



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; requiring approval by referendum
12 before the district may exercise certain powers;
13 providing a ballot statement; providing for elections,
14 compensation, and removal of board members;
15 authorizing the board to employ a manager and staff;
16 repealing chapters 2000-423, 2003-315, 2005-308, 2006-
17 319, 2009-260, and 2012-254, Laws of Florida, relating
18 to the East County Water Control District; dissolving
19 the East County Water Control District; providing for
20 the transfer of assets, assumption of all lawful debts
21 and other obligations, and continuation of contracts
22 by the Lehigh Acres Municipal Services Improvement
23 District; prohibiting annexation by any municipality
24 of any area within the district; providing an
25 exception for municipal incorporation of the entire
26 area; providing construction; providing that the act



27 shall take precedence over any conflicting law to the
28 extent of such conflict; providing an effective date.

29
30 Be It Enacted by the Legislature of the State of Florida:

31
32 Section 1. Legislative findings.—The Legislature finds:

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

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

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

42 (4) The East County Water Control District currently
43 provides such services as authorized under chapter 298, Florida
44 Statutes, and operates under chapters 2000-423, 2003-315, 2005-
45 308, 2006-319, 2009-260, and 2012-254, Laws of Florida, in the
46 entire described area of Lehigh Acres in Lee and Hendry
47 Counties.

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

51 (6) The Lehigh Acres Streetlighting Unit is a municipal
52 services taxing unit created and controlled by the Board of



53 County Commissioners of Lee County. The Streetlighting Unit
54 operates within a designated area of Lehigh Acres with the
55 purpose of providing streetlighting, maintenance of
56 streetlights, and installation and maintenance of decorative
57 seasonal banners and holiday lighting.

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

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

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

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



79 degree of necessary services in the most efficient, least
80 intrusive, and most cost-effective manner.

81 Section 2. Legislative intent.—

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

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

101 Section 3. The Lehigh Acres Municipal Services Improvement
102 District ("district") is created as an independent special
103 district in Lee and Hendry Counties. The district is organized
104 and exists for all purposes and shall hold all powers set forth



105 in this act and chapters 189 and 197, Florida Statutes, except
 106 as otherwise provided in this act. The district charter may be
 107 amended only by special act of the Legislature.

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

110 Section 1. Name and corporate status.—

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

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

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

119 A. LANDS IN LEE COUNTY, FLORIDA:

120
 121 TOWNSHIP 43 SOUTH, RANGE 26 EAST

122
 123 SECTION 25: The following portions of Section 25;
 124 The East 1/2 of the Northeast 1/4 of the Northeast
 125 1/4, together with the Northeast 1/4 of the Southeast
 126 1/4 of the Northeast 1/4.

127
 128 TOWNSHIP 43 SOUTH, RANGE 27 EAST

129
 130 SECTION 19:



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

153
154 SECTION 30: The following portions of Section 30;
155



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

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

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

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

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

180
181 AND LESS the following described parcel;



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

194
195 AND LESS the following described parcel;

196
197 Commencing at the said Northeast corner of Pine Creek
198 Acres, Unit No. 1; thence South 82° 54' 00" East along
199 the said Southerly Right-of-Way line of State Road 80,
200 a distance of 307.31 feet to the POINT OF BEGINNING of
201 this description; thence South 00° 24' 40" East, a
202 distance of 237.58 feet; thence North 89° 35' 20"
203 East, a distance of 209.19 feet; thence South 00° 24'
204 40" East, a distance of 918.16 feet; thence North 89°
205 35' 20" East, a distance of 420.00 feet; thence North
206 00° 24" 40" West, a distance of 1069.39 feet to the
207 said Southerly Right-of-Way line of State Road 80;



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

211
212 AND LESS the following described parcel;

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

229
230 SECTION 31: The following portions of Section 31;

231
232 The West 1/2, together with the West 1/2 of the
233 Southeast 1/4, together with the Southeast 1/4 of the



234 Southeast 1/4, together with the Southwest 1/4 of the
235 Northeast 1/4, together with the Southwest 1/4 of the
236 Northwest 1/4 of the Northeast 1/4, together with the
237 Northeast 1/4 of the Northeast 1/4 of the Northeast
238 1/4.

