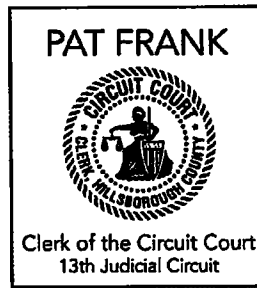


# **ORDINANCE**

**13-8**

March 14, 2013



Norma J. Wise, Director  
Hillsborough County Law Library  
501 E. Kennedy Boulevard Ste. 100  
Tampa, Florida 33602-5027

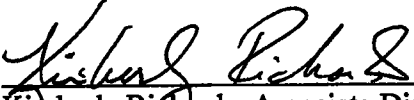
Re: Ordinance #13-8  
Amending Hillsborough County Ordinance 08-31; Changing the Name of the Circa  
Fishhawk Community Development District to Fishhawk Community Development  
District IV

Dear Ms. Wise:

Attached please find a copy of Hillsborough County Ordinance #13-8 which was adopted by the Board of County Commissioners on March 5, 2013. We are also forwarding acknowledgment received from the Secretary of State. This ordinance has an effective date of March 6, 2013.

If I can provide additional information or be of further assistance, please do not hesitate to contact me.

Sincerely,

  
\_\_\_\_\_  
Kimberly Richards, Associate Director  
BOCC Records/VAB

bam

**Attachments**

cc: Evelyn Jefferson, Municipal Code Corporation  
Debra A. Cole, Hillsborough County Sheriff's Office  
Aracelis Chapman, Library Services  
Nancy Takemori, Assistant County Attorney  
Paige Ward, County Attorney's Office  
Mary Mahoney, Business Services  
Robert Mason, Director of Finance, Tax Collector's Office  
Patricia Williams, Tax Collector's Office  
Christopher Weiss, Property Appraiser's Office  
Tracy Torres, Property Appraiser's Office  
John Healey, Development Services Department  
Nancy Milam, County Attorney's Office  
Sharon Sweet, BOCC Records



# Agenda Item Cover Sheet

Agenda Item No. E-6

Meeting Date March 5, 2013



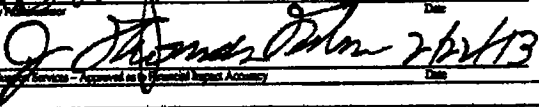
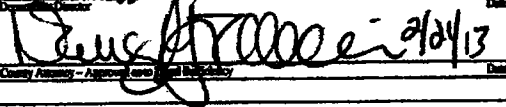
Consent Section     Regular Section     Public Hearing

Subject: **CDD 13-0226 PETITION TO CHANGE THE NAME OF CIRCA FISHHAWK COMMUNITY DEVELOPMENT DISTRICT TO FISHHAWK COMMUNITY DEVELOPMENT DISTRICT IV.**

Agency/Department, Team: **Development Services Department, Community Development Section**

Contact Person: **John E. Healey, AICP Executive Planner**      Contact Phone: **276.8393**

Sign-Off Approvals

	<u>2-22-13</u>		<u>2-22-13</u>
<small>Deputy County Administrator</small>	<small>Date</small>	<small>County Attorney</small>	<small>Date</small>
	<u>2/22/13</u>		<u>2/24/13</u>
<small>Business and Support Services - Approved as to Financial Impact Accuracy</small>	<small>Date</small>	<small>County Attorney - Approved as to Legal Sufficiency</small>	<small>Date</small>

91

### STAFF'S RECOMMENDED BOARD MOTION

Approve changing the name of the Circa Fishhawk Community Development District to Fishhawk Community Development District IV. The petition is for a name change only. No other changes are proposed for this CDD. There is no financial impact to the County as a result of this petition.

### FINANCIAL IMPACT STATEMENT

There is no financial impact to the County as a result of this petition.

### BACKGROUND

On December 9, 2008 the Board of County Commissioners (BOCC) adopted Ordinance #08-31 establishing the Circa Fishhawk Community Development District (CDD). The 589 acre site is located south of Fishhawk Boulevard and north and east of Boyette Road. This CDD is within the South parcel of the Lake Hutto Development of Regional Impact (DRI) which was approved by the Board of County Commissioners on December 5, 2006.

On January 17, 2013 Erin McCormick, the authorized agent for the applicant, submitted a petition to change the name of the Circa Fishhawk CDD to Fishhawk Community Development District IV. The applicant has stated that the name change is desired because of development and marketing plans for the subject area.

