



A report presented to the
 Board of County Commissioners
 on 6/17/2026
 from County Attorney's Office
 regarding

Receive a report regarding the Board's legal authority to remove a Hillsborough County appointed Tampa Sports Authority board member mid-term.

Sign-Off Approvals	
Julia Mandell	6/11/2026
Managing County Attorney	Date
Julia Mandell	6/11/2026
County Attorney	Date
Joint Department Director	Date
Kevin Brickey	6/11/2026
Management and Budget – Approved as to Financial Impact Accuracy	Date
Samuel Hamilton	6/11/2026
Assistant County Attorney	Date

- Consent Section – Informational purposes only. *(No discussion anticipated)*
- Consent Section – Board requested report. *(No discussion anticipated)*
- Staff Reports Section

Note: Staff reports scheduled for the Consent or Staff Report sections may not contain any recommendations.

Board of County Commissioners' Legal Authority to Remove a Hillsborough County
Appointed Tampa Sports Authority Board Member Mid-Term

At the June 3, 2026, Board of County Commissioners (the "BOCC") meeting, Commissioner Miller directed the County Attorney's Office to review and advise the BOCC on its legal authority and available mechanisms to remove a Hillsborough County appointed member of the Tampa Sports Authority (the "TSA") mid-term, including any procedural requirements, voting thresholds, and legal considerations.

As an independent special district, the TSA is governed by Chapter 96-520, Laws of Florida (the "TSA Act"), a copy of which is attached. Pursuant to the TSA Act, the TSA consists of a board of eleven (11) members, four (4) of which shall be residents of Hillsborough County, appointed by the BOCC. The TSA Act further provides that "[e]ach [TSA board] member's term shall be 4 years or until his successor shall be appointed and qualified."

Unlike certain other special districts to which the BOCC makes appointments, the TSA Act does not contain any provision regarding removal of TSA board members. For example, the Amendment and Restatement of the Charter of the Hillsborough Transit Authority ("HART") and Section 163.567, Fl Stat, expressly provide for removal of a director of the HART board by the Governor or the appointing governmental body for misconduct, malfeasance, misfeasance, or neglect of duty. Also noteworthy is the BOCC's appointment policy, BOCC Policy – Section Number: 01.30.00.00, which expressly provides that "[u]nless otherwise provided for by law, all appointees serve at the will of the BOCC and can be removed from their appointment at any time for any or no reason." However, since the referenced BOCC policy is subject to and superseded by the TSA Act, and the TSA Act fails to provide any authority for removal of TSA board members, but simply provides that the term of each TSA board member shall be 4 years or until a successor shall be appointed and qualified, the BOCC does not have the authority to remove a TSA board member before the expiration of the member's respective 4 year term. In any event, as with any government official, the TSA board members are subject to the provisions of Chapter 112, Fl Stat.

SPECIAL ACTS
ADOPTED BY THE
FOURTEENTH LEGISLATURE OF FLORIDA
UNDER THE CONSTITUTION
AS REVISED IN 1968

During the Regular Session
March 5, 1996, through May 4, 1996



Volume II

Published by Authority of Law

Under Direction of the

JOINT LEGISLATIVE MANAGEMENT
COMMITTEE

Tallahassee

1996

CHAPTER 96-520**House Bill No. 2183**

An act relating to the Tampa Sports Authority; amending ch. 82-306, Laws of Florida, as amended; deleting provisions that provide for the appointment of the initial members of the authority's board; providing additional powers of the authority; requiring the authority to undergo a periodic performance audit; providing components and procedures for the audit; providing for an audit performed pursuant to general law to fulfill the requirements for the performance audit under certain circumstances; requiring the chairman of the authority to submit a report to the Hillsborough County Legislative Delegation; repealing chs. 92-236, 94-410, 95-525, Laws of Florida, relating to the Tampa Sports Authority; providing an effective date.

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

Section 1. Chapter 82-306, Laws of Florida, as amended by section 1 of chapter 92-236, Laws of Florida, and sections 1, 2, and 3 of chapter 95-525, Laws of Florida, is amended to read:

Section 1. It is the intent of the Legislature that this act shall supersede chapter 65-2307, Laws of Florida, which provides for the establishment of the Tampa Sports Authority, and all acts amendatory thereof, and shall be deemed a codification of all previously existing legislation relating to the Tampa Sports Authority.