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

242
243 TOWNSHIP 44 SOUTH, RANGE 26 EAST

244
245 SECTION 1-3: All of Sections 1, 2 and 3.

246
247 SECTION 4: The East 1/2 of Section 4.

248
249 SECTION 10: The following portions of Section 10;

250
251 The East 1/2 of the Southeast 1/4, together with the
252 Northwest 1/4 of the Southeast 1/4.

253
254 SECTIONS 11-14: All of Sections 11, 12, 13 and 14.

255
256 SECTION 15: The East 1/2 of the East 1/2 of Section
257 15.

258
259 SECTION 16: The following portions of Section 16;



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

266
267 SECTION 19: The following portions of Section 19;

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

272
273 SECTION 20: The following portions of Section 20;

274
275 The South 1/2, together with that portion of the North
276 1/2 of said Section 20 lying South of Buckingham Road.

277
278 SECTION 21: The following portions of "Buckingham
279 Park, South Section" as recorded in Plat Book 9, Page
280 99 of the said Public Records being in Section 21:

281
282 Lots 3 through 10 of Block 40; Lots 1 and 3 of Block
283 38,

284



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

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

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

303
304 SECTION 30: The following portions of Section 30;
305
306 The South 1/2, together with the South 100 feet of the
307 North 1/2 together with the remainder of the Northeast
308 1/4.
309



310 SECTION 31: That portion of said Section 31 lying
 311 Northeasterly of State Road 82.
 312
 313 SECTIONS 32-36: All of Sections 32, 33, 34, 35 and 36.
 314
 315 TOWNSHIP 44 SOUTH, RANGE 27 EAST
 316
 317 SECTION 1: All of Section 1.
 318
 319 SECTION 2: All of Section 2, LESS the Northwest 1/4 of
 320 the Northwest 1/4 thereof.
 321
 322 SECTION 3: All of Section 3, LESS the Northeast 1/4
 323 thereof, AND LESS the East 1/2 of the Northwest 1/4
 324 thereof.
 325
 326 SECTIONS 4-6: All of Sections 4, 5 and 6.
 327
 328 SECTION 7: The following portions of Section 7;
 329
 330 The South 1/2, together with the Northwest 1/4,
 331 together with the Southwest 1/4 of the Northeast 1/4,
 332 together with the North 1/2 of the Northeast 1/4,
 333 together with the North 854 feet of the East 466 feet
 334 of the Southeast 1/4 of the Northeast 1/4.
 335



336 SECTION 8: The following portions of Section 8;
337
338 The South 1/2, together with the Northwest 1/4 of the
339 Northeast 1/4, together with the West 1/2 of the
340 Northeast 1/4, together with the East 3/4 of the
341 Southeast 1/4 of the Northwest 1/4.
342
343 SECTION 9: All of said Section 9, LESS the Southwest
344 1/4 of the Northeast 1/4 thereof.
345
346 SECTIONS 10-36: All of Sections 10, 11, 12, 13, 14,
347 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27,
348 28, 29, 30, 31, 32, 33, 34, 35 and 36.
349
350 TOWNSHIP 45 SOUTH, RANGE 26 EAST
351
352 SECTIONS 1-3: All of Section 1, 2 and 3.
353
354 SECTION 4: All that portion of Section 4 lying North
355 of State Road 82.
356
357 SECTION 5: All that portion of Section 5 lying North
358 of State Road 82.
359
360 SECTION 6: All that portion of Section 6 lying North
361 of State Road 82.



