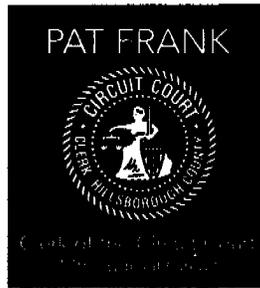


ORDINANCE

07-8



March 29, 2007

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

Re: Ordinance #07-8
Hillsborough County Lobbying Ordinance, Codifying, Combining and Repealing
Ordinance 88-11, as Amended by Ordinances 88-22, 90-21, 91-15, 93-8, 96-8, and
03-26

Dear Ms. Wise:

Attached please find a copy of Hillsborough County Ordinance #07-8 which was adopted by the Board of County Commissioners on March 21, 2007. We are also forwarding acknowledgment received from the Secretary of State. This ordinance has an effective date of March 23, 2007.

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

Sincerely,

Gail M. Letzring,
Manager, BOCC Records

md

Attachments

cc: Evelyn Jefferson, Municipal Code Corporation
Ellen Leonard, Legal Advisor, Sheriff's Office
Librarian, State Attorney's Office
Sandra Davidson, County Attorney's Office
Mary Helen Farris, Managing Attorney
Dale Bohner, Legal Counsel
Jack Brooks, Director, CCC Accounting
Julia Poupart, Manager, Value Adjustment Board



Agenda Item Cover Sheet

Agenda Item N^o. D-2

Meeting Date March 21, 2007

- Consent Section
 Regular Section
 Public Hearing

Subject:
 Public Hearing on proposed amendments to Ordinance 03-26, relating to Lobbying to prohibit the receipt of gifts by Commissioners from paid lobbyists.

Department Name: County Attorney's Office

Contact Person: Mary Helen Farris **Contact Phone:** 272-5670

Sign-Off Approvals:	
<p>Renée Francis Lee <u>03/08/2007</u></p> <small>County Attorney Date</small>	<p>Mary Helen Farris <u>03/08/2007</u></p> <small>Managing County Attorney Date</small>
<p>NA</p> <small>County Attorney Date</small>	<p>Mary Helen Farris <u>03/08/2007</u></p> <small>Joint Department Director Date</small>
<p>NA</p> <small>Management and Budget - Approved as to Financial Impact Accuracy Date</small>	<p>NA</p> <small>Assistant County Attorney Date</small>

Staff's Recommended Board Motion:

Hold a public hearing to consider adoption of a proposed Ordinance to prohibit the receipt of gifts by Commissioners from paid lobbyists.

Approval of this item will have no financial impact on the FY 07 Adopted Budget.

Financial Impact Statement:

Approval of this item will have no financial impact on the FY 07 Adopted Budget.

Background:

During the March 7, 2007, regular meeting of the Board of County Commissioners, the Board approved advertising and setting a public hearing on March 21, 2007, to consider adoption of proposed amendments to Ordinance 03-26. At the February 21, 2007, regular meeting of the Board of County Commissioners, the Board voted to direct the County Attorney's Office to draft amendments to the Lobbying Ordinance.

Ord # 07-8

List Attachments:

Proposed draft ordinance with strike-through and underline, and proposed draft ordinance without strike-through.

Ordinance No 07- 8

AN ORDINANCE CODIFYING, COMBINING AND REPEALING ORDINANCE NO. 88-11, AS AMENDED BY ORDINANCES 88-22, 90-21, 91-15, 93-8, 96-8, and 03-26 RELATING TO LOBBYING ACTIVITIES IN HILLSBOROUGH COUNTY; PROVIDING DEFINITIONS; PROVIDING FOR REGISTRATION OF LOBBYISTS; PROVIDING CERTAIN EXCEPTIONS; PROHIBITING RECEIPT OF GIFTS FROM REGISTERED LOBBYISTS; PROVIDING FOR MAINTAINING REGISTRATIONS; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF PRIOR ORDINANCES; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State Legislature enacted amendments to Section 11.045, Florida Statutes, to modify the registration and reporting requirements that govern legislative and executive lobbyists;

WHEREAS, Section 11.045, Florida Statutes now prohibits the receipt of any gifts by state legislators from registered lobbyists; and

WHEREAS, the Hillsborough County Board of County Commissioners desires to amend Hillsborough County Lobbying Ordinance to conform to the new statute.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

SECTION 1. DEFINITIONS. As used in this ordinance:

(a) "Government employees" means all agents of government, whether elected or appointed, paid or unpaid, hired or under contract as a consultant or attorney, who are acting on behalf of the United States, the State of Florida, its agencies, political subdivisions, special districts and municipalities.

