamation, and reuse, or any combination thereof,
 1024 and any irrigation systems, facilities, and services; to
 1025 construct and operate water systems, sewer systems, and
 1026 reclaimed water systems such as connecting intercepting or
 1027 outlet sewers and sewer mains and pipes and water mains,
 1028 conduits, or pipelines in, along, and under any street, alley,
 1029 highway, or other public place or way; and to dispose of any
 1030 effluent, residue, or other byproducts of such water system,
 1031 sewer system, or reclaimed water system and to enter into
 1032 interlocal agreements and other agreements with public or
 1033 private entities for the same. Nothing herein shall permit the
 1034 district to adversely impact the City of Tampa's bond
 1035 resolutions or covenants. Any water or utility assets acquired
 1036 or constructed with respect to the foregoing shall become a part
 1037 of the City of Tampa's water and utility system unless otherwise
 1038 agreed to between the district and the City of Tampa.

1039 (c) To provide district roads equal to or exceeding the
 1040 specifications of the county or city in which such district
 1041 roads are located, and to provide street lights. This special
 1042 power includes, but is not limited to, roads, parkways,

1043 intersections, bridges, landscaping, hardscaping, irrigation,
1044 bicycle lanes, bicycle and cart paths, sidewalks, jogging paths,
1045 multiuse pathways and trails, street lighting, traffic signals,
1046 regulatory or informational signage, road striping, underground
1047 conduit, underground cable or fiber or wire installed pursuant
1048 to an agreement with or tariff of a retail provider of services,
1049 and all other customary elements of a functioning modern road
1050 system in general or as tied to the conditions of development
1051 approval for the area within the district, and parking
1052 facilities that are freestanding or that may be related to any
1053 innovative strategic intermodal system of transportation
1054 pursuant to applicable federal, state, and local laws and
1055 ordinances.

1056 (d) To provide buses, trolleys, rail access, mass transit
1057 facilities, transit shelters, ridesharing facilities and
1058 services, parking improvements, and related signage.

1059 (e) To provide investigation and remediation costs
1060 associated with the cleanup of actual or perceived environmental
1061 contamination within the district under the supervision or
1062 direction of a competent governmental authority unless the
1063 covered costs benefit any person who is a landowner within the
1064 district and who caused or contributed to the contamination.

1065 (f) To provide conservation and mitigation of wildlife
1066 habitat, including the maintenance of any plant or animal
1067 species, and any related interest in real or personal property.

1068 (g) To provide investigation and remediation costs
1069 associated with the preservation of actual or perceived historic
1070 and archaeological resources within the district under the
1071 supervision or direction of a competent governmental authority.

1072 (h) Using its general and special powers as set forth in
1073 this act, to provide any other project within or without the
1074 boundaries of the district when the project is required for
1075 purposes of meeting concurrency or similar development-related
1076 obligations and the project is the subject of an agreement
1077 between the district and the Tampa City Council, the Board of
1078 County Commissioners of Hillsborough County, or any other
1079 applicable public or private entity, and is not inconsistent
1080 with the effective local comprehensive plans.

1081 (i) To provide parks, plazas, and facilities for indoor
1082 and outdoor recreational, cultural, and educational uses,
1083 including facilities that encourage the integration of exercise
1084 and fitness into everyday life.

1085 (j) To provide school buildings and related structures,
1086 which may be leased, sold, or donated to the school district, a
1087 charter school as authorized by law, or educational facilities
1088 for intermediate and higher education or vocational training,
1089 for use in the educational system when authorized by the
1090 district school board or other applicable governmental entity.

1091 (k) To provide security, including, but not limited to,
1092 guardhouses, electronic intrusion-detection systems, monitoring,

1093 and patrol cars, when authorized by proper governmental
1094 agencies; except that the district may not exercise any police
1095 power, but may contract with the appropriate general-purpose
1096 local government agencies for an increased level of such
1097 services within the district boundaries.

1098 (l) To provide traffic control and enforcement when
1099 authorized by proper governmental agencies. Nothing in this act
1100 prohibits the district from contracting with a towing operator
1101 to remove a vehicle or vessel from a district-owned facility or
1102 property if the district follows the authorization, notice, and
1103 procedural requirements in s. 715.07, Florida Statutes, for an
1104 owner or lessee of private property. The district's selection of
1105 a towing operator is not subject to public bidding if the towing
1106 operator is included in an approved list of towing operators
1107 maintained by the City of Tampa.

1108 (m) To provide control and elimination of mosquitoes and
1109 other arthropods of public health importance.

1110 (n) To enter into impact fee, mobility fee, or other
1111 similar credit agreements with the City of Tampa, Hillsborough
1112 County, or a landowner developer and to sell or assign such
1113 credits on such terms as the district deems appropriate.

1114 (o) To provide buildings and structures for district
1115 offices, maintenance facilities, meeting facilities, town
1116 centers, or any other project authorized or granted by this act.

1117 (p) To establish and create, at noticed meetings, such
1118 departments of the board of supervisors of the district, as well
1119 as committees, task forces, boards, or commissions, or other
1120 agencies under the supervision and control of the district, as
1121 from time to time the members of the board may deem necessary or
1122 desirable in the performance of the acts or other things
1123 necessary to exercise the board's general or special powers to
1124 implement an innovative project to carry out the special and
1125 limited purpose of the district as provided in this act and to
1126 delegate the exercise of its powers to such departments, boards,
1127 task forces, committees, commissions, or other agencies, and
1128 such administrative duties and other powers as the board may
1129 deem necessary or desirable, but only if there is a set of
1130 expressed limitations for accountability, notice, and periodic
1131 written reporting to the board that shall retain the powers of
1132 the board.

1133 (q) To provide electrical, sustainable, or green
1134 infrastructure improvements, facilities, chillers, and services,
1135 including, but not limited to, recycling of natural resources,
1136 reduction of energy demands, development and generation of
1137 alternative or renewable energy sources and technologies,
1138 mitigation of urban heat islands, sequestration, capping or
1139 trading of carbon emissions or carbon emissions credits, LEED or
1140 Florida Green Building Coalition certification, and development
1141 of facilities and improvements for low-impact development and to

1142 enter into joint ventures, public-private partnerships, and
1143 other agreements and to grant such easements as may be necessary
1144 to accomplish the foregoing. Nothing herein shall authorize the
1145 district to provide electric service to retail customers or
1146 otherwise act to impair electric utility service territories or
1147 franchise agreements.

1148 (r) To provide for any facilities or improvements that may
1149 otherwise be provided for by any county or municipality,
1150 including, but not limited to, libraries, annexes, substations,
1151 and other buildings to house public officials, staff, and
1152 employees.

1153 (s) To provide for the construction and operation of
1154 communications systems and related infrastructure for the
1155 carriage and distribution of communications services, and to
1156 enter into joint ventures, public-private partnerships, and
1157 other agreements and to grant such easements as may be necessary
1158 to accomplish the foregoing. For purposes of this paragraph,
1159 communications systems shall mean all facilities, buildings,
1160 equipment, items, and methods necessary or desirable in order to
1161 provide communications services, including, without limitation,
1162 wires, cables, conduits, wireless cell sites, computers, modems,
1163 satellite antennae sites, transmission facilities, network
1164 facilities, and appurtenant devices necessary and appropriate to
1165 support the provision of communications services. Communications
1166 services includes, without limitation, internet, voice telephone

1167 or similar services provided by voice over internet protocol,
1168 cable television, data transmission services, electronic
1169 security monitoring services, and multi-channel video
1170 programming distribution services. Communications services
1171 provided by the district shall be subject to ss. 125.421 and
1172 350.81, Florida Statutes, and carry or include any governmental
1173 channel or other media content created or produced by
1174 Hillsborough County.

1175 (t) To coordinate, work with, and, as the board deems
1176 appropriate, enter into interlocal agreements with any public or
1177 private entity for the provision of an institution or
1178 institutions of higher education.

