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# **Community & Military Affairs Subcommittee**

## **MEETING PACKET**

**Monday, February 13, 2012  
5:00 PM - 5:30 PM  
Reed Hall (102 HOB)**

**Dean Cannon  
Speaker**

**Ritch Workman  
Chair**

# Committee Meeting Notice

## HOUSE OF REPRESENTATIVES

### Community & Military Affairs Subcommittee

**Start Date and Time:** Monday, February 13, 2012 05:00 pm  
**End Date and Time:** Monday, February 13, 2012 05:30 pm  
**Location:** Reed Hall (102 HOB)  
**Duration:** 0.50 hrs

**Consideration of the following bill(s):**

HB 699 East Lake Tarpon Community, Pinellas County by Nehr  
HB 1253 City of Jacksonville, Duval County by Ray

Pursuant to rule 7.12, the filing deadline for amendments to bills on the agenda by a member who is not a member of the committee or subcommittee considering the bill is 6:00 p.m., Friday, February 10, 2012.

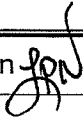

By request of the Chair, all Subcommittee members are asked to have amendments to bills on the agenda submitted to staff by 6:00 p.m., Friday, February 10, 2012.

**NOTICE FINALIZED on 02/09/2012 16:14 by Manning.Karen**



## HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

**BILL #:** HB 699 East Lake Tarpon Community, Pinellas County  
**SPONSOR(S):** Nehr  
**TIED BILLS:** IDEN./SIM. BILLS: SB 1892

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Community & Military Affairs Subcommittee		Nelson 	Hoagland 
2) Economic Affairs Committee			

### SUMMARY ANALYSIS

HB 1555 creates a special act relating to the East Lake Tarpon Community in Pinellas County. This bill provides that a municipality may not annex unincorporated territory situated within the defined boundaries of the community on the effective date of the act unless it annexes the entire area, and such is approved by a majority vote of the resident electors. The bill allows a property owner to seek voluntary annexation pursuant to general law procedures.

The bill also describes the boundaries of the community, and provides an effective date of upon becoming law. If passed by the Florida Legislature, the act expires on September 30, 2022.

**Pursuant to House Rule 5.5(b), a local bill providing an exemption from general law may not be placed on the Special Order Calendar for expedited consideration. The provisions of House Rule 5.5(b) appear to apply to this bill.**

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### **Present Situation**

##### Constitutional/Statutory Provisions Relating to Annexation<sup>1</sup>

Section 2 (c), of Art. VIII of the State Constitution provides that “[m]unicipal annexation of unincorporated territory, merger of municipalities, and exercise of extra-territorial powers by municipalities shall be as provided by general or special law.” This provision authorizes the Legislature to annex unincorporated property into a municipality by special act.<sup>2</sup> It also authorizes the Legislature to establish procedures in general law for the annexation of property.

The Legislature established annexation procedures by general law in 1974, with the enactment of ch. 171, F. S., the “Municipal Annexation or Contraction Act.” Chapter 171, F. S., describes the ways that property can be annexed or deannexed by cities without passage of an act by the Legislature. In 2006, this chapter was expanded to provide an alternative process for annexation that allows counties and municipalities to jointly determine how services are provided to residents and property.<sup>3</sup>

The purpose of the act is to set forth procedures for adjusting the boundaries of municipalities, and to set forth criteria for determining when annexations or contractions may take place so as to:

- ensure sound urban development and accommodation to growth;
- establish uniform legislative standards throughout the state for the adjustment of municipal boundaries;
- ensure the efficient provision of urban services to areas that become urban in character; and
- ensure that areas are not annexed unless municipal services can be provided to those areas.

##### Types of Annexations

##### *Voluntary Annexation*

If the property owners of a reasonably compact, unincorporated area desire annexation into a contiguous municipality, they can initiate voluntary annexation proceedings. Section 171.044 (4), F. S., provides that the procedures for voluntary annexation are “supplemental to any other procedure provided by general law or special law.” The following process governs voluntary annexations in every county, except for those counties with charters providing an exclusive method for municipal annexation:

- submission of a petition—signed by all property owners in the area proposed to be annexed—to the municipal governing body; and
- adoption of an ordinance by the governing body of the municipality to annex the property after publication of a notice—which sets forth the proposed ordinance in full—at least once a week for two consecutive weeks.

The governing body of the municipality also must provide a copy of the notice to the board of county commissioners of the county where the municipality is located.

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<sup>1</sup> The term “annexation” is defined in the Florida Statutes to mean “the adding of real property to the boundaries of an incorporated municipality, such addition making such real property in every way a part of the municipality.” *See*, s. 171.031(1), F.S.

<sup>2</sup> Miami-Dade County, however, has exclusive jurisdiction over its municipal annexations under ss. 11(1)(c), (5) and (6), Art. VIII of the 1885 State Constitution, as adopted by reference in s. 6(e), Art. VIII of the State Constitution.

<sup>3</sup> *See*, part II of ch. 171, F.S., the “Interlocal Service Boundary Agreement Act.”

Land cannot be annexed through voluntary annexation when the process results in the creation of an enclave.<sup>4</sup>

### *Involuntary Annexation*

Section 171.0413, F.S., provides a process whereby a municipality may annex contiguous,<sup>5</sup> compact<sup>6</sup> property where the property owner or owners have not petitioned for annexation. This process is referred to as "involuntary" annexation. In general, the requirements for an involuntary annexation are:

- the adoption of an annexation ordinance by the annexing municipality's governing body;
- at least two advertised public hearings held by the governing body of the municipality prior to the adoption of the ordinance, with the first hearing on a weekday at least seven days after the first advertisement and the second hearing held on a weekday at least five days after the first advertisement; and
- submission of the ordinance to a vote of the registered electors of the area proposed for annexation once the governing body has adopted the ordinance.<sup>7</sup>

Any parcel of land which is owned by one individual, corporation or legal entity, or owned collectively by one or more individuals, corporations or legal entities, proposed to be annexed cannot be severed, separated, divided or partitioned by the provisions of the ordinance, unless the owner of such property waives this requirement.

If there is a majority vote in favor of annexation (in the area proposed to be annexed), the area becomes part of the city. If there is no majority vote, the area cannot be made the subject of another annexation proposal for two years from the date of the referendum.

If more than 70 percent of the land in an area proposed to be annexed is owned by individuals, corporations or legal entities which are not registered electors, the area cannot be annexed unless the owners of more than 50 percent of the land in such area consent to the annexation. This consent must be obtained by the parties proposing the annexation prior to the referendum.

