

1 A bill to be entitled
2 An act relating to Lee and Hendry Counties; creating
3 and establishing the Lehigh Acres Municipal Services
4 Improvement District as an independent special
5 district; providing legislative findings and intent;
6 providing a district charter; describing boundaries;
7 providing powers and authority of the district;
8 providing applicability of chapters 189 and 197, F.S.,
9 and other general laws; providing for a board;
10 providing authority, duties, and powers of the
11 district board; providing for elections, compensation,
12 and removal of board members; authorizing the board to
13 employ a manager and staff; repealing chapters 2000-
14 423, 2003-315, 2005-308, 2006-319, 2009-260, and 2012-
15 254, Laws of Florida, relating to the East County
16 Water Control District; dissolving the East County
17 Water Control District; providing for the transfer of
18 assets, assumption of all lawful debts and other
19 obligations, and continuation of contracts by the
20 Lehigh Acres Municipal Services Improvement District;
21 prohibiting annexation by any municipality of any area
22 within the district; providing an exception for
23 municipal incorporation of the entire area; providing
24 construction; providing that the act shall take
25 precedence over any conflicting law to the extent of
26 such conflict; providing an effective date.

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

Section 1. Legislative findings.—The Legislature finds:

(1) The East County Water Control District is comprised of approximately 60,000 acres lying in the unincorporated area of eastern Lee County known as Lehigh Acres and approximately 2,000 acres of western Hendry County.

(2) According to the 2010 United States Census, the population of Lehigh Acres is approximately 86,784.

(3) Upon completion of all projected construction, the population of Lehigh Acres is projected to exceed 250,000, making Lehigh Acres one of the largest communities in Florida.

(4) The East County Water Control District currently provides such services as authorized under chapter 298, Florida Statutes, and operates under chapters 2000-423, 2003-315, 2005-308, 2006-319, 2009-260, and 2012-254, Laws of Florida, in the entire described area of Lehigh Acres in Lee and Hendry Counties.

(5) The Lehigh Acres Fire Control District currently provides such services as authorized under chapter 191, Florida Statutes, to the area of Lehigh Acres located in Lee County.

(6) The Lehigh Acres Streetlighting Unit is a municipal services taxing unit created and controlled by the Board of County Commissioners of Lee County. The Streetlighting Unit operates within a designated area of Lehigh Acres with the

53 purpose of providing streetlighting, maintenance of
54 streetlights, and installation and maintenance of decorative
55 seasonal banners and holiday lighting.

56 (7) In nonbinding referenda conducted in 1996 and 2008,
57 the residents in Lehigh Acres rejected proposed incorporation of
58 a municipal general government.

59 (8) The residents in Lehigh Acres continue to prefer and
60 support the method of non-ad valorem assessment used by the East
61 County Water Control District and also prefer to use the same
62 funding method to meet other specific needs within the
63 community, including, without limitation, the installation and
64 maintenance of streets, sidewalks, and streetlights.

65 (9) There is no pending or proposed municipal
66 incorporation for Lehigh Acres, and the residents remain under
67 several different special districts, imposing multiple layers of
68 administration, regulation, and cost, including multiple
69 assessments, both ad valorem and non-ad valorem, for the
70 delivery of services.

71 (10) The unique history and situation of Lehigh Acres, the
72 need and desire of the population for basic services now being
73 addressed in part by multiple districts, and the lack of any
74 reasonable alternatives prove that an independent special
75 district with powers and authority sufficient to address the
76 diverse needs of this population will provide the broadest
77 degree of necessary services in the most efficient, least
78 intrusive, and most cost-effective manner.

79 Section 2. Legislative intent.—

80 (1) Based on the foregoing findings, it is the intent of
 81 the Legislature to create and constitute the Lehigh Acres
 82 Municipal Services Improvement District for the purposes of
 83 providing the services authorized in this act.

84 (2) For the effective and efficient provision of services
 85 to all residents and visitors in Lehigh Acres, it is the intent
 86 of the Legislature for the Board of County Commissioners of Lee
 87 County and the Board of District Commissioners of the Lehigh
 88 Acres Municipal Services Improvement District, as soon as
 89 practicable, to negotiate for the implementation by the district
 90 of the powers authorized under subsection (2) of section 3 of
 91 section 4. It is the further intent of the Legislature that a
 92 framework be established to facilitate the negotiation for the
 93 implementation of each authorized power. In establishing this
 94 framework, the Legislature intends that the Board of District
 95 Commissioners of the Lehigh Acres Municipal Services Improvement
 96 District be granted the authority and flexibility to negotiate
 97 for the implementation of each authorized power independently
 98 from any other authorized power.

99 Section 3. The Lehigh Acres Municipal Services Improvement
 100 District ("district") is created as an independent special
 101 district in Lee and Hendry Counties. The district is organized
 102 and exists for all purposes and shall hold all powers set forth
 103 in this act and chapters 189 and 197, Florida Statutes, except

104 as otherwise provided in this act. The district charter may be
 105 amended only by special act of the Legislature.

106 Section 4. The charter for the Lehigh Acres Municipal
 107 Services Improvement District is created to read:

108 Section 1. Name and corporate status.—

109 (1) The name of the district is the "Lehigh Acres
 110 Municipal Services Improvement District."

111 (2) The district shall be an independent special district
 112 of the State of Florida and a body corporate and politic.

