



1           Section 1. Short title.--This Act may be cited as the  
2 "East Lake Tarpon Special Fire Control District Act."  
3           Section 2. Definitions.--Unless the context otherwise  
4 requires, capitalized terms used herein shall have the  
5 following meanings ascribed to them:  
6           (1) "Board" means the Board of Commissioners of the  
7 East Lake Tarpon Special Fire Control District.  
8           (2) "County" means Pinellas County, Florida.  
9           (3) "Elector" means a person who is a resident of the  
10 District and is qualified to vote in a general election in  
11 Pinellas County.  
12           (4) "Emergency Medical Service" means basic and  
13 advanced life support service, as defined in section 401.23,  
14 Florida Statutes.  
15           (5) "Governor" means the Governor of the State of  
16 Florida.  
17           (6) "Rescue Response Service" means an initial  
18 response to an emergency or accident situation, including, but  
19 not limited to, a plane crash, a trench or building collapse,  
20 a swimming or boating accident, or a motor vehicle accident.  
21           Section 3. Formation; boundaries.--  
22           (1) For the purpose of providing fire prevention  
23 services pursuant to chapter 191, Florida Statutes, and  
24 subject to Sections 12 and 13 of this legislation, an  
25 independent special district is hereby created and  
26 incorporated to be known as the East Lake Tarpon Special Fire  
27 Control District, hereinafter the "District," in Pinellas  
28 County, which special district shall be a public municipal  
29 corporation, and shall embrace and include the territory  
30 described as:  
31

1           The East Lake Tarpon Fire Control District is described  
2 by the following:

3  
4           Begin at the Northeast Corner of Section 1,  
5 Township 27 South, Range 16 East, Pinellas  
6 County, Florida run south along the  
7 Hillsborough/Pinellas County line to the South  
8 right-of-way line of the Florida Power  
9 Corporation; thence westerly along said South  
10 right-of-way line of Florida Power Corporation  
11 to the East line of Section 10, Township 28  
12 South, Range 16 East; thence south along said  
13 East line Section 10 to the Southeast Corner of  
14 said Section 10, the same being the Northeast  
15 Corner of Section 15, Township 28 South, Range  
16 16 East; thence west along the North line of  
17 said Section 15 to the North-South half section  
18 line thereof; thence southerly along said  
19 North-South half section line 937.90 ft.;  
20 thence S 89°13'27"E, 1327.88 ft.; thence S  
21 00°02'38"E to the centerline of State Road 584;  
22 thence northwesterly along the centerline of  
23 State Road 584 to the West line of said Section  
24 15; thence north along the West line of said  
25 Section 15 to the South boundary of the East  
26 Lake Woodlands Cluster Homes-Unit Four-A  
27 subdivision, as recorded in Plat Book 80, Page  
28 002, public records of Pinellas County; thence  
29 westerly and northwesterly along the  
30 Southwesterly line of said subdivision to the  
31 North line of the Southeast quarter of the

1 Northeast quarter of Section 16, Township 28  
2 South, Range 16 East; thence west along said  
3 North line to the centerline of State Road 584;  
4 thence northwesterly along the centerline of  
5 State Road 584 to the centerline of the Lake  
6 Tarpon Outfall Canal; thence northerly along  
7 the centerline of the Lake Tarpon Outfall Canal  
8 into Lake Tarpon to its North-South centerline;  
9 thence northerly along the North-South  
10 centerline of Lake Tarpon to the city limit  
11 line of the City of Tarpon Springs on the  
12 northern shoreline of Lake Tarpon; thence along  
13 the city limit line of Tarpon Springs around  
14 its easterly point above Lake Tarpon and then  
15 westerly to the North-South centerline of Salt  
16 Lake; thence northerly along the North-South  
17 centerline of Salt Lake to the centerline of  
18 the Anclote River; thence northeasterly along  
19 the centerline of the Anclote River to the  
20 Pasco/Pinellas County Line; thence east along  
21 the Pasco/Pinellas County Line to the Point Of  
22 Beginning.

23  
24 LESS any areas annexed into the corporate  
25 municipal limits of Oldsmar or Tarpon Springs.

26  
27 (2) Any lands within a municipality included in the  
28 boundaries of the District, as described herein, shall be  
29 excluded from the District and its jurisdiction. If any area,  
30 tract, or parcel of land within the boundaries of the District  
31 shall hereafter become annexed to a municipality, such area,

1 tract, or parcel of land shall be excluded from the District  
2 effective the next January 1 following such annexation by a  
3 municipality.

4 (3) Should any part of the territory covered in this  
5 Act be held not to be included herein, then this Act shall  
6 continue in effect as to the balance of the territory.

7 Section 4. Intent.--The purposes of this Act are to:

8 (1) Provide standards, direction, and procedures  
9 concerning the operation and governance of the special fire  
10 control district known as the East Lake Tarpon Special Fire  
11 Control District.

12 (2) Provide greater uniformity between the East Lake  
13 Tarpon Special Fire Control District and other independent  
14 special fire control districts.

