



27 independent special district in Pinellas County, is created and  
 28 established pursuant to chapters 189 and 191, Florida Statutes,  
 29 and the charter for the district is created to read:

30 Section 1. Short title.—This act may be cited as the  
 31 "Tierra Verde Fire Control and Rescue District Act."

32 Section 2. Formation; boundaries.—For the purpose of  
 33 providing fire prevention and emergency rescue services pursuant  
 34 to chapter 191, Florida Statutes, the Tierra Verde Fire Control  
 35 and Rescue District ("district"), an independent special  
 36 district, is created and incorporated in Pinellas County and  
 37 shall embrace and include the territory described as:

38  
 39 A portion of fractional Sections 17, 18, 19, 20, 29,  
 40 30, 31, and 32, Township 32 South, Range 16 East,  
 41 together with submerged lands and together with  
 42 unsurveyed lands, lying in Pinellas County, Florida,  
 43 being described as follows:

44  
 45 From the Southerly most corner of Lot 5, Block 23,  
 46 TIERRA VERDE UNIT ONE, as recorded in Plat Book 57,  
 47 Pages 42 through 55, Public Records of Pinellas  
 48 County, Florida, as the Point of Commencement; thence  
 49 North 30°52'53" East, along the East line of said  
 50 Block 23 and the Northeasterly extension thereof,  
 51 1,187.95 feet to a point on the center of the main  
 52 ship channel of Boca Ciega Bay, the same being the

53 City Limits of the City of St. Petersburg; thence  
 54 along said main ship channel of Boca Ciega Bay and  
 55 City Limits of the City of St. Petersburg the  
 56 following two courses and distances, (1) North  
 57 56°23'06" West 2,350.94 feet, (2) North 24°49'37" West  
 58 459.96 feet to the intersection with the Passa-Grille  
 59 Channel, the same being the City Limits of the City of  
 60 St. Pete Beach, said point being the Point of  
 61 Beginning; thence along the said Pass-a-Grille Channel  
 62 and the City Limits of the City of St. Pete Beach, the  
 63 following four courses and distances: (1) South  
 64 49°04'05" West 2,741.70 feet, (2) South 38°55'13" West  
 65 1,201.77 feet, (3) South 21°58'42" West 1,202.38 feet,  
 66 (4) South 11°52'59" East 2549.64 feet; thence  
 67 departing said Pass-a-Grille Channel and City Limits  
 68 of the City of St. Pete Beach, South 10°50'24" East  
 69 2,510.20 feet; thence South 48°30'09" East 740.07  
 70 feet; thence South 03°49'00" West 2,557.86 feet;  
 71 thence South 37°18'04" East 6,807.92 feet; thence  
 72 North 88°30'47" East 173.30 feet, more or less to a  
 73 point on the West line of the City Limits of the City  
 74 of St. Petersburg; thence along said West line of the  
 75 City Limits of the City of St. Petersburg North  
 76 00°09'46" West 15,402.33 feet to a point on the  
 77 aforesaid main ship channel of Boca Ciega Bay; thence  
 78 along said main ship channel of Boca Ciega Bay

79 continuing along the City Limits of the City of St.  
 80 Petersburg, the following two courses and distances:  
 81 (1) North 56°23'06" West 2,601.89 feet, (2) North  
 82 24°49'37" West 459.96 feet to the Point of Beginning.

83  
 84 Section 3. Intent.—The purposes of this act are to:

85 (1) Provide standards, direction, and procedures  
 86 concerning the operation and governance of the Tierra Verde Fire  
 87 Control and Rescue District.

88 (2) Provide uniformity between the Tierra Verde Fire  
 89 Control and Rescue District and other independent special fire  
 90 control districts.

91 (3) Provide financing authority of the Tierra Verde Fire  
 92 Control and Rescue District without hampering the efficiency and  
 93 effectiveness of current authorized and implemented methods and  
 94 procedures of raising revenues.

95 (4) Improve communication and coordination between the  
 96 district and other local governments with respect to short-range  
 97 and long-range planning to meet the demands for service delivery  
 98 while maintaining fiscal responsibility.

99 (5) Provide uniform procedures for electing members of the  
 100 governing board of the district to ensure greater accountability  
 101 to the public.