113 Section 2. District boundaries.—The lands incorporated
 114 within the Lehigh Acres Municipal Services Improvement District
 115 consist of the following described lands in Hendry and Lee
 116 Counties:

117 A. LANDS IN LEE COUNTY, FLORIDA:

118
 119 TOWNSHIP 43 SOUTH, RANGE 26 EAST

120
 121 SECTION 25: The following portions of Section 25;
 122 The East 1/2 of the Northeast 1/4 of the Northeast
 123 1/4, together with the Northeast 1/4 of the Southeast
 124 1/4 of the Northeast 1/4.

125
 126 TOWNSHIP 43 SOUTH, RANGE 27 EAST

127
 128 SECTION 19:
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130 Commencing at the Southeast corner of Government Lot 5
131 of said Section 19, said point also being the
132 Southeast Corner of the Southwest 1/4 of said Section
133 19; thence North 89° 32' 09" West along the South line
134 of said Section 19, a distance of 941.17 feet to the
135 POINT OF BEGINNING thence continuing along the south
136 line of said Section 19 a distance of 623.70 feet;
137 thence North 00° 33' 48" West along the west line of
138 lands described in Book 4433, Page 952-953 of the
139 Official Records of Lee County, Florida a distance of
140 579.14 feet to a point on the southerly right-of-way
141 of the Caloosahatchee River Canal; thence North 72°
142 41' 35" East along said right-of-way a distance of
143 264.64 feet; thence North 50° 57' 38" East along said
144 right-of way a distance of 399.11 feet; thence North
145 84° 04' 34" East along said right-of-way a distance of
146 57.98 feet to the northeast corner of lands described
147 in Book 3558, Page 3183-3185 of the Official Records
148 of Lee County, Florida; thence South 00° 33' 49" East
149 along the east line of said lands a distance of 920.30
150 feet to the POINT OF BEGINNING and there terminate.

151
152 SECTION 30: The following portions of Section 30;
153

154 That portion of the West 1/2 of said Section 30 lying
 155 North of State Road 80, LESS the West 118.40 feet
 156 thereof.

157
 158 That portion of the Northwest 1/4 of the Northeast 1/4
 159 of Section 30 lying North of State Road 80.

160
 161 That portion of Section 30 lying South of the
 162 Southerly Right-of-Way line of State Road 80, LESS the
 163 West 200.00 feet of said Section 30 lying South of
 164 Hickey's Creek,

165
 166 AND LESS lots 18 thru 28, Lots 31 and 32, Lots 37 and
 167 38, Lots 41 thru 44 all as shown on Pine Creek Acres,
 168 Unit No. 1 as recorded in Plat Book 10, Page 13 of the
 169 Public Records of Lee County, Florida;

170
 171 AND LESS Lot 1, Lots 23 and 24, Lots 27 and 28, the 50
 172 foot Right-of-Way for Dixie Lane and that portion of
 173 the 50 foot Right-of-Way for Pine Boulevard lying
 174 Easterly of a line connecting the Northeast corner of
 175 Lot 92 with the Southeast corner of Lot 35 all as
 176 shown on Pine Creek Acres, Unit No. 2 as recorded in
 177 Plat Book 10, Page 74 of the said Public Records;

178
 179 AND LESS the following described parcel;

180
 181 BEGINNING at the Northeast corner of Pine Creek Acres,
 182 Unit No. 1 as recorded in Plat Book 10, Page 13 of the
 183 said Public Records; thence South 00° 56' 00" East
 184 along the East line of said Pine Creek Acres, Unit No.
 185 1 and the Southerly projection thereof, a distance of
 186 223.86 feet; thence North 89° 35' 20" East, a distance
 187 of 166.20 feet; thence North 00° 24' 40" West, a
 188 distance of 203.00 feet to the said Southerly Right-
 189 of-Way line of State Road 80; thence North 82° 54' 00"
 190 West along the said Southerly Right-of-Way line of
 191 State Road 80 to the POINT OF BEGINNING;

192
 193 AND LESS the following described parcel;

194
 195 Commencing at the said Northeast corner of Pine Creek
 196 Acres, Unit No. 1; thence South 82° 54' 00" East along
 197 the said Southerly Right-of-Way line of State Road 80,
 198 a distance of 307.31 feet to the POINT OF BEGINNING of
 199 this description; thence South 00° 24' 40" East, a
 200 distance of 237.58 feet; thence North 89° 35' 20"
 201 East, a distance of 209.19 feet; thence South 00° 24'
 202 40" East, a distance of 918.16 feet; thence North 89°
 203 35' 20" East, a distance of 420.00 feet; thence North
 204 00° 24' 40" West, a distance of 1069.39 feet to the
 205 said Southerly Right-of-Way line of State Road 80;

206 thence Northwesterly along the said Southerly Right-
 207 of-Way line of State Road 80 to the POINT OF
 208 BEGINNING;

209
 210 AND LESS the following described parcel;

211
 212 BEGINNING at the intersection of the East line of the
 213 Northwest 1/4 of the Northeast 1/4 of said Section 30
 214 and the said Southerly Right-of-Way line of State Road
 215 80; thence South 00° 24' 40" East along the East line
 216 of the West 1/2 of the Northeast 1/4 of said Section
 217 30, a distance of 129.00 feet from the Northwest
 218 corner of the Southeast 1/4 of the Northeast 1/4 of
 219 said Section 30; thence South 89° 41' 55" East along a
 220 line parallel with the North line of the said
 221 Southeast 1/4 of the Northeast 1/4, a distance of
 222 337.00 feet; thence North 00° 24' 40" West to the said
 223 Southerly Right-of-Way line of State Road 80; thence
 224 North 81° 08' 00" West along the said Southerly Right-
 225 of-Way line of State Road 80 to the POINT OF
 226 BEGINNING.

