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1
2 An act relating to the Trailer Estates Park and
3 Recreation District, Manatee County; amending ch.
4 2002-361, Laws of Florida; providing purpose; revising
5 district boundaries; revising powers and duties for
6 the trustees; providing for the qualification of
7 electors and annual election of trustees; providing
8 for removal of trustees and appointment to fill
9 vacancies; providing for the assessment and collection
10 of a recreation district assessment; providing that
11 such assessment shall be a lien against each parcel of
12 land so assessed and for the method of collecting such
13 assessment; providing for the deposit and disbursement
14 of funds of the district; establishing a fiscal year
15 and providing for annual financial statements;
16 authorizing the trustees to issue bonds and other
17 obligations of the district; authorizing the trustees
18 to acquire and dispose of real and personal property
19 for certain purposes; authorizing the trustees to
20 adopt and enforce rules and regulations; authorizing
21 the assessment of penalties related to the use of
22 facilities of the district; providing for the
23 abolishment of the district; providing conditions
24 precedent to the filing of suit against the district
25 or any of the trustees thereof, and relieving

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26 individual trustees from personal liability for
 27 obligations of the district; providing definitions;
 28 revising requirements to amend the charter; providing
 29 referendum requirements; providing severability;
 30 providing construction; providing an effective date.

31

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

33

34 Section 1. Sections 3, 5, and 6 of chapter 2002-361, Laws
 35 of Florida, are amended to read:

36 Section 3. The Trailer Estates Park and Recreation
 37 District is re-created and reenacted to read:

38 Section 1. Upon this charter ~~act~~ becoming a law, all lands
 39 described in Section 2 lying in Manatee County, hereinafter
 40 described, shall become and be incorporated into and as a park
 41 and recreation District, which shall be an independent special
 42 taxing District, having the powers and duties herein set forth,
 43 under the name of "Trailer Estates Park and Recreation District"
 44 (hereinafter referred to as the "District"). The purpose of the
 45 District shall be to provide park and recreation amenities,
 46 services, and programs for the owners, residents and their
 47 guests, and invitees of the District.

48 Section 2. The lands so to be incorporated being described
 49 as follows:

50 (1) ~~(a)~~ Trailer Estates Subdivision as recorded in

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51 Plat Book 8, page 138, of the Public Records of
 52 Manatee County, Florida. First Addition to Trailer
 53 Estates Subdivision as recorded in Plat Book 9, page
 54 71, of the Public Records of Manatee County, Florida.
 55 (2)~~(b)~~ Second Addition to Trailer Estates Subdivision
 56 as recorded in Plat Book 9, page 61, of the Public
 57 Records of Manatee County, Florida.
 58 (3)~~(c)~~ Third Addition to Trailer Estates Subdivision
 59 as recorded in Plat Book 10, Page 69 of the Public
 60 Records of Manatee County, Florida.
 61 (4)~~(d)~~ Fourth Addition to Trailer Estates Subdivision
 62 as recorded in Plat Book 11, page 66, of the Public
 63 Records of Manatee County, Florida.
 64 (5)~~(e)~~ Fifth Addition to Trailer Estates Subdivision
 65 as recorded in Plat Book 12, page 55, of the Public
 66 Records of Manatee County, Florida.
 67 (6)~~(f)~~ The SW 1/4 of the SE 1/4 of the SE 1/4 of
 68 Section 22, TWP. 35 S., Rge. 17 E.; LESS: Land
 69 Described in Deed Book 380, Page 451, Official Records
 70 Book 208, Pages 156 & 157, Official Records Book 240,
 71 Pages 167 & 168, all of the Public Records of Manatee
 72 County, Florida; ALSO LESS: The South 133 feet and the
 73 East 290 feet of said SW 1/4 of the SE 1/4 of the SE
 74 1/4.
 75 (7)~~(g)~~ A tract of land in the SW 1/4 of the SE 1/4 of

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76 | the SE 1/4 of Section 22, Twp. 35 S. Rge. 17 E. of
 77 | Manatee County, Florida, more particularly described
 78 | as follows: From the NW corner of said SW 1/4 of the
 79 | SE 1/4 of the SE 1/4 of Section 22, run S. 88 degrees
 80 | 30' East along the North line of said SW 1/4 of the SE
 81 | 1/4 of the SE 1/4, 14.74 feet; thence run S. 1 degree
 82 | 48' West, 100 feet for a Point of Beginning; thence
 83 | run S. 88 degrees 30' East, 130 feet to a point;
 84 | thence run S. 1 degree 48' West, 50 feet to a point;
 85 | thence run N. 88 degrees 30' West, 130 feet to a
 86 | point; thence run N. 1 degree 48' East 50 feet to the
 87 | Point of Beginning.

