



## Staff Report

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**File #:** 15-334, **Version:** 1

**Agenda Date:** 11/10/2015

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**Subject:**

Resolution approving the reorganization and expansion of Foreign Trade Zone 193 under the Alternative Sites Framework model.

**Recommended Action**

Adoption of a resolution approving the reorganization of Foreign Trade Zone (FTZ) 193 under the Alternative Sites Framework (ASF) framework with the proposed service area to include Pinellas, Pasco and Hernando Counties.

**Strategic Plan:**

Foster continual economic growth and vitality

4:1: Proactively attract and retain businesses with targeted jobs to the county and the region.

**Summary:**

By reorganizing and expanding FTZ 193 under the ASF model, we can better meet the needs of the trade community while collaborating with our regional economic development partners.

**Background Information:**

U.S. FTZ's are considered outside of U.S. commerce for Customs purposes, enabling companies to defer duty payments on merchandise until it is entered into U.S. commerce. If the merchandise is re-exported from the FTZ, no Customs entry is filed and no duty is paid on the merchandise. As Grantee of FTZ 193, Pinellas County Economic Development seeks to provide greater access to FTZ benefits for not only Pinellas companies, but for Pasco and Hernando County companies as well. The ASF model provides a much more flexible framework that offers shorter timelines for site approval. Under the ASF model, we will be able to more effectively promote the benefits of the FTZ program which will assist us in achieving not only our recruitment goals, but also in supporting local expansions.

**Fiscal Impact:**

N/A

**Staff Member Responsible:**

Michael Meidel, Director, Economic Development Department

**Partners:**

Pasco County, Hernando County

RESOLUTION NO. 15- \_\_\_\_\_

WHEREAS, Pinellas County Economic Development is the Grantee of Foreign Trade Zone No. 193 (FTZ 193); and

WHEREAS, by reorganizing and expanding FTZ 193 under the Alternative Sites Framework model with the service areas of Pinellas, Pasco and Hernando Counties, greater access will be provided to many more businesses in a much more flexible and efficient fashion, offering shorter timelines for site approval; and

WHEREAS, by offering this three-county service area, FTZ 193 can better meet the needs of the trade community while coordinating and collaborating with our regional economic development partners in neighboring counties; and

WHEREAS, the St. Petersburg/Clearwater Airport has been identified as the permanent Magnet site.

**NOW, THEREFORE,** BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY FLORIDA, at a duly-assembled meeting held on the 10th day of November, 2015, that Mike Meidel, Director, is hereby designated as the agent of the Pinellas County Board of County Commissioners for the purpose of signing the application cover letter and other documents related to the Reorganization of Foreign Trade Zone No. 193, including all currently designated sites, under the Alternative Site-Management Framework, for the proposed Service Area to include all or some of the following counties: Pinellas, Hernando and Pasco.

Commissioner \_\_\_\_\_ offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner \_\_\_\_\_, and upon roll call, the vote was:

\_\_\_\_\_ Ayes

\_\_\_\_\_ Nays

APPROVED AS TO FORM

By: Michael A. Zas  
Office of the County Attorney



PINELLAS  
COUNTY  
ECONOMIC DEVELOPMENT

October 1, 2015

Mr. Andrew McGilvray  
Executive Secretary  
Foreign-Trade Zones Board  
U.S. Department of Commerce  
1401 Constitution Avenue, NW  
Room 21013  
Washington, DC 20230

Re: Application for Reorganization under the Alternative Site-Management Framework

Dear Mr. McGilvray:

By way of this letter and the attached application, Pinellas County Economic Development (PCED), Grantee of Foreign-Trade Zone No. 193, respectfully requests your approval to reorganize our Zone project under the Alternative Site-Management Framework (ASF). We have included the legal authority under which PCED can establish a Foreign-Trade Zone project, a copy of which is included as an attachment to our application.

Our request is for reorganization of our current FTZ under the Alternative Site Framework; we are not adding any new sites for designation. We request that all present General-Purpose Zone sites be designated. These include:

- Site 1 – the 1771-acre St. Petersburg-Clearwater International Airport Complex located in Clearwater;
- Site 2 – the 3-acre Port of St. Petersburg located in St. Petersburg;
- Site 3 – the 96-acre area as Young Rainey STAR Center (previously known as the Pinellas Science, Technology & Research Center) in Largo;

The proposed Service Area under this application includes all of Pinellas, Hernando and Pasco Counties. The entirety of Pinellas, Hernando and Pasco Counties are within 60 statute miles of the St. Petersburg Customs Port of Entry and, therefore, meets the requirements for adjacency to the St. Petersburg Customs Port of Entry.

October 1, 2015

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The proposed reorganization would meet the needs of our area's trade community in two important ways.

First, is the need to provide access to our Zone project on a more flexible and timely basis to industrial recruits. Second, is the need to more closely coordinate with our regional economic development partners in Hernando and Pasco Counties. It was clear with our most recent recruit, HIT Promotional Products, that the company needed to receive Zone status in a timeframe much shorter than that required for processing a subzone application. We believe the shorter application timelines and the reduced FTZ Board fees to receive Usage-Driven Site status are desired by our other companies and will assist our industrial recruitment efforts in bringing more interest to FTZ 193. This, along with Pasco and Hernando Counties' desire to join FTZ 193, makes reorganizing under ASF a forward-thinking endeavor for our Zone project.

I hope that the attached application, which is incorporated herein by reference, meets your requirements for approval. If you have any questions, please feel free to call Brent Barkway at (727) 464-7411 or Mr. Greg Jones of the Foreign-Trade Zone Corporation at (251) 445-1372.

Sincerely,



Mike Meidel  
Director

**Application for  
Reorganization Under the  
Alternative Site Management Framework**

**Submitted By:**

**Pinellas County Economic Development  
Grantee, FTZ No. 193**

**Pre-Docketing Copy**

Alternative Site Framework  
Application for Reorganization/Expansion of Existing FTZ

**PART ONE: GENERAL INFORMATION**

**APPLICATION LETTER**

1. The core of the application is a letter from the grantee that summarizes the application and transmits the full application (this format with attachments) to the FTZ Board. The letter should summarize the authority being requested, the proposed zone sites and facilities, and how the proposed reorganization/expansion would meet a demonstrated need for FTZ services. If you are proposing to add new sites, they should be discussed specifically in the letter including explaining how they would meet a demonstrated need for FTZ services. The letter should be dated within six (6) months prior to the submission of the application and signed by an authorized officer of the grantee corporation (see Question 11 under "Legal Authority for the Application" below).

See Attached Letter.

**PROPOSED SERVICE AREA**

2. To define the Service Area for your FTZ, name the counties/localities in which you propose to be able to request designation of FTZ sites in the future. Explain how the Service Area complies with:
  - the "adjacency" requirement of the FTZ Board's regulations (within 60 miles or 90 minutes' driving time from the outer limits of your CBP Port of Entry);
  - the state enabling legislation relevant to FTZs; and,
  - the relevant sections of the grantee's charter or organization papers.

Separately, in an attachment called "Service Area Correspondence," please include documentation of support from each county in your proposed Service Area (using the standard language provided in the relevant "Sample Service Area Concurrence Letter" on the FTZ Board web site). Alternatively, you may provide evidence that you have contacted the counties/jurisdictions in the proposed service area (using the standard language provided in the "Sample Service Area Notification letter") by attaching a signed copy of the letter along with evidence of transmittal. If your focus is less broad than a county-wide level, support may instead be documented from the appropriate sub-county jurisdiction(s). Also, if your proposed Service Area includes any partial jurisdiction(s), provide a map(s) clearly showing in red the line dividing the portions of the jurisdiction(s) inside and outside the Service Area. You may also provide an optional map of the proposed Service Area with proposed boundaries outlined in red.

The proposed Service Area for FTZ 193 includes a three-county area within the State of Florida; Pinellas, Hernando and Pasco Counties. The proposed service area will be supported by the Pinellas County Economic Development (PCED) office. The PCED is an office within and is overseen by the Pinellas County Board of County Commissioners. The Florida state constitution and Pinellas County Charter provide the legal authority for Pinellas County Economic Development office to serve as Grantee of FTZ 193 and does not limit their authority to expand foreign trade zone services into Hernando and Pasco Counties. The service area expansion came upon request to PCED from Hernando and Pasco counties.

These counties expressed a desire to be included in the service area for FTZ 193 so that the Hernando and Pasco area can provide the FTZ benefits and accessibility that is available through Alternative Site Framework. Hernando and Pasco counties have provided concurrence letters to join FTZ 193 and are included in Exhibit "Service Area Correspondence". The entire proposed Service Area, including the additional area of Hernando and Pasco Counties, meet the requirements for adjacency to the St. Petersburg Customs Port of Entry. The current Port of Entry limits are set forth in E.O. 7928, July 14, 1938 (3 FR 1749); including territory described in T.D. 53994. The port of entry limits include all the limits inside St Petersburg, Florida. The entirety of Hernando and Pasco Counties are within 60 statute miles from the outer limits of the St. Petersburg Customs Port of Entry.

3. If your zone was not the first FTZ established for your CBP port of entry (entitlement zone), explain why the existing zone(s) is not adequately serving the "convenience of commerce" (needs of potential users) for the proposed service area/proposed expansion sites. (You are welcome to contact the FTZ Staff for guidance on addressing this question.) Cite evidence to support all assertions.

Zone No. 193 was the first, and is the only, foreign-trade zone serviced by the St. Petersburg Port of Entry

## **GENERAL JUSTIFICATION FOR REORGANIZATION OR EXPANSION**

4. Explain the need for the proposed reorganization or expansion of your FTZ under the ASF, including current and projected levels of international trade in the community. Describe the local economy's strengths and weaknesses, in general, including established and emerging industries and particular challenges. Indicate how reorganizing or expanding your FTZ under the ASF ties to local/state/regional economic development plans.

The primary impetus for the proposed ASF reorganization was provided by the need for Pinellas County Economic Development to provide industrial recruits with access to its Zone on a more flexible framework that offered shorter timelines for site approval than Subzone application can offer.

PCED believes that the benefits companies receive under ASF allows them to more effectively promote the benefits of the FTZ program in their area, and therefore, assist PCED achieve their main objectives which are to sustain, grow, and bring diverse new businesses to the area. A recent example of this comes from a conversation PCED had with HIT Promotional Products (HIT Promo) which resulted in HIT Promo deciding to apply for FTZ Site designation.

PCED explained to HIT Promo that they could receive Site designation more quickly, as well as, have reduced FTZ Board fees because the company could apply as a Usage-Driven Site once FTZ No. 193 reorganized under ASF. After this conversation, the FTZ program became more appealing to HIT Promo and the shortened timeframe for Site designation allowed HIT Promo to make a decision on plans for expansion. Due to the size of HIT Promo’s warehouse facilities and growth, the existing footprint of FTZ No. 193 was insufficient to handle HIT Promo’s needs. By reorganizing under ASF, PCED will not need to swap current Site/s to accommodate HIT Promo’s need to join the FTZ program.

Additional impetus for reorganization is to more ably serve businesses in neighboring counties that might benefit from Zone procedures. By expanding under ASF, FTZ No. 193 can provide Hernando and Pasco counties quick access to the FTZ program. By offering a three-county service area FTZ No. 193 can better meet the needs of their trade community and coordinate with their regional economic development partners in neighboring counties.

In conclusion, reorganizing and expanding under Alternative Site Framework will enable FTZ No. 193 to meet the needs of their area’s trade community.