227
 228 SECTION 31: The following portions of Section 31;

229
 230 The West 1/2, together with the West 1/2 of the
 231 Southeast 1/4, together with the Southeast 1/4 of the

232 Southeast 1/4, together with the Southwest 1/4 of the
 233 Northeast 1/4, together with the Southwest 1/4 of the
 234 Northwest 1/4 of the Northeast 1/4, together with the
 235 Northeast 1/4 of the Northeast 1/4 of the Northeast
 236 1/4.

237
 238 SECTION 36: The East 1/2 of Section 36, LESS the
 239 Northwest 1/4 of the Northeast 1/4 thereof.

240
 241 TOWNSHIP 44 SOUTH, RANGE 26 EAST

242
 243 SECTION 1-3: All of Sections 1, 2 and 3.

244
 245 SECTION 4: The East 1/2 of Section 4.

246
 247 SECTION 10: The following portions of Section 10;

248
 249 The East 1/2 of the Southeast 1/4, together with the
 250 Northwest 1/4 of the Southeast 1/4.

251
 252 SECTIONS 11-14: All of Sections 11, 12, 13 and 14.

253
 254 SECTION 15: The East 1/2 of the East 1/2 of Section
 255 15.

256
 257 SECTION 16: The following portions of Section 16;

258
 259 All of Units 1 through 5 of "Lehigh Acres" as recorded
 260 in Plat Book 27, Page 186 of the Public Records of Lee
 261 County, Florida, together with Lot 16, Block 36 of
 262 "Buckingham Park, Northwest Section" as recorded in
 263 Plat Book 9, Page 92 of the said Public Records.

264
 265 SECTION 19: The following portions of Section 19;

266
 267 The Southeast 1/4, together with that portion of the
 268 Northeast 1/4 of said Section 19 lying South of
 269 Buckingham Road.

270
 271 SECTION 20: The following portions of Section 20;

272
 273 The South 1/2, together with that portion of the North
 274 1/2 of said Section 20 lying South of Buckingham Road.

275
 276 SECTION 21: The following portions of "Buckingham
 277 Park, South Section" as recorded in Plat Book 9, Page
 278 99 of the said Public Records being in Section 21:

279
 280 Lots 3 through 10 of Block 40; Lots 1 and 3 of Block
 281 38,

282

283 Lot 28 of Block 29; the North 40 feet of Lot 29 of
 284 Block 29; all of Tract "D", all of Block "E," together
 285 with the Re-subdivision of that portion of Block "E"
 286 of said "Buckingham Park, South Section" as replatted
 287 on "Plat of Unit 3 Lehigh Park, a Subdivision of
 288 Lehigh Acres" as recorded in Plat Book 15, Page 66 of
 289 the said Public Records, together with that portion of
 290 said Section 21 lying Southwesterly of the centerline
 291 of a 60 foot easement as described in Miscellaneous
 292 Book 32, Page 335 of the said Public Records.

293
 294 SECTION 22: That portion of Section 22 lying South and
 295 Southwesterly of Homestead Road as shown on Plat of
 296 "Buckingham Park Entrance Roads" as recorded in Plat
 297 Book 9, Page 97 of the said Public Records.

298
 299 SECTIONS 23-29: All of Sections 23, 24, 25, 26, 27, 28
 300 and 29.

301
 302 SECTION 30: The following portions of Section 30;
 303
 304 The South 1/2, together with the South 100 feet of the
 305 North 1/2 together with the remainder of the Northeast
 306 1/4.
 307

308 SECTION 31: That portion of said Section 31 lying
 309 Northeasterly of State Road 82.

311 SECTIONS 32-36: All of Sections 32, 33, 34, 35 and 36.

313 TOWNSHIP 44 SOUTH, RANGE 27 EAST

315 SECTION 1: All of Section 1.

317 SECTION 2: All of Section 2, LESS the Northwest 1/4 of
 318 the Northwest 1/4 thereof.

320 SECTION 3: All of Section 3, LESS the Northeast 1/4
 321 thereof, AND LESS the East 1/2 of the Northwest 1/4
 322 thereof.

324 SECTIONS 4-6: All of Sections 4, 5 and 6.

326 SECTION 7: The following portions of Section 7;

328 The South 1/2, together with the Northwest 1/4,
 329 together with the Southwest 1/4 of the Northeast 1/4,
 330 together with the North 1/2 of the Northeast 1/4,
 331 together with the North 854 feet of the East 466 feet
 332 of the Southeast 1/4 of the Northeast 1/4.

334 SECTION 8: The following portions of Section 8;
 335
 336 The South 1/2, together with the Northwest 1/4 of the
 337 Northeast 1/4, together with the West 1/2 of the
 338 Northeast 1/4, together with the East 3/4 of the
 339 Southeast 1/4 of the Northwest 1/4.

340
 341 SECTION 9: All of said Section 9, LESS the Southwest
 342 1/4 of the Northeast 1/4 thereof.

343
 344 SECTIONS 10-36: All of Sections 10, 11, 12, 13, 14,
 345 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27,
 346 28, 29, 30, 31, 32, 33, 34, 35 and 36.

347
 348 TOWNSHIP 45 SOUTH, RANGE 26 EAST

349
 350 SECTIONS 1-3: All of Section 1, 2 and 3.