1179 (u) To coordinate, work with, and, as the board deems
1180 appropriate, enter into public-private partnerships and
1181 agreements as may be necessary or useful to effectuate the
1182 purposes of this act.

1183
1184 The enumeration of special powers herein shall not be deemed
1185 exclusive or restrictive but shall be deemed to incorporate all
1186 powers express or implied necessary or incident to carrying out
1187 such enumerated special powers, including the general powers
1188 provided by this special act charter to the district to
1189 implement its purposes. The provisions of this subsection shall
1190 be construed liberally, subject to the provisions of this
1191 section that require the district and the City of Tampa to

1192 resolve any duplications of the use of powers through the
1193 implementation of an interlocal agreement, in order to carry out
1194 effectively the special and limited purpose of this district
1195 under this act.

1196 (8) ISSUANCE OF BOND ANTICIPATION NOTES.—In addition to
1197 the other powers provided for in this act, and not in limitation
1198 thereof, the district shall have the power, at any time and from
1199 time to time after the issuance of any bonds of the district are
1200 authorized, to borrow money for the purposes for which such
1201 bonds are to be issued in anticipation of the receipt of the
1202 proceeds of the sale of such bonds and to issue bond
1203 anticipation notes in a principal sum not in excess of the
1204 authorized maximum amount of such bond issue. Such notes shall
1205 be in such denomination or denominations, bear interest at such
1206 rate as the board may determine not to exceed the maximum rate
1207 allowed by general law, mature at such time or times not later
1208 than 5 years from the date of issuance, and be in such form and
1209 executed in such manner as the board shall prescribe. Such notes
1210 may be sold at either public or private sale or, if such notes
1211 shall be renewal notes, may be exchanged for notes then
1212 outstanding on such terms as the board shall determine. Such
1213 notes shall be paid from the proceeds of such bonds when issued.
1214 The board may, in its discretion, in lieu of retiring the notes
1215 by means of bonds, retire them by means of current revenues or
1216 from any taxes or assessments levied for the payment of such

1217 bonds, but, in such event, a like amount of the bonds authorized
1218 shall not be issued.

1219 (9) BORROWING.—The district at any time may obtain loans,
1220 in such amount and on such terms and conditions as the board may
1221 approve, for the purpose of paying any of the expenses of the
1222 district or any costs incurred or that may be incurred in
1223 connection with any of the projects of the district, which loans
1224 shall bear interest as the board determines, not to exceed the
1225 maximum rate allowed by general law, and may be payable from and
1226 secured by a pledge of such funds, revenues, taxes, and
1227 assessments as the board may determine, subject, however, to the
1228 provisions contained in any proceeding under which bonds were
1229 theretofore issued and are then outstanding. For the purpose of
1230 defraying such costs and expenses, the district may issue
1231 negotiable notes, warrants, or other evidences of debt to be
1232 payable at such times and to bear such interest as the board may
1233 determine, not to exceed the maximum rate allowed by general
1234 law, and to be sold or discounted at such price or prices not
1235 less than 95 percent of par value and on such terms as the board
1236 may deem advisable. The board shall have the right to provide
1237 for the payment thereof by pledging the whole or any part of the
1238 funds, revenues, taxes, and assessments of the district or by
1239 covenanting to budget and appropriate from such funds. The
1240 approval of the electors residing in the district shall not be
1241 necessary except when required by the State Constitution.

1242 (10) BONDS.—

1243 (a) Sale of bonds.—Bonds may be sold in blocks or
1244 installments at different times, or an entire issue or series
1245 may be sold at one time. Bonds may be sold at public or private
1246 sale after such advertisement, if any, as the board may deem
1247 advisable, but not in any event at less than 90 percent of the
1248 par value thereof, together with accrued interest thereon. Bonds
1249 may be sold or exchanged for refunding bonds. Special assessment
1250 and revenue bonds may be delivered by the district as payment of
1251 the purchase price of any project or part thereof, or a
1252 combination of projects or parts thereof, or as the purchase
1253 price or exchange for any property, real, personal, or mixed,
1254 including franchises or services rendered by any contractor,
1255 engineer, or other person, all at one time or in blocks from
1256 time to time, in such manner and upon such terms as the board in
1257 its discretion shall determine. The price or prices for any
1258 bonds sold, exchanged, or delivered may be:

1259 1. The money paid for the bonds.

1260 2. The principal amount, plus accrued interest to the date
1261 of redemption or exchange, or outstanding obligations exchanged
1262 for refunding bonds.

1263 3. In the case of special assessment or revenue bonds, the
1264 amount of any indebtedness to contractors or other persons paid
1265 with such bonds, or the fair value of any properties exchanged
1266 for the bonds, as determined by the board.

1267 (b) Authorization and form of bonds.—Any special
1268 assessment bonds or revenue bonds may be authorized by
1269 resolution or resolutions of the board which shall be adopted by
1270 a majority of all the members thereof then in office. Such
1271 resolution or resolutions may be adopted at the same meeting at
1272 which they are introduced and need not be published or posted.
1273 The board may, by resolution, authorize the issuance of bonds
1274 and fix the aggregate amount of bonds to be issued; the purpose
1275 or purposes for which the moneys derived therefrom shall be
1276 expended, including, but not limited to, payment of costs as
1277 defined in section 2(2)(h); the rate or rates of interest, not
1278 to exceed the maximum rate allowed by general law; the
1279 denomination of the bonds; whether or not the bonds are to be
1280 issued in one or more series; the date or dates of maturity,
1281 which shall not exceed 40 years from their respective dates of
1282 issuance; the medium of payment; the place or places within or
1283 without the state at which payment shall be made; registration
1284 privileges; redemption terms and privileges, whether with or
1285 without premium; the manner of execution; the form of the bonds,
1286 including any interest coupons to be attached thereto; the
1287 manner of execution of bonds and coupons; and any and all other
1288 terms, covenants, and conditions thereof and the establishment
1289 of revenue or other funds. Such authorizing resolution or
1290 resolutions may further provide for the contracts authorized by
1291 s. 159.825(1)(f) and (g), Florida Statutes, regardless of the

1292 tax treatment of such bonds being authorized, subject to the
1293 finding by the board of a net saving to the district resulting
1294 by reason thereof. Such authorizing resolution may further
1295 provide that such bonds may be executed in accordance with the
1296 Registered Public Obligations Act, except that bonds not issued
1297 in registered form shall be valid if manually countersigned by
1298 an officer designated by appropriate resolution of the board.
1299 The seal of the district may be affixed, lithographed, engraved,
1300 or otherwise reproduced in facsimile on such bonds. In case any
1301 officer whose signature shall appear on any bonds or coupons
1302 shall cease to be such officer before the delivery of such
1303 bonds, such signature or facsimile shall nevertheless be valid
1304 and sufficient for all purposes as if he or she had remained in
1305 office until such delivery.

1306 (c) Interim certificates; replacement certificates.-
1307 Pending the preparation of definitive bonds, the board may issue
1308 interim certificates or receipts or temporary bonds, in such
1309 form and with such provisions as the board may determine,
1310 exchangeable for definitive bonds when such bonds have been
1311 executed and are available for delivery. The board may also
1312 provide for the replacement of any bonds which become mutilated,
1313 lost, or destroyed.

1314 (d) Negotiability of bonds.-Any bond issued under this act
1315 or any temporary bond, in the absence of an express recital on
1316 the face thereof that it is nonnegotiable, shall be fully

1317 negotiable and shall be and constitute a negotiable instrument
1318 within the meaning and for all purposes of the law merchant and
1319 the laws of the state.