If the area proposed to be annexed does not have any registered electors on the date the ordinance is finally adopted, a vote of electors of the area proposed to be annexed is not required. The area may not be annexed unless the owners of more than 50 percent of the parcels of land in the area proposed to be annexed consent to the annexation. If the governing body does not choose to hold a referendum of the annexing municipality, then the property owner consents must be obtained by the parties proposing the annexation prior to the final adoption of the ordinance.

### The East Lake Tarpon Community

The East Lake Tarpon Community is situated in the northeastern area of Pinellas County, and bordered on two sides by the Pasco and Hillsborough county lines. It is a recognized unincorporated community, and one of the largest unincorporated areas in the county, encompassing 18,100 acres. The community boundaries are coterminous with those of the East Lake Tarpon Fire Control District. Community residents are assessed a total real estate millage of 20.1175 mills, which is

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<sup>4</sup> An enclave is: (a) any unincorporated, improved or developed area that is enclosed within and bounded on all sides by a single municipality; or (b) any unincorporated, improved or developed area that is enclosed within and bounded by a single municipality and a natural or manmade obstacle that allows the passage of vehicular traffic to that unincorporated area only through the municipality. Section 171.031(13), F.S.

<sup>5</sup> "Contiguous" means that a substantial part of a boundary of the territory sought to be annexed by a municipality is coterminous with a part of the boundary of the municipality. *See*, s. 171.031(11), F.S.

<sup>6</sup> "Compactness" means concentration of a piece of property in a single area and precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns. Section 171.031 (12), F.S.

<sup>7</sup> In 1999, the Florida Legislature removed the requirement of a dual referendum in specific circumstances. Previously, in addition to a vote by the electors in the proposed annexed area, the annexation ordinance was submitted to a separate vote of the registered electors of the annexing municipality if the total area annexed by a municipality during any one calendar year period cumulatively exceeded more than five percent of the total land area of the municipality or cumulatively exceeded more than five percent of the municipal population. The holding of a dual referendum is now at the discretion of the governing body of the annexing municipality.

slightly less than the assessments levied in the neighboring cities of Oldsmar (20.1281 mills) and Tarpon Springs (20.9820 mills).<sup>8</sup>

This area has experienced rapid growth, and currently consists of 100-plus unique communities, with three postal addresses: Oldsmar, Palm Harbor and Tarpon Springs. Most residents reside within deed-restricted communities. In 2007, an American Community Survey determined that the area included a population of 32,683 and 17,985 housing units. There are few businesses and numerous preservation and park areas.

In March 2009, East Lake Tarpon voters overwhelmingly defeated a referendum that would have annexed portions of the area into the City of Oldsmar. That area contains several commercial sites, including the East Lake Woodlands Shopping Center and the Lockheed Martin Tactical Defense Systems complex. Officials of the East Lake Tarpon Special Fire control district were concerned with the potential loss of East Lake Woodlands from the district's property tax base.<sup>9</sup>

### **Effect of Proposed Changes**

HB 1555 provides that, notwithstanding any other provision of law, a municipality within Pinellas County cannot annex unincorporated territory situated within the defined boundaries of the East Lake Tarpon Community on the effective date of the act unless it annexes the entire area and such is approved by a majority vote of the electors of the East Lake Tarpon Community. The bill allows a property owner to seek voluntary annexation pursuant to s. 171.044, F.S.

The Municipal Annexation or Contraction Act, ch. 171, F.S., reflects a legislative determination that municipal annexation should ensure sound urban development and accommodation to growth, and be made pursuant to uniform legislative statewide standards. This bill would prevent municipalities from annexing contiguous, compact, unincorporated land into their boundaries pursuant to the involuntary annexation procedures contained in s. 171.0413, F.S. Accordingly, if the instant proposal were to be legislated on a state-wide basis with regard to similar large unincorporated areas, urban growth in Florida could be significantly restricted. Also, the proposal could prevent residents of particular areas from having the right to vote as to their inclusion in a municipality as voluntary annexation measures generally are employed with regard to a very limited number of properties.

While charter counties have the ability to preempt some annexation through the designation of "urban preservation districts" which protect the status of property within the district as unincorporated, Pinellas County currently does not have such a measure.<sup>10</sup> In November 2000, Pinellas County voters adopted Ordinance 00-66, which amended the county charter to provide the following:

*Nothing in this Charter shall prevent a municipality from annexing an unincorporated area into its municipal boundaries, except that all annexations shall be in accordance with the exclusive method and criteria for voluntary municipal annexation, including the delineation of areas eligible for annexation, adopted by ordinance under the authority elsewhere provided for in this Charter.<sup>11</sup>*

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<sup>8</sup> Pinellas County Tax Collector; millage rates levied for 2011.

<sup>9</sup> In 2000, the Legislature created s. 171.093, F.S., to address municipal annexation of property within the boundaries of an independent special district that levies ad valorem taxes. As an independent special district's tax base erodes due to annexations, the district may become economically inefficient and unstable. This law was an effort to provide independent special districts with certain limited protections from the effects of annexation activity, while not restricting a municipality's ability to annex. The East Lake Tarpon Fire Control District has been the subject of a special act pertaining to annexation within its boundaries. Chapter 2003-336, L.O.F., provided that if any municipality or other fire control district annexed land within the district, the district would continue as the sole taxing, enforcing and service-providing authority for district purposes in the annexed land. This measure expired on December 31, 2007. Currently, the East Lake Tarpon Fire Control District levies the lowest millage rate in the county (1.51 mills). In comparison, Lealman Fire Control District levies 4.48 mills.

<sup>10</sup> Approximately 280,000 people reside in unincorporated Pinellas County, which represents 36 percent of the county not located within one of the 24 municipalities.

<sup>11</sup> Article II, Sec. 2.07, of the Pinellas County Home Rule Charter.

Concurrently, the county commission adopted Ordinance Number 00-63, providing an exclusive method of voluntary annexation and delineating areas eligible for municipal annexation. This ordinance was ruled invalid by the Second District Court of Appeal in *Pinellas County v. City of Largo*, 964 So.2d 847 (Fla.App. 2 Dist. Sep 19, 2007), which held that while county could provide an exclusive method of voluntary municipal annexation in its charter under s.171.044(4), F.S., the county's exclusive method of voluntary municipal annexation was ineffective because it was not set forth in the county charter and approved by the voters.