351
 352 SECTION 4: All that portion of Section 4 lying North
 353 of State Road 82.

354
 355 SECTION 5: All that portion of Section 5 lying North
 356 of State Road 82.

357
 358 SECTION 6: All that portion of Section 6 lying North
 359 of State Road 82.

360
 361 SECTION 9: All that portion of Section 9 lying North
 362 of State Road 82.
 363
 364 SECTION 10: All that portion of Section 10 lying North
 365 of State Road 82.
 366
 367 SECTION 11: All that portion of Section 11 lying North
 368 of State Road 82.
 369
 370 SECTION 12: All of Section 12.
 371
 372 SECTION 13: All that portion of Section 13 lying North
 373 of State Road 82.
 374
 375 SECTION 14: All that portion of Section 14 lying North
 376 of State Road 82.
 377
 378 TOWNSHIP 45 SOUTH, RANGE 27 EAST
 379
 380 SECTIONS 1-3: All of Sections 1, 2 and 3.
 381
 382 SECTION 4: All of Section 4, LESS the Southeast 1/4 of
 383 the Southeast 1/4 thereof, AND LESS the South 1/2 of
 384 the Northeast 1/4 of the Southeast 1/4 of said Section
 385 4,

386
387 AND LESS the South 1/2 of the Northeast 1/4 of the
388 Northeast 1/4 of the Southeast 1/4 of said Section 4,
389 AND LESS the Northwest 1/4 of the Northeast 1/4 of the
390 Southeast 1/4 of said Section 4.

391
392 SECTION 5: The following portions of Section 5;

393
394 The Northwest 1/4, together with the East 3/4 of the
395 North 1/2 of the Southwest 1/4, together with The
396 South 1/2 of the Southwest 1/4, together with the
397 Southwest 1/4 of the Southeast 1/4 LESS the South 175
398 feet of the East 125 feet thereof, together with The
399 following described parcel being in the Northeast 1/4
400 of the Northeast 1/4 of said Section 5; Commencing at
401 the Northeast corner of said Section 5; thence
402 Westerly along the North line of said Section 5, said
403 North line of Section 5 being the South line of Units
404 7 and 18 of "Leeland Heights" as shown on plat
405 recorded in Plat Book 12, Page 53 of the said Public
406 Records, a distance of 116.51 feet to the Southwest
407 corner of Lot 10 of Block 87 of said "Leeland Heights"
408 and the POINT OF BEGINNING of this description; thence
409 continuing Westerly along the said North line of
410 Section 5, a distance of 1208.55 feet to the Northwest
411 corner of the Northeast 1/4 of the Northeast 1/4 of

412 said Section 5; thence South 01° 35' 34" East along
413 the West line of the said Northeast 1/4 of the
414 Northeast 1/4 of Section 5, a distance of 1149.72
415 feet; thence Easterly along a line parallel with the
416 said North line of Section 5, a distance of 1268.07
417 feet to a point of intersection with a line parallel
418 with and 60 feet Westerly of (as measured at right
419 angles) the East line of said Section 5; thence North
420 01° 44' 40" West along said parallel line, a distance
421 of 1089.78 feet to a point of intersection with a line
422 parallel with and 60 feet Southerly of (as measured at
423 right angles) the said North line of Section 5; thence
424 Westerly along said line parallel with and 60 feet
425 Southerly of the North line of Section 5, a distance
426 of 58.31 feet to a point of intersection with the
427 Southerly prolongation of the West line of said Lot 10
428 of Block 87 of "Leeland Heights"; thence Northerly
429 along said Southerly prolongation, a distance of 60.00
430 feet to the POINT OF BEGINNING. Bearings in last
431 described parcel relative to said Plat of Units 7 and
432 18 of "Leeland Heights," together with the following
433 described parcel beginning at the Northwest corner of
434 the Southeast 1/4 of said Section 5; thence
435 N02°13'08"W along the west line of the Northeast 1/4
436 of said Section 5 a distance of 1405.94 feet to a
437 point on the Southwesterly right-of-way line of

438 Homestead Road (80 feet wide); thence S45°12'26"E
439 along said Southwesterly right-of-way a distance of
440 3913.55 feet to the East line of the Southeast 1/4 of
441 said Section 5; thence S02°29'49"E along the East line
442 of the Southeast 1/4 of said Section 5 a distance of
443 1239.65 feet to the Southeast corner of the Southeast
444 1/4 of said Section 5; thence S89°08'31"W along the
445 South line of the Southeast 1/4 of said Section 5 a
446 distance of 1462.65 feet; thence N02°21'32"W a
447 distance of 175.06 feet; thence N89°08'31"E a distance
448 of 125.05 feet to a point on the East line of the
449 Southwest 1/4 of the Southeast 1/4 of said Section 5;
450 thence N02°21'29"W along the East line of the
451 Southwest 1/4 of the Southeast 1/4 of said Section 5 a
452 distance of 1141.39 feet to the Northeast corner of
453 the Southwest 1/4 of the Southeast 1/4 of said Section
454 5; thence S89°08'13" W along the North line of the
455 Southwest 1/4 of the Southeast 1/4 of said Section 5 a
456 distance of 1334.41 feet to the West line of the
457 Southeast 1/4 of said Section 5; thence N02°13'08"W
458 along the West line of the Southeast 1/4 of said
459 Section 5 a distance of 1316.26 feet to the POINT OF
460 BEGINNING; with the exception of the following
461 described parcel recorded in Book 2383, Page 399 of
462 the Official Records of Lee County, Florida and
463 BEGINNING at the Northwest corner of the Southeast 1/4