Section 2. **TAMPA SPORTS AUTHORITY.** There is created the Tampa Sports Authority, referred to in this act as the Authority, a public agency politic and corporate, for the purpose of planning, developing, promoting, and maintaining a comprehensive complex of sports and recreation facilities for the use and enjoyment of the citizens of Tampa and Hillsborough County. The purpose is declared to be a public purpose.

Section 3. **MEMBERSHIP AND ORGANIZATION.**

(a) The Authority shall consist of a board of 11 members.

(a)(1) Four of the members shall be residents of the City of Tampa, appointed by the mayor with concurrence of the city council. Four of the mem-

bers shall be residents of Hillsborough County, appointed by the board of county commissioners. One of the members shall be a resident of Hillsborough County, and appointed by the Governor.

~~(b)(2)~~ Each such member's term shall be 4 years or until his successor shall be appointed and qualified.

~~(c)(3)~~ Two members shall be the following ex officio members who shall have the same full membership in every respect, including voting rights, as each of the other nine members: A member of the city council of the City of Tampa, to be designated by it; and a member of the board of county commissioners of Hillsborough County, to be designated by it.

~~(d)(4)~~ Before entering upon his official duties, each member shall take and subscribe to an oath that he will faithfully discharge the duties of his office. Such oath shall be filed with the city clerk of the City of Tampa, if such member was appointed by the mayor, with the clerk of the circuit court, if such member was appointed by the board of county commissioners, or with the Secretary of State, if such member was appointed by the Governor.

~~(e)(5)~~ A majority of the members of the Authority shall constitute a quorum. A vacancy in the Authority shall not impair the rights of a quorum to exercise all the rights and perform all the duties of the Authority.

~~(f)(6)~~ The Authority shall elect one of its members as chairman, one as vice-chairman, and one as secretary-treasurer. The secretary-treasurer of the Authority, prior to entering upon his duties as such officer, or any other officer or employee designated by the Authority, shall execute a surety bond in an amount to be determined by the Authority and conditioned upon the faithful performance of the duties of his office or employment, such bond to be signed by a surety company authorized to do business in Florida and to be approved by the Authority and filed with the clerk of the circuit court of Hillsborough County.

~~(b) For the initial membership of the newly reconstituted body:~~

~~(1) The members whose terms expire on July 1, 1977, shall continue to serve until that date. Of the vacancies which will exist on July 1, 1977, three members shall be appointed as follows: One member shall be appointed by the mayor, one member shall be appointed by the board of county commissioners, and one member shall be appointed by the Governor, all as provided in subsection (a)(1).~~

~~(2) The present members whose terms expire on July 1, 1979, shall continue to serve until that date, when their successors shall be appointed and qualified. Of the six vacancies which will exist on July 1, 1979, three members shall be appointed by the mayor, one for a term of 2 years and two for terms of 4 years, and three members shall be appointed by the board of county commissioners, one for a term of 2 years, and two for terms of 4 years, all as provided in subsection (a)(1).~~

Section 4. DEFINITIONS. As used in this act:

- (a) The word "city" means the City of Tampa, in Hillsborough County.
- (b) The word "county" means the County of Hillsborough.
- (c) The word "authority" means the Tampa Sports Authority created under this act.
- (d) The term "sports and recreational facilities" includes facilities for any and all types of sports and recreational pursuits, including, but not limited to, football games, baseball games, track and field meets, swimming and diving meets, and any and all other sports, games, events, or exhibitions that add to the recreational enrichment of the community.

(e) The word "cost," as applied to any sports and recreational facility, means the cost of acquisition or construction, the cost of labor, materials, and equipment, the cost of all lands, property rights, easements, and franchises required, financing charges, interest and debt service prior to and during construction, the cost of plans and specifications, services and estimates of costs and of revenues, the cost of engineering and legal services, all expenses necessary or incident to determining the feasibility or practicability of such acquisitions or constructions, administrative and promotional expenses, and such other expenses as are necessary or incident to the acquisition or construction or the financing herein authorized.