In 2009, the Legislature passed HB 1375 which prohibited a municipality within Pinellas County from annexing unincorporated territory situated within the defined boundaries of the Tierra Verde Community unless the action was approved by a majority vote of the electors. Nonetheless, that legislation is distinguished from the current set of circumstances by the fact that Tierra Verde consists of a group of small barrier islands. It is noted that s. 171.031(11), F.S., contemplates a special law that prohibits the annexation of territory separated from an annexing municipality by a body of water.

HB 699 has an effective date of upon becoming a law, and the act expires on September 30, 2022. The expiration date was agreed upon by the Pinellas County Legislative Delegation "so the community, in the future, could continue or discontinue this act."<sup>12</sup>

**B. SECTION DIRECTORY:**

Section 1: Provides special act standards for annexation within the East Lake Tarpon Community in Pinellas County.

Section 2: Provides a legal description.

Section 3: Provides an expiration date.

Section 4: Provides an effective date.

**II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS**

A. NOTICE PUBLISHED? Yes  No

IF YES, WHEN? August 26, 2011

WHERE? The *Gulf Coast Business Review*, a weekly newspaper published in Clearwater, Florida. See, III. COMMENTS, A. CONSTITUTIONAL ISSUES, below.

B. REFERENDUM(S) REQUIRED? Yes  No

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED? Yes, attached  No

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached  No

**III. COMMENTS**

A. CONSTITUTIONAL ISSUES:

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<sup>12</sup> February 10, 2012, e-mail from Sharon Nehring, legislative aide to Representative Peter Nehr.  
STORAGE NAME: h0699.CMAS.DOCX  
DATE: 2/10/2012



Section 10 of Art. III of the State Constitution, provides:

Special laws.—No special law shall be passed unless notice of intention to seek enactment thereof has been published in the manner provided by general law.... Such notice shall not be necessary when the law, except the provision for referendum, is conditioned to become effective only upon approval by vote of the electors of the area affected.<sup>13</sup>

Section 11.02, F.S. implements the constitutional notice requirement found in s. 10, Art. III of the State Constitution. By law, a notice advertising intent to seek enactment of local legislation and describing the substance of the contemplated law must be published one time, at least 30 days prior to the bill's introduction into the Legislature.

Publication can be either by advertisement in a newspaper of general circulation in each affected county or, if no such newspaper is published in or circulated throughout an affected county, by posting the notice for 30 days in three public places in that county, including the courthouse.

Under ss. 50.011 and 50.031, F.S., in order to qualify as a newspaper of general circulation, a publication must:

- be printed and published at least once a week;
- contain at least 25 percent of its words in the English language;
- be entered or qualified to be admitted and entered as periodicals matter at a post office in the county where it is published;
- be for sale and available to the public generally for publication of official or other notices;
- customarily contain information of a public character, or of interest or value to the residents or owners of property in the county where published, or of interest or of value to the general public; and
- have been in existence for one year or longer (certain exceptions may apply).

While the *Gulf Coast Business Review* appears to satisfy most of these requirements, it may not be the type of publication contemplated by the language describing newspapers that: *customarily contain information of a public character, or of interest or value to the residents or owners of property in the county where published, or of interest or of value to the general public.*

This publication is self-described as... "the leading provider and most authoritative source of business and economic information affecting the Gulf Coast from Tampa Bay south to Naples. It specializes in reporting on the region's industry and economic trends; emerging companies; corporate strategies; identifying and profiling the region's up-and-coming entrepreneurs and top business leaders; and keeping its readers abreast of state, regional and local government actions affecting business and the economy," and, thus, may be intended for a limited audience.

**B. RULE-MAKING AUTHORITY:**

None.

**C. DRAFTING ISSUES OR OTHER COMMENTS:**

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<sup>13</sup> The function of this requirement is to provide reasonable notice to a person whose interests may be directly affected by the proposed legislation so that he or she may inquire further into the details of the local bill and, if he or she so desires, seek to prevent enactment or to persuade the Legislature to change the substance of the proposed bill. *See, Local Bill Policies and Procedures Manual, Community & Military Affairs Subcommittee, page 6.*

## **Drafting Issues**

Line 33 of the bill contains a supremacy clause (“notwithstanding any other provision of law”), which attempts to generally repeal any and all previous acts that conflict with the bill. Such language makes the enactment confusing in that it leaves for some other time, and for the consideration of the courts, the question of whether or not a particular prior enactment is in conflict with the current enactment. This language should be removed, and any conflicting provisions specifically identified in the bill.

Also, the language on line 37 of the bill which prohibits annexation “on” the effective date of the bill should be revised to read “after” the effective date of the act to provide clarity.

## **Other Comments**

### Council of North County Neighborhoods

The proponent of this bill is the Council of North County Neighborhoods, a Florida not for profit 501(c)(4) organization founded in 2007. The mission of the council is “to bring together the Northern Pinellas County's neighborhoods to promote communication and cooperation between member organizations, to foster a sense of community, to provide a forum for member organizations, and most important is to act as a neighborhood advocate for the benefit of our member organizations and to bring a common voice to government including and not limited to the Pinellas County Board of County Commissioners and the State Legislature.”

From the council’s website, it appears that less than 25 of the East Lake Tarpon Community neighborhoods are members.<sup>14</sup>

### City of Oldsmar City Council Resolution

On September 14, 2011, the City of Oldsmar City Council passed a resolution opposing this local bill, noting that:

- the measure takes away the right to vote currently provided by ch. 171, F.S. and
- the adopting of the local bill is not necessary because annexations are already governed by the Municipal Annexation and Contraction Act.

### Exemption from General Law

House Rule 5.5(b) states that a local bill that provides an exemption from general law may not be placed on the Special Order Calendar in any section reserved for the expedited consideration of local bills. This bill appears to provide exemptions to s. 171.043, F.S.

## **IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

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<sup>14</sup> <http://www.cncnpc.org/>, last visited February 9, 2012.

HB 699

Invoice/Serial Number  
11-05612

# GULF COAST BUSINESS REVIEW

COUNTY OF PINELLAS Published Weekly  
Clearwater, Pinellas County, Florida

S.S.

STATE OF FLORIDA

Before the undersigned authority personally appeared Kelly Martin  
who on oath says that he/she is Publisher's Representative of the Gulf Coast Business  
Review, a weekly newspaper published at Clearwater in Pinellas County, Florida;  
that the attached copy of advertisement,

being a Notice of Intent to Seek Legislation  
in the matter of East Lake Tarpon Community

in the \_\_\_\_\_ Court, was published in said newspaper in the  
issues of August 26, 2011

Affiant further says that the said Gulf Coast Business Review is a newspaper  
published at Clearwater, Pinellas County, Florida, and that said newspaper has  
heretofore been continuously published and has been entered as periodicals matter  
at the Post Office in Clearwater in said Pinellas County, Florida, for a period of  
one year next preceding the first publication of the attached copy of advertisement;  
and affiant further says that he/she has neither paid nor promised any person, firm or  
corporation any discount, rebate, commission or refund for the purpose of securing  
this advertisement for publication in said newspaper.

