

LAWS OF FLORIDA

CHAPTER 2021-261 (House Bill No. 1631)

Revised via REFERENDUM on DECEMBER 6, 2022

An act relating to the Trailer Estates Park and Recreation District, Manatee County; amending Ch. 2002-361, Laws of Florida; providing purpose; revising district boundaries; revising powers and duties for the trustees; providing for the qualification of electors and annual election of trustees; providing for removal of trustees and appointment to fill vacancies; providing for the assessment and collection of a recreation district assessment; providing that such assessment shall be a lien against each parcel of land so assessed and for the method of collecting such assessment; providing for the deposit and disbursement of funds of the district; establishing a fiscal year and providing for annual financial statements; authorizing the trustees to issue bonds and other obligations of the district; authorizing the trustees to acquire and dispose of real and personal property for certain purposes; authorizing the trustees to adopt and enforce rules and regulations; authorizing the assessment of penalties related to the use of facilities of the district; providing for the abolishment of the district; providing conditions precedent to the filing of suit against the district or any of the trustees thereof, and relieving individual trustees from personal liability for obligations of the district; providing definitions; revising requirements to amend the charter; providing referendum requirements; providing severability; providing construction; providing an effective date.

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

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

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

(1) Trailer Estates Subdivision as recorded in Plat Book 8, page 138, of the Public Records of Manatee County, Florida. First Addition to Trailer Estates Subdivision as recorded in Plat Book 9, page 71, of the Public Records of Manatee County, Florida.

(2) Second Addition to Trailer Estates Subdivision as recorded in Plat Book 9, page 61, of the Public Records of Manatee County, Florida.

(3) Third Addition to Trailer Estates Subdivision as recorded in Plat Book 10, Page 69 of the Public Records of Manatee County, Florida.

(4) Fourth Addition to Trailer Estates Subdivision as recorded in Plat Book 11, page 66, of the Public Records of Manatee County, Florida.

(5) Fifth Addition to Trailer Estates Subdivision as recorded in Plat Book 12, page 55, of the Public Records of Manatee County, Florida.

(6) The SW 1/4 of the SE 1/4 of the SE 1/4 of Section 22, TWP. 35 S., Rge. 17 E.; LESS: Land Described in Deed Book 380, Page 451, Official Records Book 208, Pages 156 & 157, Official Records Book 240, Pages 167 & 168, all of the Public Records of Manatee County, Florida; ALSO LESS: The South 133 feet and the East 290 feet of said SW 1/4 of the SE 1/4 of the SE 1/4.

(7) A tract of land in the SW 1/4 of the SE 1/4 of the SE 1/4 of Section 22, Twp. 35 S. Rge. 17 E. of Manatee County, Florida, more particularly described as follows: From the NW corner of said SW 1/4 of the SE 1/4 of the SE 1/4 of Section 22, run S. 88 degrees 30' East along the North line of said SW 1/4 of the SE 1/4 of the SE 1/4, 14.74 feet; thence run S. 1 degree 48' West, 100 feet for a Point of Beginning; thence run S. 88 degrees 30' East, 130 feet to a point; thence run S. 1 degree 48' West, 50 feet to a point; thence run N. 88 degrees 30' West, 130 feet to a point; thence run N. 1 degree 48' East 50 feet to the Point of Beginning.

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

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

(10) FROM AN IRON PIN WHICH IS THE INTERSECTION OF THE WEST LINE OF HIGHWAY 41 AND THE NORTH LINE OF THE NW1/4 OF THE SW1/4 OF SECTION 23, TOWNSHIP 35 SOUTH, RANGE 17 EAST, GO WESTERLY ALONG SAID NORTH LINE OF THE NW1/4 OF THE SW1/4 A DISTANCE OF 600 FEET, THENCE SOUTHERLY PARALLEL TO SAID WEST LINE OF US 41 A DISTANCE OF 163 FEET TO A POINT WHICH IS THE NORTHWEST CORNER OF LANDS HERETOFORE DEEDED TO MANUEL E. ROBELLO AND VICTOR H. ROBELLO RECORDED IN DEED BOOK 261 PAGE 321 FOR A POINT OF BEGINNING; THENCE CONTINUE SOUTHERLY PARALLEL TO SAID WEST LINE OF US HIGHWAY 41 A DISTANCE OF 300 FEET; THENCE GO WESTERLY PARALLEL TO THE SAID NORTH LINE OF THE NW1/4 OF THE SW1/4 A DISTANCE OF 400 FEET; THENCE GO NORTHERLY PARALLEL TO SAID LINE OF US HIGHWAY 41 A DISTANCE OF 300 FEET; THENCE GO EASTERLY 400 FEET TO THE POINT OF BEGINNING, LESS THE EASTERLY 49.20 FEET THEREOF. ALL LYING AND BEING IN SECTION 23, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