1320 (e) Defeasance.—The board may make such provision with
1321 respect to the defeasance of the right, title, and interest of
1322 the holders of any of the bonds and obligations of the district
1323 in any revenues, funds, or other properties by which such bonds
1324 are secured as the board deems appropriate and, without
1325 limitation on the foregoing, may provide that when such bonds or
1326 obligations become due and payable or shall have been called for
1327 redemption and the whole amount of the principal and interest
1328 and premium, if any, due and payable upon the bonds or
1329 obligations then outstanding shall be held in trust for such
1330 purpose, and provision shall also be made for paying all other
1331 sums payable in connection with such bonds or other obligations,
1332 then and in such event the right, title, and interest of the
1333 holders of the bonds in any revenues, funds, or other properties
1334 by which such bonds are secured shall thereupon cease,
1335 terminate, and become void; and the board may apply any surplus
1336 in any sinking fund established in connection with such bonds or
1337 obligations and all balances remaining in all other funds or
1338 accounts other than moneys held for the redemption or payment of
1339 the bonds or other obligations to any lawful purpose of the
1340 district as the board shall determine.

1341 (f) Issuance of additional bonds.—If the proceeds of any
1342 bonds are less than the cost of completing the project in
1343 connection with which such bonds were issued, the board may
1344 authorize the issuance of additional bonds, upon such terms and
1345 conditions as the board may provide in the resolution
1346 authorizing the issuance thereof, but only in compliance with
1347 the resolution or other proceedings authorizing the issuance of
1348 the original bonds.

1349 (g) Refunding bonds.—The district is authorized to issue
1350 bonds to provide for the retirement or refunding of any bonds or
1351 obligations of the district that at the time of such issuance
1352 are or subsequent thereto become due and payable, or that at the
1353 time of issuance have been called or are, or will be, subject to
1354 call for redemption within 10 years thereafter, or the surrender
1355 of which can be procured from the holders thereof at prices
1356 satisfactory to the board. Refunding bonds may be issued at any
1357 time that in the judgment of the board such issuance will be
1358 advantageous to the district. No approval of the landowners in
1359 the district shall be required for the issuance of refunding
1360 bonds except in cases in which such approval is required by the
1361 State Constitution. The board may by resolution confer upon the
1362 holders of such refunding bonds all rights, powers, and remedies
1363 to which the holders would be entitled if they continued to be
1364 the owners and had possession of the bonds for the refinancing
1365 of which such refunding bonds are issued, including, but not

1366 limited to, the preservation of the lien of such bonds on the
1367 revenues of any project or on pledged funds, without
1368 extinguishment, impairment, or diminution thereof. The
1369 provisions of this act pertaining to bonds of the district
1370 shall, unless the context otherwise requires, govern the
1371 issuance of refunding bonds, the form and other details thereof,
1372 the rights of the holders thereof, and the duties of the board
1373 with respect to such bonds.

1374 (h) Revenue bonds.—

1375 1. The district shall have the power to issue revenue
1376 bonds from time to time without limitation as to amount. Such
1377 revenue bonds may be secured by, or payable from, the gross or
1378 net pledge of the revenues to be derived from any project or
1379 combination of projects; from the rates, fees, or other charges
1380 to be collected from the users of any project or projects; from
1381 any revenue-producing undertaking or activity of the district;
1382 from special assessments; from benefit special assessments; or
1383 from any other source or pledged security. Such bonds shall not
1384 constitute an indebtedness of the district, and the approval of
1385 the landowners shall not be required unless such bonds are
1386 additionally secured by the full faith and credit and taxing
1387 power of the district.

1388 2. Any two or more projects may be combined and
1389 consolidated into a single project and may hereafter be operated
1390 and maintained as a single project. The revenue bonds authorized

1391 herein may be issued to finance any one or more of such
 1392 projects, regardless of whether or not such projects have been
 1393 combined and consolidated into a single project. If the board
 1394 deems it advisable, the proceedings authorizing such revenue
 1395 bonds may provide that the district may thereafter combine the
 1396 projects then being financed or theretofore financed with other
 1397 projects to be subsequently financed by the district and that
 1398 revenue bonds to be thereafter issued by the district shall be
 1399 on parity with the revenue bonds then being issued, all on such
 1400 terms, conditions, and limitations as shall have been provided
 1401 in the proceeding which authorized the original bonds.

1402 (i) Bonds as legal investment or security.—

1403 1. Notwithstanding any provisions of any other law to the
 1404 contrary, all bonds issued under the provisions of this act
 1405 shall constitute legal investments for savings banks, banks,
 1406 trust companies, insurance companies, executors, administrators,
 1407 trustees, guardians, and other fiduciaries and for any board,
 1408 body, agency, instrumentality, county, municipality, or other
 1409 political subdivision of the state and shall be and constitute
 1410 security which may be deposited by banks or trust companies as
 1411 security for deposits of state, county, municipal, or other
 1412 public funds or by insurance companies as required or voluntary
 1413 statutory deposits.

1414 2. Any bonds issued by the district shall be incontestable
 1415 in the hands of bona fide purchasers or holders for value and

1416 shall not be invalid because of any irregularity or defect in
1417 the proceedings for the issue and sale thereof.

1418 (j) Covenants.—Any resolution authorizing the issuance of
1419 bonds may contain such covenants as the board may deem
1420 advisable, and all such covenants shall constitute valid and
1421 legally binding and enforceable contracts between the district
1422 and the bondholders, regardless of the time of issuance thereof.
1423 Such covenants may include, without limitation, covenants
1424 concerning the disposition of the bond proceeds; the use and
1425 disposition of project revenues; the pledging of revenues,
1426 taxes, and assessments; the obligations of the district with
1427 respect to the operation of the project and the maintenance of
1428 adequate project revenues; the issuance of additional bonds; the
1429 appointment, powers, and duties of trustees and receivers; the
1430 acquisition of outstanding bonds and obligations; restrictions
1431 on the establishing of competing projects or facilities;
1432 restrictions on the sale or disposal of the assets and property
1433 of the district; the priority of assessment liens; the priority
1434 of claims by bondholders on the taxing power of the district;
1435 the maintenance of deposits to ensure the payment of revenues by
1436 users of district facilities and services; the discontinuance of
1437 district services by reason of delinquent payments; acceleration
1438 upon default; the execution of necessary instruments; the
1439 procedure for amending or abrogating covenants with the

1440 bondholders; and such other covenants as may be deemed necessary
1441 or desirable for the security of the bondholders.

1442 (k) Validation proceedings.—The power of the district to
1443 issue bonds under the provisions of this act may be determined,
1444 and any of the bonds of the district maturing over a period of
1445 more than 5 years shall be validated and confirmed, by court
1446 decree, under the provisions of chapter 75, Florida Statutes,
1447 and laws amendatory thereof or supplementary thereto.

1448 (l) Tax exemption.—To the extent allowed by general law,
1449 all bonds issued hereunder and interest paid thereon and all
1450 fees, charges, and other revenues derived by the district from
1451 the projects provided by this act are exempt from all taxes by
1452 the state or by any political subdivision, agency, or
1453 instrumentality thereof; however, any interest, income, or
1454 profits on debt obligations issued hereunder are not exempt from
1455 the tax imposed by chapter 220, Florida Statutes. Further, the
1456 district is not exempt from the provisions of chapter 212,
1457 Florida Statutes.

1458 (m) Application of s. 189.051, Florida Statutes.—Bonds
1459 issued by the district shall meet the criteria set forth in s.
1460 189.051, Florida Statutes.

1461 (n) Act furnishes full authority for issuance of bonds.—
1462 This act constitutes full and complete authority for the
1463 issuance of bonds and the exercise of the powers of the district
1464 provided herein. No procedures or proceedings, publications,

1465 notices, consents, approvals, orders, acts, or things by the
1466 board, or any board, officer, commission, department, agency, or
1467 instrumentality of the district, other than those required by
1468 this act, shall be required to perform anything under this act,
1469 except that the issuance or sale of bonds pursuant to the
1470 provisions of this act shall comply with the general law
1471 requirements applicable to the issuance or sale of bonds by the
1472 district. Nothing in this act shall be construed to authorize
1473 the district to utilize bond proceeds to fund the ongoing
1474 operations of the district.

