

ORDINANCE

98-4

Final

ORDINANCE # 98-4

AN ORDINANCE RELATING TO THE BEACON MEADOWS SPECIAL DEPENDENT TAX DISTRICT, AMENDING HILLSBOROUGH COUNTY ORDINANCE 87-53; PROVIDING FOR THE ADMINISTRATION OF THE AFFAIRS OF SAID DISTRICT BY A BOARD OF TRUSTEES; PROVIDING FOR ELECTION PROCEDURES FOR THE TRUSTEES; PROVIDING FOR THE LENGTH OF THE TERMS OF OFFICE OF THE TRUSTEES AND PROCEDURES FOR FILLING VACANCIES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Hillsborough County, Florida created the Beacon Meadows Special Dependent District and established by Ordinance the boundaries of the District; and

WHEREAS, the Board of County Commissioners desires to amend provisions relating to election procedures for the Board of Trustees and the length of the terms office.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, THIS 26th DAY OF May, 1998, AS FOLLOWS:

SECTION 1. Section 3 of Hillsborough County Ordinance 87-53 is amended to read as follows:

SECTION 3. The business and affairs of the district shall be conducted and administered by a board of seven trustees, hereinafter referred to as the "trustees," who shall be elected for 4-year terms of office in even numbered years. Trustees whose terms expire in 1998

shall serve until the first regular election. Trustees whose terms expire in 1999 shall continue to serve as Trustees until the elections held in the year 2000. After each annual election of trustees, the trustees shall organize by electing from their members a president, a vice-president, a recording secretary, a corresponding secretary, and a treasurer. At the same time they shall establish and publish in a newspaper of general circulation, a regular monthly meeting date, time, and place which shall be adhered to. Five trustees shall constitute a quorum, and a majority of that quorum shall be required for the passage of any resolution coming under consideration by the board of trustees. The trustees shall not be entitled to 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. The president, the vice-president, and the treasurer shall be the only trustees authorized to execute checks and documents on behalf of the district. Such trustees authorized to sign checks of the district or otherwise designated to handle its funds shall, before they enter upon such duties, execute to the Board of County Commissioners of Hillsborough County for the benefit of the district, a good and sufficient bond approved by the Board of County Commissioners of Hillsborough County in the sum of \$5,000 with a qualified corporate surety conditioned to faithfully perform the duties of such trustees and to account for all funds which may come into their hands as such trustees. All premiums for such surety on all bonds shall be paid from funds of the district.

SECTION 2. Section 4 of Hillsborough County Ordinance 87-53, is amended to read as follows:

SECTION 4. Elections shall be held at one or more polling places designated for the district by the Supervisor of Elections. The election will be held in conjunction with the first primary

election as designated in Section 100.061, Florida Statutes or any amended or successor statute. Trustees shall run on a non-partisan basis. At each election, trustees shall be elected for a term of 4 years. The candidates receiving the highest number of votes cast shall be declared elected to fill the number of vacancies to be filled on the board and shall receive a certificate of election from the Supervisor of Elections. If two persons receive an equal and highest number of votes for the last position to be filled, such persons shall draw lots to determine who shall be elected to the office. Each trustee shall serve until his successor is duly elected and qualified. Elected trustees shall take office on October 1 following election. Elections shall be held between the hours of 7 a.m. and 7 p.m. and shall be conducted and supervised by the Supervisor of Elections of Hillsborough County. All matters relating to the calling, conduct, and regulation of elections not provided for in this ordinance shall be governed by the state election code. All qualified electors residing within the district shall be eligible to vote prior to the closing of the registration books for such election. All election ballots shall be prepared by the Supervisor of Elections. The Canvassing Board shall canvass the returns of the election and shall announce the results upon completion of the count. The necessary and proper costs of holding, conducting, and regulating such elections and referendums, including compensation for inspectors, clerks, and other employees required therefor shall be fixed by the Supervisor of Elections with the approval of the board of trustees and shall be paid by the district.

SECTION 3. Section 5 of Hillsborough County Ordinance 87-53, is amended to read as follows:

SECTION 5. Persons desiring to have their names placed on the ballot for election as trustees of the district shall be qualified electors residing within the district who shall present a

written petition to the Supervisor of Elections during the time period specified by Section 99.061(2), Florida Statutes. Such petition shall be signed by not less than seven (7) qualified electors within the district. Candidates shall conduct their campaigns in accordance with the provisions of Chapter 106, Florida Statutes. Written notice of the election setting forth the names of the candidates for trustees shall be given by the district, addressed to each resident 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 the county. The ballot shall be substantially in the following form:

Board of Trustees of the District

(stating their names).