Section 5. GENERAL POWERS. The Authority is authorized:

- (a) To sue and be sued except as is limited by the provisions of section 768.28, Florida Statutes, or any succeeding enactment.
- (b) To adopt bylaws for the regulation of its affairs and the conduct of its business.
- (c) To adopt and alter an official seal.
- (d) To purchase or otherwise acquire, construct, reconstruct, improve, extend, enlarge, relocate, equip, promote, repair, maintain, and operate any stadium, swimming pool, or other sports and recreational facility.
- (e) To make a comprehensive, long-range master plan for the overall orderly development of a sports complex, to develop detailed plans for specific facilities within the master plan in close coordination with the Hillsborough County Planning Commission, and to obtain necessary feasibility and other reports and studies by and through the Hillsborough County Planning Commission; however, the Planning Commission shall be reimbursed by the Authority for any excessive costs incurred in the preparation of the plan or studies not covered by current budgeted funds, including the cost of necessary consultant services approved jointly by the Authority and the Planning Commission. The preparation of architectural and engineering drawings for the construction of specific buildings and facilities within the sports complex shall be contracted for directly by the Authority but shall be prepared in close coordination with the Planning Commission to ensure the conformity of the plans with the long-range master plan.

(f) To acquire by grant, purchase, gift, or devise all property, real or personal, or any estate or interest therein necessary, desirable, or convenient for the purpose of this act and to lease or rent all or any part thereof and to exercise all of its powers and authority with respect thereto.

(g) To borrow money and issue negotiable bonds and to provide for the rights of the holders thereof.

(h) To issue revenue bonds of the Authority, as hereinafter provided to pay the cost of purchasing, or otherwise acquiring, constructing, reconstructing, improving, extending, enlarging, relocating, or equipping sports and recreational facilities; to secure the payment of such bonds by a pledge of all or any portion of the revenues or other moneys legally available therefor; and in general to provide for the security of the bonds and the rights and remedies of the holders thereof.

(i) To issue revenue refunding bonds of the Authority, as hereinafter provided, to refund any bonds then outstanding which have been issued under this act.

(j) To lease, rent, license, or contract for the operation of any part of any of the sports and recreational facilities of the Authority; also to lease, rent, license, or contract for any parcel of its real property for the construction of any sports and recreational facilities with related commercial facilities contained within the improvements constructed thereon, to be financed and operated as a private enterprise; and to lease, rent, license, or contract for the operation or use of any part of its facilities by private or public users for any other lawful purpose, when such use will not interfere with the operation of any of the facilities for sports and recreational purposes. When a long-term lease, rental agreement, license, or contract is involved, there must be reasonable public notice, bids, and hearing. The term "long-term lease, rental agreement, license, or contract" includes any document that provides for possession of or the right to use or occupy any part of the sports and recreational facilities of the Authority during any one calendar year for more than 31 days or any part of 31 different days.

(k) To fix and collect rates, rentals, fees, and charges for the use of any and all of the sports and recreational facilities of the Authority.

(l) To contract for the operation of concessions on or in any of the sports and recreational facilities of the Authority, subject to reasonable public notice, bids, and hearing.

(m) To advertise within or without the state any of the sports and recreational facilities of the Authority.

(n) To make and enter into all contracts and agreements necessary or incidental to the performance of the duties imposed and the execution of the powers granted under this act and to employ such consulting services, engineers, superintendents, managers, construction and financial experts, attorneys, and employees and agents as may, in the judgment of the Authority, be deemed necessary and fix their compensation.

(o) To operate with and contract with the government of the United States or the state, or any agency or instrumentality of either, or with any municipality, district, private corporation, copartnership, association, or individual providing for or relating to sports and recreational facilities.

(p) To do all acts or things necessary or convenient to carry out the powers expressly granted in this act.

Section 6. BONDS OF THE AUTHORITY.

