



Cindy Stuart

CLERK OF COURT & COMPTROLLER
HILLSBOROUGH COUNTY

September 21, 2022

MS ANYA GROSENBAUGH
DEPARTMENT OF STATE
ADMINISTRATIVE CODE AND REGISTER
500 SOUTH BRONOUGH ST - RA GRAY BLDG RM 101
TALLAHASSEE FL 32399-0250

Re: Ordinance #22-28
Amending Ordinance 92-36 Northdale Special Dependent Tax District; as Amended by
Ordinances 98-27, 98-52, and 09-30

Dear Ms. Grosenbaugh:

Pursuant to the filing requirements of Florida Statutes 125.66, we are forwarding an executed electronic original of Hillsborough County Ordinance #22-28 adopted by the Board of County Commissioners on September 21, 2022. It is respectfully requested that you provide this office with the required official acknowledgment of your receipt and filing of said ordinance by return e-mail.

Sincerely,

Sharon Sweet-Grant, Manager
BOCC Records/VAB

md
Attachment

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P.O. Box 1110, Tampa, FL 33601-1110

ORDINANCE

22-28

ORDINANCE NO. 22-28

AN ORDINANCE RELATING TO THE NORTHDALÉ SPECIAL DEPENDENT TAX DISTRICT; AMENDING HILLSBOROUGH COUNTY ORDINANCE 92-36, AS AMENDED BY HILLSBOROUGH COUNTY ORDINANCES 98-27, 98-52, AND 09-30; PROVIDING FOR REDUCTION IN NUMBER OF DISTRICT TRUSTEES; PROVIDING FOR UPDATED QUORUM REQUIREMENTS; PROVIDING FOR AN UPDATE TO REFLECT INCREASE IN SPECIAL DISTRICT TAX, AS APPROVED BY REFERENDUM; PROVIDING FOR SEVERABILITY; PROVIDING FOR RESOLUTION OF CONFLICT OF LAWS; PROVIDING FOR INCLUSION IN THE HILLSBOROUGH COUNTY CODE, IF APPLICABLE; PROVIDING FOR FILING OF ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Hillsborough County Board of County Commissioners (“BOCC”) created the Northdale Special Dependent Tax District (“District”), and established by Ordinance the boundaries of the District; and

WHEREAS, the BOCC desires to amend provisions relating to the number of trustee positions that comprise the District’s board;

WHEREAS, the BOCC desires to amend provisions relating to the number of trustees necessary for a quorum to conduct District business; and

WHEREAS, the BOCC desires to update provisions relating to the “special district tax” or special assessment, levied against all improved residential parcels and improved residential units of property situated within the district for purpose of providing funds for the operation of the district, to reflect the increased special district tax amount of \$160.00 per parcel, up from the original \$100 per parcel, as approved by referendum.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

SECTION 1. Section 3 of Hillsborough County Ordinance 92-36, as amended, is hereby 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 4-year terms of office. Nine trustee positions existed on or before September 30, 2022, with five expiring on September 30, 2024, and four expiring on September 30, 2022. To accommodate a reduction of trustee board members by two and maintain the staggered four-year terms, two of the four trustee seats with terms expiring on September 30, 2022, shall terminate on

that date, without the election or appointment of a successor, and be eliminated. In addition, one of the five trustee seats shall no longer expire on September 30, 2024, but on September 30, 2022. Henceforth, four of the trustee seats shall expire on September 30, 2024, three trustee seats shall expire on September 30, 2022, and at each subsequent election at the conclusion of the trustees' terms, each trustee shall be elected for a term of four years. After each election of trustees, the trustees shall organize by electing from their members a president, a vice-president, a 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. No meeting of the district board, nor any discussion of district business among the trustees, shall take place without a quorum present. The trustees shall not be entitled to compensation for their services but shall be entitled to be reimbursed from the funds of the district for any authorized disbursements they may properly incur on behalf of the district. The president, 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 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 7 of Hillsborough County Ordinance 92-36, as amended, is hereby amended to read as follows:

The board of trustees shall have the authority to levy an assessment against all parcels of property situated within the District for the purpose of providing funds for the operation of the District. The board of trustees shall, annually, by resolution, fix the amount of the assessment for the next ensuing year and shall follow the applicable procedures established in Chapter 197, Florida Statutes. The board of trustees shall direct the Tax Collector of Hillsborough County to collect such assessment as is assessed upon each parcel of property within the District. The assessment on single family residential property shall not exceed \$160 per year. This amount shall be the basis in determining the assessment amount on all other parcels of property. For general purposes of this Ordinance, each single-family residential parcel in the District is hereby declared to be uniformly and generally benefited by the provisions hereof. Any increase in the maximum annual assessment for single family residential parcels shall be approved by referendum of qualified voters of the District. The Tax Collector and Property Appraiser shall receive commissions as provided by general law for performing duties required of that office by this ordinance. The Tax Collector shall deposit the funds into a depository designated by the board of trustees in accordance with Section 10 of this ordinance for the account of the District. The special assessment shall not be an ad valorem tax, but rather shall be a special assessment assessed against all parcels of property.

SECTION 3. SEVERABILITY.

If any portion of this Ordinance is for any reason held invalid or declared to be unconstitutional, inoperative, or void by any court of competent jurisdiction, such holdings shall not affect the validity of the remainder of this Ordinance.

SECTION 4. RESOLUTION OF CONFLICT OF LAWS.

In all instances where Florida law, as evidenced by the Florida Administrative Code, Florida Statutes, applicable case law or otherwise, mandates standards or requirements that are stricter than the provisions of this Ordinance, or where a matter is addressed by Florida law that is not addressed by this Ordinance, then said law shall govern. In situations where this Ordinance addresses a matter in a manner that is stricter than that of Florida law, the provisions of this Ordinance shall control.

SECTION 5. INCLUSION IN THE HILLSBOROUGH COUNTY CODE.

If applicable, the provisions of this Ordinance shall be included and incorporated in the Hillsborough County Code, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Hillsborough County Code, once established.

SECTION 6. FILING OF ORDINANCE.

In accordance with the provisions of Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Florida Department of State.

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SECTION 7. EFFECTIVE DATE.

This Ordinance shall become effective upon filing with the Florida Department of State.

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I, Cindy Stuart, 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 of County Commissioners at its meeting of September 21, 2022, as the same appears of record in Minute Book 556, of the Public Records of Hillsborough County Florida.

WITNESS my hand and official seal this 21st day of September, 2022.

CINDY STUART,
CLERK OF CIRCUIT COURT

By: Minda O.K. D.

Deputy Clerk

Approved by County Attorney
As to Form and Legal Sufficiency

By: Whitney L. Green
Whitney L. Green
Assistant County Attorney





FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

September 22, 2022

Honorable Cindy Stuart
Clerk of the Circuit Court
Hillsborough County
419 Pierce Street, Room 140
Tampa, Florida 33601

Attention: Midge Dixon

Dear Cindy Stuart:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hillsborough County Ordinance No. 22-28, which was filed in this office on September 21, 2022.

Sincerely,

Anya Owens
Program Administrator

ACO/wlh