88 | (8) ~~(h)~~ A tract of land in the SW 1/4 of the SE 1/4 of
 89 | the SE 1/4 of Section 22, Twp. 35 S. Rge. 17 E. of
 90 | Manatee County, Florida, more particularly described
 91 | as follows: From the NW corner of said SW 1/4 of the
 92 | SE 1/4 of the SE 1/4 of Section 22, run S. 88 degrees
 93 | 30' East along the North line of said SW 1/4 of the SE
 94 | 1/4 of the SE 1/4, 14.74 feet; thence run S. 1 degree
 95 | 48' West, 150 feet for a Point of Beginning; thence
 96 | run S. 88 degrees 30' East, 130 feet to a point;
 97 | thence run S. 1 degree 48' West, 50 feet to a point;
 98 | thence run N. 88 degrees 30' West, 130 feet to a
 99 | point; thence run N. 1 degree 48' East 50 feet to the
 100 | Point of Beginning.

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101 ~~(9)(i)~~ A tract of land in the SW 1/4 of the SE 1/4 of
 102 the SE 1/4 of Section 22, Twp. 35 S. Rge. 17 E. of
 103 Manatee County, Florida, more particularly described
 104 as follows: From the NW corner of said SW 1/4 of the
 105 SE 1/4 of the SE 1/4 of Section 22, run S. 88 degrees
 106 30' East along the North line of said SW 1/4 of the SE
 107 1/4 of the SE 1/4, 14.74 feet; thence run S. 1 degree
 108 48' West, 200 feet for a Point of Beginning; thence
 109 run S. 88 degrees 30' East, 130 feet to a point;
 110 thence run S. 1 degree 48' West, 50 feet to a point;
 111 thence run N. 88 degrees 30' West, 130 feet to a
 112 point; thence run N. 1 degree 48' East 50 feet to the
 113 Point of Beginning.

114 (10) FROM AN IRON PIN WHICH IS THE INTERSECTION OF
 115 THE WEST LINE OF HIGHWAY 41 AND THE NORTH LINE OF THE
 116 NW1/4 OF THE SW1/4 OF SECTION 23, TOWNSHIP 35 SOUTH,
 117 RANGE 17 EAST, GO WESTERLY ALONG SAID NORTH LINE OF
 118 THE NW1/4 OF THE SW1/4 A DISTANCE OF 600 FEET, THENCE
 119 SOUTHERLY PARALLEL TO SAID WEST LINE OF US 41 A
 120 DISTANCE OF 163 FEET TO A POINT WHICH IS THE NORTHWEST
 121 CORNER OF LANDS HERETOFORE DEEDED TO MANUEL E. ROBELLO
 122 AND VICTOR H. ROBELLO RECORDED IN DEED BOOK 261 PAGE
 123 321 FOR A POINT OF BEGINNING; THENCE CONTINUE
 124 SOUTHERLY PARALLEL TO SAID WEST LINE OF US HIGHWAY 41
 125 A DISTANCE OF 300 FEET; THENCE GO WESTERLY PARALLEL TO

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126 THE SAID NORTH LINE OF THE NW1/4 OF THE SW1/4 A
 127 DISTANCE OF 400 FEET; THENCE GO NORTHERLY PARALLEL TO
 128 SAID LINE OF US HIGHWAY 41 A DISTANCE OF 300 FEET;
 129 THENCE GO EASTERLY 400 FEET TO THE POINT OF BEGINNING,
 130 LESS THE EASTERLY 49.20 FEET THEREOF. ALL LYING AND
 131 BEING IN SECTION 23, TOWNSHIP 35 SOUTH, RANGE 17 EAST,
 132 MANATEE COUNTY, FLORIDA.

133 (11) FROM AN IRON PIPE WHICH IS THE INTERSECTION OF
 134 THE WEST LINE OF US HIGHWAY 41 AND THE NORTH LINE OF
 135 THE NW1/4 OF THE SW1/4 OF SECTION 23; GO WESTERLY
 136 ALONG THE NORTH LINE OF THE NW1/4 OF THE SW1/4 A
 137 DISTANCE OF 600 FEET; SOUTHERLY PARALLEL TO SAID WEST
 138 LINE OF US HIGHWAY 41 A DISTANCE OF 463 FEET TO A
 139 POINT; GO WESTERLY PARALLEL TO SAID NORTH LINE OF THE
 140 NW1/4 OF THE SW1/4 A DISTANCE OF 400 FEET TO THE POINT
 141 OF BEGINNING; GO SOUTHERLY PARALLEL TO SAID WEST LINE
 142 OF US HIGHWAY 41 A DISTANCE OF 86.7 FEET; GO EASTERLY
 143 PARALLEL TO THE NORTH LINE OF THE NW1/4 OF THE SW1/4 A
 144 DISTANCE OF 60 FEET; THENCE NORTHERLY PARALLEL TO THE
 145 WEST LINE OF US HIGHWAY 41 A DISTANCE OF 86.7 FEET TO
 146 A POINT; THENCE GO WESTERLY 60 FEET TO THE POINT OF
 147 BEGINNING. ALL LYING AND BEING IN SECTION 23, TOWNSHIP
 148 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