1475 (o) Pledge by the state to the bondholders of the
1476 district.—The state pledges to the holders of any bonds issued
1477 under this act that it will not limit or alter the rights of the
1478 district to own, acquire, construct, reconstruct, improve,
1479 maintain, operate, or furnish the projects or to levy and
1480 collect the taxes, assessments, rentals, rates, fees, and other
1481 charges provided for herein and to fulfill the terms of any
1482 agreement made with the holders of such bonds or other
1483 obligations and that it will not in any way impair the rights or
1484 remedies of such holders.

1485 (p) Default.—A default on the bonds or obligations of the
1486 district shall not constitute a debt or obligation of the state
1487 or any general-purpose local government or the state. In the
1488 event of a default or dissolution of the district, no general-
1489 purpose local government shall be required to assume the

1490 property of the district, the debts of the district, or the
1491 district's obligations to complete any infrastructure
1492 improvements or provide any services to the district. The
1493 provisions of s. 189.076(2), Florida Statutes, shall not apply
1494 to the district.

1495 (11) TRUST AGREEMENTS.—Any issue of bonds shall be secured
1496 by a trust agreement or resolution by and between the district
1497 and a corporate trustee or trustees, which may be any trust
1498 company or bank having the powers of a trust company within or
1499 without the state. The resolution authorizing the issuance of
1500 the bonds or such trust agreement may pledge the revenues to be
1501 received from any projects of the district and may contain such
1502 provisions for protecting and enforcing the rights and remedies
1503 of the bondholders as the board may approve, including, without
1504 limitation, covenants setting forth the duties of the district
1505 in relation to the acquisition, construction, reconstruction,
1506 improvement, maintenance, repair, operation, and insurance of
1507 any projects; the fixing and revising of the rates, fees, and
1508 charges; and the custody, safeguarding, and application of all
1509 moneys and for the employment of consulting engineers in
1510 connection with such acquisition, construction, reconstruction,
1511 improvement, maintenance, repair, operation, or insurance. It
1512 shall be lawful for any bank or trust company within or without
1513 the state which may act as a depository of the proceeds of bonds
1514 or of revenues to furnish such indemnifying bonds or to pledge

1515 such securities as may be required by the district. Such
 1516 resolution or trust agreement may set forth the rights and
 1517 remedies of the bondholders and of the trustee, if any, and may
 1518 restrict the individual right of action by bondholders. The
 1519 board may provide for the payment of proceeds of the sale of the
 1520 bonds and the revenues of any project to such officer, board, or
 1521 depository as it may designate for the custody thereof and may
 1522 provide for the method of disbursement thereof with such
 1523 safeguards and restrictions as it may determine. All expenses
 1524 incurred in carrying out the provisions of such resolution or
 1525 trust agreement may be treated as part of the cost of operation
 1526 of the project to which such trust agreement pertains.

1527 (12) AD VALOREM TAXES; ASSESSMENTS, BENEFIT SPECIAL
 1528 ASSESSMENTS, MAINTENANCE SPECIAL ASSESSMENTS, AND SPECIAL
 1529 ASSESSMENTS.-

1530 (a) Ad valorem taxes.-The board shall have the power to
 1531 levy and assess an ad valorem tax on all the taxable property in
 1532 the district to construct, operate, and maintain assessable
 1533 improvements; to pay the principal of, and interest on, any
 1534 bonds of the district; and to provide for any sinking or other
 1535 funds established in connection with any such bonds. An ad
 1536 valorem tax levied by the board for operating purposes,
 1537 exclusive of debt service on bonds, shall not exceed 1 mill. The
 1538 ad valorem tax provided for herein shall be in addition to
 1539 county and all other ad valorem taxes provided for by law. Such

1540 tax shall be assessed, levied, and collected in the same manner
1541 and at the same time as county taxes. The levy of ad valorem
1542 taxes must be approved by referendum as required by Section 9 of
1543 Article VII of the State Constitution.

1544 (b) Benefit special assessments.—The board annually shall
1545 determine, order, and levy the annual installment of the total
1546 benefit special assessments for bonds issued and related
1547 expenses to finance assessable improvements. These assessments
1548 may be due and collected during each year county taxes are due
1549 and collected, in which case such annual installment and levy
1550 shall be evidenced to and certified to the property appraiser by
1551 the board not later than August 31 of each year. Such assessment
1552 shall be entered by the property appraiser on the county tax
1553 rolls and shall be collected and enforced by the tax collector
1554 in the same manner and at the same time as county taxes, and the
1555 proceeds thereof shall be paid to the district. However, this
1556 subsection shall not prohibit the district in its discretion
1557 from using the method prescribed in s. 197.3632, Florida
1558 Statutes, or chapter 173, Florida Statutes, for collecting and
1559 enforcing these assessments. Each annual installment of benefit
1560 special assessments shall be a lien on the property against
1561 which assessed until paid and shall be enforceable in like
1562 manner as county taxes. The amount of the assessment for the
1563 exercise of the district's powers under subsections (6) and (7)
1564 shall be determined by the board based upon a report of the

1565 district's engineer and assessed by the board upon such lands,
 1566 which may be part or all of the lands within the district
 1567 benefited by the improvement, apportioned between benefited
 1568 lands in proportion to the benefits received by each tract of
 1569 land. The board may, if it determines it is in the best
 1570 interests of the district, set forth in the proceedings
 1571 initially levying such benefit special assessments or in
 1572 subsequent proceedings a formula for the determination of an
 1573 amount which, when paid by a taxpayer with respect to any tax
 1574 parcel, shall constitute a prepayment of all future annual
 1575 installments of such benefit special assessments. The payment of
 1576 which amount with respect to such tax parcel shall relieve and
 1577 discharge such tax parcel of the lien of such benefit special
 1578 assessments and any subsequent annual installment thereof. The
 1579 board may provide further that upon delinquency in the payment
 1580 of any annual installment of benefit special assessments, such
 1581 prepayment amount of all future annual installments of benefit
 1582 special assessments shall be and become immediately due and
 1583 payable together with such delinquent annual installment.

1584 (c) Maintenance special assessments.—To maintain and
 1585 preserve the facilities and projects of the district, the board
 1586 may levy a maintenance special assessment. This assessment may
 1587 be evidenced to and certified to the tax collector by the board
 1588 of supervisors by August 31 of each year and shall be entered by
 1589 the property appraiser on the county tax rolls collected and

1590 enforced by the tax collector in the same manner and at the same
1591 time as county taxes, and the proceeds therefrom shall be paid
1592 to the district. However, this subsection shall not prohibit the
1593 district in its discretion from using the method prescribed in
1594 s. 197.363, s. 197.3631, or s. 197.3632, Florida Statutes, for
1595 collecting and enforcing these assessments. These maintenance
1596 special assessments shall be a lien on the property against
1597 which assessed until paid and shall be enforceable in like
1598 manner as county taxes. The amount of the maintenance special
1599 assessment for the exercise of the district's powers under this
1600 section shall be determined by the board based upon a report of
1601 the district's engineer and assessed by the board upon such
1602 lands, which may be all of the lands within the district
1603 benefited by the maintenance thereof, apportioned between the
1604 benefited lands in proportion to the benefits received by each
1605 tract of land.

1606 (d) Special assessments.—The board may levy and impose any
1607 special assessments pursuant to this subsection.

1608 (e) Enforcement of taxes.—The collection and enforcement
1609 of all taxes levied by the district shall be at the same time
1610 and in like manner as county taxes, and the provisions of
1611 general law relating to the sale of lands for unpaid and
1612 delinquent county taxes; the issuance, sale, and delivery of tax
1613 certificates for such unpaid and delinquent county taxes; the
1614 redemption thereof; the issuance to individuals of tax deeds

1615 based thereon; and all other procedures in connection therewith
1616 shall be applicable to the district to the same extent as if
1617 such statutory provisions were expressly set forth herein. All
1618 taxes shall be subject to the same discounts as county taxes.

1619 (f) When unpaid tax is delinquent; penalty.—All taxes
1620 provided for in this act shall become delinquent and bear
1621 penalties on the amount of such taxes in the same manner as
1622 county taxes.