The Supervisor of Elections shall verify that each candidate is a registered voter and resident of the district.

SECTION 4. Section 6 of Hillsborough County Ordinance 87-53, is amended to read as follows:

SECTION 6. Trustees shall hold office for a term of 4 years and may succeed themselves. All vacancies occurring in the board of trustees from any cause shall be filled for the unexpired term from among the qualified electors of the district by vote of the remaining trustees, unless a quorum can not be obtained. In that case, the vacancy shall be filled for the unexpired term by appointment of the Board of County Commissioners of Hillsborough County. Any trustee failing to discharge the duties of his position may be removed for cause by the board of trustees, after due notice and an

opportunity to be heard, upon charges of malfeasance or misfeasance. Any trustee missing three consecutive meetings may be considered for removal by the board.

SECTION 5. SEVERABILITY

If any section, sentence, clause, phrase or provision of this ordinance is held invalid or unconstitutional by a court of competent jurisdiction, the remaining provisions of this ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 6. EFFECTIVE DATE

The provisions of this Ordinance shall become effective upon filing with the office of the Secretary of State.

STATE OF FLORIDA)

COUNTY OF HILLSBOROUGH)

I, RICHARD AKE, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance adopted by the Board at its meeting of May 26, 1998, as the same appears of record in Minute Book 264, of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 4th day of June, 1998.

RICHARD AKE, CLERK



BY: [Signature]

Deputy Clerk

APPROVED BY COUNTY ATTORNEY

By: [Signature]

Approved as to form and
legal sufficiency



THE TAMPA TRIBUNE

Published Daily

Tampa, Hillsborough County, Florida

State of Florida)
County of Hillsborough) ss.

Before the undersigned authority personally appeared J. Rosenthal, who on oath says that she is Classified Billing Manager of The Tampa Tribune, a daily newspaper published at Tampa in Hillsborough County, Florida; that the attached copy of advertisement being a

LEGAL NOTICE

in the matter of _____

NOTICE OF INTENT

was published in said newspaper in the issues of _____

MAY 14, 1998

Affiant further says that the said The Tampa Tribune is a newspaper published at Tampa in said Hillsborough County, Florida, and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each day and has been entered as second class mail matter at the post office in Tampa, in said Hillsborough County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, this advertisement for publication in the said newspaper.

J. Rosenthal

Sworn to and subscribed before me, this _____ 18 day
of _____ MAY _____, A.D. 19 98

Personally Known _____ or Product Identification _____
Type of Identification Produced _____

(SEAL)

Justie Lee Slator

NOTICE OF INTENT TO CONSIDER ENACTMENT OF COUNTY ORDINANCE

The Board of County Commissioners of Hillsborough County, Florida intend to consider for the purpose of enactment an ordinance whose contents are generally described as follows:
AN ORDINANCE RELATING TO THE BEACON MEADOW SPECIAL DEPENDENT DISTRICT, AMENDING HILLSBOROUGH COUNTY ORDINANCE 87-33; PROVIDING FOR THE ADMINISTRATION OF THE AFFAIRS OF THE DISTRICT BY A BOARD OF TRUSTEES; PROVIDING ELECTION PROCEDURES FOR THE TRUSTEES; PROVIDING FOR THE LENGTH OF THE TERMS OF OFFICE OF THE TRUSTEES; PROVIDING PROCEDURES FOR FILLING VACANCIES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Enactment of this ordinance will be considered at a meeting to be held on May 26, 1998 at 3:00 p.m. on the second floor of the County Center, E. Kennedy Boulevard, Tampa, Florida. A copy of the proposed amendment may be inspected at the office of the County Attorney, 27th Floor, County Center.

Any person who might wish to appeal any decision made by the Board of County Commissioners regarding a matter considered at a forthcoming public meeting, hereby advised that he/she needs a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

RICHARD A. CLERK OF THE COUNTY

By: _____ Deputy Clerk
2194 5/14

Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida



Clerk to Board of
County Commissioners
County Center, 12th Floor
601 E. Kennedy Blvd.
P.O. Box 1110
Tampa, Florida 33601
Telephone 276-8100, ext. 6730

June 5, 1998

MS LIZ CLOUD CHIEF
BUREAU OF ADMINISTRATIVE CODE
DEPARTMENT OF STATE
401 SOUTH MONROE STREET
TALLAHASSEE FL 32399-0250

Re: Special Dependent Districts Amendment Ordinances

Dear Ms. Cloud:

Pursuant to the filing requirements of Florida Statutes 125.66, we are forwarding (by Federal Express) an executed original of the following Hillsborough County Ordinances, adopted by the Board of County Commissioners on May 26, 1998.