362
363 SECTION 9: All that portion of Section 9 lying North
364 of State Road 82.
365
366 SECTION 10: All that portion of Section 10 lying North
367 of State Road 82.
368
369 SECTION 11: All that portion of Section 11 lying North
370 of State Road 82.
371
372 SECTION 12: All of Section 12.
373
374 SECTION 13: All that portion of Section 13 lying North
375 of State Road 82.
376
377 SECTION 14: All that portion of Section 14 lying North
378 of State Road 82.
379
380 TOWNSHIP 45 SOUTH, RANGE 27 EAST
381
382 SECTIONS 1-3: All of Sections 1, 2 and 3.
383
384 SECTION 4: All of Section 4, LESS the Southeast 1/4 of
385 the Southeast 1/4 thereof, AND LESS the South 1/2 of
386 the Northeast 1/4 of the Southeast 1/4 of said Section
387 4,



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

393
394 SECTION 5: The following portions of Section 5;

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



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



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



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

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



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

494
495 SECTION 7: All of Section 7.

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

499
500 SECTION 9: The following portions of Section 9;

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

506
507 SECTIONS 10-17: All of Sections 10, 11, 12, 13, 14,
508 15, 16 and 17.

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

517



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

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



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

559
560 SECTIONS 21-26: All of Sections 21, 22, 23, 24, 25 and
561 26.

562
563 SECTION 27: All of Section 27 lying NORTH of State
564 Road 82.

565
566 SECTION 28: All of Section 28 lying North of State
567 Road 82.

568



569 SECTION 29: All of Section 29 lying North of State
 570 Road 82.

571
 572 SECTION 34: All of Section 34 lying North of State
 573 Road 82.

574
 575 SECTION 35: All of Section 35 lying North of State
 576 Road 82.

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

580
 581 B. LANDS IN HENDRY COUNTY, FLORIDA

582
 583 TOWNSHIP 43 SOUTH, RANGE 28 EAST

584
 585 SECTION 30: The following portions of Section 30:

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



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

604
 605 SECTION 31: The following portions of Section 31;

606
 607 The Southeast 1/4 of the Northwest 1/4, together with
 608 the East 1/2 of the Southwest 1/4, together with the
 609 South 185.00 feet of the North 1/2 of the Northwest
 610 1/4 less the West 1189.24 feet of the East 1439.25
 611 feet of the South 25.00 feet thereof; together with
 612 the West 660.76 feet of the North 30.00 feet of the
 613 Southwest 1/4 of the Northwest 1/4; together with the
 614 West 400.00 feet of the Northwest 1/4 of the Northwest
 615 1/4.

616
 617 TOWNSHIP 44 SOUTH, RANGE 28 EAST

618
 619 SECTION 6: The West 1/2 of Section 6.

620



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

622

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

624

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

626

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

628

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

630

631 Section 3. Powers of the district.-

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

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

637 (a) Drainage and water control as provided in subsection
 638 (4).

639 (b) Public improvements and community facilities as
 640 provided in subsection (5).

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

644 1. Recreational, cultural, and educational facilities.

645 2. Navigational and boating facilities.



646 (d) Subject to the requirements of subsection (3), with
647 regard to water and waste water services, the district shall
648 have, and the board may exercise, subject to the regulatory
649 jurisdiction and permitting authority of all applicable
650 governmental bodies, agencies, and special districts having
651 authority with respect to any area included therein, the power
652 to provide water supply, sewer, and wastewater management,
653 reclamation, and reuse or any combination thereof, and to
654 construct and operate connecting intercepting or outlet sewers
655 and sewer mains and pipes and water mains, conduits, or
656 pipelines in, along, and under any street, alley, highway, or
657 other public place or ways, and to dispose of any effluent,
658 residue, or other byproducts of such system or sewer system.

659 (e) Subject to the requirements of subsection (3), local
660 streets and sidewalks.

661 (f) Subject to the requirements of subsection (3),
662 streetlights.

663 (g) Subject to the requirements of subsection (3),
664 installation, maintenance, and control of outdoor signage,
665 monuments, and decorative and seasonal banners and lights.

666 (h) Subject to the requirements of subsection (3), the
667 district board shall act as the planning advisory panel for
668 Lehigh Acres.