15 (3) Provide greater uniformity in the financing  
16 authority of the East Lake Tarpon Special Fire Control  
17 District without hampering the efficiency and effectiveness of  
18 current authorized and implemented methods and procedures of  
19 raising revenues.

20 (4) Improve communication and coordination between the  
21 East Lake Tarpon Special Fire Control District and other local  
22 governments with respect to short-range and long-range  
23 planning to meet the demands for service delivery while  
24 maintaining fiscal responsibility.

25 (5) Provide uniform procedures for electing members of  
26 the governing Board of the East Lake Tarpon Special Fire  
27 Control District to ensure greater accountability to the  
28 public.

29 Section 5. Board of commissioners; officers; bond;  
30 compensation.--

31

1       (1) The business affairs of the District shall be  
2 conducted and administered by the Board of Commissioners of  
3 the East Lake Tarpon Special Fire Control District, which is  
4 established as a Board of five commissioners. Annually, within  
5 60 days after newly-elected members have taken office, the  
6 Board shall organize by electing from its members a chair, a  
7 vice-chair, a secretary, and a treasurer. The positions of  
8 secretary and treasurer may be held by one member. The office  
9 of each commissioner comprising the Board of Commissioners of  
10 the East Lake Tarpon Special Fire Control District is hereby  
11 designated as being a seat on the Commission, distinguished  
12 from each of the other seats by a numeral: 1, 2, 3, 4, or 5.  
13 The numerical seat designation does not designate a  
14 geographical subdistrict of the District.

15       (2) Each commissioner shall, upon assuming office,  
16 take and subscribe to the oath of office prescribed by s.  
17 5(b), Art. II of the State Constitution, and section 876.05,  
18 Florida Statutes. Each commissioner, within 30 days of  
19 assuming office, must give the Governor a good and sufficient  
20 surety bond in the sum of \$5,000, conditioned upon the  
21 faithful performance of the commissioner's duties and upon the  
22 accounting for all funds to come into his or her hands as  
23 commissioner. All premiums for each surety on all such bonds  
24 shall be paid from the funds of the District.

25       (3) Members of the Board may each be paid a salary or  
26 honorarium to be determined by at least a majority plus one  
27 vote of the Board, which salary or honorarium may not exceed  
28 \$500 per month for each member. Special notice of any meeting  
29 at which the Board will consider a salary change for a Board  
30 member shall be published at least once, at least 14 days  
31 prior to the meeting, in a newspaper of general circulation in

1 the County. Separate compensation for the Board member serving  
2 as treasurer may be authorized by like vote so long as total  
3 compensation for the Board member does not exceed \$500 per  
4 month. Members may be reimbursed for travel and per diem  
5 expenses, as provided in section 112.061, Florida Statutes.

6 (4) Members of the Board shall comply with the  
7 financial disclosure, noticing, and reporting requirements of  
8 chapter 112, Florida Statutes, and any other applicable law or  
9 regulation.

10 Section 6. Board of Commissioners; terms; election;  
11 qualifications, certification of single candidate.--

12 (1) Each of the five commissioners shall hold his or  
13 her respective seat on the Board of Commissioners of the East  
14 Lake Tarpon Special Fire Control District for a term of 4  
15 years and, except as provided in subsection (8) of this  
16 section, shall be elected by majority vote of the Electors of  
17 the District voting at a general election. In the first  
18 election following the effective date of this Act, seats 1, 3,  
19 and 5 shall be designated for 4-year terms, and seats 2 and 4  
20 shall be designated for 2-year terms. All commissioners must  
21 be qualified electors within the District and must reside  
22 within the District.

23 (2) Voting for commissioners shall be Districtwide and  
24 nonpartisan.

25 (3) If a vacancy occurs on the Board due to the  
26 resignation, death, or removal of a commissioner, or the  
27 failure of anyone to qualify for a Board seat, the remaining  
28 members may appoint a qualified person to fill the seat until  
29 the next general election, at which time an election shall be  
30 held to fill the vacancy for the remaining term, if any. The  
31 Board shall remove any member who has three consecutive,

1 unexcused absences from regularly scheduled meetings. The  
2 Board shall adopt policies by resolution defining excused and  
3 unexcused absences.

4 (4) Each commissioner, whenever elected, shall assume  
5 office 10 days following the member's election, and shall  
6 serve until the commissioner's successor is elected.

7 (5) All candidates shall qualify with the County  
8 Supervisor of Elections. All candidates may qualify by paying  
9 a filing fee of \$25 or by obtaining the signatures of at least  
10 25 registered Electors of the District on petition forms  
11 provided by the Supervisor of Elections, which petitions shall  
12 be submitted and checked in the same manner as petitions filed  
13 by nonpartisan judicial candidates pursuant to section  
14 105.035, Florida Statutes.

15 (6) The names of all candidates qualifying for  
16 election to a seat on the Board of Commissioners shall be  
17 included in such a way as to clearly indicate the respective  
18 seat for which each qualified candidate is running on the  
19 ballot or voting machines provided for use in the District  
20 along with the candidates for County office at each regular  
21 County election.