464 of said Section 5; thence N89°07'57"E along the North
465 line of said Southeast 1/4 a distance of 1340.36 feet
466 to a point on the Southwesterly right-of-way line of
467 Homestead Road (80 feet wide); thence S45°12'26"E along
468 said right-of-way line a distance 530.85 feet to the
469 POINT OF BEGINNING of said parcel; thence continuing
470 S45°12'26"E along said right-of-way line a distance of
471 461.42 feet; thence S44°50'37"W a distance of 100.69
472 feet; thence S89°07'57"W along a line lying 780.00
473 feet South of (as measured per perpendicular) and
474 parallel to the aforementioned North line of said
475 Southeast 1/4 a distance of 687.60 feet; thence
476 N00°45'12"W a distance of 400.32 feet; thence
477 N89°07'57"E a distance of 436.39 feet to a point on
478 the Southwesterly right-of-way line of Homestead Road
479 and the POINT OF BEGINNING.

480
481 SECTION 6: All of Section 6, LESS the following
482 described parcel: BEGINNING at the Southwest corner of
483 Government Lot 5 of said Section 6; thence Northerly
484 along the West line of said Government Lot 5, a
485 distance of 466.70 feet; thence Easterly along a line
486 parallel with the South line of said Government Lot 5,
487 a distance of 466.70 feet; thence Southerly along a
488 line parallel with the said West line of Government
489 Lot 5, a distance of 466.70 feet; thence Westerly

490 along the South line of said Government Lot 5, a
 491 distance of 466.70 feet to the POINT OF BEGINNING.

492
 493 SECTION 7: All of Section 7.

494
 495 SECTION 8: All of Section 8, LESS the Southwest 1/4 of
 496 the Southeast 1/4 thereof.

497
 498 SECTION 9: The following portions of Section 9;

499
 500 The West 1/2 of the Southwest 1/4, together with the
 501 Southeast 1/4, together with the West 1/2 of the
 502 Northeast 1/4, together with the Southeast 1/4 of the
 503 Northeast 1/4.

504
 505 SECTIONS 10-17: All of Sections 10, 11, 12, 13, 14,
 506 15, 16 and 17.

507
 508 SECTION 18: All of Section 18, LESS the 200 foot
 509 Right-of-Way for State Road 82 thereof, AND LESS the
 510 Westerly 25 feet of that portion of said Section 18
 511 lying Northerly of said State Road 82, said 25 foot
 512 strip as conveyed to Lee County for roadway purposes
 513 by deed recorded in Official Record Book 147, Page 73
 514 of the said Public Records of Lee County.

515

516 SECTION 19: All of Section 19, LESS the 200 foot
517 Right-of-Way for State Road 82 thereof, AND LESS the
518 following described parcel, BEGINNING at the Northeast
519 corner of said Section 19; thence South 89°55'00"W
520 along the North line of said Section 19 a distance of
521 1327.50 feet to the Northwest corner of the East 1/2
522 of the Northeast 1/4 of said Section 19; thence South
523 49°30'50"W a distance of 465.93 ft to a point on the
524 North right-of-way line of State Road 82; thence
525 Southeasterly with the North right-of-way line of
526 State Road 82 to a point on the East line of said
527 Section 19; thence North 00°34'00"W along the East
528 line of said Section 19 to the POINT OF BEGINNING.

529
530 SECTION 20: All of Section 20, LESS the 200 foot
531 Right-of-Way for State Road 82 thereof, AND LESS the
532 following described parcel, BEGINNING at the Northwest
533 corner of said Section 20; thence North 89° 15' 50"
534 East along the North line of said Section 20, a
535 distance of 227.46 feet; thence South 00° 34' 00" East
536 along a line parallel with the West line of said
537 Section 20, a distance of 1516.82 feet to a point of
538 intersection with the Northerly Right-of-Way line of
539 State Road 82; thence North 49° 52' 20" West along the
540 said Northerly Right-of-Way line of State Road 82, a
541 distance of 300.00 feet to a point of intersection

542 with the West line of said Section 20; thence North
 543 00° 34' 00" East along the said West line of Section
 544 20 to the POINT OF BEGINNING; AND LESS the following
 545 described parcel, BEGINNING at the intersection of the
 546 Southwesterly Right-of-Way line of State Road 82 and
 547 the South line of said Section 20; thence North 24°
 548 51' 40" West along the said Southwesterly Right-of-Way
 549 line of State Road 82, a distance of 1000.00 feet;
 550 thence South 32° 24' 30" West, a distance of 1081.39
 551 feet to a point of intersection with the said South
 552 line of Section 20; thence North 89° 40' 40" East
 553 along the said South line of Section 20, a distance of
 554 1000.00 feet to the POINT OF BEGINNING. Last described
 555 parcel being recorded in Deed Book 306, Page 153 of
 556 the said Public Records of Lee County.

557
 558 SECTIONS 21-26: All of Sections 21, 22, 23, 24, 25 and
 559 26.

560
 561 SECTION 27: All of Section 27 lying NORTH of State
 562 Road 82.

563
 564 SECTION 28: All of Section 28 lying North of State
 565 Road 82.

566

567 SECTION 29: All of Section 29 lying North of State
 568 Road 82.

569
 570 SECTION 34: All of Section 34 lying North of State
 571 Road 82.

572
 573 SECTION 35: All of Section 35 lying North of State
 574 Road 82.

