

## **ARTICLE VIII. FEATHER SOUND MUNICIPAL SERVICES TAXING UNIT<sup>1</sup>**

### **Sec. 114-276. Established.**

There is hereby established a municipal service taxing unit under the name of "Feather Sound Municipal Services Taxing Unit," which shall exist until dissolved by law.

(Ord. No. 90-25, § 1, 3-20-90)

### **Sec. 114-277. Boundaries.**

All of the lands as described in this section shall be incorporated into a municipal service taxing unit under the name of Feather Sound Municipal Services Taxing Unit, referred to in this article as the "unit". The land so incorporated is described as all unincorporated lands and territory lying within the boundaries set forth in the legal description attached to Ordinance No. 90-25 as exhibit A.

(Ord. No. 90-25, § 2, 3-20-90)

### **Sec. 114-278. Governing body.**

The board of county commissioners shall be the governing body of the unit. The board of county commissioners shall contract with a nonprofit corporation created for the purposes set forth in this article for the administration and operation of the business and affairs of the unit within a reasonable time after the effective date of this article. The charter of such nonprofit corporation shall provide:

- (1) For a board of directors to be comprised of seven persons, one each nominated by each member of the board of county commissioners and appointed by the board of county commissioners.
- (2) The term of office of the board of directors shall be one year each from the date of their appointment. A director may serve successive terms. Each director shall be a qualified elector of and reside within the unit. If any director ceases to reside anywhere within the unit, resigns from office, or is removed for cause from office, his office shall be declared vacant, he shall be disqualified from further service, and a new director shall be appointed in subsection (1) of this section to fill the unexpired term of office. Each director shall hold office until his successor is appointed and qualified. Any resignation by a director shall be accepted.
- (3) A record shall be kept of all meetings of the corporation, and in such meetings the concurrence of a majority of the directors shall be necessary to any affirmative action by such corporation. The board of directors may adopt such rules and regulations as it may deem necessary regarding the transaction of its business and in carrying out the provisions of this article, subject to approval of the board of county commissioners.
- (4) The board of directors shall, within 30 days of their qualification and appointment, and annually thereafter, elect from their number a chairman, a vice-chairman, and a secretary-treasurer.

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<sup>1</sup>State law reference(s)—Municipal service taxing units, F.S. § 125.01(1)(q), (2).

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- (5) Directors shall receive no compensation for their services, but shall be entitled to reasonable per diem and travel expenses incurred in furtherance of authorized business of the unit subject to the limitations provided in F.S. § 112.061, and subject to approval by the board of directors and the board of county commissioners.

(Ord. No. 90-25, § 3, 3-20-90; Ord. No. 00-84, § 1, 10-10-00)

Cross reference(s)—Boards, commissions, councils and authorities, § 2-226 et seq.

### **Sec. 114-279. Limitations of funding.**

Subject to referendum approval as provided in section 114-281, funds derived from the levy of ad valorem taxes shall be utilized only for street lighting and to acquire, develop and maintain recreational areas/greenspace. No funds derived from the tax provided in section 114-281 shall be used for any purposes other than the administration and operation of the affairs and business of the unit pertaining to the purposes set forth in this article, as the board of directors may determine to be in the best interest of the unit and pursuant to its contract with the board of county commissioners.

(Ord. No. 90-25, § 4, 3-20-90)

### **Sec. 114-280. Powers and duties of board of commissioners.**

- (a) The board of county commissioners shall have the power and authority to:
- (1) Establish, by resolution, reasonable rules and regulations for the operation of programs authorized by this article and funded pursuant to this article.
  - (2) Acquire by gift, lease, or purchase such equipment and real property within the unit as deemed necessary for the operation of programs authorized by this article and funded pursuant to this article.
  - (3) Employ such personnel as are deemed necessary to implement and operate programs authorized by this article and funded pursuant to this article.
  - (4) Make or enter into contracts with firms and individuals, natural or corporate, relating to any and all purposes of the unit authorized by this article and funded pursuant to this article.
  - (5) Borrow money for the purposes of the unit authorized by this article and funded pursuant to this article, not to exceed the total assessment roll certified pursuant to this article, and to pledge for the payment thereof collections on such roll and give tax anticipation notes, which shall be the sole security for such loans.
- (b) Except as provided in subsection (a)(5) of this section, the board of county commissioners shall not create indebtedness or incur obligations for any sum or amount which the board of county commissioners is unable to pay out of unit funds authorized for such purposes and in its possession; provided, however, that this subsection should not be construed to prohibit the purchase of essential equipment and apparatus under rental-purchase or retain title contracts in which the equipment or apparatus, or tax anticipation notes, constitute the sole security for the remaining balance due on the purchase price thereof.
- (c) The board of county commissioners shall require an annual report of the unit's actions and an accounting of funds each year, and shall file such report as required by law. The board of county commissioners shall have the right to audit the records of the unit as well as those of any nonprofit entity contracted with pursuant to this section.
- (d) The board of county commissioners shall require the preparation and submittal of an annual budget for funds derived pursuant to this article. No annual budget of the unit shall be deemed final, and no

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expenditure shall be made pursuant thereto, unless and until approved by a majority vote of the board of county commissioners.

(Ord. No. 90-25, § 5, 3-20-90)

**Sec. 114-281. Ad valorem tax levy.**

Within the limits fixed for municipal purposes as authorized by section 9(b), article VII, of the state constitution, the board of county commissioners shall be authorized to levy ad valorem taxes on taxable property located within the unit not to exceed one mill for the purposes of street lighting and the acquisition, development and maintenance of recreational areas/greenspace. Property taxes determined and levied under this section shall be certified to the county property appraiser and extended, assessed and collected in like manner as provided by law for regular property taxes for the county and municipalities located therein. The proceeds of the tax collected pursuant to this section shall be remitted by the county tax collector, less any fee authorized by law, to the board of county commissioners.

(Ord. No. 90-25, § 6, 3-20-90)

Editor's note(s)—The county has advised that the tax provided for in the above section was approved by the voters at referendum.

**Sec. 114-282. Territory embraced.**

All territory within the unincorporated area of the Feather Sound Municipal Services Taxing Unit as legally described in exhibit A attached to Ordinance No. 90-25 shall be embraced by the provisions of this article.

(Ord. No. 90-25, § 9, 3-20-90)

**Secs. 114-283—114-295. Reserved.**