## INFORMATION ON EXISTING ZONE SITES

5. Fill in the table immediately below (adding additional rows, as needed) for your existing sites, including any Subzones that are subject to your zone’s activation limit. Here is a description of the information to fill in about each site:

- Site Identification -- This is the site/Subzone number assigned by the FTZ Board and should be reflected in the FTZ Board’s documents to you. You can confirm this information by contacting the FTZ Staff.
- Basic Description of Site and Address -- This is the site name (for example, the Acme Industrial Park) and the street address (or similar indicator) that is the primary indication of the site’s physical location.
- Acreage within Current Site Boundaries -- Indicate the number of acres within the current boundaries of the site. This figure should match the FTZ Board’s records regarding the site’s acreage.
- Sunset/Time Limit – Indicate whether or not the site currently has a sunset or time limit

Site Identification	Basic Description of Site and Address	Acreage within Current Site Boundaries	Current Sunset/ Time Limit (if applicable)
01	St. Petersburg-Clearwater International Airport Complex 14700 Terminal Blvd Clearwater, FL 33762	1771	N/A
02	Port of St. Petersburg 250 8 <sup>th</sup> Ave S.E. St. Petersburg, FL 33701	3	N/A
03	Young-Rainey STAR Center Largo, FL	96	N/A

**INFORMATION ON NEW OR MODIFIED ZONE SITES (IF APPLICABLE)**

6. You only need to fill in the table below if there are 1) new sites that you are proposing for your FTZ or 2) existing sites that you propose to modify in any way. All new or modified sites should be included in this table (whether they are proposed for Magnet or Subzone or Usage-Driven designation). Add additional rows to the table, as needed. Here is a description of the information to fill in about each site:

- Site Identification -- For a modification to an existing site, this will be the number already assigned to the site by the FTZ Board (as reflected in the FTZ Board’s documents to you). For any new Magnet or Usage-Driven site, use new numbers for wholly new sites. For any new Subzone, use a new letter to indicate the proposed Subzone. (If your zone already has designated Subzones, use the next available letter.)
- Change to Site -- Fill in this field as follows:
  - If the site being proposed will be entirely new, indicate “New.”
  - If the site already exists in your zone and you are proposing to remove it, indicate “Remove.”
  - If the site already exists in your zone and you propose to retain the site but with modified site boundaries, indicate “Modify.”
  - If the site already exists in your zone and you are simply proposing to renumber it, indicate “Renumber” followed by the new number for the site (for example, “Renumber to Site 5”).
- Basic Description of Site and Address -- This is the name (for example, the Acme Industrial Park) and the street address (or similar indicator) that is the primary indication of the site’s physical location. For an existing site that you are modifying or removing, if the name and address remain the same as listed in the table in Question 5 above, simply indicate “Same as Existing.”
- Acreage within Proposed Site Boundaries -- Indicate the number of acres within the proposed (rather than existing) boundaries of the site.

Site Identification	Change to Site	Basic Description of Site and Address	Acreage within Proposed Site Boundaries
N/A	N/A	N/A	N/A

**SUMMARY OF PROPOSED ZONE STRUCTURE**

7. In the table below, list all sites (both Magnet and Subzone/Usage-Driven) that you are proposing for inclusion as part of your FTZ under the ASF at this time. (Note that this list will not include any pre-existing Subzone of your zone, unless you have a specific reason to fold such a Subzone into the ASF. Contact the FTZ Staff for guidance on this point, as needed).  
Add additional rows to the table, as needed. Here is a description of the basic information you will need to provide about each site:

- Site Identification -- This number or letter associated with a site should match the information you provided in the tables for Questions 5 and 6 above.
- Site Category -- For sites you are retaining or proposing, indicate “Magnet” or “Subzone” or “Usage-Driven” designation, as appropriate.
- Acreage within Site Boundaries -- Indicate the number of acres within the boundaries of each site proposed as part of your future zone structure. For existing sites that are not being modified, this figure should match the acreage indicated for the site in the table for Question 5 above. For new or modified sites or Subzones, this figure should match the acreage indicated for the site in the table for Question 6 above.

Site Identification	Site Category	Acreage within Site Boundaries
1	Magnet	1771
2	Magnet	3
3	Magnet	96

8. Please explain the circumstances (including reference to the specific site number(s) if you are proposing to remove or renumber any existing site(s):

Pinellas County Economic Development is not proposing to renumber or remove sites.

9. For any current and future sites (including Subzones) of your zone, confirm that you commit to working with U.S. Customs and Border Protection (CBP), as appropriate, to meet current and future CBP automated-systems requirements (such as ACE) and to meet any CBP security requirements related to activation?

Pinellas County Economic Development commits to working with the U.S. Customs and Border Protection and to meet current and future CBP automated-systems requirements and to meet CBP security requirements (such as ACS or ACE).

## **OTHER REQUESTS (OPTIONAL)**

The following two questions relate to optional flexibility that is possible for some Magnet sites. You may put "N/A" in response to each of these questions unless you are requesting the specific flexibility they address (in which case you will need to provide detailed response(s)).

10. Provide responses regarding the following optional requests, if applicable:
- a. There is a default sunset period of five years for each designated Magnet site in a zone reorganized under the ASF. The ASF allows for a grantee to request a possible exemption from the sunset limits for one Magnet site. If you would like to request an exemption from the sunset limits for one of your Magnet sites, indicate the site number and describe in detail why this site was chosen for permanent status. Key considerations would be the publicly owned nature of a site and public processes leading to the site's selection.

The Pinellas County Economic Development requests that Site 1, the St. Petersburg- Clearwater International Airport, be exempted from the default five-year sunset limit. The site is publicly owned by Pinellas County and operated by the county's aviation department. On March 30, 1992, when the County first proposed becoming an FTZ, the St. Petersburg-Clearwater International Airport was the first proposed site for FTZ designation. There is significant potential for future activity within the St. Petersburg- Clearwater International Airport for warehousing and light manufacturing, as well as, always being available to businesses as a FTZ Site within Zone No. 193.

- b. If you believe that a sunset period of longer than five years is justified for one or more specific Magnet sites, provide separately for each such site a detailed description of the specific circumstances that you believe justify a sunset period of longer than five years for the site in question.

N/A

## **LEGAL AUTHORITY FOR THE APPLICATION**

11. In an attachment called "Legal Authority for Application," provide the following documents:
- a. a current copy of the state enabling legislation regarding FTZs.
  - b. a copy of the relevant sections of the grantee's charter or organization papers. For non- public grantees, also provide evidence of the organization's current legal standing with the state. This can include a letter or documentation from an appropriate state official or from the state's official website.
  - c. a certified copy of a resolution of the applicant's governing body specific to the application authorizing the official signing the application letter. The resolution must be dated no more than six (6) months prior to the submission of the application. The resolution should indicate the nature of the application.

## **STATE ENABLING LEGISLATION**

# State of Florida



## Department of State Division of Elections

I, JIM SMITH, Secretary of State of the State of Florida, do hereby certify that the above and foregoing is a true and correct copy of Sections 288.35, 288.36 and 288.37, Florida Statutes 1987, as shown by the records of this office.

Given under my hand and the  
Great Seal of the State of Florida,  
at Tallahassee, the Capital, this the  
18th day of May,

A.D. 1989.

*Jim Smith*

Jim Smith  
Secretary of State



CER 101  
12-78

foodstuffs commonly distributed from vending machines and literature of an informational or promotional nature.

(3) Moneys deposited in the Tourism Promotional Trust Fund shall only be used to support the authorized activities and operations of the division, including, but not limited to, the purchase of additional promotional items and products.

History.—s. 1, ch. 80-234.

#### 288.347 Tourism Advisory Council; creation; membership; function.—

(1) There is created within the Division of Tourism of the Department of Commerce the Tourism Advisory Council, hereinafter referred to as the "council." The council shall consist of 37 persons who are resident citizens of the state, each of whom is, or has been, actively engaged in the tourism industry or a related industry. The members of the council shall possess the qualifications herein provided and shall be appointed by the secretary of the Department of Commerce. Initially, the secretary shall appoint 19 members for a term of 4 years and 18 members for a term of 3 years. Thereafter, members shall be appointed for 4-year terms. Any vacancy shall be filled for the remainder of the unexpired term.

(2) The council shall function as a body from which the Division of Tourism may obtain differing and varying views as to what actions or proposals are needed throughout the state regarding tourism. The council shall meet at the call of its chairman, at the request of a majority of its membership, at the request of the division, or at such times as may be prescribed by its rules to offer its views on the state of the tourism industry and to recommend proposed action.

(3) Members shall serve without compensation but shall be entitled to receive reimbursement for per diem and traveling expenses as provided in s. 112.061.

History.—s. 5, ch. 77-110; s. 4, ch. 78-323, ss. 1, 2, 3, ch. 81-77; ss. 1, 4, 82-46.

Note.—Repealed effective October 1, 1988, by s. 1, ch. 82-46, and scheduled review pursuant to s. 11.611 in advance of that date.

#### 288.348 Department of Commerce; sports promotion.—

(1) A general purpose of the Department of Commerce is to guide, stimulate, and promote the coordinated, efficient, and beneficial development of sports and related industries within the state and its regions, counties, and municipalities in accordance with present and future needs and resources and the requirements of the prosperity, convenience, comfort, health, safety, and general welfare of the people of the state.

(2) The department may make expenditures to:

(a) Encourage employment for state residents.

(b) Solicit existing sports franchises or activities outside the state to locate within the state.

(c) Solicit new sports franchises or activities to locate within the state.

(d) Retain existing state sports franchises or activities and support their expansion efforts within the state.

(e) Incorporate sports investment into ongoing department entrepreneurship programs.

(f) Support sports promotion through research on this state's comparative advantages as a location for

sports franchises or activities, including analysis of trends in the sports industry.

(g) Develop, foster, and coordinate services and programs of sports for the people of the state.

(h) Sponsor sports clinics, conferences, and other similar activities.

(i) Recognize outstanding developments and achievements in, and contributions to, sports.

(j) Collect and disseminate sports information and initiate advertising campaigns promoting sports.

(k) Enlist the support of persons, civic groups, amateur and professional sports associations, and other organizations to promote and improve sports programs.

(l) Promote the development of recreational athletic opportunities and professional athletic activities in the state and facilitate the acquisition, proper financing, construction, and rehabilitation of sports facilities for professional and amateur athletic events.

History.—s. 1, ch. 87-305.

**288.35 Definitions.**—The following terms, wherever used or referred to in this part, shall have the following meanings:

(1) "Corporation" means any corporation organized for the purpose of establishing, operating, and maintaining a foreign trade zone.

(2) "Government agency" means the state or any county or political subdivision thereof; any state agency; any consolidated government of a county, and some or all of the municipalities located within said county; any chartered municipality in the state; and any of the institutions of such consolidated governments, counties, or municipalities. Specifically included are airports, port authorities, and industrial authorities.

(3) "Act of Congress" means the Act of Congress approved June 18, 1934, entitled an Act to provide for the establishment, operation, and maintenance of foreign trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes, as amended, and commonly known as the Foreign Trade Zones Act of 1934, 19 U.S.C. ss. 81a-81u.

(4) "Operational and promotional advancements" means any advance of state funds which are drawn from the State Treasury for the purpose of paying legal obligations of the state on a cash basis.

History.—s. 1, ch. 76-42, s. 3, ch. 78-375.

#### 288.36 Foreign trade zones; authority to establish, operate, and maintain.—

Any corporation or government agency shall have the power to apply to the proper authorities of the United States for a grant of the privilege of establishing, operating, and maintaining foreign trade zones and foreign trade subzones under the provisions of the Act of Congress and, when the grant is issued, to accept the grant and to establish, operate, and maintain the foreign trade zones and foreign trade subzones and do all things necessary and proper to carry into effect the establishment, operation, and maintenance of such zones, all in accordance with the Act of Congress and other applicable laws and rules and regulations.

History.—s. 2, ch. 76-42.

**288.37 Foreign trade zones; authority to select and describe locations and make rules.**—Any corporation or government agency may select and describe the location of the foreign trade zones or foreign trade subzones for which an application is made under the provisions of the Act of Congress and make such rules and regulations concerning the establishment, operation, and maintenance of the foreign trade zones or foreign trade subzones as may be necessary to comply with the Act of Congress or as may be necessary to comply with the rules and regulations made in accordance with the Act of Congress.

History.—s. 3, ch. 76-42.

**288.38 Applicability of state laws and rules concerning citrus fruit and products.**—Any application for establishment of a foreign trade zone made pursuant hereto shall include a provision that all laws of this state and rules of the Florida Department of Citrus applicable to citrus fruit and processed citrus products shall equally apply within any foreign trade zone so established.

History.—s. 4, ch. 76-42.