1623 (g) Status of assessments.—Benefit special assessments,
1624 maintenance special assessments, and special assessments are
1625 hereby found and determined to be non-ad valorem assessments as
1626 defined in s. 197.3632, Florida Statutes.

1627 (h) Assessments constitute liens; collection.—Any and all
1628 assessments, including special assessments, benefit special
1629 assessments, and maintenance special assessments authorized by
1630 this section, and including special assessments as defined in
1631 section 2(2) and granted and authorized by this subsection,
1632 shall constitute a lien on the property against which assessed
1633 from the date of levy and imposition thereof until paid, coequal
1634 with the lien of state, county, municipal, and school board
1635 taxes. These assessments may be collected, at the district's
1636 discretion, under authority of s. 197.3631, Florida Statutes, by
1637 the tax collector pursuant to the provisions of ss. 197.3632 and
1638 197.3635, Florida Statutes, or in accordance with other
1639 collection measures provided by law. In addition to, and not in

1640 limitation of, any powers otherwise set forth herein or in
 1641 general law, these assessments may also be enforced pursuant to
 1642 the provisions of chapter 173, Florida Statutes.

1643 (i) Land owned by governmental entity.—Except as otherwise
 1644 provided by law, no levy of ad valorem taxes or non-ad valorem
 1645 assessments under this act, chapter 170 or chapter 197, Florida
 1646 Statutes, or otherwise by a board of the district, on property
 1647 of a governmental entity that is subject to a ground lease as
 1648 described in s. 190.003(14), Florida Statutes, shall constitute
 1649 a lien or encumbrance on the underlying fee interest of such
 1650 governmental entity. There shall be no levy of ad valorem taxes
 1651 or non-ad valorem assessments under this act on property owned
 1652 by the state or Hillsborough County. There shall be no levy of
 1653 ad valorem taxes or non-ad valorem assessments under this act on
 1654 property owned by the City of Tampa and used for governmental
 1655 purposes.

1656 (13) SPECIAL ASSESSMENTS.—

1657 (a) As an alternative method to the levy and imposition of
 1658 special assessments pursuant to chapter 170, Florida Statutes,
 1659 pursuant to the authority of s. 197.3631, Florida Statutes, or
 1660 pursuant to other provisions of general law, now or hereafter
 1661 enacted, which provide a supplemental means or authority to
 1662 impose, levy, and collect special assessments as otherwise
 1663 authorized under this act, the board may levy and impose special

1664 assessments to finance the exercise of any of its powers
1665 permitted under this act using the following uniform procedures:

1666 1. At a noticed meeting, the board of supervisors of the
1667 district may consider and review an engineer's report on the
1668 costs of the systems, facilities, and services to be provided; a
1669 preliminary special assessment methodology; and a preliminary
1670 roll based on acreage or platted lands, depending upon whether
1671 platting has occurred.

1672 a. The special assessment methodology shall address and
1673 discuss and the board shall consider whether the systems,
1674 facilities, and services being contemplated will result in
1675 special benefits peculiar to the property, different in kind and
1676 degree than general benefits, as a logical connection between
1677 the systems, facilities, and services themselves and the
1678 property, and whether the duty to pay the special assessments by
1679 the property owners is apportioned in a manner that is fair and
1680 equitable and not in excess of the special benefit received. It
1681 shall be fair and equitable to designate a fixed proportion of
1682 the annual debt service, together with interest thereon, on the
1683 aggregate principal amount of bonds issued to finance such
1684 systems, facilities, and services which give rise to unique,
1685 special, and peculiar benefits to property of the same or
1686 similar characteristics under the special assessment methodology
1687 so long as such fixed proportion does not exceed the unique,

1688 special, and peculiar benefits enjoyed by such property from
1689 such systems, facilities, and services.

1690 b. The engineer's cost report shall identify the nature of
1691 the proposed systems, facilities, and services, their location,
1692 a cost breakdown plus a total estimated cost, including cost of
1693 construction or reconstruction, labor, and materials, lands,
1694 property, rights, easements, franchises, or systems, facilities,
1695 and services to be acquired, cost of plans and specifications,
1696 surveys of estimates of costs and revenues, costs of
1697 engineering, legal, and other professional consultation
1698 services, and other expenses or costs necessary or incident to
1699 determining the feasibility or practicability of such
1700 construction, reconstruction, or acquisition, administrative
1701 expenses, relationship to the authority and power of the
1702 district in its charter, and such other expenses or costs as may
1703 be necessary or incident to the financing to be authorized by
1704 the board of supervisors.

1705 c. The preliminary special assessment roll shall be in
1706 accordance with the assessment methodology as may be adopted by
1707 the board of supervisors. The special assessment roll shall be
1708 completed as promptly as possible and shall show the acreage,
1709 lots, lands, or plats assessed and the amount of the fairly and
1710 reasonably apportioned assessment based on special and peculiar
1711 benefit to the property, lot, parcel, or acreage of land. If the
1712 special assessment against such lot, parcel, acreage, or portion

1713 of land is to be paid in installments, the number of annual
1714 installments in which the special assessment is divided shall be
1715 entered into and shown upon the special assessment roll.

1716 2. The board of supervisors of the district may determine
1717 and declare by an initial special assessment resolution to levy
1718 and assess the special assessments with respect to assessable
1719 improvements stating the nature of the systems, facilities, and
1720 services, improvements, projects, or infrastructure constituting
1721 such assessable improvements, the information in the engineer's
1722 cost report, the information in the special assessment
1723 methodology as determined by the board at the noticed meeting,
1724 the preliminary special assessment methodology, and the
1725 preliminary special assessment roll. If the board determines to
1726 declare and levy the special assessments by the initial special
1727 assessment resolution, the board shall also adopt and declare a
1728 notice resolution which shall provide and cause the initial
1729 special assessment resolution to be published once a week for a
1730 period of 2 weeks in newspapers of general circulation published
1731 in Hillsborough County and said board shall by the same
1732 resolution fix a time and place at which the owner or owners of
1733 the property to be assessed or any other persons interested
1734 therein may appear before said board and be heard as to the
1735 propriety and advisability of making such improvements, as to
1736 the costs thereof, as to the manner of payment therefor, and as
1737 to the amount thereof to be assessed against each property so

1738 improved. Thirty days' notice in writing of such time and place
1739 shall be given to such property owners. The notice shall include
1740 the amount of the special assessment and shall be served by
1741 mailing a copy to each assessed property owner at his or her
1742 last known address, the names and addresses of such property
1743 owners to be obtained from the record of the property appraiser
1744 of the county political subdivision in which the land is located
1745 or from such other sources as the district manager or engineer
1746 deems reliable. Proof of such mailing shall be made by the
1747 affidavit of the manager of the district or by the engineer,
1748 said proof to be filed with the district manager. Failure to
1749 mail said notice or notices shall not invalidate any of the
1750 proceedings hereunder. It is provided further that the last
1751 publication shall be at least 1 week prior to the date of the
1752 hearing on the final special assessment resolution. Said notice
1753 shall describe the general areas to be improved and advise all
1754 persons interested that the description of each property to be
1755 assessed and the amount to be assessed to each piece, parcel,
1756 lot, or acre of property may be ascertained at the office of the
1757 manager of the district. Such service by publication shall be
1758 verified by the affidavit of the publisher and filed with the
1759 manager of the district. Moreover, the initial special
1760 assessment resolution with its attached, referenced, and
1761 incorporated engineer's cost report, preliminary special
1762 assessment methodology, and preliminary special assessment roll,

1763 along with the notice resolution, shall be available for public
1764 inspection at the office of the manager and the office of the
1765 engineer or any other office designated by the board of
1766 supervisors in the notice resolution. Notwithstanding the
1767 foregoing, the landowners of all of the property which is
1768 proposed to be assessed may give the district written notice of
1769 waiver of any notice and publication provided for in this
1770 subparagraph and such notice and publication shall not be
1771 required, provided, however, that any meeting of the board of
1772 supervisors to consider such resolution shall be a publicly
1773 noticed meeting.