102 Section 4. Board of commissioners; officers; bond;  
 103 compensation.—

104 (1) The business affairs of the district shall be

105 conducted and administered, pursuant to chapter 191, Florida  
106 Statutes, by the Board of Commissioners of the Tierra Verde Fire  
107 Control and Rescue District ("board"), which is established as a  
108 board of five commissioners. Annually, within 60 days after  
109 newly elected members have taken office, the board shall  
110 organize by electing from its members a chair, a vice chair, a  
111 secretary, and a treasurer. The positions of secretary and  
112 treasurer may be held by one member. The office of each  
113 commissioner comprising the board is designated as being a seat  
114 on the commission, distinguished from each of the other seats by  
115 a numeral: 1, 2, 3, 4, or 5. The numerical seat designation does  
116 not designate a geographical subdistrict of the district.

117 (2) Each commissioner shall, upon assuming office, take  
118 and subscribe to the oath of office prescribed by s. 5(b),  
119 Article II of the State Constitution and s. 876.05, Florida  
120 Statutes. Each commissioner, upon taking office and in  
121 accordance with chapters 189 and 191, Florida Statutes, shall  
122 execute to the Governor for the benefit of the district a bond  
123 conditioned upon the faithful performance of the duties of the  
124 commissioner's office. The premium for such bonds shall be paid  
125 from district funds.

126 (3) Members of the board may each be paid a salary or  
127 honorarium to be determined by at least a majority plus one vote  
128 of the board, which salary or honorarium may not exceed \$500 per  
129 month for each member. Special notice of any meeting at which  
130 the board will consider a salary change for a board member shall

131 be published at least once, at least 14 days before the meeting,  
 132 in a newspaper of general circulation in the county. Separate  
 133 compensation for the board member serving as treasurer may be  
 134 authorized by like vote so long as total compensation for the  
 135 board member does not exceed \$500 per month. Members may be  
 136 reimbursed for travel and per diem expenses as provided in s.  
 137 112.061, Florida Statutes.

138 (4) Members of the board shall comply with the financial  
 139 disclosure, noticing, and reporting requirements of chapter 112,  
 140 Florida Statutes, and any other applicable law or regulation.

141 Section 5. Board of commissioners; terms; election,  
 142 qualifications, certification of single candidate.-

143 (1) District elections and referenda shall be held in  
 144 accordance with chapters 189 and 191, Florida Statutes.

145 (2) Except as provided in this subsection, each of the  
 146 five commissioners shall hold his or her respective seat on the  
 147 board for a term of 4 years and shall be elected by majority  
 148 vote of the electors of the district voting at a general  
 149 election. In the first election after the effective date of this  
 150 act, seats 1, 3, and 5 shall be designated for 4-year terms, and  
 151 seats 2 and 4 shall be designated for 2-year terms. All  
 152 commissioners must be qualified electors within the district and  
 153 must reside within the district.

154 (3) Voting for commissioners shall be districtwide and  
 155 nonpartisan.

156 (4) If a vacancy occurs on the board due to the

157 resignation, death, or removal of a commissioner, or the failure  
158 of anyone to qualify for a board seat, the remaining members may  
159 appoint a qualified person to fill the seat until the next  
160 general election, at which time an election shall be held to  
161 fill the vacancy for the remaining term, if any. The board shall  
162 remove any member who has three consecutive, unexcused absences  
163 from regularly scheduled meetings. The board shall adopt  
164 policies by resolution defining excused and unexcused absences.

165 (5) Each commissioner, whenever elected, shall assume  
166 office 10 days after his or her election and shall serve until  
167 his or her successor is elected.

168 (6) All candidates shall qualify with the Supervisor of  
169 Elections of Pinellas County. All candidates may qualify by  
170 paying a filing fee of \$25 or by obtaining the signatures of at  
171 least 25 registered electors of the district on petition forms  
172 provided by the supervisor of elections, which petitions must be  
173 submitted and checked in the same manner as petitions filed by  
174 nonpartisan judicial candidates pursuant to s. 105.035, Florida  
175 Statutes.