149 (12) BEGIN AT THE NORTHEAST CORNER OF LOT 10, BLOCK
 150 11, TRAILER ESTATES, AS PER PLAT THEREOF RECORDED IN

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151 PLAT BOOK 8, PAGE 138 OF THE PUBLIC RECORDS OF MANATEE
 152 COUNTY, FLORIDA FOR THE POINT OF BEGINNING; THENCE
 153 NORTH 1° 15' EAST FOR A DISTANCE OF 104 FEET TO A
 154 POINT ON THE NORTHERLY BOUNDARY LINE OF THE SW1/4 OF
 155 SECTION 23, TOWNSHIP 35 SOUTH, RANGE 17 EAST, THENCE
 156 IN AN EASTERLY DIRECTION ALONG THE NORTHERN BOUNDARY
 157 OF THE SD SW1/4 OF SECTION 23, A DISTANCE OF 49.32
 158 FEET, THENCE SOUTHERLY 164 FEET; THENCE WESTERLY 49.32
 159 FEET, THENCE NORTHERLY 164 FEET TO THE POINT OF
 160 BEGINNING AS DESCRIBED IN ORB 490, PAGE 630 AND ORB
 161 490, PAGE 667, OF THE PUBLIC RECORDS OF MANATEE
 162 COUNTY, FLORIDA.

163
 164 Section 3. The business and affairs of said District shall
 165 be conducted and administered by a board of nine trustees
 166 (hereinafter referred to as the "trustees") who, upon their
 167 annual election, shall organize by electing from their number a
 168 chair, one or more vice chairs, a secretary, and a treasurer.
 169 Said trustees shall not receive any compensation for their
 170 services but shall be entitled to be reimbursed from funds of
 171 the District for any authorized disbursements they may properly
 172 incur on behalf of the District. Spouses, parents, children,
 173 siblings, or domestic partners of a trustee may not serve on the
 174 Board of Trustees at the same time with that trustee. Each
 175 trustee authorized to sign checks of the District or otherwise

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176 designated to handle its funds shall, before he or she enters
177 upon such duties, execute to the Governor for the benefit of
178 said District, a good and sufficient bond approved by a circuit
179 judge of Manatee County in the sum of \$5,000 with a qualified
180 corporate surety conditioned to faithfully perform the duties of
181 such trustee and account for all funds which may come into his
182 or her hands as such trustee. All premiums for such surety on
183 all bonds shall be paid from the funds of said District.

184 Section 4. Elections shall be held at the usual polling
185 place within the District between the hours of 12 noon and 8
186 p.m. and shall be conducted and supervised by the supervisor of
187 elections of Manatee County under the rules governing general
188 elections in Manatee ~~the~~ County, except as may otherwise be
189 provided herein. Election of the ~~Board of~~ trustees shall be held
190 annually on the first Tuesday after the first Monday of
191 December, establishing 2-year terms for all trustees, five to be
192 elected in even years to serve 2-year terms and four to be
193 elected in odd years to serve 2-year terms in order of
194 expiration of terms of office and as required to maintain a full
195 board of nine trustees. Trustees may succeed themselves.

196 Section 5. The only persons qualified to vote in said
197 election shall be owners of record of real property within said
198 District, but they need not be actually residing in the
199 District, nor be residents of the state. The term "owners of
200 record" means record owners appearing on the current rolls of

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201 the property appraiser ~~tax-assessor~~ of Manatee County not less
202 than 30 days prior to the date of each election. For the purpose
203 of determining the qualifications of electors, the rolls of the
204 property appraiser ~~tax-assessor~~ of Manatee County shall be
205 presumptive evidence of the record of owners of property within
206 the District, but such presumption may be rebutted by the voter
207 furnishing a recorded deed or facsimile thereof to the
208 supervisor of elections, or his or her designated agent at the
209 polling place, at the time of voting at such election.
210 Application for absentee ballots may be obtained from the
211 supervisor of elections of Manatee County within 45 days prior
212 to each annual election, and shall be counted if actually
213 received by the supervisor of elections by 5 p.m. on the day
214 before the date of each such election. All election ballots
215 shall be prepared by the supervisor of elections of Manatee ~~the~~
216 County. Persons desiring to have their names placed on the
217 ballot for election as trustee of the District shall be
218 qualified electors as defined in this charter ~~act~~ and shall
219 present a written petition to the supervisor of elections of
220 Manatee County not less than 60 days prior to the date of each
221 election, which petition shall be signed by the candidate and
222 notarized, and signed by not less than 25 persons qualified to
223 vote in said election within the District. Notice of said
224 election setting forth the names of the persons proposed as
225 trustees of the District for the next ensuing 2 years shall be