(a) The Authority shall have the power and is hereby authorized from time to time to issue revenue bonds in such principal amount as, in the opinion of the Authority, shall be necessary to provide sufficient moneys for achieving its purposes, including the cost of construction, reconstruction, improvement, extension, repair, relocation, and equipping of sports and recreational facilities, the cost of acquisition of real property, interest on bonds during construction and for a reasonable period thereafter, establishment of reserves to secure bonds, and all other expenditures of the Authority incident to and necessary or convenient to carry out its purposes and powers.

(b) Bonds shall be authorized by resolution of the members of the Authority and shall bear such date or dates, mature at such time or times, not exceeding ~~40 forty~~ (40) years from their respective dates, and bear interest at such rate or rates as are deemed reasonable by the Authority, and be in such denominations, be in such form, either coupon or fully registered, carry such registration, exchangeability or interchangeability privileges, be payable in such medium of payment and at such place or places, be subject to such terms of redemption, and be entitled to such priorities of lien on the Authority's revenues and other available moneys as such resolution or any resolution subsequent thereto may provide. The bonds shall be executed either by manual or facsimile signature by such officers as the Authority shall determine, provided that such bonds shall bear at least one ~~(1)~~ signature ~~that which~~ is manually executed thereon. The coupons attached to such bonds shall bear the facsimile signature or signatures of such officer or officers as shall be designated by the Authority. Such bonds shall have the seal of the Authority affixed, imprinted, reproduced or lithographed thereon. The bonds may be sold at public sale or at a negotiated sale. Pending the sale of bonds, bond anticipation notes may be issued, on such terms and conditions as the Authority may determine, to lenders or purchasers of such notes, and pending the preparation of definitive bonds, temporary bonds or interim certificates may be issued to the purchaser or purchasers of such bonds and may contain such terms and conditions as the Authority may determine.

(c) Any such resolution or resolutions authorizing any bonds may contain provisions ~~that which~~ shall be part of the contract with the holders of such bonds, as to:

(1) The pledging of all or any part of the revenues or other moneys lawfully available therefor.

(2) The construction, reconstruction, improvement, extension, repair, relocation and equipping of sports and recreational facilities.

(3) Limitations on the purposes to which the proceeds of the bonds, then or thereafter to be issued, or of any loan, or grant by any federal agency or the state or any political subdivision thereof may be applied.

(4) The fixing, charging, establishing, revising, increasing, reducing and collecting of rates, fees, rentals, or other charges for the use of the services and facilities of the Authority or any part thereof.

(5) The setting aside of reserves or of sinking funds and the regulation and disposition thereof.

(6) Limitations on the issuance of additional bonds.

(7) The terms and provisions of any lease-purchase agreement, deed of trust, or indenture securing the bonds, or under which the same may be issued.

(8) Any other or additional matters of like or different character, which in any way affect the security or protection of the bonds.

(d) The Authority may enter into any deeds of trust, indentures, or other agreements with any bank or trust company, within or without the state, as security for such bonds, and may, under such agreements, assign and pledge all or any part of the revenues and other available moneys pursuant to the terms of this act. Such deed of trust, indenture, or other agreement may contain such provisions as are customary in such instruments or as the Authority may authorize, including, but without limitation, provisions as to:

(1) The pledging of all or any part of the revenues or other moneys lawfully available therefor.

(2) The application of funds and the safeguarding of funds on hand or on deposit.

(3) The rights and remedies of the trustee and the holders of the bonds.

(4) The terms and provisions of the bonds or the resolutions authorizing the issuance of the same.

(5) Any other or additional matters, of like or different character, which in any way affect the security or protection of the bonds.

(e) Any of the bonds issued pursuant to this act are, and are hereby declared to be, negotiable instruments, and shall have all the qualities and incidents of negotiable instruments under the law merchant and the negotiable instruments law of the state.

(f) It is the intention hereof that any pledge made by the Authority shall be valid and binding from the time when the pledge is made; that the moneys so pledged and thereafter received by the Authority shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act, and that the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract, or otherwise against the Authority, irrespective of whether such parties have notice thereof.

Neither the resolution nor any other instrument by which a pledge is created need be recorded.