22 (7) Any expenses of holding elections for commission  
23 seats at the regular County elections shall be paid for out of  
24 the funds of the District if required by proper authority.

25 (8) The Board shall keep a permanent recordbook  
26 entitled "Record of Proceedings of East Lake Tarpon FCD," in  
27 which the minutes of all meetings, resolutions, proceedings,  
28 certificates, bonds given by commissioners, and corporate acts  
29 shall be recorded. The recordbook shall be open to inspection  
30 in the same manner as state, county, and municipal records are  
31 open under chapter 119, Florida Statutes, and s. 24, Art. I of



1 the State Constitution. The recordbook shall be kept at the  
2 office or other regular place of business maintained by the  
3 Board in the county or municipality in which the District is  
4 located.

5 (9) All meetings of the Board shall be open to the  
6 public, consistent with chapter 286, Florida Statutes, section  
7 189.417, Florida Statutes, and other applicable general laws.

8 Section 7. Powers.--

9 (1) The District shall have, and the Board may  
10 exercise, all the powers and duties set forth in chapters 189  
11 and 191, Florida Statutes, as they may be amended from time to  
12 time.

13 (2) The Board shall exercise the powers described  
14 herein in a manner consistent with the policies and  
15 regulations of the Pinellas County Fire Protection Authority,  
16 which was created pursuant to chapter 73-600, Laws of Florida.

17 Section 8. Taxes; non-ad valorem assessments; impact  
18 fees; user charges; bond issuance.--

19 (1) The District shall also hold all powers,  
20 functions, and duties set forth in this Act and chapter 189,  
21 chapter 191, and chapter 197, Florida Statutes, as amended  
22 from time to time, including, but not limited to, ad valorem  
23 taxation, bond issuance, other revenue-raising capabilities,  
24 budget preparation and approval, liens and foreclosure of  
25 liens, use of tax deeds and tax certificates as appropriate  
26 for non-ad valorem assessments, and contractual agreements.  
27 The District may be financed by any method established in this  
28 act, or in chapter 189 or chapter 191, Florida Statutes, as  
29 amended from time to time.

30 (2) The methods for assessing and collecting non-ad  
31 valorem assessments, fees, or service charges shall be as set

1 forth in chapters 170, chapter 189, chapter 191, or chapter  
2 197, Florida Statutes, as amended from time to time.

3 Section 9. Five-year plan.--The District shall adopt a  
4 5-year plan to identify the facilities, equipment, personnel,  
5 and revenue needed by the District during that 5-year period.  
6 The plan shall be updated in accordance with section 189.415,  
7 Florida Statutes, and shall satisfy the requirement for a  
8 public facilities report required by section 189.415(2),  
9 Florida Statutes.

10 Section 10. Boundaries and mergers.--

11 (1) The boundaries of the District may be modified,  
12 extended, or enlarged upon approval or ratification by the  
13 Legislature.

14 (2) The merger of the District with all, or portions  
15 of, other independent special districts or dependent fire  
16 control districts is effective only upon ratification by the  
17 Legislature. A District may not, solely by reason of a merger  
18 with another governmental entity, increase ad valorem taxes on  
19 property within the original limits of the District beyond the  
20 maximum established by the District's enabling legislation,  
21 unless approved by the electors of the District by referendum.

22 Section 11. Annexation of territories by  
23 municipalities.--For the purposes and requirements of this  
24 Act, after the annexation by a municipality of any  
25 unincorporated area within the East Lake Tarpon Special Fire  
26 Control District, the annexed area shall be treated as lying  
27 within the corporate boundaries of the annexing municipality,  
28 and shall not be subject to a levy of the ad valorem tax which  
29 is authorized by this Act.

30 Section 12. Amendment of charter.--This charter may be  
31 amended only by special act of the Legislature.

1           Section 13. Effect of dissolution.--In accordance with  
2 section 189.405(2), Florida Statutes (1999), the dissolution  
3 of the District shall transfer the title to all property owned  
4 by the District to Pinellas County, which shall also assume  
5 all indebtedness of this District.

6           Section 2. Severability.--Should any provision of this  
7 Act be held to be unconstitutional, inoperative, or void, such  
8 holding or invalidity shall not affect the remaining portions  
9 of this Act.

10           Section 3. Referendum.--At the special referendum  
11 called pursuant to Section 4 of this Act, the ballot question  
12 shall be substantially as follows:

13  
14           Shall there be created an independent fire  
15 control district covering the East Lake Tarpon  
16 Special Fire Control District for the purpose  
17 of providing fire prevention services to the  
18 District?

19  
20           Section 4. This Act shall take effect only upon its  
21 approval by a majority vote of those qualified electors of the  
22 East Lake Tarpon Special Fire Control District described in  
23 Section 3 of the East Lake Tarpon Fire Control District  
24 charter voting in a referendum election to be called by the  
25 Board of County Commissioners of Pinellas County and to be  
26 held prior to November 30, 2000, in accordance with the  
27 provisions of law relating to elections currently in force,  
28 except that this section and section 3 of this legislation  
29 shall take effect upon this Act becoming a law.