(11) FROM AN IRON PIPE WHICH IS THE INTERSECTION OF THE WEST LINE OF US HIGHWAY 41 AND THE NORTH LINE OF THE NW1/4 OF THE SW1/4 OF SECTION 23; GO WESTERLY ALONG THE NORTH LINE OF THE NW1/4 OF THE SW1/4 A DISTANCE OF 600

FEET; SOUTHERLY PARALLEL TO SAID WEST LINE OF US HIGHWAY 41 A DISTANCE OF 463 FEET TO A POINT; GO WESTERLY PARALLEL TO SAID NORTH LINE OF THE NW1/4 OF THE SW1/4 A DISTANCE OF 400 FEET TO THE POINT OF BEGINNING; GO SOUTHERLY PARALLEL TO SAID WEST LINE OF US HIGHWAY 41 A DISTANCE OF 86.7 FEET; GO EASTERLY PARALLEL TO THE NORTH LINE OF THE NW1/4 OF THE SW1/4 A DISTANCE OF 60 FEET; THENCE NORTHERLY PARALLEL TO THE WEST LINE OF US HIGHWAY 41 A DISTANCE OF 86.7 FEET TO A POINT; THENCE GO WESTERLY 60 FEET TO THE POINT OF BEGINNING. ALL LYING AND BEING IN SECTION 23, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

(12) BEGIN AT THE NORTHEAST CORNER OF LOT 10, BLOCK 11, TRAILER ESTATES, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 8, PAGE 138 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA FOR THE POINT OF BEGINNING; THENCE NORTH 1° 15' EAST FOR A DISTANCE OF 104 FEET TO A POINT ON THE NORTHERLY BOUNDARY LINE OF THE SW1/4 OF SECTION 23, TOWNSHIP 35 SOUTH, RANGE 17 EAST, THENCE IN AN EASTERLY DIRECTION ALONG THE NORTHERN BOUNDARY OF THE SD SW1/4 OF SECTION 23, A DISTANCE OF 49.32 FEET, THENCE SOUTHERLY 164 FEET; THENCE WESTERLY 49.32 FEET, THENCE NORTHERLY 164 FEET TO THE POINT OF BEGINNING AS DESCRIBED IN ORB 490, PAGE 630 AND ORB 490, PAGE 667, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

Section 3. The business and affairs of said District shall be conducted and administered by a board of nine trustees (hereinafter referred to as the "trustees") who, upon their annual election, shall organize by electing from their number a chair, one or more vice chairs, a secretary, and a treasurer. Said trustees shall not receive any compensation for their services but shall be entitled to be reimbursed from funds of the District for any authorized disbursements they may properly incur on behalf of the District. Spouses, parents, children, siblings, or domestic partners of a trustee may not serve on the Board of Trustees at the same time with that trustee. Each trustee authorized to sign checks of the District or otherwise designated to handle its funds shall, before he or she enters upon such duties, execute to the Governor for the benefit of said District, a good and sufficient bond approved by a circuit judge of Manatee County in the sum of \$5,000 with a qualified corporate surety conditioned to faithfully perform the duties of such trustee and account for all funds which may come into his or her hands as such trustee. All premiums for such surety on all bonds shall be paid from the funds of said District.