**NOTICE OF INTENT TO SEEK LEGISLATION**  
Notice is hereby given of intent to apply to the 2012 Legislature for passage of an  
act relating to the East Lake Tarpon Community, Pinellas County; providing re-  
quirements for the municipal annexation of the East Lake Tarpon Community;  
requiring a referendum of the electors within the community before such annexa-  
tion; providing exceptions; describing the community boundaries; providing for  
expiration; providing an effective date.  
For more information please contact:  
Don Ewing, Jr.  
President  
Council of North County Neighborhoods, Inc.  
Cell phone: 727-560-5586  
email: done@cncnc.org web site: www.cncnc.org  
August 26, 2011

11-05612

Sworn to and subscribed before me this Kelly Martin  
Kelly Martin  
26th day of August A.D. 2011,  
by Kelly Martin, who is personally known to me.

Alicia Marie Gilmartin  
Notary Public, State of Florida  
(SEAL)

ALICIA MARIE GILMARTIN  
MY COMMISSION # DD847409  
EXPIRES December 22, 2012  
(407) 398-0153 FloridaNotaryService.com

HOUSE OF REPRESENTATIVES

2012 LOCAL BILL CERTIFICATION FORM

BILL #:

HB 699

SPONSOR(S):

REPRESENTATIVE NEHR / SENATOR FASANO

RELATING TO:

EAST LAKE TARPON, PINELLAS COUNTY, FL

[Indicate Area Affected (City, County, or Special District) and Subject]

NAME OF DELEGATION:

PINELLAS

CONTACT PERSON:

PETER NEHR

PHONE NO.:

727 943-4880

E-Mail:

PETER.NEHR@MYFLORIDAHOUSE.GOV

I. House local bill policy requires that three things occur before a committee or subcommittee of the House considers a local bill: (1) The members of the local legislative delegation must certify that the purpose of the bill cannot be accomplished at the local level; (2) the legislative delegation must hold a public hearing in the area affected for the purpose of considering the local bill issue(s); and (3) the bill must be approved by a majority of the legislative delegation, or a higher threshold if so required by the rules of the delegation, at the public hearing or at a subsequent delegation meeting. Please submit this completed, original form to the Community & Military Affairs Subcommittee as soon as possible after a bill is filed.

(1) Does the delegation certify that the purpose of the bill cannot be accomplished by ordinance of a local governing body without the legal need for a referendum?

YES [X] NO [ ]

(2) Did the delegation conduct a public hearing on the subject of the bill?

YES [X] NO [ ]

Date hearing held: 9-14-11

Location: 4981 78TH AVE, PINELLAS PARK, FL

(3) Was this bill formally approved by a majority of the delegation members?

YES [X] NO [ ]

II. Article III, Section 10 of the State Constitution prohibits passage of any special act unless notice of intention to seek enactment of the bill has been published as provided by general law (s. 11.02, F. S.) or the act is conditioned to take effect only upon approval by referendum vote of the electors in the area affected.

Has this constitutional notice requirement been met?

Notice published: YES [X] NO [ ] DATE \_\_\_\_\_

Where? GULF COAST BUS. REV. County PINELLAS

Referendum in lieu of publication: YES [ ] NO [X]

Date of Referendum \_\_\_\_\_

III. Article VII, Section 9(b) of the State Constitution prohibits passage of any bill creating a special taxing district, or changing the authorized millage rate for an existing special taxing district, unless the bill subjects the taxing provision to approval by referendum vote of the electors in the area affected.

(1) Does the bill create a special district and authorize the district to impose an ad valorem tax?

YES [ ] NO [] NOT APPLICABLE [ ]

(2) Does this bill change the authorized ad valorem millage rate for an existing special district?

YES [ ] NO [] NOT APPLICABLE [ ]

If the answer to question (1) or (2) is YES, does the bill require voter approval of the ad valorem tax provision(s)?

YES [ ] NO [ ]

Note: House policy requires that an Economic Impact Statement for local bills be prepared at the local level and be submitted to the Community & Military Affairs Subcommittee.

James C. Frishe  
Delegation Chair (Original Signature)

16 November 2011  
Date

JAMES C. FRISHE  
Printed Name of Delegation Chair

**HOUSE OF REPRESENTATIVES**  
**2012 ECONOMIC IMPACT STATEMENT FORM**

*House local bill policy requires that no local bill will be considered by a committee or a subcommittee without an Economic Impact Statement. This form must be prepared at the LOCAL LEVEL by an individual who is qualified to establish fiscal data and impacts. Please submit this completed, original form to the Community & Military Affairs Subcommittee as soon as possible after a bill is filed.*

BILL #: HB 699  
 SPONSOR(S): REPRESENTATIVE NEHR / SENATOR FASANO  
 RELATING TO: EAST LAKE TARPON, PINELLAS COUNTY, FL  
[Indicate Area Affected (City, County or Special District) and Subject]

**I. ESTIMATED COST OF ADMINISTRATION, IMPLEMENTATION, AND ENFORCEMENT:**

	<u>FY12-13</u>	<u>FY 13-14</u>
Expenditures:	Ø	Ø

**II. ANTICIPATED SOURCE(S) OF FUNDING:**

	<u>FY 12-13</u>	<u>FY 13-14</u>
Federal:	Ø	Ø
State:	Ø	Ø
Local:	Ø	Ø

**III. ANTICIPATED NEW, INCREASED, OR DECREASED REVENUES:**

	<u>FY 12-13</u>	<u>FY 13-14</u>
Revenues:	Ø	Ø

**IV. ESTIMATED ECONOMIC IMPACT ON INDIVIDUALS, BUSINESS, OR GOVERNMENTS:**

Advantages: N/A

Disadvantages: N/A

V. ESTIMATED IMPACT UPON COMPETITION AND THE OPEN MARKET FOR EMPLOYMENT:

N/A

VI. DATA AND METHOD USED IN MAKING ESTIMATES [INCLUDE SOURCE(S) OF DATA]:

N/A

PREPARED BY: D. Eng 8-22-11  
[Must be signed by Preparer] Date

TITLE: PRESIDENT

REPRESENTING: COUNCIL OF NORTH COUNTY NEIGHBORHOODS, INC.

