



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

August 3, 2017

Honorable Ken Burke
Clerk of the Board of County Commissioners
Pinellas County Courthouse
315 Court Street, 5th Floor
Clearwater, Florida 33756

Attention: James Bachteler, Deputy Clerk

Dear Mr. Burke:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Pinellas County Ordinance No. 17-25, which was filed in this office on August 3, 2017.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

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BOARD OF
2017 AUG -3 AM 11:03
CLERK OF COUNTY COMMISSIONERS
PINELLAS COUNTY FLORIDA

Bachteler, James J

From: Bryant, Linda C. <Linda.Bryant@DOS.MyFlorida.com>
Sent: Thursday, August 03, 2017 10:56 AM
To: Bachteler, James J
Cc: County Ordinances
Subject: Emailing - Pinellas20170803_Ordinance2017_17_25_Ack.pdf
Attachments: Pinellas20170803_Ordinance2017_17_25_Ack.pdf

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CLERK OF COUNTY
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PINELLAS COUNTY FLORIDA

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. c1 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.

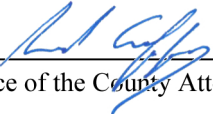
The provisions of Section 1 of this Ordinance shall be included and incorporated in the Pinellas County Code as an addition thereto.

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

STATE OF FLORIDA

COUNTY OF PINELLAS

I, KEN BURKE, Clerk of the Circuit Court and Ex-officio Clerk to the Board of County Commissioners, in and for the State and County aforesaid, DO HEREBY CERTIFY that the foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners of Pinellas County, Florida, on August 1, 2017 relative to:

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.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this August 3, 2017.

KEN BURKE
Clerk of the Circuit Court
and Ex-officio Clerk to the
Board of County Commissioners

Norman D. Loy
Norman D. Loy, Deputy Clerk



Bachteler, James J

From: Bachteler, James J on behalf of BoardRecords,
Sent: Thursday, August 03, 2017 9:01 AM
To: County Ordinances
Subject: RE: Pinellas County Ordinance - PIN20170803_Ordinance2017_17-25
Attachments: PIN20170803_Ordinance2016_17-25.pdf

Sender Full Name:	Ken Burke, Clerk of the Circuit Court and Comptroller Norman D. Loy, Deputy Clerk, Board Records Department
Sender Phone number:	(727) 464-3458
County Name:	Pinellas
Ordinance Number:	PIN20170803_Ordinance2017_17-25

Thank You and Have A Pleasant Afternoon

James Bachteler

Deputy Clerk / Senior Records Specialist
Pinellas County Board Records Department
Finance Division
Office of Ken Burke, Clerk of the Circuit Court and Comptroller
315 Court Street, Fifth Floor, Clearwater, Florida 33756
(727) 464-4749
www.mypinellasclerk.org

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