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

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

Manatee County not less than 30 days prior to the date of each election. For the purpose of determining the qualifications of electors, the rolls of the property appraiser of Manatee County shall be presumptive evidence of the record of owners of property within the District, but such presumption may be rebutted by the voter furnishing a recorded deed or facsimile thereof to the supervisor of elections, or his or her designated agent at the polling place, at the time of voting at such election. Application for absentee ballots may be obtained from the supervisor of elections of Manatee County within 45 days prior to each annual election, and shall be counted if actually received by the supervisor of elections by 5 p.m. on the day before the date of each such election. All election ballots shall be prepared by the supervisor of elections of Manatee County. Persons desiring to have their names placed on the ballot for election as trustee of the District shall be qualified electors as defined in this charter and shall present a written petition to the supervisor of elections of Manatee County not less than 60 days prior to the date of each election, which petition shall be signed by the candidate and notarized, and signed by not less than 25 persons qualified to vote in said election within the District. Notice of said election setting forth the names of the persons proposed as trustees of the District for the next ensuing 2 years shall be given by the District in writing addressed to each record owner or owners of each parcel of property within the District, not less than 15 days before the date of each election, and shall also be published by the District one time at least 10 days prior to such election, in a newspaper of general circulation published in Manatee County, and if no newspaper be published in Manatee County, then the trustees shall cause written or printed notices of said election to be posted in five public places within said District. The trustees may appoint inspectors and clerks for the election whose duties shall be the same as similar officers in general elections, except as herein stated. Said election may be by ballot or by voting machine, and if by ballot the same shall be written or printed in black ink on plain paper and shall be substantially in the following form:

Board of Trustees of the Trailer Estates Park and Recreation District (stating their names and residence addresses) and if by voting machine the requirements for the ballot herein described shall be adapted to the use of such voting machine. The nine persons receiving the highest number of votes shall be declared trustees of the District for the ensuing 2 years. Trustees may succeed themselves in office.

Section 6. The supervisor of elections of Manatee County shall canvass the return of election and shall announce the results thereon the day following the election. Should there be a deadlock in the balloting, a runoff election shall be held on the third Tuesday of December following the deadlocked election, except if a deadlock should occur in the first election as provided hereunder, a runoff election shall be held on the third Tuesday following such deadlocked election. The supervisor of elections of Manatee County shall be entitled to a reasonable fee for conducting each election, payable out of general funds of the District.

Section 7. The trustees shall have the right, power, and authority to levy a special assessment known as a recreation District assessment against all taxable real estate situated within said District for the purpose of providing funds for the operation of the District. The trustees shall, in accordance with general law, by resolution, fix the amount of the assessment for the next ensuing fiscal year on or before June 1st of each year and shall direct the tax assessor of Manatee County to assess and the property appraiser Manatee County to collect such assessment as assessed upon each residential parcel or platted subdivision lot or proportionate share thereof within the District. Prior to the adoption of the resolution fixing the amount of the assessment, the trustees shall hold a public hearing at which time property owners within the District may appear and be heard. Notice of the time and place of the public hearing shall be published once in a newspaper of general circulation within the county at least 21 days prior to the public hearing. The county property appraiser and tax collector shall include on the Manatee County tax roll the special assessment for the District benefits thus made by the trustees of the District, and the same shall be collected in the manner and form as provided for collection of

county taxes. The county tax collector and the county property appraiser shall each receive compensation for their services regarding such special assessment of 1-1/2 percent of the gross tax receipts instead of the commissions and fees usually earned for the assessment and collection of county taxes. Further, the services of the property appraiser and the tax collector under this charter are hereby declared to be special services performed directly for the District, and any payment therefor shall not be considered of the general income of such official nor come under sections 116.03 and 145.121, Florida Statutes. After deducting therefrom the said fees, the tax collector shall deposit the funds into a depository designated by the trustees of the District for the account of the District. For the purpose of determining property subject to the District assessment, a "residential parcel" shall be construed to mean a parcel, as identified by the property appraiser of Manatee County, or a platted subdivision lot or a proportionate share thereof as of January 1 of the taxable year. The District assessment shall not be an ad valorem tax but rather shall be an assessment assessed equally against all residential parcels or platted subdivision lots of record thereof.

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

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

Section 10. The proceeds for said tax or assessment and the funds of the District shall be deposited in the name of the District in a bank or savings and loan association or building and loan association authorized to receive deposits of county funds, which depository shall be designated by resolution of the trustees. No funds of the District shall be disbursed save and except by check or draft signed by the chair and treasurer of the trustees or, in the absence of either, by another trustee designated for that purpose by the trustees.