(g) Neither the members nor any person executing the bonds shall be liable personally on the bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

(h) The Authority shall have power out of any funds available therefor to purchase bonds, which shall thereupon be canceled, at a price not exceeding, if the bonds are then redeemable, the redemption price then applicable plus accrued interest to the next date of redemption thereof, or if the bonds are not then redeemable, the redemption price applicable on the first date after such purchase which the bonds become subject to redemption plus accrued interest to said date.

(i) Bonds issued under the provisions of this act shall not be deemed to constitute a debt of Hillsborough County or any municipality therein or a pledge of the faith and credit of Hillsborough County or any municipality therein, and a statement to that effect shall be recited on the face of the bonds.

(j) As the Authority serves an essential public purpose and performs as essential public function, and as its sports and recreational facilities will constitute public property used for public purposes, no taxes or assessments shall be levied upon any such sports and recreational facilities or upon income therefrom, and bonds issued under the provisions of this act, their transfer, and the income therefrom (including any profit made on the sale thereof), shall at all times be free from taxation within the state.

Section 7. REFUNDING BONDS. Subject to public notice, the Authority is authorized to provide by resolution for the issuance from time to time of bonds for the purpose of refunding any bonds then outstanding. The Authority is further authorized to provide by resolution for the issuance of bonds for the combined purpose of:

(a) Paying the cost of constructing, reconstructing, improving, extending, repairing, relocating, and equipping the facilities of the Authority.

(b) Refunding bonds then outstanding. The authorization, sale, and issuance of such obligations, the maturities and other details thereof, the rights and remedies of the holders thereof, and the rights, powers, privileges, duties, and obligations of the Authority with respect to the same shall be governed by the foregoing provisions of this act insofar as the same may be applicable. In the event that the Authority shall determine to issue bonds for the purpose of refunding any outstanding bonds prior to the maturity thereof, the proceeds of such refunding bonds may, pending the redemption of the bonds to be refunded, be invested in direct obligations of the United States, or certificates of deposit issued by banks insured by the Federal Deposit Insurance Corporation. It is the express intention of this act that outstanding bonds may be refunded and retired by and upon the issuance of bonds notwithstanding that all or a portion of such outstanding bonds will not mature or become redeemable until after the date of issuance of such refunding bonds.

Section 8. REMEDIES.

(a) The rights and the remedies hereon conferred upon or granted to the bondholders shall be in addition to and not in limitation of any rights and remedies lawfully granted to such bondholders by the resolution or resolutions or indenture providing for the issuance of bonds, deed of trust, indenture or other agreement under which the bonds may be issued or secured. In the event that the Authority shall default in the payment of the principal of or interest on any of the bonds issued pursuant to the provisions of this act after such principal of or interest on the bonds shall have become due, whether at maturity or upon call for redemption, as provided in said resolution or resolutions, and such default shall continue for a period of ~~30 thirty (30)~~ days, or in the event that the Authority shall fail or refuse to comply with the provisions of this act or any agreement made with, or for the benefit of, the holders of the bonds, the holders of ~~25 twenty-five percent (25%)~~ in aggregate principal amount of the bonds then outstanding shall be entitled as of right to the appointment of a trustee to represent such bondholders for the purposes thereof; provided, however, that such holders of ~~25 twenty-five percent (25%)~~ in aggregate principal amount of the bonds then outstanding shall have first given written notice of their intention to appoint a trustee to the Authority.

(b) Such trustee, and any trustee under any deed of trust, indenture, or other agreement, may, and upon written request of the holders of ~~25 twenty-five percent (25%)~~, or such other percentages as may be specified, in any deed of trust, indenture or other agreement aforesaid, in principal amount of the bonds then outstanding, shall, in any court of competent jurisdiction, in his or its own name:

(1) By mandamus or other suit, action or proceeding at law, or in equity, enforce all rights of the bondholders, including the right to require the Authority to fix, establish, maintain, collect and charge rates, fees, rentals, or other charges, adequate to carry out any agreement as to, or pledge of, the revenues, and to require the Authority to carry out any other covenants and agreements with or for the benefit of the bondholders, and to perform its and their duties under this act.

(2) Bring suit upon the bonds.