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226 | given by the District in writing addressed to each record owner
227 | or owners of each parcel of property within the District, not
228 | less than 15 days before the date of each election, and shall
229 | also be published by the District one time at least 10 days
230 | prior to such election, in a newspaper of general circulation
231 | published in Manatee ~~the~~ County, and if no newspaper be
232 | published in Manatee ~~said~~ County, then the trustees ~~they~~ shall
233 | cause written or printed notices of said election to be posted
234 | in five public places within said District. The trustees may
235 | appoint inspectors and clerks for the election whose duties
236 | shall be the same as similar officers in general elections,
237 | except as herein stated. Said election may be by ballot or by
238 | voting machine, and if by ballot the same shall be written or
239 | printed in black ink on plain paper and shall be substantially
240 | in the following form:

241 |
242 | Board of Trustees of the Trailer Estates Park and
243 | Recreation District (stating their names and residence
244 | addresses)

245 |
246 | and if by voting machine the requirements for the ballot herein
247 | described shall be adapted to the use of such voting machine.
248 | The nine persons receiving the highest number of votes shall be
249 | declared trustees of the District for the ensuing 2 years.
250 | Trustees may succeed themselves in office.

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251 Section 6. The supervisor of elections of Manatee County
 252 shall canvass the return of election and shall announce the
 253 results thereon the day following the election. Should there be
 254 a deadlock in the balloting, a runoff election shall be held on
 255 the third ~~3rd~~ Tuesday of December ~~next~~ following the deadlocked
 256 election, except if a deadlock should occur in the first
 257 election as provided hereunder, a runoff election shall be held
 258 on the third ~~3rd~~ Tuesday following such deadlocked election. The
 259 supervisor of elections of Manatee County shall be entitled to a
 260 reasonable fee for conducting each election, payable out of
 261 general funds of the District.

262 Section 7. The ~~Board of~~ trustees shall have the right,
 263 power, and authority to levy a special assessment known as a
 264 recreation District assessment ~~tax~~ against all taxable real
 265 estate situated within said District for the purpose of
 266 providing funds for the operation of the District. The trustees
 267 shall, in accordance with general law ~~on or before April 1 of~~
 268 ~~each year~~, by resolution, fix the amount of the assessment for
 269 the next ensuing fiscal year and shall direct the tax assessor
 270 of Manatee County to assess and the property appraiser ~~tax~~
 271 ~~collector~~ of Manatee County to collect such assessment ~~tax~~ as
 272 assessed upon each ~~improved~~ residential parcel or platted
 273 subdivision lot or proportionate share thereof ~~of property~~
 274 within the District. Prior to the adoption of the resolution
 275 fixing the amount of the assessment, the trustees shall hold a

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276 public hearing at which time property owners within the District
 277 may appear and be heard. Notice of the time and place of the
 278 public hearing shall be noticed in accordance with sections
 279 189.016 and 200.065, Florida Statutes ~~published once in a~~
 280 ~~newspaper of general circulation within the county at least 21~~
 281 ~~days prior to the public hearing.~~ The county property appraiser
 282 and tax collector ~~assessor~~ shall include on the Manatee County
 283 tax roll the special assessment for the park and recreation
 284 District benefits thus made by the ~~Board of~~ trustees of the
 285 District, and the same shall be collected in the manner and form
 286 as provided for collection of county taxes. The county tax
 287 collector and the county property appraiser ~~tax assessor~~ shall
 288 each receive compensation for their services regarding such
 289 special assessment of 1-1/2 percent of the gross tax receipts
 290 instead of the commissions and fees usually earned for the
 291 assessment and collection of county taxes. Further, the services
 292 of the property appraiser ~~tax assessor~~ and the tax collector
 293 under this charter act are hereby declared to be special
 294 services performed directly for the District, and any payment
 295 therefor shall not be considered of the general income of such
 296 official nor come under sections 116.03 and 145.121, Florida
 297 Statutes. After deducting therefrom the said fees, the tax
 298 collector shall deposit the funds into a depository designated
 299 by the ~~Board of~~ trustees of the District for the account of the
 300 District. For the purpose of determining property subject to the

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301 District assessment, ~~a an~~ "~~improved~~ residential parcel" shall be
 302 construed to mean a parcel, as identified by the property
 303 appraiser of Manatee County, or a platted subdivision lot or a
 304 proportionate share thereof ~~lot or lots on which a mobile home~~
 305 ~~has been erected~~ as of January 1 of the taxable year. The
 306 District assessment ~~tax~~ shall not be an ad valorem tax but
 307 rather shall be an assessment ~~a unit tax~~ assessed equally
 308 against all ~~improved~~ residential parcels or platted subdivision
 309 lots of record thereof ~~parcels~~.