575
 576 SECTION 36: All of Section 36 LESS the 200 foot Right-
 577 of-Way for State Road 82 thereof.

578
 579 B. LANDS IN HENDRY COUNTY, FLORIDA

580
 581 TOWNSHIP 43 SOUTH, RANGE 28 EAST

582
 583 SECTION 30: The following portions of Section 30:

584
 585 The West 400.00 feet of the Southwest 1/4 less the
 586 right-of-way for State Road 80, together with the
 587 parcel commencing at the West 1/4 corner of Section
 588 30; thence along the West Section line North 01° 01'
 589 11" West, a distance of 164.01 feet to the North
 590 right-of-way line of State Road 80 and the POINT OF
 591 BEGINNING; thence continuing North 01° 01' 11" West, a
 592 distance of 1156.17 feet to the South Right-of-Way

593 line for the Caloosahatchee River (C-43 canal); thence
 594 along said South Right-of-Way line North 78° 07' 28"
 595 East, a distance of 162.92 feet; thence South 01° 01'
 596 11" East, a distance of 415.55 feet; thence South 45°
 597 02' 36" East, a distance of 345.35 feet; thence South
 598 01° 01' 11" East, a distance of 520.42 feet to the
 599 North Right-of-Way for State Road 80; thence along
 600 said right-of-way South 88° 36' 43" West, a distance
 601 of 400.00 feet to the POINT OF BEGINNING.

602
 603 SECTION 31: The following portions of Section 31;

604
 605 The Southeast 1/4 of the Northwest 1/4, together with
 606 the East 1/2 of the Southwest 1/4, together with the
 607 South 185.00 feet of the North 1/2 of the Northwest
 608 1/4 less the West 1189.24 feet of the East 1439.25
 609 feet of the South 25.00 feet thereof; together with
 610 the West 660.76 feet of the North 30.00 feet of the
 611 Southwest 1/4 of the Northwest 1/4; together with the
 612 West 400.00 feet of the Northwest 1/4 of the Northwest
 613 1/4.

614
 615 TOWNSHIP 44 SOUTH, RANGE 28 EAST

616
 617 SECTION 6: The West 1/2 of Section 6.

618

619 SECTION 7: The West 1/2 of Section 7.

620

621 SECTION 18: The West 1/2 of Section 18.

622

623 SECTION 19: The West 1/2 of Section 19.

624

625 SECTION 30: The West 1/2 of Section 30.

626

627 SECTION 31: The West 1/2 of Section 31.

628

629 Section 3. Powers of the district.—

630 (1) The district shall have all authority, powers, and
 631 duties granted by this charter and by chapters 189 and 197,
 632 Florida Statutes.

633 (2) The district shall have all authority, powers, and
 634 duties to provide the following services:

635 (a) Drainage and water control as provided in subsection
 636 (4).

637 (b) Public improvements and community facilities as
 638 provided in subsection (5).

639 (c) Designation, creation, implementation, and maintenance
 640 of conservation, mitigation, and wildlife habitat, including,
 641 without limitation:

642 1. Recreational, cultural, and educational facilities.

643 2. Navigational and boating facilities.

644 (d) Effective December 31, 2016, with regard to water and
645 waste water services, the district shall have, and the board may
646 exercise, subject to the regulatory jurisdiction and permitting
647 authority of all applicable governmental bodies, agencies, and
648 special districts having authority with respect to any area
649 included therein, the power to provide water supply, sewer, and
650 wastewater management, reclamation, and reuse or any combination
651 thereof, and to construct and operate connecting intercepting or
652 outlet sewers and sewer mains and pipes and water mains,
653 conduits, or pipelines in, along, and under any street, alley,
654 highway, or other public place or ways, and to dispose of any
655 effluent, residue, or other byproducts of such system or sewer
656 system.

657 (e) Effective December 31, 2016, local streets and
658 sidewalks.

659 (f) Effective December 31, 2016, streetlights.

660 (g) Effective December 31, 2016, installation,
661 maintenance, and control of outdoor signage, monuments, and
662 decorative and seasonal banners and lights.

663 (h) Effective December 31, 2016, the district board shall
664 act as the planning advisory panel for Lehigh Acres.

665
666 The special powers enumerated in paragraphs (d), (e), (f), (g),
667 and (h) do not apply within any portion of Hendry County.
668 Implementation of the powers authorized in paragraphs (d), (e),
669 (f), (g), and (h) shall be pursuant to the completion and

670 execution of an agreement with the Board of County Commissioners
671 of Lee County, including, without limitation, the dissolution of
672 the Lehigh Acres Streetlighting Unit and the transfer of all
673 equipment, facilities, leases, contracts, and obligations of the
674 unit to the district. The district shall have the authority and
675 flexibility to enter into one or more agreements with the Board
676 of County Commissioners of Lee County for the implementation of
677 each power authorized under paragraphs (d), (e), (f), (g), and
678 (h).

679 (3) The district shall have the authority to employ staff
680 to discharge its responsibilities, including, but not limited
681 to, staff necessary to exercise its authority and discharge its
682 duties under subsection (4). Employees of the district shall
683 serve at the pleasure of the district board.

684 (4) The following provisions provide and limit the
685 district's power and authority for drainage and water control:

686 (a) In exercising its authority for drainage and water
687 control, the district shall have the authority provided by, and
688 be subject to, ss. 298.16, 298.17, 298.18, 298.20, 298.21,
689 298.22, 298.225, 298.23, 298.24, 298.25, 298.26, 298.28,
690 298.301, 298.305, 298.329, 298.333, 298.341, 298.345, 298.353,
691 298.36, 298.365, 298.366, 298.401, 298.41(1), 298.465, 298.47,
692 298.48, 298.49, 298.50, 298.52, 298.54, 298.56, 298.59, 298.61,
693 298.62, 298.63, and 298.66, Florida Statutes.