(3) By action or suit in equity require the Authority to account as if it were the trustee of an express trust for the bondholders.

(4) By action or suit in equity enjoin any acts or things ~~that which~~ may be unlawful or in violation of the rights of the bondholders.

(c) Any trustee when appointed as aforesaid, or acting under a deed of trust, indenture, or other agreement, and whether or not all bonds have been declared due and payable, shall be entitled as of right to the appointment of a receiver, who may enter upon and take possession of the facilities or any part or parts thereof, the revenues, and other pledged moneys and operate and maintain the same, for and on behalf of and in the name of, the Authority and the bondholders, and collect and receive all moneys in the same manner as the Authority might do, and shall deposit all such revenues and moneys in a separate account and apply the same in such manner as the court shall direct.

In any suit, action, or proceeding by the trustee, the fees, counsel fees, and expenses of the trustee, and said receiver, if any, and all costs and disbursements allowed by the court shall be a first charge on any revenues. Such trustee shall, in addition to the foregoing, have and possess all of the powers necessary or appropriate for the exercise of any functions specifically set forth herein or incident to the representation of the bondholders in the enforcement and protection of their rights.

(d) Nothing in this section or any other section of this act shall authorize any receiver appointed pursuant hereto for the purpose of operating and maintaining the facilities or part or parts thereof, to sell, assign, mortgage, or otherwise dispose of any of the assets of whatever kind and character belonging to the Authority. It is the intention of this act to limit the powers of such receiver to the operation and maintenance of the Authority, or any facility or part or parts thereof, as the court may direct, in the name and for and on behalf of the Authority, and the bondholders, and no holder of bonds nor any trustee shall ever have the right in any suit, action or proceeding at law, or in equity, to compel a receiver, nor shall any receiver be authorized or any court be empowered to direct the receiver to sell, assign, mortgage, or otherwise dispose of any assets of whatever kind or character belonging to the Authority.

Section 9. OTHER REVENUES. The City of Tampa and the County of Hillsborough are each authorized separately or jointly to enter into cooperation agreements with the Tampa Sports Authority upon such terms and conditions as the parties shall agree providing for the appropriation and expenditure of non-ad valorem moneys of the City, or the County, or both, to the payment of operation and maintenance costs or debt service costs, or both or any part thereof, of the Authority while bonds issued by the Authority are outstanding.

Section 10. CONVEYANCE OF LANDS AND PROPERTIES TO AUTHORITY; RESTRICTIONS THEREON. The following described real property, together with the structures thereon and the contents and furnishings thereof, are declared to be the property of the Tampa Sports Authority:

The east $\frac{1}{2}$ of the northeast $\frac{1}{4}$ of Section 9, township 29 south, range 18 east, Hillsborough County, Florida, including all of Chamberlain field, a subdivision, the plat thereof being recorded in plat book 25, page 54, of the public records of Hillsborough County, Florida; LESS rights of way existing in Dale Mabry Highway, Buffalo Avenue, Himes Avenue and Tampa Bay Boulevard; SUBJECT TO that certain lease agreement, (City of Tampa, Florida, resolution No. 6127-D), affecting a parcel of land described as follows: A strip of land 75 feet wide facing the south side of Hillsborough Avenue, AND running from Dale Mabry Highway to Himes Avenue, and a strip of land 75 feet wide facing Dale Mabry Highway running from Hillsborough Avenue south to Al Lopez field. Also: The east $\frac{1}{2}$ of the southeast $\frac{1}{4}$ of Section 9, township 29 south, range 18 east, Hillsborough County, Florida, including all of Cone's Addition, West Tampa, a subdivision, the plat thereof being recorded in plat book 16, page 17, of the public records of Hillsborough County, Florida; LESS rights of way existing in Dale Mabry Highway, Columbus Drive, Himes Avenue and Tampa Bay Boulevard; SUBJECT TO that certain setting aside and dedicating a portion of the above-described tract of land for use as part of the

clear zone for runway No. 9-27 at Tampa International Airport, as set out in City of Tampa, Florida, ordinance No. 3201-A.