1774 3. At the time and place named in the noticed resolution
1775 as provided for in subparagraph 2., the board of supervisors of
1776 the district shall meet and hear testimony from affected
1777 property owners as to the propriety and advisability of making
1778 the systems, facilities, services, projects, works,
1779 improvements, or infrastructure and funding them with
1780 assessments referenced in the initial special assessment
1781 resolution on the property. Following the testimony and
1782 questions from the members of the board or any professional
1783 advisors to the district of the preparers of the engineer's cost
1784 report, the special assessment methodology, and the special
1785 assessment roll, the board of supervisors shall make a final
1786 decision on whether to levy and assess the particular special
1787 assessments. Thereafter, the board of supervisors shall meet as

1788 an equalizing board to hear and to consider any and all
1789 complaints as to the particular special assessments and shall
1790 adjust and equalize the special assessments to ensure proper
1791 assessment based on the benefit conferred on the property.

1792 4. When so equalized and approved by resolution or
1793 ordinance by the board of supervisors, to be called the final
1794 special assessment resolution, a final special assessment roll
1795 shall be filed with the clerk of the board and such special
1796 assessment shall stand confirmed and remain legal, valid, and
1797 binding first liens on the property against which such special
1798 assessments are made until paid, equal in dignity to the first
1799 liens of ad valorem taxation of county and municipal governments
1800 and school boards. However, upon completion of the systems,
1801 facilities, service, project, improvement, works, or
1802 infrastructure, the district shall credit to each of the
1803 assessments the difference in the special assessment as
1804 originally made, approved, levied, assessed, and confirmed and
1805 the proportionate part of the actual cost of the improvement to
1806 be paid by the particular special assessments as finally
1807 determined upon the completion of the improvement; but in no
1808 event shall the final special assessment exceed the amount of
1809 the special and peculiar benefits as apportioned fairly and
1810 reasonably to the property from the system, facility, or service
1811 being provided as originally assessed. Promptly after such
1812 confirmation, the special assessment shall be recorded by the

1813 clerk of the district in the minutes of the proceedings of the
1814 district, and the record of the lien in this set of minutes
1815 shall constitute prima facie evidence of its validity. The board
1816 of supervisors, in its sole discretion, may by resolution grant
1817 a discount equal to all or a part of the payee's proportionate
1818 share of the cost of the project consisting of bond financing
1819 cost, such as capitalized interest, funded reserves, and bond
1820 discounts included in the estimated cost of the project, upon
1821 payment in full of any special assessments during such period
1822 prior to the time such financing costs are incurred as may be
1823 specified by the board of supervisors in such resolution.

1824 5. District special assessments may be made payable in
1825 installments over no more than 40 years from the date of the
1826 payment of the first installment thereof and may bear interest
1827 at fixed or variable rates.

1828 (b) Notwithstanding any provision of this act or chapter
1829 170, Florida Statutes, that portion of s. 170.09, Florida
1830 Statutes, which provides that special assessments may be paid
1831 without interest at any time within 30 days after the
1832 improvement is completed and a resolution accepting the same has
1833 been adopted by the governing authority shall not be applicable
1834 to any district special assessments, whether imposed, levied,
1835 and collected pursuant to the provisions of this act or other
1836 provisions of general law, including, but not limited to,
1837 chapter 170, Florida Statutes.

1838 (c) In addition, the district is authorized expressly in
 1839 the exercise of its rulemaking power to adopt rules that provide
 1840 for notice, levy, imposition, equalization, and collection of
 1841 assessments.

1842 (14) ISSUANCE OF CERTIFICATES OF INDEBTEDNESS BASED ON
 1843 ASSESSMENTS FOR ASSESSABLE IMPROVEMENTS; ASSESSMENT BONDS.—

1844 (a) The board may, after any special assessments or
 1845 benefit special assessments for assessable improvements are
 1846 made, determined, and confirmed as provided in this act, issue
 1847 certificates of indebtedness for the amount so assessed against
 1848 the abutting property or property otherwise benefited, as the
 1849 case may be, and separate certificates shall be issued against
 1850 each part or parcel of land or property assessed, which
 1851 certificates shall state the general nature of the improvement
 1852 for which the assessment is made. The certificates shall be
 1853 payable in annual installments in accordance with the
 1854 installments of the special assessment for which they are
 1855 issued. The board may determine the interest to be borne by such
 1856 certificates, not to exceed the maximum rate allowed by general
 1857 law, and may sell such certificates at either private or public
 1858 sale and determine the form, manner of execution, and other
 1859 details of such certificates. The certificates shall recite that
 1860 they are payable only from the special assessments levied and
 1861 collected from the part or parcel of land or property against
 1862 which they are issued. The proceeds of such certificates may be

1863 pledged for the payment of principal of and interest on any
 1864 revenue bonds issued to finance in whole or in part such
 1865 assessable improvement, or, if not so pledged, may be used to
 1866 pay the cost or part of the cost of such assessable
 1867 improvements.

1868 (b) The district may also issue assessment bonds, revenue
 1869 bonds, or other obligations payable from a special fund into
 1870 which such certificates of indebtedness referred to in paragraph
 1871 (a) may be deposited or, if such certificates of indebtedness
 1872 have not been issued, may assign to such special fund for the
 1873 benefit of the holders of such assessment bonds or other
 1874 obligations, or to a trustee for such bondholders, the
 1875 assessment liens provided for in this act unless such
 1876 certificates of indebtedness or assessment liens have been
 1877 theretofore pledged for any bonds or other obligations
 1878 authorized hereunder. In the event of the creation of such
 1879 special fund and the issuance of such assessment bonds or other
 1880 obligations, the proceeds of such certificates of indebtedness
 1881 or assessment liens deposited therein shall be used only for the
 1882 payment of the assessment bonds or other obligations issued as
 1883 provided in this section. The district is authorized to covenant
 1884 with the holders of such assessment bonds, revenue bonds, or
 1885 other obligations that it will diligently and faithfully enforce
 1886 and collect all the special assessments, and interest and
 1887 penalties thereon, for which such certificates of indebtedness

1888 or assessment liens have been deposited in or assigned to such
1889 fund; to foreclose such assessment liens so assigned to such
1890 special fund or represented by the certificates of indebtedness
1891 deposited in the special fund, after such assessment liens have
1892 become delinquent, and deposit the proceeds derived from such
1893 foreclosure, including interest and penalties, in such special
1894 fund; and to make any other covenants deemed necessary or
1895 advisable in order to properly secure the holders of such
1896 assessment bonds or other obligations.

1897 (c) The assessment bonds, revenue bonds, or other
1898 obligations issued pursuant to this section shall have such
1899 dates of issue and maturity as shall be deemed advisable by the
1900 board; however, the maturities of such assessment bonds or other
1901 obligations shall not be more than 2 years after the due date of
1902 the last installment that will be payable on any of the special
1903 assessments for which such assessment liens, or the certificates
1904 of indebtedness representing such assessment liens, are assigned
1905 to or deposited in such special fund.

1906 (d) Such assessment bonds, revenue bonds, or other
1907 obligations issued under this section shall bear such interest
1908 as the board may determine, not to exceed the maximum rate
1909 allowed by general law, and shall be executed, shall have such
1910 provisions for redemption prior to maturity, shall be sold in
1911 the manner, and shall be subject to all of the applicable
1912 provisions contained in this act for revenue bonds, except as

1913 the same may be inconsistent with the provisions of this
 1914 section.

1915 (e) All assessment bonds, revenue bonds, or other
 1916 obligations issued under the provisions of this section shall
 1917 have all the qualities and incidents of negotiable instruments
 1918 under the law merchant and the laws of the state.