**288.385 International currency and barter exchanges.**—

(1) There may be created one or more international currency and barter exchanges, with one or more offices each, upon a determination by the secretary of the Department of Commerce that each such exchange can operate in an economic and beneficial manner. This determination shall be based on the results of a feasibility study concerning the possible structure, operation, scope of activities and transactions, and regulation of each such exchange, which study shall be carried out under the supervision of the secretary of the Department of Commerce. Nothing in this section, however, shall be construed to require the expenditure of state funds for the purpose of conducting any such feasibility study. For the purposes of this section, the term "exchange" applies to any such international currency and barter exchange proposed or created under this section.

(2) The initial central office of the first exchange shall be located in Dade County. This exchange may enter into cooperative working arrangements with the Insurance Exchange of the Americas or the Greater Miami Foreign Trade Zone. Such cooperative arrangements may include, but need not be limited to, the sharing of physical facilities, personnel, and information. The initial exchange may relocate its central office and may establish additional offices as provided in subsection (3). This section shall not be construed to prohibit the formation of other exchanges if the initial exchange located in Dade County is not created by October 1, 1987.

(3) Each exchange created under this section may locate its central office in any area of the state and may have additional offices around the state as it deems necessary. The Comptroller shall determine whether such central office locations or such additional offices will be in the public interest.

(4) The purpose of the exchange is to provide a marketplace for the negotiation, arrangement, exchange, sale, purchase, brokerage, syndication, underwriting, and all activities incidental thereto, of foreign currency

and exchange, and of services, goods, commodities, raw materials, and interests therein, in an institutionalized and, to the maximum extent possible, self-regulated fashion.

(5) Within 30 days following a determination by the secretary of the Department of Commerce that the exchange could operate in an economic and beneficial manner, a committee shall be appointed to write the constitution and bylaws of the exchange. The committee shall consist of 15 members, 11 to be appointed by the Governor, 2 to be appointed by the President of the Senate, and 2 to be appointed by the Speaker of the House of Representatives. A chairman shall be elected from the members of the committee by a majority of the committee. The committee shall submit the proposed constitution, bylaws, and other recommendations to the Comptroller for approval no later than 90 days following the first meeting of the committee. In reviewing the constitution and the bylaws of the exchange, as well as any other recommendations made to the Comptroller by the committee, the Comptroller shall consider whether such constitution, bylaws, and recommendations are consistent with the public interest and the efficient functioning of the exchange. The Comptroller shall approve the constitution and bylaws of the exchange based upon a finding that they describe the types of activity and transactions that the exchange will conduct, that such business activities do not violate state or federal law, that the form of the business organization of the exchange complies with statutory requirements, and that the interest of the members of the exchange and its customers will be adequately protected. The Comptroller shall have 30 days within which to approve or reject the constitution and bylaws. The Comptroller shall work closely with the committee on the development of the constitution and bylaws of the exchange. The Comptroller shall have the authority to promulgate rules allowing for review of recommendations made from time to time by the committee.

(6) The exchange shall have full authority to function 60 days after its constitution and bylaws have been approved by the Comptroller. The initial board of governors of the exchange shall consist of the members of the committee, who shall serve until the first election of the board of governors by the members of the exchange pursuant to the constitution and bylaws. In the event that the constitution and bylaws are disapproved by the Comptroller, the committee, in consultation with the Comptroller, shall have 60 days from the date of such disapproval within which to submit an alternative constitution and bylaws. The Comptroller shall have 30 days within which to approve or reject the alternative constitution and bylaws.

(7) The constitution and bylaws of the exchange shall include provision that:

(a) There be no fewer than 9 or more than 15 governors of the exchange, at least one-third of whom may not be members of the exchange.

(b) The principal offices of the exchange and the principal offices of its members be located within this state for the purpose of conducting the type of business described in subsection (4).



Department of State  
Division of Elections

I, JIM SMITH, Secretary of State of the State of Florida, do hereby certify that the above and foregoing is a true and correct copy of Chapter 69-1490, Laws of Florida, Acts of 1969, as shown by the records of this office.



DSDE B07 (7-91)

Given under my hand and the  
Great Seal of the State of Florida,  
at Tallahassee, the Capital, this the  
28th day of February,  
A.D., 1992.

Handwritten signature of Jim Smith.

Jim Smith  
Secretary of State

## CHAPTER 69-1490

## House Bill No. 2775

AN ACT creating and establishing a special district in Pinellas county, Florida, as a public body corporate, to be known and designated as Pinellas county industry council; to provide for its governmental administration, powers, franchises and privileges; to provide for nine (9) members who shall constitute the governing authority of said special district; conferring upon said district the authority to promote, finance and refinance the industrial development of Pinellas county; providing authority for said district to issue revenue bonds and other debt obligations for the construction of self-liquidating building and industrial projects; providing authority for said district to lease or sell such projects to the lessee or user thereof; providing authority to the district to finance and refinance the modernization and rehabilitation of existing industrial plants, and structures; providing under certain circumstances that the district is exempt from compliance with competitive bidding statutes; exempting debt obligations of the district from registration by the State of Florida; providing authority for the board of Pinellas county com-

missioners to make limited grants to the district; providing that the district may accept grants, conveyances, or leases of property from the county of Pinellas and incorporated municipalities therein; prohibiting the creation of state and county debts; authorizing and providing for cooperation between the district and federal and state agencies; providing for the approval by the board of county commissioners of Pinellas county; repealing conflicting laws; and providing an effective date.

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

Section 1. This act may be cited as the "Pinellas County Industry Council Act."

Section 2. *Definitions.* When used in this act the following words and terms, unless a different meaning appears clearly from the context, shall have the following meanings:

(1) "Council" shall mean the Pinellas county industry council created by this act.

(2) "Project" shall be deemed to mean and include the acquisition of lands, properties and improvements for development, enlargement, expansion, retention, rehabilitation, and promotion of industry, commerce, agriculture, recreation, conservation, natural resources and vocational training and the construction of buildings, warehouses, storage facilities, rail sidings, roadways, loading docks, demolition of existing structures, pollution control facilities, structures, hangars, aircraft landing runways, navigation control facilities, all necessary water, electric, gas, sewage, waste control and utility systems and other appurtenant facilities for the complete operation thereof, manufacturing and industrial plants and all necessary water, electric, gas, sewage, waste control, utility systems and other appurtenant facilities for the operation thereof for the purpose of selling, leasing or renting such structures to private persons, firms or corporations.

(3) "Cost of project" shall embrace the cost of construction, the cost of all lands, properties, easements, rights and franchises acquired, the cost of machinery and equipment, financing and refinancing charges, interest prior to and during the construction and for a period of time after such construction, cost of engineering, architectural and legal expense, and plans and specifica-

tions and other expenses necessary or incident to determining the feasibility or practicability of the project, administrative expenses, and such other expenses as may be necessary or incident to the financing herein authorized for the construction of any project, the placing of same in operation, and the leasing, renting or sale thereof.

**Section 3. Council, creation and purpose.** For the purpose of performing such acts as shall be necessary for the sound planning for, and development of Pinellas county, its industry, commerce and business a special district is hereby created and incorporated, to be known as Pinellas county industry council in Pinellas county, Florida, which said special district shall be a public body corporate and politic. The boundaries of said special district shall be the boundaries of Pinellas county, Florida.

**Section 4. Membership, appointment, term of office.** The council shall be composed of nine (9) members, each of whom shall be a freeholder of Pinellas county. Two (2) members shall be appointed by the Pinellas county legislative delegation. Two (2) members shall be appointed by the board of county commissioners of Pinellas county; one of said members to be so appointed shall be a person who does not hold an elective office. Two (2) members shall be appointed by the governing body of the city of St. Petersburg, Florida; one of such persons to be appointed by the city of St. Petersburg, Florida, shall be a member of the Committee of 100 of Pinellas County, Inc. In the event the Committee of 100 of Pinellas County, Inc., ceases to exist then the city of St. Petersburg governing body shall appoint a person who otherwise meets the qualifications required for members by the terms of this act. Two (2) members shall be appointed by the city of Clearwater, Florida; one of such persons to be appointed by the city of Clearwater shall be a member of the Pinellas County Manufacturers Association, Inc. In the event the Pinellas County Manufacturers Association, Inc., ceases to exist then the city of Clearwater governing body shall appoint a person who otherwise meets the qualifications required for members by the terms of this act. One (1) member shall be appointed by the municipal governing body of the city of Tarpon Springs, Florida. All members of said council shall serve without compensation and shall serve for a term of two years from the date of their appointment. The members of the light industry council of Pinellas county, in office at the effec-

tive date of this act, shall continue to serve until their terms expire as provided in chapter 29435, Laws of Florida, Acts of 1953, as amended by chapter 31173, Laws of Florida, Special Acts of 1955; upon the expiration of the present terms of said persons or in the event of their resignation their successors shall be appointed in the manner provided in this act. Members of the council shall continue in office until their successors are appointed. The council may appoint such advisory committees as it deems necessary to aid it in accomplishing its purposes.

Section 5. *Chairman, Vice-Chairman and Administrative Director.* The council shall appoint its chairman, a vice-chairman, a secretary, such other officers as the council may deem desirable, who shall serve for such terms as may be designated by the council.

Section 6. *Quorum, transaction of business.* Any four (4) members of the council shall constitute a quorum for the transaction of the business of the council.

Section 7. *Meetings; rules of procedure.* As soon as practicable after this act shall take effect, the council shall meet and arrange a time for holding meetings of the council, and for such other meetings as shall be necessary, and it may adopt such rules of organization and procedure as it may deem necessary, and determine the duties of its members.

Section 8. *Duties.* It shall be the duty of the council to make a study of the advantages, facilities, resources, products, attractions, attributes, conditions and all other data concerning Pinellas county with relation to the encouragement of industry to locate, expand or remain in said county, to use such means and media as the council deems advisable, to publicize and to make known such data and material to such persons, firms and corporations, agencies and institutions which, in the discretion of the council, would reasonably result in encouraging industry to locate, expand or remain in Pinellas county; to cooperate with any and all other governmental agencies in accomplishing this purpose and to do all other things it deems advisable in its effort to locate a greater amount of industry in Pinellas county. The encouragement of industry to locate, remain in or expand in Pinellas county and the special district is hereby declared to be a valid district, county and public purpose.

**Section 9. *Expenses; millage; gifts.*** The board of county commissioners of Pinellas county, Florida, is hereby authorized to pay the expenses of such council and the cost of carrying out the purposes of this act out of the general fund of the county, but the funds used for said purposes shall not in any one budget year exceed an amount produced in said year by the levy of one-eighth (1/8) of a mill ad valorem tax. In addition to the funds received from the general fund of the county provided for herein, such council shall be empowered and authorized to accept, receive and expend, for carrying out the purposes of this act, such sums as may be offered as gifts, donations, grants or bequests, from any source whatever.

**Section 10. *Lease of municipal or county property for project purposes.*** The county commissioners of Pinellas county or the governing body of any municipality in Pinellas county is hereby granted the power to grant, lease or sell any municipal or county-owned property to be used for the purposes of this act which, in the reasonable discretion of the governing body is not needed for municipal or county purposes.

**Section 11. *Powers.*** The Pinellas county industry council shall have the following powers:

- (1) To have a seal and alter the same at pleasure.
- (2) To acquire, hold and dispose of personal and real property for its corporate purposes.
- (3) To enter into contracts with the county of Pinellas and all incorporated cities therein, and all persons, corporations, partnerships, associations and governmental agencies.
- (4) To acquire in its own name by purchase, on such terms and conditions, and in such manner as it may deem proper, real property or liens, easements, options or interests therein or franchises necessary or convenient for its corporate purposes, and to use the same, and to lease or make contracts with respect to the use or disposition of the same in any manner the council deems to its best advantage. If the council shall deem it expedient to construct any project, or use any project already constructed, on lands the title to which shall then be in the county of Pinellas or any of its incorporated cities, the governing authorities of the county and cities are authorized, in their

discretion, to convey title to such lands or improvements to the council.

(5) To select and appoint agents and employees, including engineers, architects, appraisers, realtors, financial consultants, accountants, and attorneys and to fix their compensation.

(6) To make contracts, and to execute all instruments necessary or convenient, including contracts for construction, lease, rental and sale of projects or contracts with respect to the use of projects which it erects or acquires.