669
670 The special powers enumerated in paragraphs (d)-(h) do not apply
671 within any portion of Hendry County.



672 (3) The district may only implement the powers authorized
673 in paragraphs (2) (d)-(h) pursuant to this subsection.

674 (a) For each power authorized in paragraph (2) (d),
675 paragraph (2) (e), paragraph (2) (f), paragraph (2) (g), or
676 paragraph (2) (h), the district board shall first complete and
677 execute an agreement with the Board of County Commissioners of
678 Lee County. The district shall have the authority and
679 flexibility to enter into one or more agreements with the Board
680 of County Commissioners of Lee County for the implementation of
681 each power authorized in paragraphs (2) (d)-(h). To implement the
682 power authorized in paragraph (2) (f), the agreement shall
683 provide for the dissolution of the Lehigh Acres Streetlighting
684 Unit and the transfer of all equipment, facilities, leases,
685 contracts, and obligations of the unit to the district.

686 (b) No power authorized in paragraph (2) (d), paragraph
687 (2) (e), paragraph (2) (f), paragraph (2) (g), or paragraph (2) (h)
688 may be implemented by the district without the prior approval by
689 the qualified electors in a districtwide referendum on the
690 agreement entered into between the district and the Board of
691 County Commissioners of Lee County.

692 1. A separate referendum question shall be presented to
693 the qualified electors for each power authorized in paragraph
694 (2) (d), paragraph (2) (e), paragraph (2) (f), paragraph (2) (g), or
695 paragraph (2) (h) for which the district seeks approval to
696 implement.

697 2. The referendum for approval of the implementation of a



698 power shall be conducted at the first general election held in
 699 Lee County after the date of execution of the written agreement.

700 3. Each referendum question presented to the qualified
 701 electors to approve the district's implementation of a power
 702 authorized in paragraph (2) (d), paragraph (2) (e), paragraph
 703 (2) (f), paragraph (2) (g), or paragraph (2) (h) shall be
 704 substantially in the following form:

705
 706 SHALL THE LEHIGH ACRES MUNICIPAL SERVICES IMPROVEMENT DISTRICT
 707 IMPLEMENT THE POWER TO ...(specify the power)... ACCORDING TO
 708 THAT WRITTEN AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS OF
 709 LEE COUNTY DATED ...(date the written agreement was
 710 executed) ...?

711
 712 (4) The district shall have the authority to employ staff
 713 to discharge its responsibilities, including, but not limited
 714 to, staff necessary to exercise its authority and discharge its
 715 duties under subsection (5). Employees of the district shall
 716 serve at the pleasure of the district board.

717 (5) The following provisions provide and limit the
 718 district's power and authority for drainage and water control:

719 (a) In exercising its authority for drainage and water
 720 control, the district shall have the authority provided by, and
 721 be subject to, ss. 298.16, 298.17, 298.18, 298.20, 298.21,
 722 298.22, 298.225, 298.23, 298.24, 298.25, 298.26, 298.28,
 723 298.301, 298.305, 298.329, 298.333, 298.341, 298.345, 298.353,



724 298.36, 298.365, 298.366, 298.401, 298.41(1), 298.465, 298.47,
725 298.48, 298.49, 298.50, 298.52, 298.54, 298.56, 298.59, 298.61,
726 298.62, 298.63, and 298.66, Florida Statutes.

727 (b) The district shall have the power to employ a person
728 designated as manager of the district and to vest such authority
729 in, delegate the performance of such duties to, and provide such
730 compensation for such person as may be determined by the board.
731 The manager shall have charge to manage the works of said
732 district and its construction, operation, and maintenance. The
733 district may require the manager to furnish bond with good and
734 sufficient surety in such amount as the board may by resolution
735 determine.