310 Section 8. The District may acquire and hold property, sue
 311 and be sued, enter into contracts, and perform other functions
 312 necessary or desirable to the carrying out of the provisions and
 313 intent of this charter ~~act~~. No debt shall be created without the
 314 approval of the ~~Board of~~ trustees.

315 Section 9. The District assessment ~~tax~~ shall be a lien
 316 upon each improved residential parcel of land as identified on
 317 the current tax roll of the tax collector of Manatee County so
 318 assessed until said assessment ~~tax~~ has been paid, and shall be
 319 considered a part of the Manatee County tax, subject to the same
 320 penalties, charges, fees, and remedies for enforcement and
 321 collection as provided by the laws of the state for the
 322 collection of such taxes or assessments.

323 Section 10. The proceeds for said tax or assessment and
 324 the funds of the District shall be deposited in the name of the
 325 District in a bank or savings and loan association or building

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326 and loan association authorized to receive deposits of county
327 funds, which depository shall be designated by resolution of the
328 ~~Board of~~ trustees. No funds of the District shall be disbursed
329 save and except by check or draft signed by the chair and
330 treasurer of the trustees ~~board~~ or, in the absence of either, by
331 another trustee designated for that purpose by the trustees
332 ~~board~~.

333 Section 11. Trustees shall hold office for a term of 2
334 years, and may succeed themselves. All vacancies occurring in
335 the ~~Board of~~ trustees for any cause shall be filled for the
336 unexpired term by the remaining trustees by the appointment of a
337 successor trustee or trustees from among the qualified electors
338 of said District as herein defined. Any trustee failing to
339 discharge the duties of his or her position may be removed for
340 cause by the ~~Board of~~ trustees, after due notice and an
341 opportunity to be heard upon charges of malfeasance or
342 misfeasance.

343 Section 12. The fiscal year of the District shall commence
344 October 1, beginning October 1, 2021 ~~January 1~~. The trustees
345 shall, on or before April 1 of each year, prepare an annual
346 financial statement of income and disbursements during the prior
347 fiscal year. In accordance with section 189.016, Florida
348 Statutes ~~On or before April 1 of each year~~, the trustees shall
349 prepare and adopt an itemized budget showing the amount of money
350 necessary for the operation of the District for the next fiscal

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351 year, and the District assessment tax to be assessed and
352 collected upon the taxable property of the District for the next
353 ensuing year. ~~Such financial statement shall be published once~~
354 ~~during the month of April each year in a newspaper of general~~
355 ~~circulation within the county.~~ A copy of said statement and a
356 copy of said budget shall also be furnished by mail to each
357 taxpayer within the District within 30 days after its
358 preparation and a copy made available for public inspection at
359 the principal office of the District at reasonable hours.

360 Section 13. The property of the District shall consist of
361 the recreational hall, shuffleboard courts, marina, playgrounds,
362 walks, and other property and improvements now or hereafter
363 erected or purchased by the trustees for the District, as well
364 as any other real or personal property which the trustees of the
365 District may, in their discretion, determine to be necessary or
366 convenient for the purposes of the District. In addition
367 thereto, for the comfort and convenience of taxpayers within the
368 District, the trustees may in their discretion assume the cost
369 of installing and maintaining entrance parkways and street
370 lighting within the District and may acquire and dispose of any
371 other facilities for the general purpose of the District.

372 Section 14. Persons entitled to use the facilities and
373 property of the District shall be limited to property owners
374 within the District, their family members and guests, and such
375 other persons and groups as the trustees may authorize from time

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376 | to time.

377 | Section 15. The trustees shall supervise all real and
 378 | personal property owned by the District, and shall have the
 379 | following powers in addition to those already herein enumerated:

380 | (1)~~(a)~~ To negotiate purchases and to purchase real and
 381 | personal property on behalf of the District and to pay for such
 382 | purchases with either cash or by the issuance of bonds or
 383 | revenue certificates.

384 | (2)~~(b)~~ To determine and fix the assessment ~~tax~~ to be
 385 | assessed annually within the District.

386 | (3)~~(c)~~ To enter into contracts on behalf of the District.

387 | (4)~~(d)~~ To incur obligations on behalf of the District,
 388 | including the power to issue bonds, notes, and other evidence of
 389 | indebtedness of the District for the purpose of obtaining funds
 390 | for the operation of the District, including the purchase of
 391 | land, buildings, and other improvements; provided, however, that
 392 | the aggregate amount of all obligations of the District payable
 393 | in any fiscal year shall not exceed the aggregate amount of all
 394 | revenue received by the District from all sources during such
 395 | fiscal year. Bonds, notes, or other certificates of indebtedness
 396 | issued by the District may be secured by the pledge of
 397 | assessment ~~tax~~ revenues obtained by the District, as well as by
 398 | mortgage of property owned by the District.