PHONE: 727-560-5586

E-Mail Address: done@cncrnc.org

1                   A bill to be entitled  
 2           An act relating to the East Lake Tarpon Community,  
 3           Pinellas County; providing requirements for the  
 4           municipal annexation of the East Lake Tarpon  
 5           Community; requiring a referendum of the electors  
 6           within the community before such annexation; providing  
 7           exceptions; describing the community boundaries;  
 8           providing for expiration; providing an effective date.

9  
 10           WHEREAS, East Lake Tarpon is an area surrounded on three  
 11           sides by a lake and the county lines of Pasco and Hillsborough  
 12           Counties and is situated in the northeastern area of  
 13           unincorporated Pinellas County, and

14           WHEREAS, East Lake Tarpon was developed as a predominantly  
 15           residential community, with most of the residents residing  
 16           within the deed-restricted communities of the East Lake Tarpon  
 17           area, and

18           WHEREAS, the residents of East Lake Tarpon are developing a  
 19           common vision of East Lake Tarpon's future as a family-oriented,  
 20           residential scenic community where small businesses and  
 21           commercial uses serve to complement and support area residents,  
 22           and the community is working with Pinellas County to adopt an  
 23           East Lake Tarpon Community Overlay within the Pinellas County  
 24           Comprehensive Plan that reflects the community's vision, and

25           WHEREAS, the residents of the East Lake Tarpon Community  
 26           pay ad valorem taxes to support and receive fire control  
 27           services from the East Lake Tarpon Fire Control District, NOW,  
 28           THEREFORE,



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Be It Enacted by the Legislature of the State of Florida:

Section 1. Annexation of territory by municipalities; communitywide referendum required.-

(1) Notwithstanding any other provision of law, a municipality within Pinellas County may not annex any unincorporated territory that is situated within the defined boundaries of the East Lake Tarpon Community on the effective date of this act unless the annexation of all of the territory within the boundaries of the East Lake Tarpon Community is approved by a majority vote of the electors of the East Lake Tarpon Community voting in a referendum called for that purpose.

(2) Notwithstanding subsection (1), and pursuant to section 171.044, Florida Statutes, a property owner may apply for and be granted voluntarily annexation into a municipality after approval of such application.

Section 2. Legal description; East Lake Tarpon Community.- All those lands situate, lying, and being within the herein described parcel:

The East Lake Tarpon Community is described by the following:

Begin at the Northeast Corner of Section 1, Township 27 South, Range 16 East, Pinellas County, Florida; thence run south along the said East Section Line (Hillsborough/Pinellas County Line) to the East-West Half Section Line of Section 1, Township 28 South,

57 Range 16 East; thence West along said Half Section  
 58 Line to the Easterly right-of-way Line of Florida  
 59 Power Corporation; thence South along said right-of-  
 60 way Line to the East-West Half Section Line of Section  
 61 12, Township 28 South, Range 16 East; thence East  
 62 along said Half Section Line to the Northeast Corner  
 63 of Florida Power Corporation Substation; thence South  
 64 along the East Line of said Substation to the South  
 65 Section Line of said Section 12; thence West along  
 66 said South Section Line to the North-South Center  
 67 Section Line of said Section 12; thence North along  
 68 said Center Section Line to the South Right-of-way  
 69 line of Florida Power Corporation; thence West along  
 70 said right-of-way Line to the West Line of Section 11,  
 71 Township 28 South, Range 16 East; thence North along  
 72 said West Line to the North right-of-way Line of said  
 73 Florida Power Corporation; thence East along said  
 74 right-of-way Line to the East Line of the Northwest  
 75 1/4 of the Southwest 1/4 of said Section 12; thence  
 76 North along said Easterly Line to the East-West  
 77 Centerline of said Section 12, thence East along said  
 78 Centerline to the West Line of the East 1/2 of the  
 79 East 1/2 of the Northwest 1/4 of said Section 12;  
 80 thence North along said line to the North Section Line  
 81 of said Section 12; thence East along said line to the  
 82 North-South Centerline of Section 1, Township 28  
 83 South, Range 16 East; thence North along said line a  
 84 distance of 491.97 feet; thence North 75 00'00" east

85 to the West right-of-way Line of Florida Power  
 86 Corporation; thence North along said right-of-way Line  
 87 to the East-West Centerline of said Section 1; thence  
 88 West along said line a distance of 1,837.78 feet;  
 89 thence North to the South Line of the Northeast 1/4 of  
 90 the Northwest 1/4 of said Section 1; thence West along  
 91 said line to the West Line of the Northeast 1/4 of the  
 92 Northwest 1/4 of said Section 1; thence North along  
 93 said line to the North Line of the Southwest 1/4 of  
 94 the Southwest 1/4 of Section 36, Township 27 South,  
 95 Range 16 East; thence West along said line to the  
 96 North-South Centerline of Section 35, Township 27  
 97 South, Range 16 East; thence South along said line to  
 98 the South Section Line of said Section 35; thence West  
 99 along said Section Line to the Southwest corner of  
 100 said Section 35; thence South along the West Section  
 101 Line of Sections 2 and Section 11, Township 28 South,  
 102 Range 16 East to the North Section Line of Section 15,  
 103 Township 28 South, Range 16 East; thence West along  
 104 the North Line of said Section 15 to the North-South  
 105 Centerline of said Section; thence South along said  
 106 Section 15 North-South Centerline to the Northwest  
 107 corner of that parcel described in Official Records  
 108 Book 8989, Page 918 of the Public Records of Pinellas  
 109 County, Florida; thence along the Northerly boundary  
 110 line of said parcel to the Northeast property corner  
 111 thereof; thence along the Easterly boundary line of  
 112 said parcel to the Northerly right-of-way line of