The City of Tampa shall continue to maintain and operate the property hereinabove described until October 1, 1967, and during such time shall hold the Authority safe and harmless from any claim ~~that~~ ~~which~~ arises from such maintenance, operation, and use of said property.

The real property hereinabove described and conveyed to the Authority by this act shall be used for the sports, recreational, and park purposes provided for by this act. The Authority shall not convey, mortgage, lease, rent, or otherwise encumber in any manner the real property hereinabove described and conveyed to it by this act without public notice, public hearing, and the consent of the mayor and the city council of the City of Tampa and the Board of County Commissioners of Hillsborough County, provided that this notice, hearing, and consent concerning leases and rentals shall be necessary only with respect to long-term leases and rentals as the same are defined in subsection (j) of Section 5 hereof.

Section 11. CONSOLIDATION OF GOVERNMENTS. In the event of the consolidation of the governments of the City of Tampa and Hillsborough County, all powers, functions, duties, responsibilities, obligations, and properties of the Authority may be transferred to such consolidated government, as otherwise provided by law.

Section 12. CIVIL SERVICE. The employees of the Authority shall be subject to the provisions of civil service as otherwise provided by law.

Section 13. PUBLIC SUBSCRIPTION. The Authority may accept any and all public or private subscriptions and donations of moneys and other property and assets for use in furthering the general purposes of the Authority as it shall determine, and in furtherance hereof, may solicit, encourage, and promote such public and private participation.

Section 13A. PERFORMANCE AUDIT. The Authority shall be subject to a performance audit every 4 years, with the first such audit having been completed in June, 1995, and the next such audit to be completed by April 30, 1999, as follows:

(1) For purposes of this act, the performance audit, which shall be conducted in accordance with Government Auditing Standards as promulgated by the United States Comptroller General, must contain the following components:

(a) An appraisal of management performance, including the effectiveness of administration and the efficiency and adequacy of the program the entity is authorized by law to perform;

(b) An assessment of adherence to general and special law and any rules adopted thereunder;

(c) The adequacy of operating controls and operating procedures;

(d) Recommendations for changes required in general or special law which, if enacted, would enhance the efficiency and effectiveness of the program;

(e) An examination and evaluation of alternative methods of providing program services or products more efficiently and effectively;

(f) An assessment of relations with employees and the public generally; and

(g) A copy of the response received pursuant to subparagraph (3)(b)3.

(2) The audit may not be performed by any agency of state or local government, with the exception of the Auditor General of the State of Florida as provided by general law. However, nothing in this act shall be construed to prohibit other audits authorized by law.

(3)(a) In contracting for the audit, the governing board of the Authority shall utilize standard procedures for any public body when contracting for professional services, including, but not limited to:

1. Public announcement, in a uniform and consistent manner, when auditing services are required to be purchased, a general description of the audit, and an indication of how interested parties may apply for consideration;

2. Adoption of procedures for the evaluation of professional auditing services, including, but not limited to, capabilities; adequacy and ability of professional personnel; past record; experience; basis for fees; ability to meet time requirements; and such other factors as may be determined by the Tampa Sports Authority to be applicable to its particular requirements; and

3. Making a finding that the firm or individual to be employed is fully qualified pursuant to the adopted evaluation procedures.

(b) The contract shall be evidenced by a written document embodying all provisions and conditions of the procurement of such services, which shall include, but shall not be limited to:

1. A provision that bills for fees or other compensation for services or expenses be submitted in detail with supporting documentation sufficient for a proper preaudit and postaudit thereof;

2. A provision that bills for any travel and per diem expenses be submitted in accordance with s. 112.061, Florida Statutes;

3. A provision that, at the conclusion of the audit, the entity conducting the audit shall discuss the audit with the chairman of the Authority and submit to that person preliminary audit findings, including relevant supporting documentation, which may be included in the final audit report. If the chairman is not available for receipt of the audit findings, with any adverse findings clearly designated as such, then delivery thereof is presumed to be made when it is delivered to the Authority's executive office. The chairman shall submit to the entity conducting the audit, within 60 days of receipt of the preliminary findings, his written response concerning all such findings, including corrective action to be taken to preclude a recurrence of any adverse findings.