1919 (15) TAX LIENS.—All taxes of the district provided for in
 1920 this act, together with all penalties for default in the payment
 1921 of the same and all costs in collecting the same, including a
 1922 reasonable attorney fee fixed by the court and taxed as a cost
 1923 in the action brought to enforce payment, shall, from January 1
 1924 of each year the property is liable to assessment and until
 1925 paid, constitute a lien of equal dignity with the liens for
 1926 state and county taxes and other taxes of equal dignity with
 1927 state and county taxes upon all the lands against which such
 1928 taxes shall be levied. A sale of any of the real property within
 1929 the district for state and county or other taxes shall not
 1930 operate to relieve or release the property so sold from the lien
 1931 for subsequent district taxes or installments of district taxes,
 1932 which lien may be enforced against such property as though no
 1933 such sale thereof had been made. In addition, for purposes of s.
 1934 197.552, Florida Statutes, the lien of all special assessments
 1935 levied by the district shall constitute a lien of record held by
 1936 a municipal or county governmental unit. The provisions of ss.
 1937 194.171, 197.122, 197.333, and 197.432, Florida Statutes, shall

1938 be applicable to district taxes with the same force and effect
 1939 as if such provisions were expressly set forth in this act.

1940 (16) PAYMENT OF TAXES AND REDEMPTION OF TAX LIENS BY THE
 1941 DISTRICT; SHARING IN PROCEEDS OF TAX SALE.-

1942 (a) The district shall have the power and right to:

1943 1. Pay any delinquent state, county, district, municipal,
 1944 or other tax or assessment upon lands located wholly or
 1945 partially within the boundaries of the district.

1946 2. Redeem or purchase any tax sales certificates issued or
 1947 sold on account of any state, county, district, municipal, or
 1948 other taxes or assessments upon lands located wholly or
 1949 partially within the boundaries of the district.

1950 (b) Delinquent taxes paid, or tax sales certificates
 1951 redeemed or purchased, by the district, together with all
 1952 penalties for the default in payment of the same and all costs
 1953 in collecting the same and a reasonable attorney fee, shall
 1954 constitute a lien in favor of the district of equal dignity with
 1955 the liens of state and county taxes and other taxes of equal
 1956 dignity with state and county taxes upon all the real property
 1957 against which the taxes were levied. The lien of the district
 1958 may be foreclosed in the manner provided in this act.

1959 (c) In any sale of land pursuant to s. 197.542, Florida
 1960 Statutes, the district may certify to the clerk of the circuit
 1961 court of the county holding such sale the amount of taxes due to
 1962 the district upon the lands sought to be sold, and the district

1963 | shall share in the disbursement of the sales proceeds in
 1964 | accordance with the provisions of this act and under the laws of
 1965 | the state.

1966 | (17) FORECLOSURE OF LIENS.—Any lien in favor of the
 1967 | district arising under this act may be foreclosed by the
 1968 | district by foreclosure proceedings in the name of the district
 1969 | in a court of competent jurisdiction as provided by general law
 1970 | in like manner as is provided in chapter 170 or chapter 173,
 1971 | Florida Statutes, and amendments thereto, and the provisions of
 1972 | those chapters shall be applicable to such proceedings with the
 1973 | same force and effect as if those provisions were expressly set
 1974 | forth in this act. Any act required or authorized to be done by
 1975 | or on behalf of a municipality in foreclosure proceedings under
 1976 | chapter 170 or chapter 173, Florida Statutes, may be performed
 1977 | by such officer or agent of the district as the board of
 1978 | supervisors may designate. Such foreclosure proceedings may be
 1979 | brought at any time after the expiration of 1 year from the date
 1980 | any tax, or installment thereof, becomes delinquent; however, no
 1981 | lien shall be foreclosed against any political subdivision or
 1982 | agency of the state. Other legal remedies shall remain
 1983 | available.

1984 | (18) MANDATORY USE OF CERTAIN DISTRICT FACILITIES.—To the
 1985 | full extent permitted by law, the district shall require all
 1986 | lands, buildings, premises, persons, firms, and corporations
 1987 | within the district to use the facilities of the district.

1988 (19) COMPETITIVE PROCUREMENT; BIDS; NEGOTIATIONS.—
 1989 (a) No contract shall be let by the board for any goods,
 1990 supplies, or materials to be purchased when the amount thereof
 1991 to be paid by the district shall exceed the amount provided in
 1992 s. 287.017, Florida Statutes, for category four, unless notice
 1993 of bids shall be advertised once in a newspaper in general
 1994 circulation in Hillsborough County. Any board seeking to
 1995 construct or improve a public building, structure, or other
 1996 public works shall comply with the bidding procedures of s.
 1997 255.20, Florida Statutes, and other applicable general law. In
 1998 each case, the bid of the lowest responsive and responsible
 1999 bidder shall be accepted unless all bids are rejected because
 2000 the bids are too high or the board determines it is in the best
 2001 interests of the district to reject all bids. The board may
 2002 require the bidders to furnish bond with a responsible surety to
 2003 be approved by the board. Nothing in this subsection shall
 2004 prevent the board from undertaking and performing the
 2005 construction, operation, and maintenance of any project or
 2006 facility authorized by this act by the employment of labor,
 2007 material, and machinery.
 2008 (b) The provisions of the Consultants' Competitive
 2009 Negotiation Act, s. 287.055, Florida Statutes, apply to
 2010 contracts for engineering, architecture, landscape architecture,
 2011 or registered surveying and mapping services let by the board.

2012 (c) Contracts for maintenance services for any district
 2013 facility or project shall be subject to competitive bidding
 2014 requirements when the amount thereof to be paid by the district
 2015 exceeds the amount provided in s. 287.017, Florida Statutes, for
 2016 category four. The district shall adopt rules, policies, or
 2017 procedures establishing competitive bidding procedures for
 2018 maintenance services. Contracts for other services shall not be
 2019 subject to competitive bidding unless the district adopts a
 2020 rule, policy, or procedure applying competitive bidding
 2021 procedures to said contracts. Nothing herein shall preclude the
 2022 use of requests for proposal instead of invitations to bid as
 2023 determined by the district to be in its best interest.

2024 (20) RATES; FEES, RENTALS, AND CHARGES; PROCEDURE FOR
 2025 ADOPTION AND MODIFICATIONS; MINIMUM REVENUE REQUIREMENTS.-

2026 (a) The district is authorized to prescribe, fix,
 2027 establish, and collect rates, fees, rentals, or other charges,
 2028 hereinafter sometimes referred to as "revenues," and to revise
 2029 the same from time to time, for the systems, facilities, and
 2030 services furnished by the district, within the limits of the
 2031 district, including, but not limited to, recreational
 2032 facilities, water management and control facilities, and water
 2033 and sewer systems; to recover the costs of making connection
 2034 with any district service, facility, or system; and to provide
 2035 for reasonable penalties against any user or property for any
 2036 such rates, fees, rentals, or other charges that are delinquent.

2037 (b) No such rates, fees, rentals, or other charges for any
2038 of the facilities or services of the district shall be fixed
2039 until after a public hearing at which all the users of the
2040 proposed facility or services or owners, tenants, or occupants
2041 served or to be served thereby and all other interested persons
2042 shall have an opportunity to be heard concerning the proposed
2043 rates, fees, rentals, or other charges. Rates, fees, rentals,
2044 and other charges shall be adopted under the administrative
2045 rulemaking authority of the district, but shall not apply to
2046 district leases. Notice of such public hearing setting forth the
2047 proposed schedule or schedules of rates, fees, rentals, and
2048 other charges shall have been published in a newspaper of
2049 general circulation in Hillsborough County at least once and at
2050 least 10 days prior to such public hearing. The rulemaking
2051 hearing may be adjourned from time to time. After such hearing,
2052 such schedule or schedules, either as initially proposed or as
2053 modified or amended, may be finally adopted. A copy of the
2054 schedule or schedules of such rates, fees, rentals, or charges
2055 as finally adopted shall be kept on file in an office designated
2056 by the board and shall be open at all reasonable times to public
2057 inspection. The rates, fees, rentals, or charges so fixed for
2058 any class of users or property served shall be extended to cover
2059 any additional users or properties thereafter served which shall
2060 fall in the same class, without the necessity of any notice or
2061 hearing.