176 (7) The names of all candidates qualifying for election to  
177 a seat on the board shall be included on the ballot or voting  
178 machines provided for use in the district, along with the  
179 candidates for county office at each regular county election, in  
180 such a way as to clearly indicate the respective seat for which  
181 each qualified candidate for district commissioner is running.

182 (8) Any expense of holding elections for commission seats

183 at the regular county elections shall be paid out of the funds  
184 of the district, if required by proper authority.

185 (9) The board shall keep a permanent record book entitled  
186 "Record of Proceedings of Tierra Verde Fire Control and Rescue  
187 District" in which the minutes of all meetings, resolutions,  
188 proceedings, certificates, bonds given by commissioners, and  
189 corporate acts shall be recorded. The record book shall be open  
190 to inspection in the same manner as state, county, and municipal  
191 records are open under chapter 119, Florida Statutes, and s. 24,  
192 Article I of the State Constitution. The record book shall be  
193 kept at the office or other regular place of business maintained  
194 by the board in the county or municipality in which the district  
195 is located.

196 (10) All meetings of the board shall be open to the  
197 public, consistent with chapter 286, Florida Statutes, s.  
198 189.015, Florida Statutes, and other applicable general laws.

199 Section 6. Rules and regulations.—The board is authorized  
200 to adopt rules and regulations for the prevention of fires, fire  
201 control, and rescue work within the district. Such rules and  
202 regulations, after being adopted by the board and copies thereof  
203 signed by the president and the secretary, and posted on the  
204 district website and in at least three public places within the  
205 district, one of which must be the fire station or such similar  
206 place wherein the firefighting and rescue equipment is normally  
207 kept, after 10 days has the force and effect of law.

208 Section 7. Powers; use of district funds.—

209       (1) The district has, and the board may exercise, all the  
 210 powers and duties set forth in chapters 189 and 191, Florida  
 211 Statutes.

212       (2) No funds of the district may be used for any purposes  
 213 other than the administration of the affairs and business of the  
 214 district; the construction, care, maintenance, upkeep,  
 215 operation, and purchase of firefighting and rescue equipment or  
 216 a fire station or stations; the payment of public utilities; and  
 217 the payment of salaries of district personnel as the board may  
 218 from time to time determine to be necessary for the operations  
 219 and effectiveness of the district.

220       (3) The board is authorized and empowered to buy, own,  
 221 lease, and maintain a fire department within the district and to  
 222 purchase, acquire by gift, lease, own, and dispose of  
 223 firefighting equipment and property, real and personal, that the  
 224 board may from time to time deem necessary or needful to prevent  
 225 and extinguish fires within the district.

226       Section 8. Finances.—

227       (1) The powers, functions, and duties of the district  
 228 regarding ad valorem taxation, bond issuance, other revenue-  
 229 raising capabilities, budget preparation and approval, liens and  
 230 foreclosure of liens, use of tax deeds and tax certificates as  
 231 appropriate for non-ad valorem assessments, and contractual  
 232 agreements, and the methods for financing the district and for  
 233 collecting non-ad valorem assessments, fees, or service charges,  
 234 shall be as set forth in this charter, in chapters 170, 189,

235 191, and 197, Florida Statutes, and in any applicable general or  
236 special law.

237 (2) The district is authorized to levy and collect ad  
238 valorem taxes in accordance with s. 191.009, Florida Statutes,  
239 and chapter 200, Florida Statutes. The taxes levied and assessed  
240 by the district shall be a lien upon the land so assessed along  
241 with the county taxes assessed against such land until such  
242 assessments and taxes have been paid, and if the taxes levied by  
243 the district become delinquent, such taxes are considered a part  
244 of the county tax subject to the same penalties, charges, fees,  
245 and remedies for enforcement and collection and shall be  
246 enforced and collected as provided by general law for the  
247 collection of such taxes. The maximum ad valorem millage rate  
248 that can be levied in any one year is 2.0 mills.

249 (3) The district has the authority to levy non-ad valorem  
250 assessments. The methods for assessing and collecting non-ad  
251 valorem assessments, fees, or service charges shall be as set  
252 forth in this charter, chapter 170, chapter 189, chapter 191, or  
253 chapter 197, Florida Statutes.