113 Tampa Road (S.R. 584); thence in a Northwesterly  
 114 direction along said right-of-way line to the  
 115 Southerly Line of Florida Power Corporation; thence  
 116 Southwesterly along said Southerly Line to the  
 117 centerline of the Lake Tarpon Outfall Canal; thence  
 118 Northerly along the centerline of the Lake Tarpon  
 119 Outfall Canal into Lake Tarpon to its North-South  
 120 Centerline; thence Northerly along the North-South  
 121 Centerline of Lake Tarpon to the City Limit Line of  
 122 the City of Tarpon Springs on the Northern shoreline  
 123 of Lake Tarpon; thence along the City Limit Line of  
 124 Tarpon Springs around its Easterly point above Lake  
 125 Tarpon and then Westerly to the North-South Centerline  
 126 of Salt Lake; thence northerly along the North-South  
 127 Centerline of Salt Lake to the Centerline of the  
 128 Anclote River; thence Northeasterly along the  
 129 Centerline of the Anclote River to the Pasco-Pinellas  
 130 County Line; thence East along the Pasco/Pinellas  
 131 County Line to the Point of Beginning.  
 132 LESS any areas annexed into the corporate municipal  
 133 limits of Oldsmar or Tarpon Springs.  
 134 Section 3. This act expires September 30, 2022.  
 135 Section 4. This act shall take effect upon becoming a law.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 699 (2012)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

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1 Committee/Subcommittee hearing bill: Community & Military  
2 Affairs Subcommittee

3 Representative Nehr offered the following:

4  
5 **Amendment**

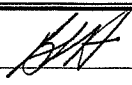
6 Remove lines 34-37 and insert:

7 (1) Notwithstanding section 171.0413, Florida Statutes, a  
8 municipality within Pinellas County may not annex any  
9 unincorporated territory that is situated within the defined  
10 boundaries of the East Lake Tarpon Community after the effective  
11



HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

BILL #: HB 1253 City of Jacksonville, Duval County  
SPONSOR(S): Ray  
TIED BILLS: IDEN./SIM. BILLS:

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Community & Military Affairs Subcommittee		Gibson BB	Hoagland 
2) Economic Affairs Committee			

SUMMARY ANALYSIS

The bill amends the Charter of the City of Jacksonville, ch. 92-341, L.O.F., as amended, to authorize the City to amend or repeal Article 24 of its charter relating to the Jacksonville Economic Development Commission by ordinance and provides that such ordinance will become effective without approval by referendum of the electors. The authorization to amend or repeal Article 24 is granted notwithstanding any other provision in the charter to the contrary.

The Economic Impact Statement indicates that the bill has no fiscal impact on the City of Jacksonville.

The bill takes effect upon becoming a law.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Current Situation:

The City of Jacksonville and Duval County merged in 1968,<sup>1</sup> creating a single consolidated governmental entity (City) governing all of Duval County with the exception of the beach communities (Atlantic Beach, Neptune Beach and Jacksonville Beach) and Baldwin. The City government operates under a mayor as head of the administrative branch and the City Council as the legislative branch.

The Charter of the City of Jacksonville provides that the City Council may repeal or amend any provision of the City Charter, and adopt other provisions of the charter, by ordinance, to the same extent as could be done by the Legislature except that the following subjects may not be acted upon:

1. municipal annexation of unincorporated territory, merger of municipalities, and exercise of extraterritorial powers by municipalities;
2. any subject expressly prohibited by the Florida Constitution;
3. any subject expressly preempted to state government by the Constitution or general law;
4. any subject affecting the powers, rights, duties, and abilities of the Cities of Jacksonville Beach, Atlantic Beach, and Neptune Beach and the Town of Baldwin.<sup>2</sup>

Further, the City Charter provides that certain changes made by ordinance cannot become effective unless approved by referendum of the electors as provided in s. 166.031, F.S.<sup>3</sup> Ordinances that must be approved through a referendum in order to become effective include any change in the charter that affects the creation or existence of a municipality, the terms of elected officers and the manner of their election, the distribution of powers among elected officers, matters prescribed by the charter relating to appointive boards, matters prescribed by the charter relating to the office of general counsel, matters prescribed by the charter relating to the council auditor's office, the form of government, or any rights of municipal employees.

#### **Jacksonville Economic Development Commission**

The Jacksonville Economic Development Commission (Commission) was created by special act of the Legislature in 1997.<sup>4</sup> According to the "whereas" clauses in that legislation, economic development was an issue addressed by many agencies, authorities, departments and other entities in the City. The Commission was created to provide a focal point for economic development in the City that would result in centralization of economic development programs under one "umbrella" agency, ensuring a more efficient and practical means of addressing the goals, objectives, and strategies for economic development in the City. According to its website, the main objectives of the Commission are to recruit and expand higher wage job opportunities, leverage investment in economically distressed areas within the Enterprise and Empowerment Zone areas, and to promote a healthy and vibrant downtown.<sup>5</sup> The Commission also serves as the liaison between the City and its entertainment facilities manager SMG.<sup>6</sup> In 2011, the total budget including Other Funds and Enterprise Funds for the Commission was more than \$43 million.<sup>7</sup>

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<sup>1</sup> Ch. 67-1320, L.O.F.

<sup>2</sup> See s. 3.01, City of Jacksonville Charter, ch. 92-341, L.O.F., as amended.

<sup>3</sup> *Id.*

<sup>4</sup> See ch. 97-339, L.O.F.

<sup>5</sup> See Jacksonville Economic Development Commission, <http://www.coj.net/my-jax-budget/city-budget/departmental-budgets/jacksonville-economic-development-commission.aspx> (last accessed Feb. 10, 2012).

<sup>6</sup> *Id.* Managed facilities include EverBank Field, Jacksonville Veterans Memorial Arena, the Baseball Grounds of Jacksonville, Times-Union Center for Performing Arts, the Prime Osborn Convention Center and the Jacksonville Equestrian Center.

<sup>7</sup> See Jacksonville Economic Development Commission, <http://www.coj.net/my-jax-budget/city-budget/departmental-budgets/jacksonville-economic-development-commission.aspx> (last accessed Feb. 10, 2012).



Article 24 of the City Charter governs the Commission. The Commission is an autonomous body within the Office of the Mayor and is designated as the sole community redevelopment agency for the City under ch. 163, F.S., and as the sole industrial development authority for the City under ch. 159, F.S., with authority over all economic development functions within the City.

The Commission is governed by nine members<sup>8</sup> who must be residents of the City and who are appointed by the mayor and confirmed by the City Council. Each Commission member serves a 2-year term or until a successor is appointed. Commission members serve as commissioners of the community redevelopment agency under pt. III, ch. 163, F.S., and as members of the industrial development authority under pt. III, ch. 159, F.S.