694 (b) The district shall have the power to employ a person
695 designated as manager of the district and to vest such authority

696 in, delegate the performance of such duties to, and provide such
697 compensation for such person as may be determined by the board.
698 The manager shall have charge to manage the works of said
699 district and its construction, operation, and maintenance. The
700 district may require the manager to furnish bond with good and
701 sufficient surety in such amount as the board may by resolution
702 determine.

703 (5) The district shall have, and the board may exercise,
704 subject to the regulatory jurisdiction and permitting authority
705 of all applicable governmental bodies, agencies, and special
706 districts having authority with respect to any area included
707 therein, any or all of the following special powers relating to
708 public improvements and community facilities authorized by this
709 act:

710 (a) The power to finance, fund, plan, establish, acquire,
711 construct or reconstruct, enlarge or extend, equip, operate, and
712 maintain systems, facilities, and basic infrastructure for
713 conservation areas, mitigation areas, and wildlife habitat,
714 including the maintenance of any plant or animal species, and
715 any related interest in real or personal property.

716 (b) After the board has obtained the consent of the local
717 general purpose government within the jurisdiction of which the
718 specified power is to be exercised, the power to plan,
719 establish, acquire, construct or reconstruct, enlarge or extend,
720 equip, operate, and maintain additional systems and facilities
721 for parks and facilities for indoor and outdoor recreational,

722 cultural, and educational uses, with the exception of Lake
 723 Camille Park, Williams Park, and ECO Park.

724 (c) The power to construct and maintain navigational and
 725 boating facilities in its canals, including, but not limited to,
 726 locks and dams, to widen and deepen its canals, to make them
 727 usable for navigation and boating, and to regulate in all
 728 respects the use of its canals for navigation and boating,
 729 including, but not limited to, the size of boats, their speed,
 730 and hours of use.

731 (6) The district's planning requirements shall be as set
 732 forth in this act and chapter 189, Florida Statutes.

733 Section 4. Board of district commissioners.-

734 (1) The authority, power, business, and affairs of the
 735 district shall be exercised and administered by a governing body
 736 known as the "Board of District Commissioners of the Lehigh
 737 Acres Municipal Services Improvement District."

738 (2) The following provisions shall control the Lehigh
 739 Acres Municipal Services Improvement District:

740 (a) On the effective date of this act, the members of the
 741 former Board of Commissioners of the East County Water Control
 742 District shall constitute the five-member Board of District
 743 Commissioners of the Lehigh Acres Municipal Services Improvement
 744 District, with existing 4-year terms of office to remain intact.
 745 The procedures for conducting district elections or referenda
 746 and for qualification of electors shall be pursuant to chapter
 747 189, Florida Statutes. Unless otherwise provided in s. 189.04,

748 Florida Statutes, all elections for district commissioners shall
749 be held on the first Tuesday after the first Monday in November
750 of even-numbered years. The district commissioners shall be
751 registered voters and residents of the district and elected at
752 large by nonpartisan plurality vote with the candidate who
753 receives the highest number of votes for each seat winning the
754 election. Only registered voters residing within the district
755 shall be permitted to vote. The cost of any election shall be
756 borne by the district. The term of each commissioner shall begin
757 10 days after that commissioner's election.

758 (b) Qualifying for the position of district commissioner
759 shall be coordinated by the supervisors of elections of the
760 counties within which the district is located. Methods of
761 qualifying shall be uniform pursuant to s. 99.061, Florida
762 Statutes. Candidates shall be required to open depositories and
763 appoint treasurers before accepting any contributions or
764 expending any funds.

765 (c) Unless otherwise provided by general law, if a vacancy
766 occurs on the board before a general election, the Governor
767 shall appoint a successor to serve until the next general
768 election for which candidates may qualify.

769 (d) The members of the board shall be reimbursed for their
770 expenses pursuant to s. 112.061, Florida Statutes, and paid a
771 salary of \$250 per calendar month during term of office as
772 established herein. The board may remove any member who has
773 three consecutive, unexcused absences from regularly scheduled

774 meetings. In addition, commissioners shall not be paid for any
 775 unexcused absences from regularly scheduled meetings. The board
 776 shall adopt policies by resolution defining excused and
 777 unexcused absences.

778 (e) Each year, the board of commissioners shall hold an
 779 annual organizational meeting and elect a chair, vice chair,
 780 secretary, and treasurer, whose duties shall be established by
 781 resolution of the board.

782 (3) The board shall have those administrative duties set
 783 forth in this charter and chapter 189, Florida Statutes.

784 (4) A quorum of the board shall be a majority of its
 785 members. Official action will require a majority of those voting
 786 members present.

787 (5) Requirements for financial disclosure, meeting
 788 notices, reporting, public records maintenance, and per diem
 789 expenses for officers and employees shall be as set forth in
 790 chapters 112, 119, 189, and 286, Florida Statutes.

791 Section 5. Finances.-

792 (1) The powers, functions, and duties of the district
 793 regarding bond issuance, other revenue-raising capabilities,
 794 budget preparation and approval, liens and foreclosure of liens,
 795 use of tax deeds and tax certificates as appropriate for non-ad
 796 valorem assessments, and contractual agreements, and the methods
 797 for financing the district and for collecting non-ad valorem
 798 assessments, fees, or service charges, shall be as set forth in

799 this charter, in chapters 170, 189, and 197, Florida Statutes,
 800 and in any applicable general or special law.