254 (4) The district has the authority to charge and collect  
255 impact fees for capital improvements on new construction within  
256 the district as prescribed in chapter 191, Florida Statutes, or  
257 any other applicable general law. The district shall comply with  
258 the requirements in ss. 163.31801 and 191.009(4), Florida  
259 Statutes, in its collection and use of impact fees. New  
260 facilities and equipment shall be as provided for in s.

261 191.009(4), Florida Statutes. The district is authorized to  
 262 enter into agreements regarding the collection of impact fees.

263 (5) The district has authority to issue general obligation  
 264 bonds, assessment bonds, revenue bonds, notes, bond anticipation  
 265 notes, and other evidences of indebtedness to finance all or a  
 266 part of any proposed improvements in accordance with s. 191.012,  
 267 Florida Statutes, chapter 189, Florida Statutes, and any other  
 268 applicable general or special law.

269 (6) The board shall annually prepare, consider, and adopt  
 270 a district budget pursuant to the applicable requirements of  
 271 chapters 189 and 191, Florida Statutes. The fiscal year shall be  
 272 from October 1 through September 30. The budget shall state the  
 273 purpose for which the money is required and the amount necessary  
 274 to be raised by taxation within the district. Such budget and  
 275 proposed millage rate must be noticed, heard, and adopted in  
 276 accordance with chapters 189, 192, and 200, Florida Statutes.

277 (7) All warrants for the payment of labor, equipment,  
 278 materials, and other allowable expenses incurred by the district  
 279 board in carrying out the provisions of this charter are payable  
 280 on accounts and vouchers approved by the district board.

281 Section 9. Planning requirements.—The district comply with  
 282 the planning requirements set forth in part VIII of chapter 189,  
 283 Florida Statutes.

284 Section 10. Boundaries.—The boundaries of the district may  
 285 be modified, extended, or enlarged upon approval or ratification  
 286 by the Legislature.

287 Section 11. Amendment of charter.—This charter may be  
 288 amended only by special act of the Legislature.

289 Section 12. Emergency medical services; first responder  
 290 services.—The district shall enter into an agreement with the  
 291 Pinellas County Emergency Medical Services Authority for  
 292 automatic aid in the provision of emergency medical services and  
 293 first responder services. Such agreement must comply with the  
 294 provisions of the Automatic Aid/Closest Unit Response Agreement  
 295 dated October 16, 1990. However, any agreement shall include  
 296 provisions for actual cost recovery by the district for first  
 297 responder services to Fort DeSoto Park.

298 Section 13. Automatic aid.—The district shall enter into  
 299 the Automatic Aid/Closest Unit Response Agreement dated October  
 300 16, 1990, within 1 year after this act takes effect.

301 Section 14. Severability.—If any provision of this act is  
 302 held unconstitutional, inoperative, or void, such holding or  
 303 invalidity does not affect the remaining portions of this act.

304 Section 2. The Board of County Commissioners of Pinellas  
 305 County shall call and the Supervisor of Elections of Pinellas  
 306 County shall conduct a referendum of the qualified electors of  
 307 the proposed district on the question of whether the Tierra  
 308 Verde Fire Control and Rescue District shall be created and  
 309 authorized to levy non-ad valorem assessments and ad valorem  
 310 taxes on real property within the district at a rate not to  
 311 exceed 2 mills. The referendum shall only be called upon the  
 312 certification of signatures of 10 percent of the electors

313 residing within the boundaries described in section 2 of section  
314 1 on a petition to call such referendum. The certification of  
315 signatures shall be conducted by the Supervisor of Elections of  
316 Pinellas County at no cost to Pinellas County or the state. Upon  
317 certification of the necessary number of signatures, the  
318 referendum shall be held in conjunction with the next general  
319 election. If such referendum is not approved by the electors  
320 before December 31, 2031, this act shall stand repealed.

321 Section 3. This act shall take effect only upon approval  
322 by a majority vote of those qualified electors of the Tierra  
323 Verde Fire Control and Rescue District voting in a referendum  
324 election to be held on or before December 30, 2031, in  
325 accordance with the provisions of law relating to elections  
326 currently in force in the district, except that this section and  
327 section 2 shall take effect upon becoming a law.