

ORDINANCE NO. 17- 25

AN ORDINANCE OF THE COUNTY OF PINELLAS AMENDING SECTION 114-213 OF THE PINELLAS COUNTY CODE RELATING TO THE PALM HARBOR COMMUNITY SERVICES AGENCY, INC. (PHCSA); INCREASING THE NUMBER OF TERMS THAT MAY BE SERVED BY MEMBERS OF THE BOARD OF DIRECTORS OF THE PHCSA FROM TWO TO FOUR SUCCESSIVE TERMS; ESTABLISHING A ONE-TERM SEPARATION OF SERVICE BEFORE A DIRECTOR MAY BE REAPPOINTED TO THE BOARD OF DIRECTORS OF THE PHCSA; STAGGERING THE TERM APPOINTMENTS FOR THE BOARD OF DIRECTORS OF THE PHCSA; REVISING SECTION 114-213 LANGUAGE FOR CLARITY; PROVIDING FOR A TRANSITION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR FILING; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY in a meeting duly assembled this 1st day of August 2017, that:

Section 1. Subsections (1) and (2) of Article VI, Section 114-213 of the Pinellas County Code (entitled PALM HARBOR COMMUNITY SERVICES DISTRICT — Governing body; program management) are hereby amended as follows:

ARTICLE VI. - PALM HARBOR COMMUNITY SERVICES DISTRICT

Sec. 114-213. - Governing body; program management.

The board of county commissioners shall be the governing body of the district. 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 district within a reasonable time after the effective date of sections 114-216 or 114-217 of this article. The articles of the nonprofit corporation referenced above shall provide:

- (1) For a board of directors, to be comprised of the following:
 - a. One director who is an officer or director of, and appointed by, the Palm Harbor Friends of the Library, Inc., who is a qualified Pinellas County elector and resides in the Palm Harbor Community Services District;
 - b. One director who is an officer or director of, and appointed by, the Palm Harbor Recreation League, Inc., who is a qualified Pinellas County elector and resides in the Palm Harbor Community Services District;
 - c. One director who is an officer or director of, and appointed by, the East Lake Community Library Advisory Board, Inc., who is a qualified Pinellas County elector and resides in the East Lake Library Services District;
 - d. One director who is an officer or director of, and appointed by, the East Lake Youth Sports Association, Inc., who is a qualified Pinellas County elector and resides in the East Lake Recreation Services District; and
 - e. Four directors appointed by the board of county commissioners, each of whom is a qualified Pinellas County elector and resides in the Palm Harbor Community Services District, the East Lake Library Services District, or the East Lake Recreation Services District. Each county commissioner representing the three at-large districts shall nominate one director each and the county commissioner representing District 4 shall nominate one director.

- (2) The terms of office of the board of directors shall be for two years each from the date of their appointment. A director may serve no more than four successive two-year terms. A director who has served four successive terms may be reappointed to the board of directors following a separation of service of no less than a complete two-year term. If any director ceases to reside within the required municipal services taxing unit, resigns from office, or is removed for cause from office, the director's office shall be declared vacant, the director shall be disqualified from further service for that term, and an interim director shall be appointed as provided in subsection (1) of this section to fill the unexpired term of office. An interim appointment shall not be deemed a regular term of appointment and the unexpired term shall not be considered in calculating term limits. Except in cases of a vacancy as described herein, each director shall hold office until a successor is appointed and qualified

Section 2. Staggered Terms.

For the purpose of staggering term appointments so that half of the Board of Directors are appointed every alternate year, the 2017 appointments for the following three director positions only shall be limited to a one (1) year term:

Seat #	PCC 114-213 Requirement	Incumbent
1	An officer or director of, and appointed by the Palm Harbor Friends of the Library	Evelyn Slama
2	An officer or director of, and appointed by, the Palm Harbor Recreation League	Rex Haslam
3	An officer or director of, and appointed by, the East Lake Community Library Advisory Board	Barbara Cole

Such one (1) year terms shall constitute full terms for purposes of term limits; they are not interim or partial terms. All regular, full terms served by incumbent directors shall apply to the term limits established in Section 1 of this Ordinance. At the end of the 2017 appointment terms, the succeeding and all future terms will be for the two-year period provided for in Section 114-213, Pinellas County Code.

Section 2 of this Ordinance constitutes a one-time administrative change necessary to effectuate the staggering of term appointments, and shall not be codified.

Section 3. Transition.

The County has previously entered into an agreement with the Palm Harbor Community Services Agency, Inc., a Florida nonprofit corporation, (PHCSA) to manage the business and affairs of the district, as authorized by and pursuant to, Section 114-213 of the article. cl This corporation shall revise its articles, by-laws, and other corporate documents as necessary to comply with Section 1 of this Ordinance within thirty (30) days of its effective date.

Section 4. Severability.

If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional.

Section 5. Codification.

The provisions of Section 1 of this Ordinance shall be included and incorporated in the Pinellas County Code as an addition thereto.

Section 6. Filing of Ordinance; Effective Date.

Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after the enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the ordinance with the Department of State.

APPROVED AS TO FORM

By:


Office of the County Attorney