399 | (5)~~(e)~~ To issue ~~its~~ bonds to finance, in whole or in part,
 400 | the cost of construction, acquisition, or improvements of real

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401 and personal property of the District. The trustees, in
402 determining such costs, may include all costs and estimated
403 costs of the issuance of said bonds, all engineering,
404 inspection, fiscal, and legal expenses, all costs of preliminary
405 surveys, plans, maps, and specifications, initial reserve funds
406 for debt service, the costs of the services of persons, firms,
407 corporations, partnerships, or associations employed, or
408 consultants, advisors, engineers, or fiscal, financial, or other
409 experts in the planning, preparation, and financing of the
410 District. The trustees are hereby authorized to employ and to
411 enter into agreements or contracts with consultants, engineers,
412 attorneys, or fiscal, financial, or other experts for the
413 planning, preparation, and financing of the District, or any
414 asset thereof, upon such terms and conditions as the trustees
415 shall deem desirable and proper. The District may pledge to the
416 punctual payment of bonds or revenue certificates issued
417 pursuant to this charter, and interest thereon, an amount of the
418 revenue derived from the facilities and services of the
419 District, including acquisitions, extensions, and improvements
420 thereof sufficient to pay said bonds and the interest thereon as
421 the same shall become due and to create and maintain reasonable
422 reserves therefor.

423 (6)~~(f)~~ To buy, sell, rent, or lease real and personal
424 property in the name of the District; to deliver purchase money
425 notes and mortgages or to assume the obligation of existing

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426 mortgages in connection with the acquisition of property of the
427 District; and to receive gifts of real or personal property.

428 (7)(g) To adopt and enforce reasonable rules and
429 regulations governing the use of the facilities of the District
430 as provided by general law, and to prescribe penalties for
431 violations of such rules and regulations. Such rules and
432 regulations to be enforced shall include deed restrictions.

433 (a)1. The rate of such penalties shall be fixed by a
434 resolution of the trustees, as herein provided, but may not
435 exceed \$200 per violation against any member, or any authorized
436 occupant, licensee, or invitee of the member, for the failure of
437 the owner of the parcel or its occupant, licensee, or invitee to
438 comply with any provision of the rules and regulations of the
439 District.

440 2. A fine may be levied by the trustees for each day of a
441 continuing violation, with a single notice and opportunity for
442 hearing, not to exceed a cumulative total maximum of \$1,000.

443 3. If a fine is unpaid after 90 days, the District may
444 file a lien against the property.

445 (b)1. An enforcement committee of at least three members,
446 consisting of parcel owners, shall be appointed by the trustees
447 to provide the parcel owner and, if applicable, any occupant,
448 licensee, or invitee of the parcel owner, an opportunity for a
449 hearing regarding an alleged violation. Spouses, parents,
450 children, siblings, and domestic partners of a trustee or

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451 another member of the enforcement committee or a trustee may not
452 be appointed to serve on the enforcement committee. A fine or
453 suspension may not be recommended to be imposed unless the
454 enforcement committee first provides at least 14 days' written
455 notice of the hearing.

456 2. The role of the enforcement committee is limited to
457 holding the hearing and determining whether to recommend a fine
458 or suspension of facility usage to the trustees.

459 3. The trustees shall subsequently rule on the
460 recommendation of the enforcement committee and either confirm,
461 reject, or modify any fine or suspension recommended by the
462 enforcement committee. If a fine or suspension is levied by the
463 trustees, the fine payment is due 5 days after notice of the
464 approved fine is provided to the parcel owner and, if
465 applicable, to any occupant, licensee, or invitee of the parcel
466 owner. If the trustees, by majority vote, do not approve a
467 proposed fine or suspension, the proposed fine or suspension may
468 not be imposed.

469 4. If a parcel owner and, if applicable, any occupant,
470 licensee, or invitee of the parcel owner is more than 30 days
471 delinquent in paying the fine, the District may suspend the
472 rights of the parcel owner, or the occupant, licensee, or
473 invitee of the parcel owner, to use common areas and facilities
474 until the fine is paid in full. This subsection does not apply
475 to that portion of common areas used to provide access or

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476 utility services to the parcel. A suspension may not prohibit a
477 parcel owner or occupant, licensee, or invitee of a parcel owner
478 from having vehicular and pedestrian ingress to and egress from
479 the parcel, including, but not limited to, the right to park a
480 vehicle. The notice and hearing requirements under this
481 subsection do not apply to a suspension imposed under this
482 subsection.

