

# **ORDINANCE**

**98-12**

**Final**

**ORDINANCE # 98-12**

**AN ORDINANCE RELATING TO HAMMOCK WOODS SPECIAL DEPENDENT TAX DISTRICT, AMENDING HILLSBOROUGH COUNTY ORDINANCE 88-40; 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 Hammock Woods 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 88-40 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 ~~in even numbered years~~ for ~~2-~~ 4-year terms of office. ~~—However, seven persons shall be appointed by the Hillsborough County Board of County Commissioners to serve as trustees of the~~

~~district from the effective date of this Ordinance until the election and taking of office of their successors as hereinafter provided: Four of such appointed Trustees whose terms expire in 1998 shall serve until the first regular election. Any Trustee who was appointed after the September 1997 Special District Elections by the Board of County Commissioners to serve until the next election shall continue to serve in office until the year 2000. Trustees whose terms expire in 1999 shall continue to serve as Trustees until the elections held in the year 2000, and three of such persons shall serve until the second regular election.~~ 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 governor of the state ~~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 88-40, is amended to read as follows:

SECTION 4. Elections shall be held annually at a designated ~~one or more~~ polling places ~~designated~~ for the district ~~by the Supervisor of Elections~~. The election ~~will be held~~ in even-numbered years ~~will be held in~~ conjunction with the first primary election as designated in Section 100.061, Florida Statutes ~~or any amended or successor statute~~. The election in odd-numbered years will be held on the first Tuesday after the sixth day of September, or at the discretion of the board, may be held in conjunction with any other election held that month. ~~Trustees shall run on a non-partisan basis~~. At each election, either three or four trustees, as the case may be, ~~trustees~~ shall be elected for a term of ~~2~~ 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. 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. ~~Trustees shall take office on October 1 following election~~: 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 Supervisor of Elections~~ ~~The Canvassing Board~~ shall canvass the returns of the election and shall announce the results upon completion of the count. 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. 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 88-40, 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 in ~~even-numbered years~~ during the time period specified by Section 99.061(2), Florida Statutes, ~~and in odd-numbered years at any time after noon of the 50th day prior to the election, but not later than noon of the 46th day prior to the election.~~ Such petition shall be signed by not less than ~~15~~ **seven (7)** qualified electors within the district. Candidates who ~~collect or expend campaign contributions~~ shall conduct their campaigns in accordance with the provisions of Chapter 106, Florida Statutes. ~~At the time of qualifying, candidates who submit a written statement to the Supervisor of Elections stating that they do not anticipate collecting or expending campaign contributions other than expenditures for verification of signatures on petitions are exempt from the provisions of Chapter 106, Florida Statutes, requiring establishment of a bank account, appointment of a campaign treasurer, and the filing of period reports as required by Section 106.07(8), 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 Hammock Woods Special-Dependent-Tax District**

(stating their names and residence addresses).

~~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 88-40, is amended to read as follows:

**SECTION 6.** Trustees shall hold office for a term of 2 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 as provided in Section 3 herein.~~ Such appointees shall only serve until the next election for the Board of Trustees of the district. 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*  
 \_\_\_\_\_  
 18

Sworn to and subscribed before me, this \_\_\_\_\_ day  
 of \_\_\_\_\_ MAY \_\_\_\_\_, A.D. 19<sup>98</sup>

Personally Known \_\_\_\_\_ or Product Identification \_\_\_\_\_  
 Type of Identification Produced \_\_\_\_\_

(SEAL)

*Jusie Lee Slater*  
 \_\_\_\_\_

**NOTICE OF INTENT TO CONSIDER ENACTMENT OF COUNTY ORDINANCE**

The Board of County Commissioners of Hillsborough County, Florida intends to consider for the purpose of enactment an ordinance whose contents are generally described as follows:  
**AN ORDINANCE RELATIVE TO HAMMOCK WOODS SPECIAL DEFENDENT TAX DISTRICT, AMENDING HILLSBOROUGH COUNTY ORDINANCE 88-48; PROVIDING FOR THE ADMINISTRATIVE OF THE AFFAIRS OF SA DISTRICT BY A BOARD OF TRUSTEES; PROVIDING FOR ELECTION PROCEDURE 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.**

Enactment of this ordinance will be considered at a meeting to be held on May 26, 1998 at 2:00 p.m. on the second floor of the County Center, 64 E. Kennedy Boulevard, Tampa, Florida. A copy of the proposed ordinance is available for inspection in the County Attorney's Office, 27th floor County Center.

\*\*\*\*\*

Any person who might wish to appeal any decision made by the Board of County Commissioners regarding an ordinance considered at the forthcoming public meeting is hereby advised that he will need a record of the proceedings, and for such purpose he 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 AKE  
 CLERK OF THE CIRCUIT COURT

By: \_\_\_\_\_ Deputy Clerk  
 2191 5/14/98



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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Sender's Name BOC RECORDS 12th FLOOR  
Company HILLSBOROUGH COUNTY CLERK OF CIRCUIT COURT  
Address 601 E KENNEDY BLVD  
4000 BAYVIEW BLVD  
City TAMPA State FL Zip 33602

2 Your Internal Billing Reference Information (Optional) (First 24 characters will appear on invoice) #123 Special Dependent Dist.  
3 To (please print and press hard)  
Recipient's Name LIZ CLOUD CHIEF  
Company BUREAU OF ADMINISTRATIVE CODE  
DEPARTMENT OF STATE

Address (If "HOLD" at FedEx location, please include address here) 401 SOUTH MONROE STREET  
City TALLAHASSEE State FL Zip 32399-0250

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The World On Time.

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 FedEx First Overnight (Next business day delivery to select locations)  FedEx Express Saver\* (Third business day)

Express Freight Services Package over 289/No.  FedEx Overnight Freight  FedEx 2Day Freight  FedEx Express Saver Freight  
(Call for delivery schedule. See back for detailed descriptions of freight services.)

Packaging  FedEx Letter  FedEx Pak  FedEx Box  FedEx Tube  Other  
Special Handling  Fragile  High Value  Perishable  Hazardous  Dry Ice  
Does this shipment contain dangerous goods?  Yes  No

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Total Packages \_\_\_\_\_ Total Weight \_\_\_\_\_ Total Declared Value\* \$ \_\_\_\_\_ Total Charges \$ \_\_\_\_\_  
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Your signature authorizes Federal Express to deliver the shipment without obtaining a signature and agrees to indemnify and hold harmless Federal Express from any resulting claims.

**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**  
Historic Florida Keys Preservation Board  
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  
Ringling 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,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud, Chief  
Bureau of Administrative Code

LC/mw

BOCC RECORDS  
98 JUN 12 PM 2:29  
RECEIVED