The application has been reviewed by Development Services Department staff, the County Attorney's Office, and the Business and Support Services Department and no objections have been raised to the name change.

List Attachments: A) Location Map of the Lake Hutto DRI B) CDD Location Map, C) Draft Ordinance

ORD # 13-8

Beckner/Miller  
6 to 0  
Crist out

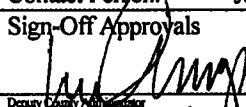
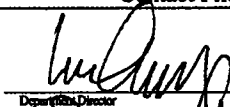




# Agenda Item Cover Sheet

Agenda Item N<sup>o</sup>. \_\_\_\_\_

Meeting Date March 5, 2013

Consent Section       Regular Section       Public Hearing

<b>Subject:</b> CDD 13-0226 PETITION TO CHANGE THE NAME OF CIRCA FISHHAWK COMMUNITY DEVELOPMENT DISTRICT TO FISHHAWK COMMUNITY DEVELOPMENT DISTRICT IV.	
<b>Agency/Department, Team:</b> Development Services Department, Community Development Section	
<b>Contact Person:</b> John E. Healey, AICP Executive Planner	<b>Contact Phone:</b> 276.8393
<b>Sign-Off Approvals</b>	
 <small>Deputy County Administrator</small>	 <small>Department Director</small>
2-22-13 <small>Date</small>	2-22-13 <small>Date</small>
 <small>Business and Support Services - Approved as to Financial Impact Accuracy</small>	 <small>County Attorney - Approved as to Legal Sufficiency</small>
2/22/13 <small>Date</small>	2/24/13 <small>Date</small>

**STAFF'S RECOMMENDED BOARD MOTION**

Approve changing the name of the Circa Fishhawk Community Development District to Fishhawk Community Development District IV. The petition is for a name change only. No other changes are proposed for this CDD. There is no financial impact to the County as a result of this petition.

**FINANCIAL IMPACT STATEMENT**

There is no financial impact to the County as a result of this petition.

**BACKGROUND**

On December 9, 2008 the Board of County Commissioners (BOCC) adopted Ordinance #08-31 establishing the Circa Fishhawk Community Development District (CDD). The 589 acre site is located south of Fishhawk Boulevard and north and east of Boyette Road. This CDD is within the South parcel of the Lake Hutto Development of Regional Impact (DRI) which was approved by the Board of County Commissioners on December 5, 2006.

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List Attachments: A) Location Map of the Lake Hutto DRI B) CDD Location Map, C) Draft Ordinance

FINAL  
NYT  
3/5/13

**ORDINANCE NO. 13-8**

AN ORDINANCE AMENDING ORDINANCE NO. 08-31 OF THE HILLSBOROUGH COUNTY BOARD OF COUNTY COMMISSIONERS; CHANGING THE NAME OF THE CIRCA FISHHAWK COMMUNITY DEVELOPMENT DISTRICT TO FISHHAWK COMMUNITY DEVELOPMENT DISTRICT IV; PROVIDING THAT ALL OTHER PROVISIONS OF ORDINANCE NO. 08-31 SHALL REMAIN EFFECTIVE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, CIRCA FISHHAWK COMMUNITY DEVELOPMENT DISTRICT (“Petitioner”), a community development district established pursuant to Chapter 190, Fla. Stat. and Ordinance No. 08-31 of the Hillsborough County Board of County Commissioners (“County”), has filed a Petition requesting that the County adopt an ordinance changing the name of Circa Fishhawk Community Development District to Fishhawk Community Development District IV; and

WHEREAS, the County has held a public hearing on the Petition;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA THIS 5TH DAY OF MARCH, 2013, AS FOLLOWS:

**SECTION 1. FINDINGS OF FACT.** The County hereby finds and states that:

1. The “WHEREAS” clauses stated above are adopted as findings of fact in support of this Ordinance;

2. All statements contained in the Petition to Change the Name of Circa Fishhawk Community Development District to Fishhawk Community Development District IV, are true and correct;
3. Upon adoption of this Ordinance, all provisions of County Ordinance No. 08-31, will continue to apply, except for the name of the Petitioner.

**SECTION 2. CONCLUSIONS OF LAW.**

1. This proceeding is governed by Chapter 190, Fla. Stat.;
2. The County has jurisdiction pursuant to Chapter 190, Fla. Stat.