801 (2) The district shall have no power or authority to
 802 impose or collect ad valorem taxes.

803 (3) Annual installment assessments, which are levied
 804 pursuant to s. 298.36, Florida Statutes, shall become due and be
 805 collected during each year at the same time that county taxes
 806 are due and collected, pursuant to s. 298.36, Florida Statutes,
 807 chapter 197, Florida Statutes, and this charter. Said
 808 assessments shall be a lien until paid on the property against
 809 which assessed and enforceable in like manner as county taxes.

810 (4) Maintenance assessments as provided for under s.
 811 298.54, Florida Statutes, shall be apportioned upon the basis of
 812 the net assessments of benefits assessed as accruing from
 813 original construction and shall be due and collected pursuant to
 814 s. 298.54, Florida Statutes, chapter 197, Florida Statutes, and
 815 this charter. Provided, nothing herein shall prevent the board
 816 of commissioners from apportioning maintenance taxes for the
 817 maintenance of the district facilities equally to all benefited
 818 acres if the board of commissioners determines that benefits are
 819 substantially equal for benefited acreage throughout the
 820 district. Said assessments shall be a lien until paid on the
 821 property against which assessed and enforceable in like manner
 822 as county taxes.

823 (5) Non ad-valorem assessments and user charges or fees,
 824 including impact fees, authorized by the board of commissioners

825 may be levied to finance, fund, plan, establish, acquire,
826 construct, operate, and maintain systems, facilities, and basic
827 infrastructures for water supply, sewer, and wastewater
828 management, reclamation, and reuse and to construct and operate
829 connecting intercepting or outlet sewers and sewer mains and
830 pipes and water mains, conduits, or pipelines in, along, and
831 under any street, alley, highway, or other public place or ways,
832 and to dispose of any effluent, residue, or other byproducts of
833 such system or sewer system.

834 (6) The methods for assessing and collecting non-ad
835 valorem assessments, fees, or service charges shall be as set
836 forth in this charter and chapter 170, chapter 189, chapter 197,
837 or chapter 298, Florida Statutes. The receipt and collection of
838 these charges or fees shall be in the manner prescribed by
839 resolution not inconsistent with general law.

840 (7) Notwithstanding s. 298.47, Florida Statutes, the board
841 of district commissioners may issue bonds maturing at annual
842 intervals within 40 years.

843 (8) Notwithstanding s. 298.36(2), Florida Statutes, the
844 secretary of the board of district commissioners, as soon as
845 said total assessment is levied, shall, at the expense of the
846 district, prepare a list of all assessments levied, said list to
847 be stored in electronic format.

848 (9) The board annually shall prepare, consider, and adopt
849 a district budget pursuant to the applicable requirements of

850 this charter and chapter 189, Florida Statutes. The fiscal year
851 shall be from October 1 through September 30.

852 (10) All warrants for the payment of labor, equipment,
853 materials, and other allowable expenses incurred by the board of
854 district commissioners in carrying out this charter shall be
855 payable on accounts and vouchers approved by the board.

856 (11) (a) The district shall have the authority to charge
857 and collect impact fees for capital improvements on new
858 construction within the district as prescribed in this charter,
859 chapter 189, Florida Statutes, or any other applicable general
860 law.

861 (b) The district shall comply with s. 163.31801, Florida
862 Statutes, and chapter 189, Florida Statutes, in its collection
863 and use of impact fees. New facilities and equipment shall be as
864 provided in chapter 189, Florida Statutes.

865 (c) The district is authorized to enter into agreements
866 regarding the collection of impact fees.

867 (12) The district shall have the authority to sell, lease,
868 or otherwise encumber surplus real property owned by the
869 district for the benefit of the district, except for
870 environmentally sensitive property as designated by the
871 Department of Environmental Protection.

872 Section 5. Chapters 2000-423, 2003-315, 2005-308, 2006-
873 319, 2009-260, and 2012-254, Laws of Florida, are repealed.

874 Section 6. The East County Water Control District is
875 dissolved.

876 Section 7. As of the effective date of this act, all
877 property, whether real, personal, or mixed, that is owned,
878 possessed, or controlled by the East County Water Control
879 District and all other assets, contracts, obligations, and
880 liabilities of the East County Water Control District are hereby
881 transferred and vested in the Lehigh Acres Municipal Services
882 Improvement District. All contracts and obligations of the East
883 County Water Control District existing on the effective date of
884 this act shall remain in full force and effect, and this act
885 shall in no way affect the validity of such contracts or
886 obligations.

887 Section 8. Notwithstanding the provisions of general or
888 other special law, the annexation by any municipality of any of
889 the lands within the district as described in section 4 is
890 prohibited. This prohibition of annexation shall not prevent any
891 subsequent chartering of a municipal incorporation comprised of
892 the entirety of the area occupied by the district.

893 Section 9. The provisions of this act shall be liberally
894 construed in order to effectively carry out the purposes of this
895 act in the interest of the public health, welfare, and safety of
896 the citizens served by the district.

897 Section 10. In the event of a conflict between any
898 provision of this act and the provisions of any other act, the
899 provisions of this act shall control to the extent of such
900 conflict.

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2015

901 Section 11. This act shall take effect upon becoming a
902 law.