In December of 2011, a report released by the Council Auditor's Office looked at Commission activity from 2007 to 2010 and concluded that the Commission has been lacking in its administration and oversight of economic incentive agreements, as well as operations at Cecil Field.<sup>9</sup> The report found that the lack of basic internal controls and procedures has resulted in financial losses for the City of Jacksonville.<sup>10</sup> In order to correct this issue, the report recommended that the Commission develop and enforce detailed standard operating procedures, provide proper training and increase management's oversight.<sup>11</sup> In response to the audit, the Jacksonville mayor has created a task force to examine the City's economic development efforts and the structure and budget of the Commission.<sup>12</sup>

#### Effect of the Bill:

The bill amends the Charter of the City of Jacksonville, ch. 92-341, L.O.F., as amended, to authorize the City to amend or repeal Article 24 of its charter relating to the Jacksonville Economic Development Commission by ordinance and provides that such ordinance will become effective without approval by referendum of the electors. The authorization to amend or repeal Article 24 is granted notwithstanding any other provision in the charter to the contrary.

The Economic Impact Statement indicates that the bill has no fiscal impact on the City.

The bill takes effect upon becoming a law.

#### B. SECTION DIRECTORY:

**Section 1:** amends ch. 92-341, L.O.F., as amended, to provide that the Consolidated Government of the City of Jacksonville may amend or repeal any portion of Article 24 of the city's charter, which relates to the Jacksonville Economic Development Commission, by ordinance without approval of electors at a referendum.

**Section 2:** provides that the bill takes effect upon becoming a law.

## II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes  No

IF YES, WHEN? December 6, 2011 and February 6, 2012.

<sup>8</sup> Ch. 2006-321, L.O.F., amended the Charter to change the number of members from seven to nine.

<sup>9</sup> See Council Auditor Report #711: Jacksonville Economic Development Commission Audit, Dec. 21, 2011, available at: <http://www.coj.net/City-Council/Docs/Council-Auditor/Report-711-FINAL-with-exec-summ.aspx> (last accessed Feb. 10, 2012).

<sup>10</sup> *Id.*

<sup>11</sup> See *id.*

<sup>12</sup> See Steve Patterson, Thomas J. Gibbons, *Mayoral Task Force to Take Close Look at JEDC*, THE FLORIDA TIMES UNION, Jan. 18, 2012, available at: <http://jacksonville.com/news/metro/2012-01-18/story/mayoral-task-force-take-close-look-jedc> (last accessed Feb. 10, 2012).

WHERE? FINANCIAL NEWS AND DAILY RECORD, a newspaper published in Duval County.

B. REFERENDUM(S) REQUIRED? Yes  No

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED? Yes, attached  No

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached  No

### III. COMMENTS

A. CONSTITUTIONAL ISSUES:

Article III, s. 10 of the Florida Constitution, provides that no special law shall be passed unless notice of intention to seek enactment thereof has been published in the manner provided by general law, unless the law only becomes effective upon approval by vote of the electors of the area affected. Section 11.02, F.S., implements the constitutional notice requirement and provides that the notice for a special law must state the substance of the contemplated law, as required by the Constitution.

The description of the substance of the bill in the notice of intent to seek local legislation filed on December 6, 2011, made no reference to the portion of the bill that states that an ordinance amending or repealing Article 24 of the City Charter becomes effective without approval by referendum of the electors. On February 6, 2012, a new notice of intention to seek local legislation was published that included a reference to this portion of the bill.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

### IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES



**HOUSE OF REPRESENTATIVES  
2012 LOCAL BILL CERTIFICATION**

**BILL #:** J-3    HB 1253

**SPONSOR(S):** Representative Lake Ray, District 17

**RELATING TO:** Amending Article 24 of the Charter of the City of Jacksonville – relating to the Jacksonville Economic Development Authority

[Indicate Area Affected (City, County, Special District) and Subject]

**NAME OF DELEGATION:** Duval County Legislative Delegation

**CONTACT PERSON:** Susan Stewart

**PHONE NUMBER:** 904-630-1680

**E-MAIL:** sstewart@coj.net

- I. *House policy requires that, before the House Committee on Local Government & Veterans' Affairs or its subcommittees considers a local bill, three things must occur: (1) The members of the local legislative delegation must certify that the bill's purpose cannot be accomplished at the local level; (2) a public hearing must be held in the area affected; and (3) at or after any public hearing, held for the purpose of hearing the local bill issue(s), the bill must be approved by the legislative delegation. Local bills will not be considered by a subcommittee or the Committee without a completed, original Local Bill Certification Form.*

**(1) Does the delegation certify that the purpose of the bill cannot be accomplished by ordinance of a local governing body without the legal need for a referendum?**  
YES [X] NO [      ]

**(2) Did the delegation conduct a public hearing on the subject of the bill?**  
YES [X] NO [      ]

**Date hearing held:** December 1, 2011

**Location:** City Hall – 117 W. Duval Street, Jacksonville, FL

**(3) Was this bill formally approved by a majority of the delegation members?**  
YES [X] NO [      ]

- II. *Article III, Section 10, of the State Constitution prohibits passage of any special act unless the bill has been advertised in advance (as provided in s. 11.02, F. S.) or is conditioned to take effect only upon approval by referendum vote of the electors in the area affected.*

**Has this Constitutional requirement been met?**

**Notice published:** YES [X] NO [      ]

**Referendum in lieu of publication:** YES [      ] NO [X]

III. Article VII, Section 9(b), of the State Constitution prohibits passage of any bill creating a special taxing district, or changing the authorized millage rate for an existing special taxing district, unless the bill subjects the taxing provision to approval by referendum vote of the electors in the area affected.

(1) Does the bill create a special district and authorize the district to impose and ad valorem tax?

YES [     ] NO [     ] NOT APPLICABLE [X]

(2) Does this bill change the authorized ad valorem millage rate for an existing special district?

YES [     ] NO [     ] NOT APPLICABLE [X]

If the answer to questions (1) or (2) is YES, does the bill require voter approval of the ad valorem tax provision(s)?

YES [     ] NO [ X ]

**Note:** House policy requires that an Economic Impact Statement for local bills be prepared at the local level and be submitted to the Community & Military Affairs Subcommittee.

  
Delegation Chair (Original Signature)

LAKE G. RAY III  
Printed Name of Delegation Chair

JANUARY 31, 2012  
Date

**HOUSE OF REPRESENTATIVES**  
**2012 ECONOMIC IMPACT STATEMENT FORM**

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House local bill policy requires that no local bill will be considered by a committee or a subcommittee without an Economic Impact Statement. This form must be prepared at the LOCAL LEVEL by an individual who is qualified to establish fiscal data and impacts. Please submit this completed, original form to the Community & Military Affairs Subcommittee as soon as possible after a bill is filed.