(b) "Lobbyist" means any person who is paid to engage in "lobbying" as defined in this ordinance. The definition of "Lobbyist" includes officers, directors, shareholders,

employees, principals, and members of legal entities when such persons engage in lobbying on behalf of their respective entities.

(c) “Affected personnel” means a member of the Board of County Commissioners, the County Administrator, the Deputy County Administrator, any Assistant County Administrator, any Department head, the County Attorney, the Deputy County Attorney, any Managing Attorney, or the Internal Performance Auditor.

(d) “Lobbying” means meeting privately with affected personnel in order to encourage the passage, defeat, or modification of any item pending before the Board of County Commissioners or being considered by the lobbied employee for presentation or recommendation to the Board of County Commissioners.

SECTION 2. REGISTRATION OF LOBBYISTS.

All lobbyists shall register, at the time of the lobbying, on a registry of lobbyists maintained and available in the reception areas of the county commission, County Administrator, County Attorney, and County Departments. The lobbyist shall provide his or her name, business address, the name and business address of each principal represented, the general and specific areas of his legislative interest, and the nature and extent of any direct business association or partnership with any affected personnel. Said registries will be transmitted to the Clerk of the Board of County Commissioners on a periodic basis for storage and public inspection. In the event that the meeting occurs outside of County offices, the lobbyist shall provide the above required information by U.S. or electronic mail to the Clerk of the Board of County Commissioners within seven (7) calendar days of the meeting.

SECTION 3. EXCEPTIONS.

The following persons shall not be required to register as lobbyists under Section 2(a):

(a) Government employees discussing government business. Government business shall not include discussions regarding a competitive procurement when an employee's agency is a participant in a competitive procurement process;

(b) Law enforcement personnel conducting an investigation; and

(c) Persons who communicate with affected personnel in their individual capacity for the purpose of self-representation, or on behalf of their immediate family, without compensation or reimbursement.

(d) Persons or representatives of organizations contacted by affected personnel when the contact is initiated by that Board member or employee.

SECTION 4. PROHIBITION ON RECEIPT OF GIFTS FROM REGISTERED LOBBYISTS

No lobbyist shall make, directly or indirectly, and no member of the Board of County Commissioners shall knowingly accept, directly or indirectly, any gift. The prohibition of gifts applies only to lobbyists.

A gift is not prohibited when equal or greater value is given contemporaneously by the recipient to the donor. The term "gift" shall have the same meaning as it is defined in Section 112.312(12), Florida Statutes.

SECTION 5. MAINTAINING REGISTRATIONS

The Clerk of the Board of County Commissioners shall maintain the registrations received in a manner open for public inspection.

SECTION 6. PENALTIES.

A first violation of the provisions of this ordinance shall result in the issuance of a warning by the County Attorney's Office. Each subsequent violation by a lobbyist shall be punishable by a fine not to exceed Five Hundred dollars (\$500.00).

SECTION 7. SEVERABILITY.

If any section, phrase, sentence or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinction, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 8. REPEAL OF PRIOR ORDINANCES

Hillsborough County Ordinances 88-11, 88-22, 90-21, 91-15, 93-8, 96-8, and 03-26 are hereby repealed and replaced by this Ordinance. All prior actions under the prior ordinances are hereby incorporated into the processes and procedures of this Ordinance and shall maintain their full force and effect.

SECTION 9. EFFECTIVE DATE.

This Ordinance shall be effective upon receipt of notice of filing from the Secretary of State.