(7) To construct, erect, acquire, own, repair, remodel, maintain, extend, improve, equip, operate and manage projects, self-liquidating or otherwise, located on property owned or leased by the council, and to pay the cost of any such project from the proceeds of revenue, bonds or other debt obligations of the council or from any grant from Pinellas county or any of the incorporated cities therein, or from any grant from the state, or federal government, or from any contribution or loan by persons, firms or corporations, all of which the council is hereby authorized to receive, accept and use.

(8) To borrow money for any of its corporate purposes and to execute notes, mortgages, deeds to secure debt, trust deeds and such other instruments as may be necessary or convenient to evidence and secure such borrowing.

(9) To exercise any power granted by the laws of Florida to public or private corporations, performing similar functions, which is not in conflict with the Constitution of Florida.

(10) To do all things necessary or convenient to carry out the powers expressly conferred by this act.

(11) To adopt, alter or repeal its own bylaws, rules and regulations governing the manner in which its business may be transacted and in which the power granted to it may be enjoyed, as the council may deem necessary or expedient in facilitating its business.

(12) To issue revenue bonds or other debt obligations for the purpose of paying all or any part of the cost of any project. Such revenue bonds or debt obligations shall be issued and may at the discretion of the council be validated in accordance with the applicable provisions of the laws of Florida. Said revenue

bonds or other debt obligations may be sold at public or private sale, may bear interest at such rate, without limitation, as may be established by the governing board of the council; may be term or serial bonds or both, may bear such date or dates and may mature at such time or times not exceeding forty (40) years, may be registered or unregistered, may be subject to redemption prior to maturity and may contain such terms, covenants, or conditions as the council shall determine. Said revenue bonds and any interim certificates as may be issued shall be and constitute negotiable instruments within the meaning of and for all purposes of the Law Merchant of Florida, the Uniform Commercial Code and other applicable laws of Florida. The council shall have the power at any time and from time to time after the issuance of revenue bonds have been authorized to borrow money for the purposes for which such debt obligations are to be issued in anticipation of the receipt of the proceeds of the sale of the said debt obligations in the authorized maximum amount of such issue. Any such bond anticipation loan shall be repaid within five years after the date on which the issuance of such bonds shall have been authorized, but such notes may be renewed from time to time pending the sale of such revenue bonds but all such notes shall mature within the maturity time specified for the payment of the original amount of the revenue bonds, or debt obligations. Revenue bonds, notes and other debt obligations of the council, shall be signed by the chairman or vice-chairman and the secretary or assistant secretary as the council may determine. Such signatures may be manually subscribed or be by facsimile signature, provided however, that at least one such signature shall be manually subscribed. Signatures on bond coupons may be by facsimile.

(13) The council shall further have the power to borrow money for any of the purposes herein authorized and such loans to the council may be evidenced, in addition to the manner heretofore herein provided, by a single note or bond, or may be in the form of promissory notes or any combination of the foregoing. Such debt obligations may be secured by trust indentures, mortgages, mortgage notes providing for a security lien on the facilities being financed, installment purchase agreements, purchase agreements, leases or lease-purchase agreements or such other security instruments or agreements as the council may in its discretion determine.

(14) In constructing or acquiring any project to be financed under the provisions of this act, the council may contract with the corporation, partnership, person, or other business or legal entity to whom the facility will be leased, rented, or sold to construct such project as the agent of the council or the council may agree to purchase such facility upon its completion from the corporation, person, partnership, business or other legal entity, such acquisition or purchase or construction to be financed by the council as herein provided. In the construction, acquisition, and purchase of such projects the council shall not be required to comply with any other laws or regulations of the state of Florida relating to competitive bids for the construction, acquisition, or purchase of such project provided that the repayment of the cost of such project shall be fully secured by contract, lease or purchase agreement with the ultimate user or lessee or purchaser of the project being acquired, constructed, financed, or refinanced.

(15) Notwithstanding any other provisions of law, revenue certificates, revenue bonds, notes or other debt obligations issued by the council are found and deemed to be securities or debt obligations issued by a political subdivision of the state of Florida and the proceedings, issuance and sale of such securities or debt obligations by the council, as herein authorized, are expressly exempt from the provisions of chapter 517, Florida Statutes, being the Uniform Sale of Securities Law, or from the provisions of any subsequent law relating to the registration of debt obligations by the state of Florida unless such subsequently enacted law shall expressly provide that the debt obligations of the council are covered by and required to be registered by the express provisions of such subsequently enacted law.

(16) The council may refund its revenue certificates, revenue bonds or other debt obligations upon such terms or conditions as in its discretion it may determine; if such debt obligations are not yet callable, the council may refund such debt obligations within a period of ten years prior to the date that such debt obligations are redeemable prior to maturity.

(17) The council may covenant and agree at its discretion with any lessee or purchaser of a project to be financed under a lease purchase agreement or other security instrument that additions, alterations, enlargements or improvements may not be

made to the project being financed within a limited specified period of time as specified in such covenant or agreement and the council shall have full authority and power to enforce compliance with the terms of any such condition or agreement by any such lessee or purchaser by injunction, mandamus, or other coercive remedy or relief by the courts of the state of Florida or of the United States of America.

(18) Projects may be acquired, constructed, and financed in the manner provided herein at any location within the boundaries of the special district as provided by this act.

(19) Eligibility for investments and security. The revenue bonds, notes or other debt obligations of the council shall be and constitute legal investments for banks, savings banks, trustees, executors, administrators and all other fiduciaries and for all state, municipal and other public funds and shall also be and constitute securities eligible for deposit as security for all state, municipal or other public funds notwithstanding the provisions of any other law or laws to the contrary.

(20) The council shall have the right to sue and be sued in its own name and to plead and be impleaded.

(21) The council may acquire, finance or refinance projects, whether completed or uncompleted, the construction or acquisition of which was made, started or done in contemplation of being acquired or financed as authorized by the Constitution of Florida or by this act. The council may finance or refinance any existing project as provided herein when the council deems such desirable or necessary in connection with the modernization, remodeling, rehabilitation, improvement, or expansion of any existing manufacturing or industrial plant or other project or the retention of such plant or project in the state.

(22) The council may appoint such advisory committees to assist it in carrying out the purposes of this act as it shall deem advisable.

Section 12. The council may retain title to property acquired or constructed under the provisions of this act or it may sell, lease or otherwise dispose of such property in such manner and at such time as the council may determine to be in the interest of Florida, the county of Pinellas, the special district, or the incorporated municipalities of Pinellas county; or otherwise, that

will be in keeping with the purposes of this act. The council may further agree at the time that a project is financed to convey title to the industry or such other user or lessee of the project being financed on such terms or conditions and at such time as the council in its discretion may determine.

Section 13. *Creation of state and county debts; prohibited.* The council shall not be empowered or authorized in any manner to create a debt as against the state, the county of Pinellas or any of the incorporated municipalities therein as prohibited by the Florida Constitution. All such revenue bonds or debt obligations of the council shall contain on the face thereof a statement to the effect that neither the State of Florida nor the council shall be obligated to pay the same or the interest thereon except from revenues of the project or the portion thereof for which they are issued and that neither the faith and credit nor the taxing power of the State of Florida or of any political subdivision thereof is pledged to the payment of the principal of or the interest on such bonds. The issuance of revenue bonds or other debt obligations under the provisions of this act shall not directly or indirectly or contingently obligate the state or any political subdivision thereof to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment.

Section 14. *Construction.* This act, being for the purpose of developing and promoting the public good and the welfare of the county of Pinellas and the territory included in the special district, and the citizens, inhabitants and taxpayers residing therein, shall be liberally construed to effect the purpose of the act.

Section 15. The powers conferred by this act shall be in addition and supplementary to existing powers and statutes and this act shall not be construed as repealing any of the provisions of any other law, general or local, except as herein provided, but to provide an alternative for the exercise of the powers granted in this act. Such improvements as authorized herein may be constructed, acquired, or improved, and revenue bonds or other debt obligations may be issued pursuant to this act without regard to either necessity for compliance with the limitations or restrictions contained in any other law, general, special or local, nor shall the approval of any other governing body, agency, commission or board of the State of Florida or the county of

Pinellas or any of the incorporated municipalities located therein be required to issue revenue bonds or other debt obligations to construct projects or otherwise carry out the provisions of this act.

Section 16. *State Agreement.* The State of Florida does hereby pledge to and agree with the holders of any debt obligations issued under this act, and with those parties who may enter into contracts with the council pursuant to the provisions of this act, that the State will not limit or alter the rights hereby vested in the council until such obligations, together with the interest thereon, are fully met and discharged and such contracts are fully performed on the part of the council, provided nothing herein contained shall preclude such limitation or alteration if and when adequate provision shall be made by law for the protection of the holders of such obligations of the council or those entering into such contracts with the council. The council is authorized to include this pledge and undertaking for the State in such obligations or contracts.

Section 17. *Trust Funds.* All moneys received pursuant to the authority of this act, whether as proceeds from the sale of bonds or as revenues, shall be deemed to be trust funds to be held and applied solely as provided in this act. Any officer with whom, or any bank or trust company with which, such moneys shall be deposited shall act as trustee of such moneys and shall hold and apply the same for the purposes hereof, subject to such regulations as this act and the resolution authorizing the bonds of any issue or the trust agreement securing such bonds may provide.

Section 18. The authority and powers of the council as provided herein shall not be exercised without the consent of Pinellas county, evidenced by a resolution duly adopted by the board of county commissioners; provided however, that the approval of said board shall in no way create any obligation or obligations of Pinellas county or the board of county commissioners.

Section 19. It is declared to be the legislative intent that if any section, subsection, sentence, clause or provision of this act is held invalid, the remainder of the act shall not be affected.

Section 20. All laws or parts of laws in conflict with the provisions of this act are hereby repealed.

CHAPTER 69-1491 LAWS OF FLORIDA

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Section 21. *Effective date.* This act shall take effect immediately upon becoming a law.

Became a law without the Governor's approval.

Filed in Office Secretary of State July 9, 1969.

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RESOLUTION NO. 92-23

WHEREAS, the Pinellas County Industry Council has for approximately one (1) year been endeavoring to implement a foreign trade zone in Pinellas County, Florida, pursuant to authority granted under the federal statutes, and

WHEREAS, the Pinellas County Industry Council having found that it would be extremely beneficial to Pinellas County for a foreign trade zone to be established in Pinellas County in order to meet the demands of increased international trade and increased international business development; and

WHEREAS, existing local businesses will find it beneficial to have access to a foreign trade zone in Pinellas County; and

WHEREAS, new business will be attracted to relocate to Pinellas County based upon the establishment of such a foreign trade zone.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of County Commissioners of Pinellas County, Florida, duly assembled this 4th day of February, 1992, that Charles E. Rainey, as the Chairman of the Pinellas County Industry Council, be and he is hereby authorized to take all necessary action and execute any and all documents as may be required to complete the Application for the establishment of a foreign trade zone for Pinellas County with the Foreign Trade Zone Board.

Commissioner Todd offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner Tyndall, and upon roll call the vote was:

AYES: Greer, Chesnut, Tyndall and Todd.

NAYS: None.

ABSENT AND NOT VOTING: Rainey.

I, KARLEEN F. De BLAKER, Clerk of the Circuit Court and Clerk Ex-Officio, Board of County Commissioners, do hereby certify that the above and foregoing is a true and correct copy of the original as it appears in the official files of the Board of County Commissioners of Pinellas County, Florida.

Witness my hand and seal of said County.

this 28<sup>th</sup> day of February, A.D. 1992.

KARLEEN F. De BLAKER, Clerk of the Circuit Court Ex-Officio Clerk to the Board of County Commissioners, Pinellas County, Florida.

By: [Signature] Deputy Clerk



**PINELLAS  
COUNTY**  
ECONOMIC DEVELOPMENT

September 22, 2009

Total Solutions, Inc.  
Calvin Jones, Project Lead  
238 Business Park Blvd.  
Madison, AL 35758

Re: DASG60-98-1-003

Dear Mr. Jones,

This letter is to acknowledge your request for information regarding the grant contract DASG80-98-1-003 that involved the Pinellas County Industrial Council.

The Pinellas County Industrial Council, PCIC, was a special district located in Pinellas County to promote economic development countywide. An act by the 1998 Legislature of the State of Florida dissolved the PCIC. The effective date of the dissolution occurred on July 1, 1999. All assets and liabilities were transferred to Pinellas County Board of County Commissioners.