<u>Ordinance #</u>	<u>District Location</u>	<u>Amending Ordinance</u>
98-3	Bay Crest	85-37
98-4	Beacon Meadows	87-53
98-5	Arlington	91-92
98-6	Bloomingle Oaks	88-38
98-7	Boyette Springs	93-27 & 97-19
98-8	Brandon Groves North	88-39
98-9	Carrollwood North	87-57, 91-5, 92-38
98-10	Carrollwood South	87-46
98-11	Bayport Colony	88-45
98-12	Hammock Woods	88-40
98-13	Lake Heather	87-54
98-14	Lake Magdalene Estates West	88-42, 89-22e, 95-20
98-15	Logan Gate Village	87-50 & 91-7
98-16	North Pointe	88-43 & 89-23e
98-17	Pine Hollow	90-39
98-18	South Pointe	88-44
98-19	Sugarwood	92-37
98-20	Tarawood	89-40
98-21	Village Estates West	89-39
98-22	Westwood	91-29
98-23	Windemere	86-37 & 88-27e
98-24	Waterford	95-7
98-25	Valrico Manor	87-48
98-26	North Lakes Maintenance	85-39

FedEx. USA Airbill

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Address **601 E KENNEDY BLVD
TAMPA FL 33602**

City **TAMPA** State **FL** ZIP **33602**

Your Internal Billing Reference Information (Optional) **#123 Special Dependent Dist.**

To (please print and press hard) **LIZ CLOUD CHIEF**

Company **BUREAU OF ADMINISTRATIVE CODE DEPARTMENT OF STATE**

Address **401 SOUTH MONROE STREET**

City **TALLAHASSEE** State **FL** ZIP **32399-0250**

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Company **HILLSBOROUGH COUNTY CLERK OF CIRCUIT COURT**

Address **601 E KENNEDY BLVD
TAMPA FL 33602**

City **TAMPA** State **FL** ZIP **33602**

Your Internal Billing Reference Information (Optional) **#123 Special Dependent Dist.**

To (please print and press hard) **LIZ CLOUD CHIEF**

Company **BUREAU OF ADMINISTRATIVE CODE DEPARTMENT OF STATE**

Address **401 SOUTH MONROE STREET**

City **TALLAHASSEE** State **FL** ZIP **32399-0250**

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From: Susan A. Boleman
To: ord
Subject: New Ordinances Numbers: 98-3 through 98-39

Amendment to Ordinance concerning Special Dependent Districts.
Please indicate if interested.

DIVISIONS OF FLORIDA DEPARTMENT OF STATE

Office of the Secretary
Office of International Relations
Division of Administrative Services
Division of Corporations
Division of Cultural Affairs
Division of Elections
Division of Historical Resources
Division of Library and Information Services
Division of Licensing



FLORIDA DEPARTMENT OF STATE
Sandra B. Mortham
Secretary of State
DIVISION OF ELECTIONS

MEMBER OF THE FLORIDA CABINET

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Historic Palm Beach County Preservation Board
Historic Pensacola Preservation Board
Historic St. Augustine Preservation Board
Historic Tallahassee Preservation Board
Historic Tampa/Hillsborough County
Preservation Board
Kingling Museum of Art

June 8, 1998

Honorable Richard Ake
Clerk to Board of County Commissioners
Hillsborough County
601 East Kennedy Boulevard
Post Office Box 1110
Tampa, Florida 33601

Attention: Linda Fryman, Senior Manager, BOCC Records

Dear Mr. Ake:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter dated June 5, 1998, and certified copy each of Hillsborough County Ordinance Nos. 98-3, 98-4, 98-5, 98-6, 98-7, 98-8, 98-9, 98-10, 98-11, 98-12, 98-13, 98-14, 98-15, 98-16, 98-17, 98-18, 98-19, 98-20, 98-21, 98-22, 98-23, 98-24, 98-25, 98-26, 98-27, 98-28, 98-29, 98-30, 98-31, 98-32, 98-33, 98-34, 98-35, 98-36, 98-37, 98-38, and 98-39, which were filed in this office on June 8, 1998.

Sincerely,

Liz Cloud, Chief
Bureau of Administrative Code

LC/mw

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BUREAU OF ADMINISTRATIVE CODE

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