736 (6) The district shall have, and the board may exercise,
737 subject to the regulatory jurisdiction and permitting authority
738 of all applicable governmental bodies, agencies, and special
739 districts having authority with respect to any area included
740 therein, any or all of the following special powers relating to
741 public improvements and community facilities authorized by this
742 act:

743 (a) The power to finance, fund, plan, establish, acquire,
744 construct or reconstruct, enlarge or extend, equip, operate, and
745 maintain systems, facilities, and basic infrastructure for
746 conservation areas, mitigation areas, and wildlife habitat,
747 including the maintenance of any plant or animal species, and
748 any related interest in real or personal property.

749 (b) After the board has obtained the consent of the local



750 general purpose government within the jurisdiction of which the
751 specified power is to be exercised, the power to plan,
752 establish, acquire, construct or reconstruct, enlarge or extend,
753 equip, operate, and maintain additional systems and facilities
754 for parks and facilities for indoor and outdoor recreational,
755 cultural, and educational uses, with the exception of Lake
756 Camille Park, Williams Park, and ECO Park.

757 (c) The power to construct and maintain navigational and
758 boating facilities in its canals, including, but not limited to,
759 locks and dams, to widen and deepen its canals, to make them
760 usable for navigation and boating, and to regulate in all
761 respects the use of its canals for navigation and boating,
762 including, but not limited to, the size of boats, their speed,
763 and hours of use.

764 (7) The district's planning requirements shall be as set
765 forth in this act and chapter 189, Florida Statutes.

766 Section 4. Board of district commissioners.—

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

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

773 (a) On the effective date of this act, the members of the
774 former Board of Commissioners of the East County Water Control
775 District shall constitute the five-member Board of District



776 Commissioners of the Lehigh Acres Municipal Services Improvement
777 District, with existing 4-year terms of office to remain intact.
778 The procedures for conducting district elections or referenda
779 and for qualification of electors shall be pursuant to chapter
780 189, Florida Statutes. Unless otherwise provided in s. 189.04,
781 Florida Statutes, all elections for district commissioners shall
782 be held on the first Tuesday after the first Monday in November
783 of even-numbered years. The district commissioners shall be
784 registered voters and residents of the district and elected at
785 large by nonpartisan plurality vote with the candidate who
786 receives the highest number of votes for each seat winning the
787 election. Only registered voters residing within the district
788 shall be permitted to vote. The cost of any election shall be
789 borne by the district. The term of each commissioner shall begin
790 10 days after that commissioner's election.

791 (b) Qualifying for the position of district commissioner
792 shall be coordinated by the supervisors of elections of the
793 counties within which the district is located. Methods of
794 qualifying shall be uniform pursuant to s. 99.061, Florida
795 Statutes. Candidates shall be required to open depositories and
796 appoint treasurers before accepting any contributions or
797 expending any funds.

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



802 (d) The members of the board shall be reimbursed for their
803 expenses pursuant to s. 112.061, Florida Statutes, and paid a
804 salary of \$250 per calendar month during term of office as
805 established herein. The board may remove any member who has
806 three consecutive, unexcused absences from regularly scheduled
807 meetings. In addition, commissioners shall not be paid for any
808 unexcused absences from regularly scheduled meetings. The board
809 shall adopt policies by resolution defining excused and
810 unexcused absences.

811 (e) Each year, the board of commissioners shall hold an
812 annual organizational meeting and elect a chair, vice chair,
813 secretary, and treasurer, whose duties shall be established by
814 resolution of the board.

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

817 (4) A quorum of the board shall be a majority of its
818 members. Official action will require a majority of those voting
819 members present.

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

824 Section 5. Finances.-

825 (1) The powers, functions, and duties of the district
826 regarding bond issuance, other revenue-raising capabilities,
827 budget preparation and approval, liens and foreclosure of liens,



828 use of tax deeds and tax certificates as appropriate for non-ad
829 valorem assessments, and contractual agreements, and the methods
830 for financing the district and for collecting non-ad valorem
831 assessments, fees, or service charges, shall be as set forth in
832 this charter, in chapters 170, 189, and 197, Florida Statutes,
833 and in any applicable general or special law.