We have searched our records regarding the project referenced above. We could not locate any PCIC records in our custody related to the project.

Thank you for your request and let us know if we can be any further assistance.

Sincerely,

Mike Meidel  
Director

cc: Dennis Long, Pinellas County Attorney

TO: Fred E. Marquis, County Administrator

FROM: Dave Libby, Director of Personnel 

DISTRIBUTION: Richard Dodge, Assistant County Administrator  
Richard David, Director of Economic Development

SUBJECT: Assimilation of Pinellas County Industry Council (PCIC) employees into the Economic Development Department

DATE: May 21, 1999

**BACKGROUND:**

In 1998, the Florida Legislature changed the Special Act under which the Pinellas County Industry Council (PCIC) was governed by placing the PCIC under the authority of the Board of County Commissioners (BCC). The Board has decided to place this responsibility under Mr. Richard Dodge, Assistant County Administrator, in charge of Economic Development for the County. The PCIC is responsible for the operation of the Star Center, a former Department of Energy plant now converted to manufacturing space for large and small technology companies. Attached you will find two items approved by the BCC on May 18, 1999 presenting additional information on the transfer of the PCIC to the BCC in order to help understand the scope of the project.

In order to facilitate a smooth transition of the employees and responsibilities to the Unified Personnel System, an implementation team was created. Members of the team include Susan Churuti, County Attorney, Mark Woodard, Director of Management and Budget, Richard David, Director of Economic Development and this writer. Mr. David identified the positions that would be transferred to County service. The first group of employees includes the skilled trades and maintenance workers responsible for the security, operation, and maintenance of the Star Center facility. Other groups of employees include the office support staff, the administrative support staff and the managerial staff.

Position Audit Questionnaires (PAQs) were completed by employees in these positions to detail their job duties. Pay & Classification staff analyzed the PAQs, and held discussions with PCIC management and staff. Many of the skilled trades and maintenance jobs are similar to ones found in the Facility Management Division of General Services. Based on this research and analysis the following recommendations are being made:

**RECOMMENDATIONS:**

It is recommended that effective July 1, 1999:

1. Employees be allocated to the job classes as shown below. They may keep their current titles as working titles if so desired.
2. Employees in the pay range will retain their current salaries. Those employees who have not had a merit increase since January, 1999 will be eligible to receive a merit increase based on job performance effective September 26, 1999 which will bring them to the common review date.

No. 37  
BCC 7-13-99  
9:04 A.M. Penhale/Buckley

*Corr. Comp.*

#37 RESOLUTION NO. 99-120 ADOPTED AUTHORIZING PINELLAS COUNTY TO BECOME A GRANTEE OF A FOREIGN TRADE ZONE DESIGNATION

County Administrator Fred E. Marquis recommended adoption of a resolution authorizing Pinellas County to become a grantee of a foreign trade zone designation with regard to the transfer of the foreign trade zone designation from the Pinellas County Industry Council to Pinellas County.

Commissioner Seel moved, seconded by Commissioner Todd and carried, that Resolution No. 99-120 be adopted as recommended. Upon roll call, the vote was:

Ayes: Parks, Todd and Seel.

Nays: None.

Absent and not voting: Stewart and Harris.

7-23-99 Copy of BO + Resolution to Pinellas County Industry Council,  
Original BO, Resolution to file

R

COMMISSION #  
7/13/99  
#37

**TO:** The Honorable Chairman and Members of the Board  
of County Commissioners  
**FROM:** Fred E. Marquis, County Administrator   
**RE:** Foreign Trade Zone  
**DATE:** July 13, 1999

**RECOMMENDATION:**

I RECOMMEND THAT THE BOARD OF COUNTY COMMISSIONERS APPROVE THE ATTACHED RESOLUTION RELATING TO TRANSFER OF THE FOREIGN TRADE ZONE DESIGNATION FROM THE PINELLAS COUNTY INDUSTRY COUNCIL TO PINELLAS COUNTY, FLORIDA.

**DISCUSSION:**

In 1993, the Industry Council obtained a foreign trade zone designation. As you know, pursuant to state legislation, the Industry Council was dissolved on July 1, 1999. Prior to its dissolution, the Industry Council filed with the United States Foreign Trade Zones Board for a transfer of its designation to Pinellas County. The Foreign Trade Zones Board also requires a resolution from the Board authorizing the County to be a grantee and authorizing the Chairman to sign a request that the County become a zone grantee. The attached Resolution provides for such authorizations.

20

RESOLUTION NO. 99-120

RESOLUTION AUTHORIZING PINELLAS COUNTY,  
FLORIDA, TO BECOME A GRANTEE OF A  
FOREIGN TRADE ZONE DESIGNATION

**WHEREAS**, on February 17, 1993, the United States Foreign Trade Zones Board granted to the Pinellas County Industry Council ("PCIC") the privilege of establishing a foreign trade zone, designated as Foreign Trade Zone No. 193; and

**WHEREAS**, Pinellas County ("County") has established a Department of Economic Development ("Department"); and

**WHEREAS**, pursuant to Chapter 98-485, Laws of Florida, the PCIC was abolished; and

**WHEREAS**, the County has assumed the assets and obligations of the PCIC and will continue the work of the PCIC; and

**WHEREAS**, the County desires that the grant of authority for the foreign trade zone be transferred to the County.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY**, duly assembled this 13th day of July, 1999, that the County is authorized to become a zone grantee and the Chairman is authorized to sign a request that the County become a zone grantee.

Commissioner Seel offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner Todd, and upon roll call the vote was:

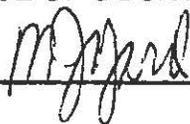
AYES Parks, Todd and Seel.

NAYS None.

ABSENT AND NOT VOTING Stewart and Harris.

\_\_\_\_\_  
[time]

APPROVED AS TO FORM  
OFFICE OF COUNTY ATTORNEY

By  Attorney

# CHARTER

## PART I - CHARTER

### PREAMBLE

Whereas, the board of county commissioners of Pinellas County, Florida, presently derives its legal authority from a combination of general laws, general laws of local application which apply only to Pinellas County, and special laws, all of which emanate from the Legislature of the State of Florida, and

Whereas, under this legal framework the powers, duties and responsibilities of the board of county commissioners are difficult, if not impossible to define, and

Whereas, the only legal method available to the board of county commissioners to define its powers, duties, and responsibilities under the Constitution of the State of Florida is the adoption of a Home Rule Charter, and

Whereas, the board of county commissioners believes that such a charter should be conceived in the interest of cooperation with the municipalities and other governmental units of this county, with the integrity of the rights of the municipalities guaranteed.

### FOOTNOTE(S):

--- (1) ---

**Editor's note**—Printed herein is the county's charter, being Laws of Fla. ch. 80-590, § 1. The charter was effective upon approval at referendum. The charter was approved at an election held on Oct. 7, 1980. Amendments are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original charter. Obvious misspellings have been corrected without notation. For stylistic purposes, a uniform system of headings, catchlines and citations to state statutes has been used. Additions made for clarity are indicated by brackets.

### ARTICLE I. - CREATION OF GOVERNMENT

#### Sec. 1.01. - Body corporate.

Pinellas County shall be a body corporate and politic, and shall have all rights and powers of local self-government which are now or may hereafter be provided by the constitution and laws of Florida and this Charter and as such may contract and be contracted with, and may sue and be sued and be impleaded in all the courts of this state and in all matters whatsoever.

#### Sec. 1.02. - Name and county seat.

The corporate name shall be Pinellas County, hereinafter referred to as the county. Said name shall be so designated in all legal actions or proceedings involving the county. The county seat shall be that presently designated by law.

### ARTICLE II. - POWERS AND DUTIES OF THE COUNTY

#### Sec. 2.01. - Powers and duties.

The county shall have all powers of local self-government not inconsistent with general law, with special law approved by vote of the electors, or with this Charter.

In the event of a conflict between a county ordinance and a municipal ordinance, the county ordinance shall prevail over the municipal ordinance when general law provides that a county ordinance shall prevail over a municipal ordinance, or when it concerns a power of local county government lawfully and constitutionally enacted by special law at the time of the adoption of this Charter, except that the county shall not hereafter amend such special law or laws to increase or expand the county's power, jurisdiction, or services over the municipalities or their powers or services. The county ordinance shall prevail over the municipal ordinance when a special law enacted subsequent to the adoption of this Charter and approved by a vote of the electorate provides that a county ordinance shall prevail over a municipal ordinance or when the county is delegated special powers within an area of governmental service enumerated in this Charter. In all other cases where a county ordinance conflicts with a municipal ordinance, the municipal ordinance shall prevail.

Sec. 2.02. - Security of rights of citizens.

In order to secure protection to the citizens of the county against abuses and encroachments, the county shall use its powers, whenever appropriate, to provide by ordinance or to seek remedy by civil or criminal action for the following:

- (a) Prohibition of conflict of interest. The board of county commissioners shall enact a conflict of interest ordinance pertaining to all elected officials, appointed officials, and all employees of said officials of Pinellas County government, within ninety (90) days after the effective date of the Charter. By said ordinance the board shall be empowered to institute procedures by which any such official may be removed from office, except for those officers for which removal is provided under the state constitution.
- (b) Just and equitable taxation while recognizing other local governments' jurisdictions to set their own millage. The grant of the powers contained herein shall not be construed in any way to allow the county to claim any portion of any city's ten-mill taxing power.
- (c) [Public property.] Proper use of public property belonging to Pinellas County government.
- (d) [Public records.] Full access to public records and proceedings of Pinellas County government.
- (e) Protection of human rights. The county shall establish provisions, pursuant to state and federal law, for protection of human rights from discrimination based upon religion, political affiliation, race, color, age, sex, or national origin by providing and ensuring equal rights and opportunities for all people of Pinellas County.
- (f) Protection of consumer rights. The county shall establish provisions for the protection of consumers.

Sec. 2.03. - Exercise of powers.

All powers of the county shall be exercised in accordance with this Charter; or, if the Charter contains no provision for execution, then by ordinance, resolution or action of the board of county commissioners.

Sec. 2.04. - Special powers of the county.

The county shall have all special and necessary power to furnish within the various municipalities the services and regulatory authority listed below. When directly concerned with the furnishing of the services and regulatory authority described in this section, county ordinances shall prevail over municipal ordinances, when in conflict. Governmental powers not listed or described in this Charter or granted to the county by general statute or special act shall remain with the municipalities.

- (a) Development and operation of 911 emergency communication system.
- (b) Development and operation of solid waste disposal facilities, exclusive of municipal collection systems.

- (c) Development and operation of regional sewage treatment facilities in accordance with federal law, state law, and existing or future interlocal agreements, exclusive of municipal sewage systems.
- (d) Acquisition, development and control of county-owned parks, buildings, and other county-owned property.
- (e) Development and operation of public health or welfare services or facilities in Pinellas County.
- (f) Operation, development and control of the St. Petersburg-Clearwater International Airport.
- (g) Design, construction and maintenance of major drainage systems in both the incorporated and unincorporated area.
- (h) Design, construction and maintenance of county roads in accordance with law.
- (i) Implementation of regulations and programs for protection of consumers.
- (j) Implementation of animal control regulations and programs.
- (k) Development and implementation of civil preparedness programs.
- (l) Coordination and implementation of fire protection for the unincorporated areas of the county.
- (m) Operation of motor vehicle inspection facilities, including inspection of auto emissions systems.
- (n) Production and distribution of water, exclusive of municipal water systems and in accordance with existing and future interlocal agreements.
- (o) Implementation of programs for regulation of charitable solicitations.
- (p) All powers necessary to provide municipal services in the unincorporated areas of the county and in accordance with any existing and future interlocal agreement.
- (q) All powers necessary to transfer the functions and powers of any other governmental agency upon approval by the governing body of that agency and the board of county commissioners.
- (r) All power necessary, upon approval of a vote of the electors, to levy a one-mill increase in ad valorem taxes in order to make funds available to be used solely to acquire beachfront and other property to be dedicated as public parks for recreational use. This subsection shall in no manner limit a municipality from levying any such tax under any authorization it might have at this time or may receive in the future.
- (s) Countywide planning authority as provided by special law. In the event of a conflict between a county ordinance adopted pursuant to the county's countywide planning authority as provided by special law and a municipal ordinance, the county ordinance shall prevail over the municipal ordinance; however, a municipal ordinance shall prevail over a county ordinance in the event a municipal ordinance provides for a less intense land use or a lesser density land use within the corporate boundaries of the municipality than that provided by county ordinance.
- (t) Reserved.
- (u) Development and operation of countywide mosquito control programs.
- (v) Development and operation of water and navigation control programs, including: (1) regulating and exercising control over the dredging and filling of all submerged bottom lands in the waters of Pinellas County, together with all islands, sandbars, swamps and overflow lands including sovereignty lands, and regulating and exercising control over the construction of docks, piers, wharves, mooring piles and buoys therein; and (2) performing all things necessary to undertake projects for the construction, maintenance and improvement of portions of the Intracoastal Waterway and other channels within the navigable water of Pinellas County; and (3) undertaking programs for the dredging and maintenance of waterway channels within the incorporated and unincorporated areas of Pinellas County which have become or have been nonnavigable.