**SECTION 3. APPROVAL OF NAME CHANGE.** The name of the Circa Fishhawk Community Development District is hereby changed to Fishhawk Community Development District IV.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall be effective immediately upon receipt of acknowledgment that a copy of this Ordinance has been filed with the Secretary of State. Except as modified herein, all provisions of previously adopted County Ordinance No. 08-31 shall remain in effect.

**SECTION 5. SEVERABILITY.** If any section, subsection, sentence, clause, provision, or other part of this Ordinance is held invalid for any reason, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I, PAT COLLIER FRANK, Clerk of the Circuit Court and Ex-Officio of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners at its regular meeting of March 5, 2013, as the same appears of record in Minute Book 442 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 5th day of March, 2013.

PAT COLLIER FRANK, CLERK

By: Miranda K. Di...  
Deputy Clerk

APPROVED BY COUNTY ATTORNEY

By: [Signature]  
Approved as to Form and Legal Sufficiency





## FLORIDA DEPARTMENT of STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

March 6, 2013

Honorable Pat Frank  
Clerk of the Circuit Court  
Hillsborough County  
Post Office Box 1110  
Tampa, Florida 33601-1110

Attention: Ms. Kimberly Richards, Associate Director, BOCC Records/VAB

Dear Mr. Frank:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letters dated March 5, 2013 and certified copies of Hillsborough County Ordinance Nos. 13-7 and 13-8, which were filed in this office on March 6, 2013.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud  
Program Administrator

LC/elr

RECEIVED  
2013 MAR 14 AM 10:40  
CLERK TO  
THE BOARD (A)



FEB 18 2013

The Times  
Published Daily

Tampa, Hillsborough County, Florida

STATE OF FLORIDA }  
COUNTY OF Hillsborough } S.S.

Before the undersigned authority personally appeared J. Murry who on oath says that he/she is Legal Clerk of the The Times, an edition of the Tampa Bay Times a daily newspaper published at Tampa, in Hillsborough County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter RE: CIRCA FISHHAWK CDD: PH FOR PETITION TO CHANGE NAME OF DISTRICT was published in said newspaper in the issues of Classified Tampa, 2/14/2013.

Affiant further says the said The Times, an edition of the Tampa Bay Times is a newspaper published at Tampa, in said Hillsborough County, Florida; and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida; each day and has been entered as second class mail matter at the post office in Tampa, in said Hillsborough County, Florida; for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he /she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

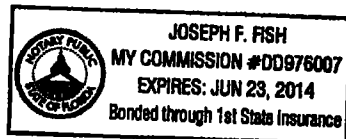
*J. Murry*  
Signature of Affiant

Sworn to and subscribed before me  
this 14th day of February A.D.2013

*Joseph F. Fish*  
Signature of Notary Public

Personally known X or produced identification

Type of identification produced \_\_\_\_\_



LEGAIS

NOTICE  
OF  
PUBLIC HEARING

Hillsborough County Board of County Commissioners  
For the  
Petition to Change the Name of Circa Fishhawk Community Development  
District to Fishhawk Community Development District IV

DATE: March 5, 2013  
TIME: 9:00 a.m.  
LOCATION: Commission Chambers of the Hillsborough County Center  
601 E. Kennedy Boulevard, 2nd Floor  
Tampa, Florida 33602

NOTICE OF PUBLIC HEARING

A public hearing will be held by the Hillsborough County Board of County Commissioners beginning at 9:00 a.m. on March 5, 2013, in the Boardroom in the Frederick B. Karl County Center, 601 E. Kennedy Blvd., 2nd Floor, Tampa, Florida 33602, to consider an ordinance to grant a petition to change the name of Circa Fishhawk Community Development District to Fishhawk Community Development District IV. The title of the proposed ordinance is as follows:

AN ORDINANCE AMENDING ORDINANCE NO. 08-31 OF THE HILLSBOROUGH COUNTY BOARD OF COUNTY COMMISSIONERS; CHANGING THE NAME OF THE CIRCA FISHHAWK COMMUNITY DEVELOPMENT DISTRICT TO FISHHAWK COMMUNITY DEVELOPMENT DISTRICT IV; PROVIDING THAT ALL OTHER PROVISIONS OF ORDINANCE NO. 08-31 SHALL REMAIN EFFECTIVE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

The Circa Fishhawk Community Development District ("Petitioner") is comprised of approximately 589.256± acres, located in southern Hillsborough County, south of Fishhawk Boulevard, north of Boyette Road and east of Boyette Road. The Petitioner has proposed to change its name to Fishhawk Community Development District IV.