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

Section 12. The fiscal year of the District shall commence October 1, beginning October 1, 2021. The trustees shall, on or before April 1 of each year, prepare an annual financial statement of income and disbursements during the prior fiscal year. In accordance with section 189.016, Florida Statutes, the trustees shall prepare and adopt an itemized budget showing the amount of money necessary for the operation of the District for the next fiscal year, and the District assessment to be assessed and collected upon the taxable property of the District for the next ensuing year. A copy of said statement and a copy of said budget shall also be furnished by mail to each taxpayer within the District within 30 days after its preparation and a copy made available for public inspection at the principal office of the District at reasonable hours.

Section 13. The property of the District shall consist of the recreational hall, shuffleboard courts, marina, playgrounds, walks, and other property and improvements now or hereafter erected or purchased by the trustees for the District, as well as any other real or personal property which the trustees of the District may, in their discretion, determine to be necessary or convenient for the purposes of the District. In addition thereto, for

the comfort and convenience of taxpayers within the District, the trustees may in their discretion assume the cost of installing and maintaining entrance parkways and street lighting within the District and may acquire and dispose of any other facilities for the general purpose of the District.

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

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

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

(2) To determine and fix the assessment to be assessed annually within the District

(3) To enter into contracts on behalf of the District.

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

(5) To issue bonds to finance, in whole or in part, the cost of construction, acquisition, or improvements of real and personal property of the District. The trustees, in determining such costs, may include all costs and estimated costs of the issuance of said bonds, all engineering, inspection, fiscal, and legal expenses, all costs of preliminary surveys, plans, maps, and specifications, initial reserve funds for debt service, the costs of the services of persons, firms, corporations, partnerships, or associations employed, or consultants, advisors, engineers, or fiscal, financial, or other experts in the planning, preparation, and financing of the District. The trustees are hereby authorized to employ and to enter into agreements or contracts with consultants, engineers, attorneys, or fiscal, financial, or other experts for the planning, preparation, and financing of the District, or any asset thereof, upon such terms and conditions as the trustees shall deem desirable and proper. The District may pledge to the punctual payment of bonds or revenue certificates issued pursuant to this charter, and interest thereon, an amount of the revenue derived from the facilities and services of the District, including acquisitions, extensions, and improvements thereof sufficient to pay said bonds and the interest thereon as the same shall become due and to create and maintain reasonable reserves therefor.

(6) To buy, sell, rent, or lease real and personal property in the name of the District; to deliver purchase money notes and mortgages or to assume the obligation of existing mortgages in connection with the acquisition of property of the District; and to receive gifts of real or personal property.

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

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

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

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

(b) 1. An enforcement committee of at least three members, consisting of parcel owners, shall be appointed by the trustees to provide the parcel owner and, if applicable, any occupant, licensee, or invitee of the parcel owner, an opportunity for a hearing regarding an alleged violation. Spouses, parents, children, siblings, and domestic partners of a trustee or another member of the enforcement committee or a trustee may not be appointed to serve on the enforcement committee. A fine or suspension may not be recommended to be imposed unless the enforcement committee first provides at least 14 days' written notice of the hearing.

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

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

4. If a parcel owner and, if applicable, any occupant, licensee, or invitee of the parcel owner is more than 30 days delinquent in paying the fine, the District may suspend the rights of the parcel owner, or the occupant, licensee, or invitee of the parcel owner, to use common areas and facilities until the fine is paid in full. This subsection does not apply to that portion of common areas used to provide access or utility services to the parcel. A suspension may not prohibit a parcel owner or occupant, licensee, or invitee of a parcel owner from having vehicular and pedestrian ingress to and egress from the parcel, including, but not limited to, the right to park a vehicle. The notice and hearing requirements under this subsection do not apply to a suspension imposed under this subsection.

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

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

3. This paragraph does not apply to that portion of common areas used to provide access or utility services to the parcel.

(8) To provide trash and garbage collection and central television and Internet services for the benefit of all persons residing within the District, to own, operate, and maintain the necessary equipment and apparatus, or to contract with others to provide such services, and to hold such franchises as may be necessary or desirable to provide such services.