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

I, PAT FRANK, Clerk of the Circuit Court and Ex-Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true copy of the Ordinance adopted by the Board in its regular meeting of March 21, 2007 as the same appears of record in Minute Book 370 of the Public Records of Hillsborough County, Florida.

Witness my hand and official seal this 22nd day of March 2007.

PAT FRANK
CLERK OF THE CIRCUIT COURT

BY: Beverly Anne Miller
Deputy Clerk



APPROVED AS TO FORM AND LEGAL SUFFICIENCY

BY: [Signature]
Assistant County Attorney



FLORIDA DEPARTMENT of STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

March 23, 2007

Gail M. Letzring, Manager-BOCC Records
Clerk of the Circuit Court
Hillsborough County
P.O. Box 1110
Tampa, Florida 33601

Dear Ms. Letzring:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letters dated March 22, 2007 and copies of Hillsborough County Ordinance Nos. 07-8 and 07-7, which were filed in this office on March 23, 2007.

Sincerely,

Liz Cloud
(AK)

Liz Cloud
Program Administrator

LC/lbh

RECEIVED
2007 MR 28 PM 2:12
CLERK TO
THE BOARD (B)

DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
850.245.6600 • FAX: 850.245.6735 • TDD: 850.922.4085 • <http://dlis.dos.state.fl.us>

COMMUNITY DEVELOPMENT
850.245.6600 • FAX: 850.245.6643

STATE LIBRARY OF FLORIDA
850.245.6600 • FAX: 850.245.6744

STATE ARCHIVES OF FLORIDA
850.245.6700 • FAX: 850.488.4894

LEGISLATIVE LIBRARY SERVICE
850.488.2812 • FAX: 850.488.9879

RECORDS MANAGEMENT SERVICES
850.245.6750 • FAX: 850.245.6795

ADMINISTRATIVE CODE AND WEEKLY
850.245.6270 • FAX: 850.245.6282

The Tampa Tribune
Published Daily
Tampa, Hillsborough County, Florida

State of Florida }
County of Hillsborough } SS.

Before the undersigned authority personally appeared C. Pugh, who on oath says that she is the Advertising Billing Supervisor of The Tampa Tribune, a daily newspaper published at Tampa in Hillsborough County, Florida; that the attached copy of the

Legal Ads IN THE Tampa Tribune

In the matter of Legal Notices

was published in said newspaper in the issues of

03/09/2007

Affiant further says that the said The Tampa Tribune 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 she has neither paid nor promised any person, this advertisement for publication in the said newspaper.

NOTICE OF INTENT TO CONSIDER COUNTY ORDINANCE

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN:

NOTICE is hereby given that the Board of County Commissioners of Hillsborough County, Florida, intends to consider for the purpose of enactment, the following ordinance at a meeting on **March 21, 2007 at 2:00 p.m.** in the Board of County Commissioners Board Room, County Center Second Floor, 601 East Kennedy Boulevard, Tampa, Florida:

AN ORDINANCE CODIFYING, COMBINING AND REPEALING ORDINANCE NO. 88-11, AS AMENDED BY ORDINANCES 88-22, 90-21, 91-15, 93-8, 96-8, and 03-26 RELATING TO LOBBYING ACTIVITIES IN HILLSBOROUGH COUNTY; PROVIDING DEFINITIONS; PROVIDING FOR REGISTRATION OF LOBBYISTS; PROVIDING CERTAIN EXCEPTIONS; PROHIBITING RECEIPT OF GIFTS FROM REGISTERED LOBBYISTS; PROVIDING FOR MAINTAINING REGISTRATIONS; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF PRIOR ORDINANCES; PROVIDING AN EFFECTIVE DATE.