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

836 (3) Annual installment assessments, which are levied
837 pursuant to s. 298.36, Florida Statutes, shall become due and be
838 collected during each year at the same time that county taxes
839 are due and collected, pursuant to s. 298.36, Florida Statutes,
840 chapter 197, Florida Statutes, and this charter. Said
841 assessments shall be a lien until paid on the property against
842 which assessed and enforceable in like manner as county taxes.

843 (4) Maintenance assessments as provided for under s.
844 298.54, Florida Statutes, shall be apportioned upon the basis of
845 the net assessments of benefits assessed as accruing from
846 original construction and shall be due and collected pursuant to
847 s. 298.54, Florida Statutes, chapter 197, Florida Statutes, and
848 this charter. Provided, nothing herein shall prevent the board
849 of commissioners from apportioning maintenance taxes for the
850 maintenance of the district facilities equally to all benefited
851 acres if the board of commissioners determines that benefits are
852 substantially equal for benefited acreage throughout the
853 district. Said assessments shall be a lien until paid on the



854 property against which assessed and enforceable in like manner
855 as county taxes.

856 (5) Non ad-valorem assessments and user charges or fees,
857 including impact fees, authorized by the board of commissioners
858 may be levied to finance, fund, plan, establish, acquire,
859 construct, operate, and maintain systems, facilities, and basic
860 infrastructures for water supply, sewer, and wastewater
861 management, reclamation, and reuse and to construct and operate
862 connecting intercepting or outlet sewers and sewer mains and
863 pipes and water mains, conduits, or pipelines in, along, and
864 under any street, alley, highway, or other public place or ways,
865 and to dispose of any effluent, residue, or other byproducts of
866 such system or sewer system.

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

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

876 (8) Notwithstanding s. 298.36(2), Florida Statutes, the
877 secretary of the board of district commissioners, as soon as
878 said total assessment is levied, shall, at the expense of the



879 district, prepare a list of all assessments levied, said list to
880 be stored in electronic format.

881 (9) The board annually shall prepare, consider, and adopt
882 a district budget pursuant to the applicable requirements of
883 this charter and chapter 189, Florida Statutes. The fiscal year
884 shall be from October 1 through September 30.

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

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

894 (b) The district shall comply with s. 163.31801, Florida
895 Statutes, and chapter 189, Florida Statutes, in its collection
896 and use of impact fees. New facilities and equipment shall be as
897 provided in chapter 189, Florida Statutes.

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

900 (12) The district shall have the authority to sell, lease,
901 or otherwise encumber surplus real property owned by the
902 district for the benefit of the district, except for
903 environmentally sensitive property as designated by the
904 Department of Environmental Protection.



905 Section 5. Chapters 2000-423, 2003-315, 2005-308, 2006-
906 319, 2009-260, and 2012-254, Laws of Florida, are repealed.

907 Section 6. The East County Water Control District is
908 dissolved.

909 Section 7. As of the effective date of this act, all
910 property, whether real, personal, or mixed, that is owned,
911 possessed, or controlled by the East County Water Control
912 District and all other assets, contracts, obligations, and
913 liabilities of the East County Water Control District are hereby
914 transferred and vested in the Lehigh Acres Municipal Services
915 Improvement District. All contracts and obligations of the East
916 County Water Control District existing on the effective date of
917 this act shall remain in full force and effect, and this act
918 shall in no way affect the validity of such contracts or
919 obligations.

920 Section 8. Notwithstanding the provisions of general or
921 other special law, the annexation by any municipality of any of
922 the lands within the district as described in section 4 is
923 prohibited. This prohibition of annexation shall not prevent any
924 subsequent chartering of a municipal incorporation comprised of
925 the entirety of the area occupied by the district.

926 Section 9. The provisions of this act shall be liberally
927 construed in order to effectively carry out the purposes of this
928 act in the interest of the public health, welfare, and safety of
929 the citizens served by the district.



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2015

930 Section 10. In the event of a conflict between any
931 provision of this act and the provisions of any other act, the
932 provisions of this act shall control to the extent of such
933 conflict.

934 Section 11. This act shall take effect upon becoming a
935 law.