(Laws of Fla. ch. 88-458, § 1; Res. No. 88-496, 12-6-88; Ord. No. 00-66, § 2, 8-22-00; Res. 06-114, 7-11-06)

**Editor's note**— Laws of Fla. ch. 88-458, and Res. No. 88-496, adding subsection (s), were approved by referendum Nov. 8, 1988. Ord. No. 00-66, adding subsection (t), was approved by referendum Nov. 7, 2000.

**Editor's note**— Res. 06-114, adding subsections (t) and (u), was approved by referendum Nov. 7, 2006. At the direction of the county, said subsections were redesignated as subsections (u) and (v), respectively.

**Editor's note**— At the direction of the county, subsection (t) pertaining to annexation, was deleted as being unconstitutional and no longer valid or in effect pursuant to the case of *Pinellas County v. Largo et al.*, 964 So. 2d 847 (Fla. 2d DCA 2007).

Sec. 2.05. - Contractual services and transfer of contractual services.

Additional services may be furnished within the municipalities when the county is requested to do so by a majority vote of the governing body of the municipality and is so authorized by a majority vote of the board of county commissioners.

Sec. 2.06. - Limitation of powers.

The county shall not have the power, under any circumstances, to abolish any municipality or in any manner to change the status, duties, or responsibilities of the county officers specified in section 1(d), art. VIII of the state constitution. The county shall exercise its powers to ensure that property situate within municipalities shall not be subject to taxation for services rendered by the county exclusively for the benefit of the property or residents in unincorporated areas, nor shall property situate in unincorporated areas be subject to taxation for services provided by the county exclusively for the property or residents within municipalities, all in accordance with the laws of the State of Florida and the Constitution of the State of Florida as they now provide or as they may be amended from time to time.

Sec. 2.07. - Reserved.

**Editor's note**— At the direction of the county § 2.07, pertaining to annexation, was deleted as being unconstitutional and no longer valid or in effect pursuant to the case of *Pinellas County v. Largo et al.*, 964 So. 2d 847 (Fla. 2d DCA 2007). Former § 2.07 derived from Ord. No. 00-66, § 3, adopted Aug. 22, 2000, and approved by referendum Nov. 7, 2000.

Sec. 2.08. - Environmental lands.

- (a) The preservation of environmental lands as defined herein within Pinellas County supports the sustainability of natural resources, watersheds, and natural habitat; provides resource-based recreational opportunities; and promotes a healthy environment and community.
- (b) Environmental lands subject to the provisions of this Charter are those county-owned lands designated as environmental lands pursuant to section 90-112, Pinellas County Code, and include county-owned lands within the Allen's Creek Management Area, Alligator Lake Management Area, Anclote Islands Management Area, Brooker Creek Preserve, Cabbage Key Management Area, Cow Branch Management Area, East Lake Management Area, Joe's Creek Management Area, King Islands Management Area, Lake Seminole Management Area, Lake Tarpon Management Area, Lake Tarpon West Management Area, Long Branch Management Area, Mariner's Point Management Area, Mobbly

Bayou Preserve, Ozona Management Area, Shell Key Preserve, Travatine Island Management Area and Weedon Island Preserve.

- (c) Additional county-owned lands may be designated as environmental lands subject to the provisions of this Charter by adoption of an ordinance by the board of county commissioners.
- (d) The environmental lands designation may be removed from county-owned lands by adoption of an ordinance by the board of county commissioners and approval by a majority vote of the electors of Pinellas County in a referendum held at a general or special election called by the board of county commissioners, if the lands affected constitute more than one acre within a designated facility, or by adoption of an ordinance by the board of county commissioners if the lands affected constitute one acre or less within a designated facility.
- (e) The county shall not sell, convey, or transfer any fee simple interest in county-owned lands designated as environmental lands subject to the provisions of this Charter, and the county shall not lease or license for a period longer than ten years any interest in county-owned lands designated as environmental lands subject to the provisions of this Charter, unless authorized by a majority vote of the electors of Pinellas County in a referendum held at a general or special election called by the board of county commissioners.

(Ord. No. 08-45, § 1, 8-26-08)

**Editor's note**— Ord. No. 08-45 was approved by referendum Nov. 4, 2008.

#### ARTICLE III. - LEGISLATIVE BRANCH

##### Sec. 3.01. - Board of county commissioners.

The legislative body of county government shall be the Board of County Commissioners. The Board of County Commissioners shall be increased from five commissioners to seven commissioners, with four of the seven commissioners residing one in each of four county commission districts, the districts together covering the entire county and as nearly equal in population as practicable, and each commissioner being nominated and elected only by the qualified electors who reside in the same county commission district as the commissioner, and with three of the seven commissioners being nominated and elected at large. Each of the three at-large commissioners shall reside one in each of three districts, the three districts together covering the entire county and as nearly equal in population as practicable. Initial redistricting shall be accomplished by the Board of County Commissioners in accordance with Section 1(e) of Article VIII of the Florida Constitution. The election, term of office, and compensation of members shall all be in accordance with general law.

(Laws of Fla. ch. 99-472, § 1)

**Editor's note**— The changes authorized by Laws of Fla. ch. 99-472 were approved by referendum Nov. 2, 1999.

##### Sec. 3.02. - Enactment of ordinances and resolutions.

All ordinances and resolutions shall be passed by an affirmative vote of a majority of the members of the board of county commissioners voting, in accordance with the procedures established by general law.

##### Sec. 3.03. - Non-interference.

- (a) It is the intent of the county to separate the legislative and administrative branches of government. Except for the purpose of inquiry and information or as otherwise permitted by law, the board of county commissioners and its members shall deal with county employees who are subject to the direction or supervision of the administrator solely through the administrator, and neither the board nor its members shall give any commands, directives or instructions to, or make any other demands or requests of, any such employee, either publicly or privately.
- (b) Nothing in this section shall be construed to prohibit individual members of the board from interaction, communication and observation of all aspects of county government operations so as to obtain independent information to assist the board in the formulation of policies to be considered by the board. It is the express intent of this section, however, that any such action not interfere with the administrative operations of the county and that recommendations for change or improvement in county administrative operations be made to, and through, the administrator.

(Res. No. 04-123, 7-27-04)

**Editor's note**— Res. No. 04-123 was approved by referendum Nov. 2, 2004.

#### ARTICLE IV. - ADMINISTRATION OF COUNTY GOVERNMENT

##### Sec. 4.01. - County administrator.

- (a) There shall be a county administrator selected and appointed by the affirmative vote of five (5) members of the board of county commissioners, who shall serve until such time as the county administrator shall be removed either by a vote for removal of four (4) members of the board of county commissioners voting for removal in two (2) consecutive, regularly scheduled meetings of the board, or by a vote of removal of five (5) members of the board of county commissioners at any one meeting of the board.
- (b) The county administrator shall be a full-time position. He shall serve at the pleasure of the board of county commissioners and shall be appointed solely on the basis of his executive and administrative qualifications.
- (c) The county administrator shall have the following duties:
  - (1) To administer and carry out the directives and policies issued to him by the board of county commissioners, acting as an official body, except that he shall not be directed or given authority to make appointments of members to any county boards, commissions or agencies.
  - (2) Subject to the provisions of county merit or civil service plans, to select and employ personnel to fill all vacancies, positions or employment after the board of county commissioners has authorized that such vacancies, positions or employment be filled. Employment of persons in unclassified positions shall be subject to confirmation by the board of county commissioners.
  - (3) To supervise all departments, department heads and employees of the board of county commissioners and, in his discretion, to terminate for cause the employment of any employees of the board of county commissioners. Termination of persons in unclassified positions shall be subject to confirmation by the board of county commissioners.
  - (4) After policy has been established by the board of county commissioners, to supervise all aspects of carrying into effect such policy to its completion. He shall thereupon report or order a full report to the board of county commissioners of the action taken upon such policy and directives of the board of county commissioners.
  - (5) To act as the county budget officer and carry out the duties of such budget officer as required by law or as directed by the board of county commissioners.

- (6) To perform such other duties as may be required of him by the board of county commissioners, acting as an official body, or by this Charter.

(Ord. No. 00-69, § 2, 9-12-00; Res. No. 04-123, 7-27-04)

**Editor's note**— Ord. No. 00-69, amending subsection (a), was approved by referendum Nov. 7, 2000. Res. No. 04-123, amending subsection (a), renumbering subsection (5) as subsection (6), and adding a new subsection (5) was approved by referendum Nov. 2, 2004.

Sec. 4.02. - County attorney.

- (a) There shall be a county attorney selected by the board of county commissioners who shall serve at the pleasure of the board. The office of county attorney shall not be under the direction and control of the county administrator but shall instead be responsible directly to the board of county commissioners.
- (b) The county attorney shall be an attorney licensed to practice law in the State of Florida for at least three (3) years. Upon appointment, he shall be employed full time by said county. The county attorney shall employ such assistant county attorneys and special assistant county attorneys, on either a full-time or part-time basis, as may be necessary, upon approval of the board of county commissioners.
- (c) The office of county attorney shall be responsible for the representation of county government, the board of county commissioners, the county administrator, constitutional officers and all other departments, divisions, regulatory boards and advisory boards of county government in all legal matters relating to their official responsibilities. The office of county attorney shall prosecute and defend all civil actions for and on behalf of county government and shall review all ordinances, resolutions, contracts, bonds and other written instruments.

Sec. 4.03. - County officers.

This document [Charter] shall in no manner change the status, duties, or responsibilities of the [following] county officers of Pinellas County:

The clerk of the circuit court, property appraiser, tax collector, sheriff, and supervisor of elections.

ARTICLE V. - GENERAL PROVISIONS

Sec. 5.01. - Effect on local county laws.

All existing laws, ordinances, resolutions, rules, regulations, and policies of the county shall remain operative except where inconsistent or in direct conflict with this Charter, until amended or repealed by the board of county commissioners.

Sec. 5.02. - Special laws.

- (a) Special laws of the State of Florida relating to or affecting Pinellas County and general laws of local application which apply only to Pinellas County, except those laws relating exclusively to a municipality, the school board or one of the boards, authorities, districts or councils listed in subsection (b) and except those laws dealing with saltwater fishing, wetlands, aquatic preserves, or bird sanctuaries, shall become county ordinances of Pinellas County and shall remain in full force and effect to the extent they are not in conflict with this Charter, subject to amendment or repeal by the board of county commissioners.
- (b) This document shall in no manner change the status, duties or responsibilities of the following boards, authorities, districts and councils: Pinellas Suncoast Transit Authority, Emergency Medical Services

Authority, Fresh Water Conservation Board, Indian Rocks Special Fire Control District, Juvenile Welfare Board, License Board for Children's Centers and Family Day Care Homes, Ozona-Palm Harbor-Crystal Beach Special Fire Control District, Pinellas County Construction Licensing Board, Pinellas County Industry Council, Pinellas County Planning Council, Pinellas County Personnel Board, Pinellas Park Water Management District, Pinellas Police Standards Council, and Pinellas Sports Authority.

- (c) In order to provide government which is responsive to the people, the powers granted by this Charter shall be construed liberally in favor of the county government, except in those areas where jurisdiction is granted to, or reserved to, the municipalities. This Charter shall not be construed to authorize or grant power to county government to perform services within the various municipalities beyond those specifically enumerated in this Charter. The specified powers in this Charter shall not be construed as limiting, in any way, the general or specific powers of the government.