ANY PERSON WHO MIGHT WISH TO APPEAL ANY DECISION MADE BY THE HILLSBOROUGH COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING ANY MATTER CONSIDERED AT THE FORTHCOMING PUBLIC HEARING OR MEETING IS HEREBY ADVISED THAT THEY WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE THEY MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH WILL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH SUCH APPEAL IS TO BE BASED. ALL INTERESTED PARTIES MAY APPEAR AT THE ABOVE REFERENCED HEARING AND BE HEARD WITH RESPECT TO THE PROPOSED ORDINANCE. A COPY OF THE PROPOSED ORDINANCE MAY BE INSPECTED BY THE PUBLIC AT THE CLERK'S OFFICE ON THE 12TH FLOOR OF THE COUNTY CENTER AT 601 E. KENNEDY BLVD., TAMPA, FL. 33602.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), PERSONS NEEDING SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THESE PROCEEDINGS, AND ALSO THOSE SEEKING AN INTERPRETER, SHOULD CONTACT THE CITIZENS' ACTION CENTER AT TELEPHONE NUMBER (813) 272-5900 NOT LATER THAN 48 HOURS PRIOR TO THE PROCEEDINGS.

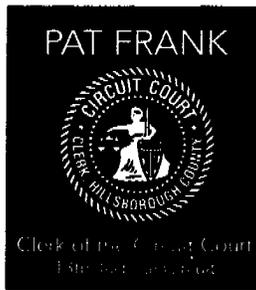
CHAIRMAN, BOARD OF COUNTY COMMISSIONERS
Hillsborough County, Florida
7440 03/09/07

Sworn to and subscribed by me, this 9 day of March, A.D. 2007

Personally Known or Produced Identification _____
Type of Identification Produced _____



Ana Maria Hodel
Commission #DD551367
Expires: MAY 11, 2010
www.AARONNOTARY.com



March 22, 2007

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 #07-8
Hillsborough County Lobbying Ordinance, Codifying, Combining and Repealing
Ordinance 88-11 as Amended by Ordinances 88-22, 90-21, 91-15, 93-8, 96-8, and
03-26

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 #07-8, adopted by the Board of County Commissioners on March 21, 2007. It is respectfully requested that you provide this office with the required official acknowledgment of your receipt and filing of said ordinance.

Sincerely,

By: Gail M. Letzring
Gail M. Letzring,
Manager, BOCC Records

md
Attachment
Federal Express AB# 8587 0364 9426

FedEx [®] **US Airbill** Tracking Number **8587 0364 9426** Express

1 From *Please print and press hard* Sender's FedEx Account Number **1140-8846-3**

Sender's Name **BOCC RECORDS PROCESSING** (813) 276-8100
 Company **CLERK CIRCUIT COURT 12TH FL**
TAMPA FL 33602
 Address _____
 City **TAMPA** State **FL** ZIP **33602-3503**

2 Your Internal Billing Reference **(130) Ord. # 07-7 & 07-8**

3 To Recipient's Name **LIZ CLOUD CHIEF** Phone () _____
 Company **BUREAU OF ADMINISTRATIVE CODE**
 Recipient's Address **DEPARTMENT OF STATE**
500 S BRONOUGH ST RA GRAY BLDG
TALLAHASSEE FL 32309-0250
 Address _____
 To request a pack, _____
 City _____ State _____ ZIP **0347394767**



Find drop-off locations at fedex.com
 Search by zip code, address, or city. Manage your account. Access all the tools you need.

FOR 1 00

4 Express Package Service **FedEx Priority Overnight** **FedEx Standard Overnight** **FedEx First Overnight**
 Next business morning* Friday. Next business afternoon*. Saturday Delivery NOT available. Packages up to 150 lbs. Earliest next business morning delivery to select locations.* Sunday Delivery NOT available.

FedEx 2Day **FedEx Express Saver**
 Second business day* Thursday unless SAT/VDN Delivery is selected. Third business day*. Saturday Delivery NOT available. *To meet deadlines, call for confirmation.

4b Express Freight Service **FedEx 2Day Freight** **FedEx 30Day Freight**
 FedEx 2Day Freight: Second business day* Thursday unless SAT/VDN Delivery is selected. FedEx 30Day Freight: Third business day*. Saturday Delivery NOT available. *To meet deadlines, call for confirmation.