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BILL #: J-3 HB1253

SPONSOR(S): Lake Ray

RELATING TO: City of Jacksonville; Amendment of City of Jacksonville Charter Article 24 pertaining to the Jacksonville Economic Development Commission

[Indicate Area Affected (City, County or Special District) and Subject]

**I. ESTIMATED COST OF ADMINISTRATION, IMPLEMENTATION AND ENFORCEMENT:**

	<u>FY 12-13</u>	<u>FY 13-14</u>
Expenditures	None	None

**II. ANTICIPATED SOURCE(S) OF FUNDING:**

	<u>FY 12-13</u>	<u>FY 13-14</u>
Federal:	None	None
State:	None	None
Local:	None	None

**III. ANTICIPATED NEW, INCREASED OR DECREASED REVENUES:**

	<u>FY 12-13</u>	<u>FY 13-14</u>
Revenues	None	None

**IV. ESTIMATED ECONOMIC IMPACT ON INDIVIDUALS, BUSINESS, OR GOVERNMENTS:**

**Advantages:**

This bill amends City of Jacksonville Charter Article 24 pertaining to the Jacksonville Economic Development Commission ("JEDC"). Jacksonville Mayor Alvin Brown has proposed a significant restructuring of city government, including replacing the JEDC with a streamlined economic development office that will be more responsive to job-creating economic development opportunities, and this bill confirms that the Consolidated Government may amend or repeal Charter Article 24 by ordinance as necessary to conform to such restructuring.

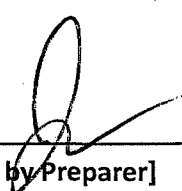
Disadvantages: None

**V. ESTIMATED IMPACT UPON COMPETITION AND THE OPEN MARKET FOR EMPLOYMENT:**

The Mayor's goal in replacing the JEDC with a more efficient and focused economic development office is to increase employment within the City of Jacksonville.

**VI. DATA AND METHOD USED IN MAKING ESTIMATES [INCLUDING SOURCE(S) OF DATA]:**

None at this time.

PREPARED BY: John Germany  12/1/11  
[Must be signed by Preparer] Date

TITLE: Deputy General Counsel

REPRESENTING: City of Jacksonville

PHONE: 904-630-7503

E-Mail Address: jgermany@coj.net

**HOUSE OF REPRESENTATIVES  
2012 LOCAL BILL AMENDMENT FORM**

*Prior to consideration of a substantive amendment to a local bill, the chair of the legislative delegation must certify, by signing this Amendment Form, that the amendment is approved by a majority of the legislative delegation. House local bill policy does not require a delegation meeting to formally approve an amendment. All substantive committee, subcommittee, and floor amendments must be accompanied by a completed original Amendment Form which has been provided to and reviewed by Community & Military Affairs Subcommittee staff prior to consideration. An Amendment Form is not required for technical amendments.*

**BILL NUMBER:** HB 1253

**SPONSOR(S):** Rep. Ray

**RELATING TO:** Amending Article 24 of the Charter of the City of Jacksonville  
[Indicate Area Affected (City, County or Special District) and Subject]

**SPONSOR OF AMENDMENT:** Rep. Ray

**CONTACT PERSON:** Susan Stewart

**PHONE NO:** 904-630-1680      **E-MAIL:** SStewart@coj.net

**REVIEWED BY STAFF OF THE COMMUNITY & MILITARY AFFAIRS SUBCOMMITTEE [ ]**  
\*Must Be Checked\*

**I. BRIEF DESCRIPTION OF AMENDMENT:** - To Require No Further Action By Legislature  
(Attach additional page(s) if necessary)  
The Amendment Was To Keep The Legislature From Having To Consider The Charter Change Twice, The City Will Not Collapse JEDC Immediately Upon Approval Of The Charter Amendment, Because Of Budgets And Contracts. So The Process Would Require Two Actions Through The Legislature Otherwise.

**II. REASON/NEED FOR AMENDMENT:**  
(Attach additional page(s) if necessary)  
Action To Cease Operating JEDC Would Not Occur Immediately After Approval Of The Legislature, The City Would Have To Have Two Separate Actions By The Legislature.

- III. NOTICE REQUIREMENTS**
- A. Is the amendment consistent with the published notice of intent to seek enactment of the local bill?  
YES [  ]    NO [  ]    NOT APPLICABLE [  ]
  
  - B. If the amendment is not consistent with the published notice, does the amendment require voter approval in order for the bill to become effective?  
YES [  ]    NO [  ]    NOT APPLICABLE [  ]



**IV. DOES THE AMENDMENT ALTER THE ECONOMIC IMPACT OF THE BILL?**

YES [ ] NO [  ]

**NOTE:** If the amendment alters the economic impact of the bill, a revised Economic Impact Statement describing the impact of the amendment must be submitted to the Community & Military Affairs Subcommittee prior to consideration of the amendment.

**V. HAS THE AMENDMENT AS DESCRIBED ABOVE BEEN APPROVED BY A MAJORITY OF THE DELEGATION?**

YES [  ] NO [ ] UNANIMOUSLY APPROVED [ ]

  
\_\_\_\_\_  
Delegation Chair (Original) Signature

JAN. 31, 2012  
Date

LAKE G. RAY III  
\_\_\_\_\_  
Print Name of Delegation Chair

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A bill to be entitled  
An act relating to the City of Jacksonville, Duval  
County; amending chapter 92-341, Laws of Florida, as  
amended; providing that the Consolidated Government of  
the City of Jacksonville may amend or repeal any  
portion of Article 24 of the city's charter, which  
relates to the Jacksonville Economic Development  
Commission, by ordinance without approval of electors  
at a referendum; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 24.14 is added to Article 24 of section  
1 of chapter 92-341, Laws of Florida, as amended, to read:

ARTICLE 24.

THE JACKSONVILLE ECONOMIC DEVELOPMENT COMMISSION

Section 24.14. Authority of consolidated government.-  
Notwithstanding any provision of this charter to the contrary,  
the consolidated government may amend or repeal any portion of  
this article by ordinance, and such ordinance shall be effective  
without approval by referendum of the electors.

Section 2. This act shall take effect upon becoming a law.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1253 (2012)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER

1 Committee/Subcommittee hearing bill: Community & Military  
2 Affairs Subcommittee  
3 Representative Ray offered the following:

**Amendment (with title amendment)**

6 Remove line 21 and insert:  
7 without approval by referendum of the electors or further action  
8 by the Legislature.

-----  
11 **T I T L E A M E N D M E N T**

12 Remove line 9 and insert:  
13 at a referendum or further action by the Legislature; providing  
14 an effective date.