(Res. 06-114, 7-11-06)

**Editor's note**— Res. 06-114 was approved by referendum Nov. 11, 2006.

#### ARTICLE VI. - CHARTER AMENDMENTS

##### Sec. 6.01. - Proposed by county.

The board of county commissioners by ordinance passed by an affirmative vote of not less than majority plus one (1) member shall have the authority to propose amendments to this Charter. Any such amendment shall be subject to referendum at the next scheduled countywide election; provided, however, the board of county commissioners may call a special referendum election for said purpose. Said referendum shall be called by the board of county commissioners and notice of said referendum, together with the exact language of the proposed amendment, shall be published once a week for four (4) consecutive weeks in a newspaper of general circulation in the county, the first such publication being at least forty-five (45) days prior to the referendum. Passage of proposed amendments shall require approval of a majority of electors voting in said election on such amendment.

##### Sec. 6.02. - Charter initiative.

- 1) Amendments to the Charter may be proposed by a petition signed by registered electors equal to at least ten (10) percent of the number of registered electors of the county at the time of the last preceding general election. No more than forty (40) percent of those registered electors signing petitions shall reside in any one (1) at-large county commission district. No more than thirty (30) percent of those registered electors signing petitions shall reside in any one (1) single-member county commission district. Such petition shall be filed with the clerk of the circuit court in his capacity as clerk of the board of county commissioners, together with an affidavit from the supervisor of elections certifying the number of signatures which has been verified as registered electors of Pinellas County at the time the signature was verified. Each such proposed amendment shall embrace but one (1) subject and matter directly connected therewith. Each charter amendment proposed by petition shall be placed on the ballot by resolution of the board of county commissioners for the general election occurring in excess of ninety (90) days from the certification by the supervisor of elections that the requisite number of signatures has been verified. However, the County Commissioners may call a special referendum election for said purpose. Notice of said referendum, together with the exact language of the proposed amendment as submitted on the petition, shall be published by the board of county commissioners once a week for four (4) consecutive weeks in a newspaper of general circulation in the county, the first such publication being at least forty-five (45) days prior to the referendum. Passage of proposed amendments shall require approval of a majority of electors voting in said election on such amendment.

- 2) The sponsor of a petition amendment shall, prior to obtaining any signatures, submit the text of the proposed amendment to the supervisor of elections, with the form on which the signatures will be affixed, and shall obtain the approval of the supervisor of elections of such form. The style and requirements of such form shall be specified by ordinance. The beginning date of any petition drive shall commence upon the date of approval by the supervisor of elections of the form on which signatures will be affixed, and said drive shall terminate one hundred eighty (180) days after that date. In the event sufficient signatures are not acquired during that one hundred eighty (180) day period, the petition initiative shall be rendered null and void and none of the signatures may be carried over onto another identical or similar petition. The sponsor shall submit signed and dated forms to the supervisor of elections and upon submission pay all fees as required by general law. The supervisor of elections shall within forty-five (45) days verify the signatures thereon. Notwithstanding the time limits hereinabove signatures on a petition circulated prior to one general election shall not be valid beyond the date of that election.
- 3) If approved by a majority of those electors voting on the amendment at the general election, the amendment shall become effective on the date specified in the amendment, or, if not so specified, on January 1 of the succeeding year.

(Amd. of 11-03-98; Ord. No. 00-68, § 2, 9-12-00)

**Editor's note**— Ord. No. 00-68, amending subsection 1), was approved by referendum Nov. 7, 2000.

Sec. 6.03. - Charter review commission.

- (a) Not later than August 1 of the year 2015 and every eight (8) years thereafter, there shall be established a charter review commission composed of thirteen (13) members. The members of the commission shall be appointed by the board of county commissioners of Pinellas County from the following groups:
  - (1) One (1) member from the Pinellas County Legislative Delegation residing in Pinellas County;
  - (2) One (1) constitutional officer;
  - (3) One (1) member from the elected city officials;
  - (4) One (1) member from the elected board of county commissioners;
  - (5) Nine (9) members from the public at large, none of whom shall be an elected official.Vacancies shall be filled within thirty (30) days in the same manner as the original appointments.
- (b) Each charter review commission shall meet prior to the end of the third week in August 2015, and every eight (8) years thereafter for the purposes of organization. The charter review commission shall elect a chairman and vice-chairman from among its membership. Further meetings of the commission shall be held upon the call of chairman or any three (3) members of the commission. All meetings shall be open to the public. A majority of the members of the charter review commission shall constitute a quorum. The commission may adopt other rules for its operations and proceedings as it deems desirable. The members of the commission shall receive no compensation but shall be reimbursed for necessary expenses pursuant to law.
- (c) Expenses of the charter review commission shall be verified by a majority vote of the commission and forwarded to the board of county commissioners for payment from the general fund of the county. The board of county commissioners shall provide space, secretarial and staff assistance. The board of county commissioners may accept funds, grants, gifts, and services for the charter review commission from the state, the government of the United States, or other sources, public or private.
- (d) The charter review commission shall review, on behalf of the citizens of Pinellas County, the operation of county government in order to recommend amendments to this Charter, if any.

- (e) Each charter review commission established pursuant to this section shall complete its review and submit a report to the citizens of Pinellas County by July 31, 2016, and each eight (8) years thereafter in order to coincide with the presidential election cycle. Included within the report shall be any proposed amendments to the Charter, together with the wording of the question or questions which shall be voted on at referendum. Proposed amendments may, at the discretion of the charter review commission, be included in a single question or multiple questions. If proposed amendments are included in the report, the charter review commission may, at its discretion, remain constituted through the general election. The board of county commissioners shall call a referendum election to be held in conjunction with the 2016 general election and each eight (8) years thereafter, for the purpose of voting on the proposal or proposals submitted by the charter review commission. Notice of each such referendum, together with the exact language of the proposed amendment or amendments as submitted in the report of the charter review commission, shall be published by the board of county commissioners once a week for four (4) consecutive weeks in a newspaper of general circulation in the county, the first such publication being at least forty-five (45) days prior to the referendum. If an amendment or revision to the charter is to be recommended, the charter review commission shall conduct at least two (2) public hearings on any amendment or revision, at intervals of not less than ten (10) days but not more than twenty-one (21) days, immediately prior to its transmittal of its recommendations to the board of county commissioners. Passage of proposed amendments shall require approval of a majority of electors voting in said election on such amendment.

(Amd. of 11-3-98; Res. No. 10-105, 8-10-10)

**Editor's note**— Amendments to § 6.03 were approved at referendum in Nov. 1984. Res. No. 10-105, amending subsections (a), (b), and (e) of § 6.03, was approved by referendum Nov. 2, 2010.

Sec. 6.04. - [Placement on ballot.]

Any other section of the Pinellas County Charter, chapter 80-590, Laws of Florida, notwithstanding, except for any proposed amendments affecting the status, duties, or responsibilities of the county officers referenced in §§ 2.06 and 4.03 of this Charter, charter amendments proposed under § 6.01 (proposed by Pinellas County Commission), § 6.02 (proposed by citizens' initiative), or § 6.03 (proposed by a Charter Review Commission) shall be placed directly on the ballot for approval or rejection by the voters and it shall not be a requirement that any such proposed amendments need to be referred to or approved by the Legislature prior to any such placement on the ballot. However, any charter amendment affecting any change in function, service, power, or regulatory authority of a county, municipality, or special district may be transferred to or performed by another county, municipality, or special district only after approval by vote of the electors of each transferor and approval by vote of the electors of each transferee. Such amendments proposed by the Board of County Commissioners must be approved by ordinance passed by a majority plus one member. The power to amend, revise, or repeal this Charter by citizens' initiative shall not include amendments relating to the county budget, debt obligations, capital improvement programs, salaries of county officers and employees, the levy or collection of taxes, or the rezoning of less than 5 percent of the total land area of the county.

(Laws of Fla. ch. 99-451, § 1)

**Editor's note**— The additions authorized by Laws of Fla. ch. 99-451 were approved by referendum Nov. 2, 1999.

Sec. 6.05. - Reconstitution of 2004 Charter review commission.

- (a) The members of the charter review commission appointed to serve in 2003 shall be deemed members of a reconstituted 2004 charter review commission, which shall serve from November 8, 2004 through

December 1, 2006. Vacancies shall be filled within thirty (30) days in the same manner as the original appointments.

- (b) On behalf of the citizens of Pinellas County, the reconstituted charter review commission shall continue to examine the Pinellas County Charter, the operations of the Pinellas County government and any limitations imposed upon those operations by the charter or any special acts of the Legislature. This examination will include review of the Pinellas Assembly process, further investigation by consultants as deemed necessary and discussions with municipal officials and members of the Pinellas County Legislative Delegation. After such examination, the reconstituted charter review commission will have the authority to make recommendations for amendments, including substantial revision of the Charter. Prior to submitting such recommendations, the reconstituted charter review commission shall hold three public hearings at intervals of not less than ten (10) nor more than twenty (20) days. At the final hearing, the reconstituted charter review commission shall incorporate any recommendations it deems desirable, vote upon a proposed form of revised charter, and forward said charter to the board of county commissioners.
- (c) The reconstituted charter review commission established pursuant to this section shall complete its review and submit a report to the board of county commissioners no later than June 30, 2006, unless such time is extended by the board of county commissioners. Included within the report shall be any proposed amendments to the Charter, which may include substantial revisions of the Charter, together with the wording of the question or questions, which shall be voted on at referendum. Proposed amendments may, at the discretion of the reconstituted charter review commission, be included in a single question or multiple questions. The board of county commissioners shall call a referendum election to be held in conjunction with the 2006 general election, for the purpose of voting on the proposal or proposals submitted by the charter review commission. Notice of each such referendum, together with the exact language of the proposed amendment or amendments as submitted in the report of the charter revision commission, shall be published by the board of county commissioners once a week for four (4) consecutive weeks in a newspaper of general circulation in the county, the first such publication being at least forty-five (45) days prior to the referendum. Passage of proposed amendments shall require approval of a majority of electors voting in said election on such amendment.
- (d) Except as otherwise provided in this Section 6.05, the provisions of Section 6.03 of the Charter shall apply to the operation of the reconstituted 2004 charter review commission.
- (e) This section 6.05 shall be repealed effective January 1, 2007.

(Res. No. 04-123, 7-27-04)

**Editor's note**— Res. No. 04-123, adding section 6.05, was approved by referendum Nov. 2, 2004.

#### ARTICLE VII. - SEVERABILITY

[Sec. 7.01. - Provisions severable.]

If any article, section, subsection, sentence, clause, or provision of this Charter is held invalid or unconstitutional, such invalidity or unconstitutionality shall not be construed to render invalid or unconstitutional the remaining provisions of this Charter.

#### ARTICLE VIII. - TRANSITION PROVISIONS

Sec. 8.01. - Proceedings continued.

All petitions, hearings and other proceedings pending before any office, officer, department or board on the effective date of this Charter shall be continued and completed under Charter government.

Sec. 8.02. - Outstanding bonds.

All bonds, revenue certificates, and other financial obligations of the county outstanding on the effective date of this Charter shall continue to be obligations of the county.

CHARTER COMPARATIVE TABLE

This table shows the location of the sections of the basic Charter and any amendments thereto.

Referendum Date	Section this Charter	
10- 7-80	1.01—8.02	
11- 3-98	6.02	
11- 3-98	6.03	
11- 2-99	3.01	
	6.04	

Laws of Fla. Chapter	Section	Section this Charter
80-590	1	1.01—8.02
88-458	1	2.04
99-472	1	3.01
99-451	1	6.04

Resolution/ Ordinance	Adoption Date	Section this Charter
88-496	12- 7-88(Res.)	2.04
00-66	8-22-00(Ord.)	2.04
		2.07
00-68	9-12-00(Ord.)	6.02
00-69	9-12-00(Ord.)	4.01
04-123	7-27-04(Res.)	3.03
		4.01
		6.05
06-114	7-11-06(Res)	2.04
		5.02
08-45	8-26-08(Ord.)	2.08
10-105	8-10-10(Res.)	6.03(a), (b), (e)

# RESOLUTION

# **SERVICE AREA CORRESPONDENCE**

# Board of County Commissioners

Hernando County



20 North Main Street, Room 263  
Brooksville, FL 34601  
(352) 754-4002  
Fax: (352) 754-4477  
[www.hernandocounty.us](http://www.hernandocounty.us)

September 15, 2015

Mike Meidel, Director  
Pinellas County Economic Development  
13805 58<sup>th</sup> Street North, Suite 1-200  
Clearwater, FL 33760

Dear Mr. Meidel:

The purpose of this letter is to document the support of Hernando County for inclusion within the Service Area of Foreign-Trade Zone (FTZ) No. 193. We understand that this means that the grantee, Pinellas County, will be able to apply to the Foreign-Trade Zones Board for authority to serve sites located within Hernando County based on businesses' trade-related needs. We also note that the zone will be made available on a uniform basis to companies within this county, in a manner consistent with the legal requirement that each FTZ be operated as a public utility.