5 Packaging **FedEx Envelopes*** **FedEx Pak*** **Box** **Tube** **Other**
 *Declared value limit \$500.

6 Special Handling **SATURDAY Delivery** **HOLD Saturday**
 NOT Available for FedEx Standard Overnight, FedEx 2Day Freight, or FedEx 2Day Freight. Available ONLY for FedEx Priority Overnight and FedEx 2Day to select locations. Does this shipment contain dangerous goods? Yes No
 Dry Ice Yes No
 Shipper's Declaration not required. Shipper's Declaration not required. Cargo Aircraft Only.

7 Payment **Bill to:** **Sender** **Recipient** **Third Party** **Credit Card** **Cash/Check**
 Enter FedEx Acct. No. or Credit Card No. below: _____
 FedEx Acct. No. _____
 Total Packages _____ Total Weight _____ Total Declared Value! \$ _____

8 NEW Residential Delivery Signature Options **No Signature Required** **Direct Signature** **Indirect Signature**
 Recipient may be left address only signature. Anyone at recipient's address may sign. If no one is available at recipient's address, invoice left for delivery. *To meet deadlines, call for confirmation.

519

PULL AND RETAIN THIS COPY BEFORE AFFIXING TO THE PACKAGE. NO POUCH NEEDED.

FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM (CODRS) CODING FORM

Instructions: Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (850)245-6270 or Suncom 205-6270.

COUNTY: (Hillsborough) COUNTY ORDINANCE # (07 - 8)
(e.g., 00-001)

PRIMARY KEYFIELD

DESCRIPTOR: (Lobbying Activities in Hillsborough County)

SECONDARY KEYFIELD

DESCRIPTOR: (Prohibiting Receipt of Gifts from Registered Lobbyists)

OTHER KEYFIELD

DESCRIPTOR: (Maintaining Registrations; Providing a Penalty; Providing for Repeal of Prior Ordinances)

ORDINANCE DESCRIPTION: (Providing Definitions; Registration of Lobbyists; Providing Certain Exceptions, and Prohibiting Receipt of Gifts from Registered Lobbyists)
(25 characters maximum including spaces)

ORDINANCES AMENDED: (List below the ordinances that are amended by this legislation. If more than two, list the most recent two.)

AMENDMENT # 1: () AMENDMENT # 2: ()

ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)

REPEAL # 1: (88-11) REPEAL # 3: (90-21)

REPEAL # 2: (88-22) REPEAL # 4: (91-15)

(Others repealed: List all that apply): 93-8, 96-8, and 03-26

(FOR OFFICE USE ONLY): COUNTY CODE NUMBER: ()

KEYFIELD 1 CODE: () KEYFIELD 2 CODE: ()

KEYFIELD 3 CODE: () Rev. 4/10/01

Office of the County Attorney

BOARD OF COUNTY COMMISSIONERS

Brian Blair
Rose V. Ferlita
Ken Hagan
Al Higginbotham
Jim Norman
Mark Sharpe
Kevin White



Renée Francis Lee, County Attorney
Donald R. Odom, Deputy 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: Midge Dixon, BOCC Records

From: Mary Helen Farris, Managing Attorney *MHF*

Re: An Ordinance Codifying, Combining and Repealing
Ordinance No. 88-11, as Amended by Ordinances 88-22,
90-21, 91-15, 93-8, 96-8 and 03-26 Relating to Lobbying
Activities in Hillsborough County.
CAO No.: 03-872

Date: March 21, 2007

Enclosed please find the above-cited Ordinance as adopted by the Board of County Commissioners on March 21, 2007, (CODRS) Coding Form and Certified Legal Notice of The Tampa Tribune Newspaper Advertisement of March 9, 2007.

Please provide copies of the Ordinance as appropriate, pursuant to your regular procedures, and provide this office with a copy of the official acknowledgement of receipt.

If you have any questions, please call 272-5670 x 30152.

MHF:saa

Attachments

THE BOARD (B)
CLERK TO

2007 MR 21 PM 3:16

RECEIVED

601 E. Kennedy Boulevard, 27th Floor
Post Office Box 1110 · Tampa, Florida 33601
(813) 272-5670

Fax: (813) 272-5231

An Affirmative Action/Equal Opportunity Employer