2062 (c) Such rates, fees, rentals, and charges shall be just
 2063 and equitable and uniform for users of the same class, and when
 2064 appropriate may be based or computed either upon the amount of
 2065 service furnished, upon the average number of persons residing
 2066 or working in or otherwise occupying the premises served, or
 2067 upon any other factor affecting the use of the facilities
 2068 furnished, or upon any combination of the foregoing factors, as
 2069 may be determined by the board on an equitable basis.

2070 (d) The rates, fees, rentals, or other charges prescribed
 2071 shall be such as will produce revenues, together with any other
 2072 assessments, taxes, revenues, or funds available or pledged for
 2073 such purpose, at least sufficient to provide for the items
 2074 hereinafter listed, but not necessarily in the order stated:

2075 1. To provide for all expenses of operation and
 2076 maintenance of such facility or service.

2077 2. To pay when due all bonds and interest thereon for the
 2078 payment of which such revenues are, or shall have been, pledged
 2079 or encumbered, including reserves for such purpose.

2080 3 . To provide for any other funds which may be required
 2081 under the resolution or resolutions authorizing the issuance of
 2082 bonds pursuant to this act.

2083 (e) The board shall have the power to enter into contracts
 2084 for the use of the projects of the district and with respect to
 2085 the services, systems, and facilities furnished or to be
 2086 furnished by the district.

2087 (21) RECOVERY OF DELINQUENT CHARGES.—In the event that any
2088 rates, fees, rentals, charges, or delinquent penalties shall not
2089 be paid as and when due and shall be in default for 60 days or
2090 more, the unpaid balance thereof and all interest accrued
2091 thereon, together with reasonable attorney fees and costs, may
2092 be recovered by the district in a civil action.

2093 (22) DISCONTINUANCE OF SERVICE.—In the event the fees,
2094 rentals, or other charges for district services or facilities
2095 are not paid when due, the board shall have the power, under
2096 such reasonable rules and regulations as the board may adopt, to
2097 discontinue and shut off such services until such fees, rentals,
2098 or other charges, including interest, penalties, and charges for
2099 the shutting off and discontinuance and the restoration of such
2100 services, are fully paid; and, for such purposes, the board may
2101 enter on any lands, waters, or premises of any person, firm,
2102 corporation, or body, public or private, within the district
2103 limits. Such delinquent fees, rentals, or other charges,
2104 together with interest, penalties, and charges for the shutting
2105 off and discontinuance and the restoration of such services and
2106 facilities and reasonable attorney fees and other expenses, may
2107 be recovered by the district, which may also enforce payment of
2108 such delinquent fees, rentals, or other charges by any other
2109 lawful method of enforcement.

2110 (23) ENFORCEMENT AND PENALTIES.—The board or any aggrieved
2111 person may have recourse to such remedies in law and at equity

2112 as may be necessary to ensure compliance with the provisions of
2113 this act, including injunctive relief to enjoin or restrain any
2114 person violating the provisions of this act or any bylaws,
2115 resolutions, regulations, rules, codes, or orders adopted under
2116 this act. In case any building or structure is erected,
2117 constructed, reconstructed, altered, repaired, converted, or
2118 maintained, or any building, structure, land, or water is used,
2119 in violation of this act or of any code, order, resolution, or
2120 other regulation made under authority conferred by this act or
2121 under law, the board or any citizen residing in the district may
2122 institute any appropriate action or proceeding to prevent such
2123 unlawful erection, construction, reconstruction, alteration,
2124 repair, conversion, maintenance, or use; to restrain, correct,
2125 or avoid such violation; to prevent the occupancy of such
2126 building, structure, land, or water; and to prevent any illegal
2127 act, conduct, business, or use in or about such premises, land,
2128 or water.

2129 (24) SUITS AGAINST THE DISTRICT.—Any suit or action
2130 brought or maintained against the district for damages arising
2131 out of tort, including, without limitation, any claim arising
2132 upon account of an act causing an injury or loss of property,
2133 personal injury, or death, shall be subject to the limitations
2134 provided in s. 768.28, Florida Statutes.

2135 (25) EXEMPTION OF DISTRICT PROPERTY FROM EXECUTION.—All
2136 district property shall be exempt from levy and sale by virtue

2137 of an execution, and no execution or other judicial process
2138 shall issue against such property, nor shall any judgment
2139 against the district be a charge or lien on its property or
2140 revenues; however, nothing contained herein shall apply to or
2141 limit the rights of bondholders to pursue any remedy for the
2142 enforcement of any lien or pledge given by the district in
2143 connection with any of the bonds or obligations of the district.

2144 (26) TERMINATION OF DISTRICT.—The district shall remain in
2145 existence until the earlier of the following:

2146 (a) The district is terminated and dissolved pursuant to
2147 amendment to this act by the Legislature; or

2148 (b) The district has become inactive pursuant to s.
2149 189.062, Florida Statutes.

2150 (27) INCLUSION OF TERRITORY.—The inclusion of any or all
2151 territory of the district within a municipality does not change,
2152 alter, or affect the boundary, territory, existence, or
2153 jurisdiction of the district.

2154 (28) SALE OF REAL ESTATE WITHIN THE DISTRICT; REQUIRED
2155 DISCLOSURE TO PURCHASER.—Subsequent to the creation of this
2156 district under this act, each contract for the initial sale of a
2157 parcel of real property and each contract for the initial sale
2158 of a unit within the district shall include, immediately prior
2159 to the space reserved in the contract for the signature of the
2160 purchaser, the following disclosure statement in boldfaced and
2161 conspicuous type that is larger than the type in the remaining

2162 text of the contract: "THE WATER STREET TAMPA IMPROVEMENT
 2163 DISTRICT MAY IMPOSE AND LEVY TAXES, USER FEES, AND/OR
 2164 ASSESSMENTS ON THIS PROPERTY. THESE TAXES AND ASSESSMENTS PAY
 2165 FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE COSTS OF
 2166 CERTAIN PUBLIC SYSTEMS, FACILITIES, AND SERVICES OF THE DISTRICT
 2167 AND ARE SET ANNUALLY AND/OR PERIODICALLY BY THE GOVERNING BOARD
 2168 OF THE DISTRICT. THESE TAXES, USER FEES, AND ASSESSMENTS ARE IN
 2169 ADDITION TO COUNTY AND OTHER LOCAL GOVERNMENTAL TAXES, USER
 2170 FEES, AND ASSESSMENTS AND ALL OTHER TAXES, USER FEES, AND
 2171 ASSESSMENTS PROVIDED FOR BY LAW."

2172 (29) NOTICE OF CREATION AND ESTABLISHMENT.—Within 30 days
 2173 after the election of the first board of supervisors creating
 2174 this district, the district shall cause to be recorded in the
 2175 grantor-grantee index of the property records in Hillsborough
 2176 County a "Notice of Creation and Establishment of the Water
 2177 Street Tampa Improvement District." The notice shall, at a
 2178 minimum, include the legal description of the property covered
 2179 by this act.

2180 (30) DISTRICT PROPERTY PUBLIC; FEES.—Any system, facility,
 2181 service, works, improvement, project, or other infrastructure
 2182 owned by the district, or funded by federal tax-exempt bonds
 2183 issued by the district, is public; and the district by rule may
 2184 regulate, and may impose reasonable charges or fees for, the use
 2185 thereof, but not to the extent that such regulation or

2186 | imposition of such charges or fees constitutes denial of
2187 | reasonable access.

2188 | Section 7. If any provision of this act is determined
2189 | unconstitutional or otherwise determined invalid by a court of
2190 | law, all the rest and remainder of the act shall remain in full
2191 | force and effect as the law of this state.

2192 | Section 8. This act shall take effect upon becoming a law,
2193 | except that the provisions of this act which authorize the levy
2194 | of ad valorem taxation shall take effect only upon express
2195 | approval by a majority vote of those owners of freeholds of the
2196 | Water Street Tampa Improvement District, as required by Section
2197 | 9 of Article VII of the State Constitution, voting in a
2198 | referendum election.