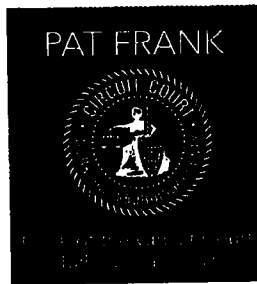
Copies of the Petition, the proposed ordinance and department reports are open to public inspection at the Clerk of the Board of County Commissioners of Hillsborough County, 601 E. Kennedy Blvd., 12th Floor, Tampa, Florida 33602.

All interested persons and affected units of general purpose local government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any person wishing to submit testimony or other evidence in this matter must submit same at the public hearing. Any person or affected units of general purpose local government who wishes to appeal any decisions made by the Board with respect to any matter considered at this public hearing will need a record of the proceedings, and for that purpose, the person or unit of general local government may need to insure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the Hillsborough County Community Relations Section of the Communications Department, (813) 272-8275 or TTY (813) 301-7173, at least forty-eight (48) hours prior to the date of the meeting. (1003906553)

2/14/2013

RECEIVED  
FEB 20 2013  
PLANNING & GROWTH  
MANAGEMENT



**March 5, 2013**

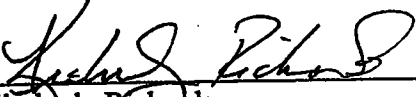
**MS LIZ CLOUD CHIEF  
BUREAU OF ADMINISTRATIVE CODE  
DEPARTMENT OF STATE  
500 SOUTH BRONOUGH ST RA GRAY BLDG RM 101  
TALLAHASSEE FL 32399-0250**

**Re: Ordinance #13-8  
Amending Hillsborough County Ordinance 08-31; Changing the Name of the Circa  
Fishhawk Community Development District to Fishhawk Community Development  
District IV**

**Dear Ms. Cloud:**

**Pursuant to the filing requirements of Florida Statutes 125.66, we are forwarding (by Federal Express) an executed original of Hillsborough County Ordinance #13-8, adopted by the Board of County Commissioners on March 5, 2013. It is respectfully requested that you provide this office with the required official acknowledgment of your receipt and filing of said ordinance.**

**Sincerely,**

  
\_\_\_\_\_  
**Kimberly Richards,  
Associate Director, BOCC Records/VAB**

**bam  
Attachment  
Federal Express AB# 8010 1235 8197**



# Office of the County Attorney

## BOARD OF COUNTY COMMISSIONERS

Kevin Beckner  
Victor D. Crist  
Ken Hagan  
Al Higginbotham  
Lesley "Les" Miller, Jr.  
Sandra L. Murman  
Mark Sharpe




Chip Fletcher, County Attorney

## Managing Attorneys

Christine M. Beck  
Robert E. Brazel  
Hank Ennis  
Mary Helen Farris  
Susan J. Fernandez  
Sheree C. Fish  
Adam J. Gormly  
Jennie Granahan Tarr

## MEMORANDUM

**To:** Beverly Miller, BOCC Records

**From:** Nancy Y. Takemori, Assistant County Attorney 

**Re:** Circa Fishhawk Community Development District – Ordinance Amending Ord. 08-31 to Change Name to Fishhawk Community Development District IV

**Date:** March 4, 2013

CLERK TO  
THE BOARD (A)

2013 MAR -4 PM 2:20

RECEIVED

An original final copy of the above-referenced ordinance for consideration by the BOCC on March 5, 2013 is attached. If approved by the BOCC, please number and certify the ordinance and file with the Florida Department of State in accordance with Section 125.66, Florida Statutes.

Please provide this office with a date-stamped copy of the official acknowledgement from the Department of State that the ordinance has been filed, showing receipt by your office. Also, I have attached a copy of the proof of notice in the Tampa Bay Times.

Thank you for your assistance with this matter.

NYT:dc  
Attachments

cc: John E. Healey, Development Services Department (w/ attachments; via e-mail)  
Erin McCormick, Esq. (w/ attachments; via e-mail: [erin.mccormick@fowlerwhite.com](mailto:erin.mccormick@fowlerwhite.com))