Thank you for making the FTZ program available to our business community.

Sincerely,

Leonard B. Sossamon  
County Administrator/Economic Development Director

cc: Valerie Pianta, Economic Development Manager



# PASCO COUNTY, FLORIDA

*"Bringing Opportunities Home"*

DADE CITY 352 523-2411  
LAND O'LAKES 813 996-2411  
WEST PASCO 727 847-8115  
FAX 727 815-7010

COUNTY ADMINISTRATOR'S OFFICE  
WEST PASCO GOVERNMENT CENTER  
8731 CITIZENS DRIVE, SUITE 340  
NEW PORT RICHEY, FL 34654  
E-MAIL: [pcadmin@pascocountyfl.net](mailto:pcadmin@pascocountyfl.net)

September 2, 2015

Mr. Mike Meidel, Director  
Pinellas County Economic Development  
13805 58<sup>th</sup> Street North  
Suite 1-200  
Clearwater, FL 33760

Dear Mr. Meidel:

The purpose of this letter is to document the support of Pasco County for inclusion within the Service Area of Foreign-Trade Zone (FTZ) No. 193. We understand that this means that the grantee, Pinellas County, will be able to apply to the Foreign-Trade Zones Board for authority to serve sites located within Pasco County based on businesses' trade-related needs. We also note that the zone will be made available on a uniform basis to companies within this county, in a manner consistent with the legal requirement that each FTZ be operated as a public utility.

Thank you for making the FTZ program available to our business community.

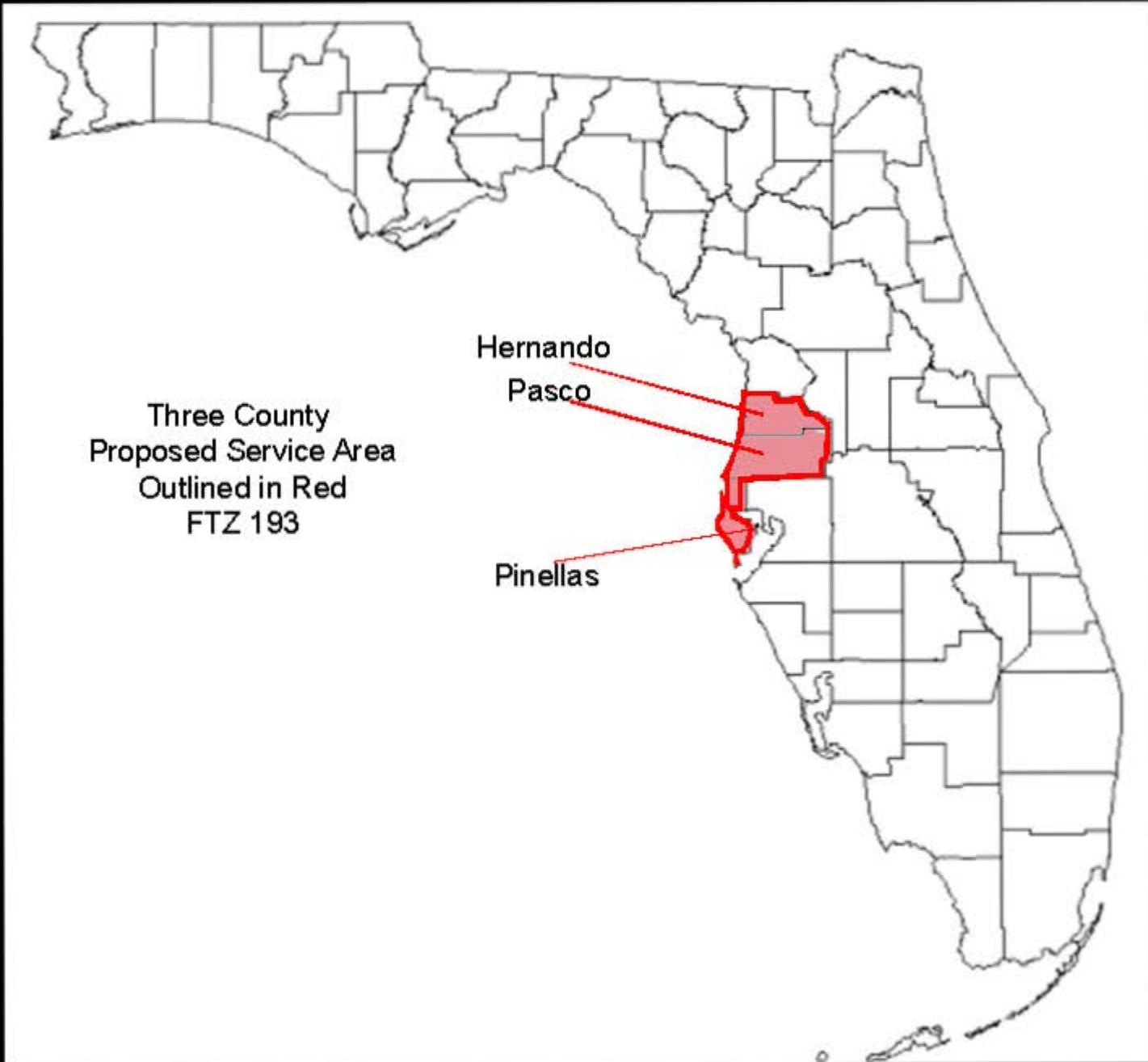
Sincerely,

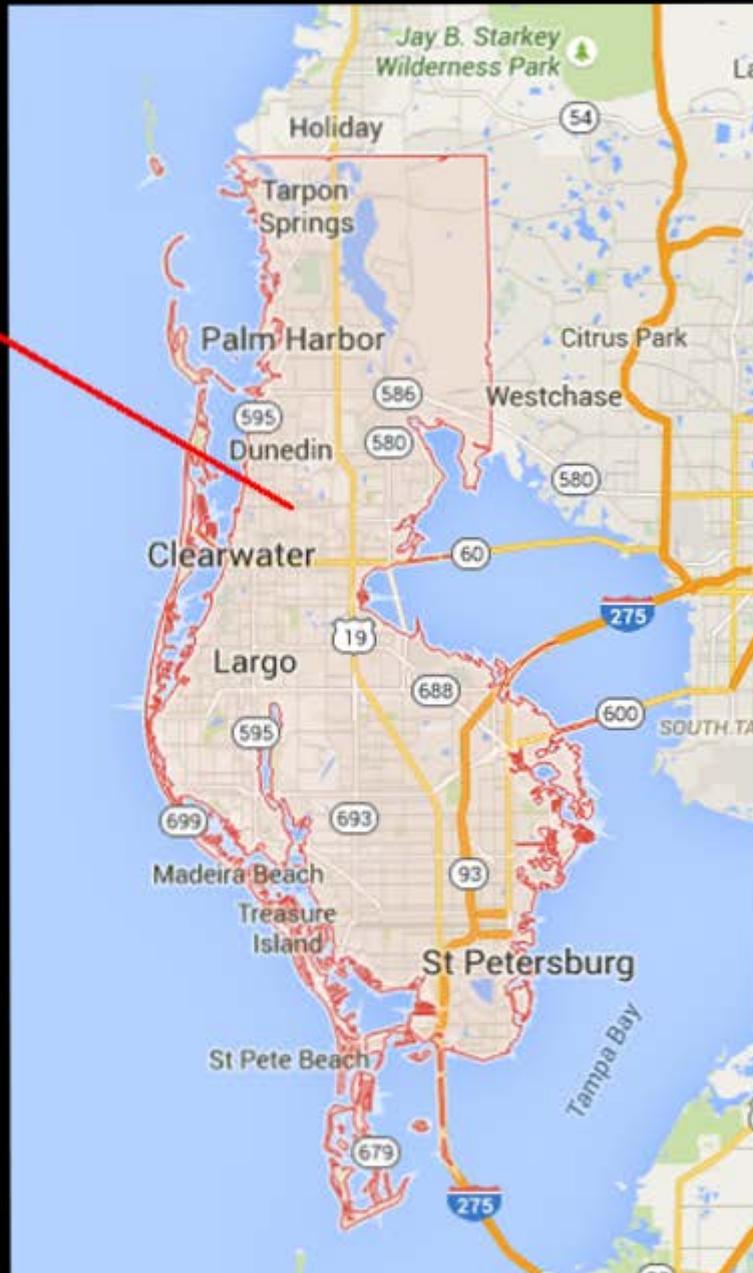
Michele L. Baker, MBA  
County Administrator

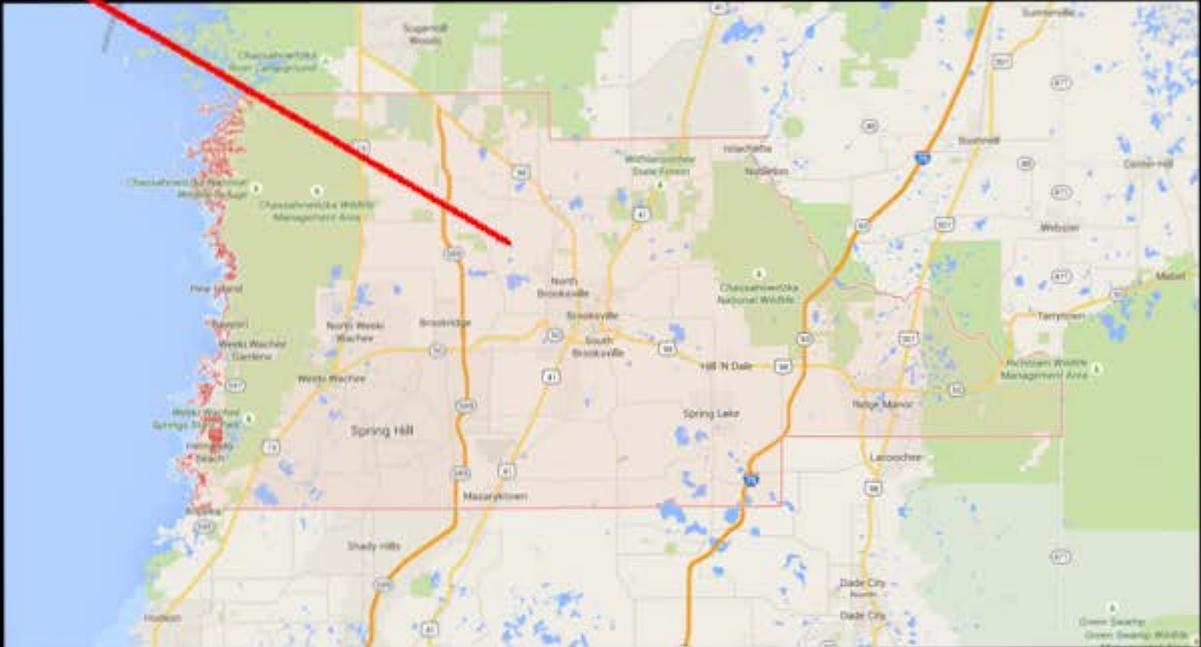
MLB/JW

cc: Mark S. Woodard, Pinellas County Administrator  
John Hagan, President/CEO of Pasco Economic Development Council  
Richard Gehring, Pasco County Strategic Policy Administrator

**MAPS**







FTZ 193  
Grantee, Pinellas County Economic Development  
Reorganization Under Alternative Site Framework  
Extension of Service Area

Map Outlining Pasco County, FL

Pasco County  
Outlined in Red