483 (c)1. Penalties for the failure of the parcel owner or any
484 occupant, licensee, or invitee of the parcel owner to comply
485 with any provision of the rules and regulations of the District
486 may include suspension, for a reasonable period of time, of the
487 right of a member, or any authorized occupant, licensee, or
488 invitee of the member, to use common areas and facilities. A
489 suspension may not exceed 30 days per violation.

490 2. A suspension may not prohibit a parcel owner or any
491 occupant, licensee, or invitee of the parcel owner from having
492 vehicular and pedestrian ingress to and egress from the parcel,
493 including, but not limited to, the right to park a vehicle.

494 3. This paragraph does not apply to that portion of common
495 areas used to provide access or utility services to the parcel
496 ~~To promulgate reasonable rules and regulations governing the use~~
497 ~~of the facilities of the district.~~

498 (8)(h) ~~To provide trash and garbage collection and central~~
499 ~~television and Internet antenna signals and services for the~~
500 ~~benefit of all persons residing within the District, to own,~~

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501 operate, and maintain the necessary equipment and apparatus, or
502 to contract with others to provide such services, and to hold
503 such franchises as may be necessary or desirable to provide such
504 services.

505 (9)(i) To use District funds in the administration and
506 enforcement of the deed restriction as filed in the Manatee
507 County public records for properties within the District, and to
508 prescribe such penalties or exercise such enforcement remedies
509 as may be provided for in the deed restrictions and this
510 charter. Said trustees may adopt such rules, regulations, and
511 penalties, not inconsistent with any portion of this charter and
512 applicable law, as they may deem necessary or convenient in and
513 about the transaction of the business of the trustees and in
514 carrying out the provisions of this charter.

515 (10)(j) To recover all costs and reasonable attorney's
516 fees in addition to other appropriate relief should the trustees
517 be the prevailing party in any litigation, and in any appellate
518 proceedings, involving the enforcement of this charter ~~act~~
519 and/or the deed restrictions as filed in the Manatee County
520 public records.

521 (11) To conduct bingo provided the proceeds of such games
522 shall be distributed to players in the form of cash or prizes
523 after having deducted the actual business expenses for such
524 games for articles for and essential to the operation, conduct,
525 and playing of bingo, and to conduct 50-50 raffles provided at

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526 | least 50 percent of the raffle proceeds shall be distributed in
527 | the form of cash or prizes. Such bingo games or raffles shall be
528 | held only on property owned or leased for not less than 1 year
529 | by the District.

530 | Section 16. The construction, acquisition, or improvements
531 | of real or personal property of the District, or the refunding
532 | of any bonds or other obligations issued for such purposes, may
533 | be authorized under this charter act. Bonds may be authorized to
534 | be issued under this charter act to provide funds for such
535 | purposes by resolution or resolutions of the trustees, which may
536 | be adopted at the same meeting at which they were introduced and
537 | may be adopted by a majority of the members thereof, and shall
538 | take effect immediately upon adoption and need not be published
539 | or posted. Said bonds shall bear interest at such rate or rates
540 | not exceeding 6 percent per annum, payable semiannually, may be
541 | in one or more series, may bear such date or dates, may mature
542 | at such time or times not exceeding 40 years from their
543 | respective dates, may be made payable in such medium of payment,
544 | at such place, within or without the state, may carry such
545 | registration privileges, may be subject to such terms of
546 | redemption, with or without premium, may be executed in such
547 | manner, may contain such terms, covenants, and conditions, and
548 | may be in such form, either coupon or registered, as such
549 | resolution or subsequent resolution may provide. Said bonds may
550 | be sold all at one time or in blocks from time to time, at

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551 public or private sale, or if refunding bonds, may also be
 552 delivered and exchanged for the outstanding obligations to be
 553 refunded thereby, in such manner as the trustees shall determine
 554 by resolution, and at such price or prices computed according to
 555 standard tables of bond value as will yield to the purchasers or
 556 the holders of the obligations surrendered in exchange in the
 557 case of refunding bonds, income at a rate not exceeding 6
 558 percent per annum to the maturity dates of the several bonds so
 559 sold or exchanged on the money paid or the principal amount of
 560 obligations surrendered therefor to the District. Pending the
 561 preparation of the definitive bonds, interim certificates or
 562 receipts or temporary bonds in such form and with such
 563 provisions as the trustees may determine may be issued to the
 564 purchaser or purchasers of the bonds sold pursuant to this
 565 charter act. Said bonds, and such interim certificates or
 566 receipts or temporary bonds, shall be fully negotiable.