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

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

(11) To conduct bingo provided the proceeds of such games shall be distributed to players in the form of cash or prizes after having deducted the actual business expenses for such games for articles for and essential to the operation, conduct, and playing of bingo, and to conduct 50-50 raffles provided at least 50 percent of the raffle proceeds shall be distributed in the form of cash or prizes. Such bingo games or raffles shall be held only on property owned or leased for not less than 1 year by the District.

Section 16. The construction, acquisition, or improvements of real or personal property of the District, or the refunding of any bonds or other obligations issued for such purposes, may be authorized under this charter. Bonds may be authorized to be issued under this charter to provide funds for such purposes by resolution or resolutions of the trustees, which may be adopted at the same meeting at which they were introduced and may be adopted by a majority of the members thereof, and shall take effect immediately upon adoption and need not be published or posted. Said bonds shall bear interest at such rate or rates not exceeding 6 percent per annum, payable semiannually, may be in one or more series, may bear such date or dates, may mature at such time or times not exceeding 40 years from their respective dates, may be made payable in such medium of payment, at such place, within or without the state, may carry such registration privileges, may be subject to such terms of redemption, with or without premium, may be executed in such manner, may contain such terms, covenants, and conditions, and may be in such form, either coupon or registered, as such resolution or subsequent resolution may provide. Said bonds may be sold all at one time or in blocks from time to time, at public or private sale, or if refunding bonds, may also be delivered and exchanged for the outstanding obligations to be refunded thereby, in such manner as the trustees shall determine by resolution, and at such price or prices computed according to standard tables of bond value as will yield to the purchasers or the holders of the obligations surrendered in exchange in the case of refunding bonds, income at a rate not exceeding 6 percent per annum to the maturity dates of the several bonds so sold or exchanged on the money paid or the principal amount of obligations surrendered therefor to the District. Pending the preparation of the

definitive bonds, interim certificates or receipts or temporary bonds in such form and with such provisions as the trustees may determine may be issued to the purchaser or purchasers of the bonds sold pursuant to this charter. Said bonds, and such interim certificates or receipts or temporary bonds, shall be fully negotiable.

Section 17. A record shall be kept of all meetings of the trustees and in such meetings a concurrence of a majority of said trustees in attendance shall be necessary for any affirmative action taken by the trustees. Said trustees may adopt such rules and regulations, not inconsistent with any portion of this charter, as they may deem necessary or convenient in and about the transaction of the business of the trustees and in carrying out the provisions of this charter.

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

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

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

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

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

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

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

Section 21. Except with respect to matters wherein it shall be adjudged in such proceeding that such trustee is liable for negligence or misconduct in the performance of his or her duties, trustees shall be relieved of any personal liability for any acts done by them while holding office in the District; any trustee who is made a party to any action, suit, or proceeding solely by reason of his or her holding office in the District shall be indemnified by the District against reasonable expenses, including attorney's fees, incurred by him or her in defending such suit, action, or proceeding.

Section 22. The word "District" means the special park and recreation district hereby organized; the words "board," "trustees," and "board of trustees" mean the Board of Trustees of and for the special park and recreation district hereby created when used in this charter, unless otherwise specified.

Section 23. (1) Notwithstanding any provisions to the contrary (as may now appear in section 8, section 13, or section 15), the trustees of the District shall not enter into any contract involving the initial purchase, lease, conveyance, or other manner of acquisition of real or tangible personal property constituting

recreational facilities, which presently exist within the territory included in the District, in any instance when the cost price or consideration therefor exceeds \$150,000 (which shall be adjusted based on the Consumer Price Index for All Urban Consumers based on a starting date of October 1, 2021) including all obligations proposed to be assumed in connection with such acquisition, unless:

- (a) The trustees by two-thirds vote of the full membership of the trustees have approved the terms and conditions of such acquisition by written resolution;
 - (b) Within not less than 30 nor more than 60 days after the date of the resolution, the trustees certify the resolution to the supervisor of elections of Manatee County for a referendum election; and
 - (c) A majority of qualified electors of the District voting in a referendum election approve the resolution.
- (2) The qualifications of voters, notice, and procedure for this referendum shall be the same as set forth herein for the election of trustees and for special referendum elections.