567 Section 17. A record shall be kept of all meetings of the
 568 ~~Board of~~ trustees and in such meetings a concurrence of a
 569 majority of said trustees in attendance shall be necessary for
 570 any affirmative action taken by the trustees ~~board~~. Said
 571 trustees may adopt such rules and regulations, not inconsistent
 572 with any portion of this charter act, as they may deem necessary
 573 or convenient in and about the transaction of the business of
 574 the trustees ~~board~~ and in carrying out the provisions of this
 575 charter act.

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576 Section 18. For the general purposes of this charter act,
 577 each parcel of improved residential property in said District is
 578 hereby declared to be uniformly and generally benefited by the
 579 provisions hereof.

580 Section 19. The District hereby created may be abolished
 581 by a majority vote of the qualified electors in the District at
 582 an election called by the trustees of the District for such
 583 purpose, which election shall be held and notice thereof given
 584 under the same requirements as are set forth hereunder for the
 585 election of trustees and the levying and collecting of the
 586 District assessment tax. However, the District shall not be
 587 abolished while it has outstanding indebtedness without first
 588 making adequate provisions for the liquidation of such
 589 outstanding indebtedness.

590 Section 20. (1) This charter may be amended upon the
 591 following occurring:

592 (a) The trustees by two-thirds vote of the full membership
 593 of the trustees have approved the terms and conditions of such
 594 acquisition by written resolution;

595 (b) Within not less than 30 nor more than 60 days after
 596 the date of the resolution, the trustees certify the resolution
 597 to the supervisor of elections of Manatee County for a
 598 referendum election; and

599 (c) A majority of qualified electors of the District
 600 voting in a referendum election approve the resolution.

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601 (2) The qualifications of voters, notice, and procedure
 602 for this referendum shall be the same as set forth herein for
 603 the election of trustees and for special referendum elections.

604 Section 21. ~~20.~~ Except with respect to matters wherein it
 605 shall be adjudged in such proceeding that such trustee is liable
 606 for negligence or misconduct in the performance of his or her
 607 duties, trustees ~~not guilty of malfeasance in office~~ shall be
 608 relieved of any personal liability for any acts done by them
 609 while holding office in the District; any trustee who is made a
 610 party to any action, suit, or proceeding solely by reason of his
 611 or her holding office in the District shall be indemnified by
 612 the District against reasonable expenses, including attorney's
 613 fees, incurred by him or her in defending such suit, action, or
 614 proceeding, ~~except with respect to matters wherein it shall be~~
 615 ~~adjudged in such proceeding that such trustee is liable for~~
 616 ~~negligence or misconduct in the performance of his or her~~
 617 ~~duties.~~

618 Section 22. ~~21.~~ The word "District" means the special park
 619 and recreation district hereby organized; the words "board,"
 620 "trustees," and "board of trustees" mean the Board of Trustees
 621 of and for the special park and recreation district hereby
 622 created when used in this charter act, unless otherwise
 623 specified.

624 Section 23. ~~22.~~ (1) ~~(a)~~ Notwithstanding any provisions to
 625 the contrary (as may now appear in section 8, section 13, or

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626 | section 15), the trustees of the ~~Trailer Estates Park and~~
 627 | ~~Recreation~~ District shall not enter into any contract involving
 628 | the initial purchase, lease, conveyance, or other manner of
 629 | acquisition of real or tangible personal property constituting
 630 | recreational facilities, which presently exist within the
 631 | territory included in the ~~Trailer Estates Park and Recreation~~
 632 | District, in any instance when the cost price or consideration
 633 | therefor exceeds \$150,000 (which shall be adjusted based on the
 634 | Consumer Price Index for All Urban Consumers based on a starting
 635 | date of October 1, 2021) including all obligations proposed to
 636 | be assumed in connection with such acquisition, unless:
 637 | (a)~~(1)~~ The trustees by two-thirds vote of the full
 638 | membership of the trustees have approved the terms and
 639 | conditions of such acquisition by written resolution;
 640 | (b)~~(2)~~ Within not less than 30 nor more than 60 days after
 641 | the date of the resolution, the trustees certify the resolution
 642 | to the supervisor of elections of Manatee County for a
 643 | referendum election; and
 644 | (c)~~(3)~~ A majority of qualified electors of the District
 645 | voting in a referendum election approve the resolution.
 646 | (2)~~(b)~~ The qualifications of voters, notice, and procedure
 647 | for this referendum shall be the same as set forth herein for
 648 | the election of trustees and for special referendum elections.
 649 | Section 5. In the event of a conflict of the provisions of
 650 | this charter ~~aet~~ with the provisions of any other charter ~~aet~~,

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651 | the provisions of this charter ~~act~~ shall control to the extent
652 | of such conflict.

653 | Section 6. The provisions of this charter ~~act~~ shall be
654 | liberally construed in order to effectively carry out the
655 | purpose of this charter ~~act~~ in the interest of the public.

656 | Section 2. This act shall take effect upon becoming a law.