Thereafter, a final audit report shall be issued which shall include the chairman's response and any rebuttal thereto by the entity conducting the audit;

4. A provision that those workpapers necessary to support the conclusions in the final audit report shall be retained by the entity conducting the audit for a period of 2 years following delivery of the final audit and shall be made available to the Authority upon a vote of the majority of the governing board of the Authority. The audit report, when final, shall be retained by the Authority pursuant to chapter 119, Florida Statutes; and

5. A provision that, upon completion of the audit, sufficient copies shall be filed with the Office of the Hillsborough County Legislative Delegation for distribution to members of the delegation and that sufficient copies be provided to the Authority to meet anticipated public demand for copies of such audit.

(4) Funds shall be appropriated by the Tampa Sports Authority for payment of costs incurred in connection with such audit.

Section 13B. SUBMISSION OF PRIOR AUDIT. If the Hillsborough County Board of County Commissioners has ordered a performance audit pursuant to general law by any appropriately qualified entity not a part of county government which was completed within 2 years prior to April 30 of the year the performance audit is to be completed, or which will be completed within 3 months after April 30 of the year the performance audit is to be completed, and the audit contains the mandatory components contained in s. 13A(1) and the contract requirements contained in former s. 1(3)(b)3., 4., and 5. of chapter 94-410, Laws of Florida, that audit may be used to fulfill the requirement for the performance audit contained in this act. If an audit so ordered is to be submitted to fulfill the requirements of this act and will be completed after the April 30 deadline, the Authority shall notify the Office of the Hillsborough County Legislative Delegation by April 30 that the audit will be so delayed, the reason for the delay, and the date it will be delivered, which date must not be later than July 31 in the year in which the audit is due under this act.

Section 13C. AUDIT RECOMMENDATIONS. One year from the date of the final audit report, the chairman of the Authority shall submit to the Office of the Hillsborough County Legislative Delegation a written statement of the status of recommendations contained in the audit report.

Section 14. INCONSISTENT LAWS INAPPLICABLE. All other laws, or parts thereof, inconsistent herewith are hereby declared to be inapplicable to the provisions of this act.

Section 15. PROVISIONS OF ACT SEVERABLE. The provisions of this act are severable, and it is the intention to confer the whole or any part of the powers herein provided for and if any of the provisions of this act or any of the powers granted by this act shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions of this act or any of the remaining powers granted by this act. It is hereby declared to be the legislative intent that this act would

have been adopted had such unconstitutional provision or power not been included therein.

Section 16. ALTERNATIVE METHOD. This act shall be deemed to provide an additional and alternative method for the doing of the things authorized hereby and shall be regarded as supplemental to powers, conferred by other laws, and shall not be regarded as in derogation of any powers now existing. This act being for a public purpose and for the welfare of the citizens of the City of Tampa and Hillsborough County shall be liberally construed to effect the purposes thereof.

Section 17. (a) A contract for the construction, repair, or alteration of real property or the purchase, lease, construction, repair, or alteration of personal property may not be let by the Authority if the cost thereof is in excess of \$1,000 unless competitive bids are received; and if the estimated cost is in excess of \$10,000, a purchase may not be made unless competitive bids are received after advertising therefor in a newspaper of general circulation in the City of Tampa at least once a week for not less than 2 consecutive weeks before the date on which the bids are to be received.

(b) If, however, the chairman of the Authority shall determine that an emergency exists in regard to the purchase of any commodity or letting of any contract, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interests of the Authority, then in such event the provisions hereof for competitive bidding and advertising shall not apply, and the chairman of the Authority shall file with the secretary of the Authority a written statement certifying the conditions and circumstances. Upon receipt of such statement, the Authority may authorize the purchase.

(c) There is expected from the bidding requirements hereof commodities available from one (1) source only. In connection with the purchase of commodities available from one (1) source only, a written statement certifying the conditions and circumstances requiring the purchase shall be filed by the chairman of the Authority with the secretary of the Authority. Upon receipt of such statement, the board of the Authority may authorize the purchase.

(d) The competitive bidding requirement of this section shall not apply if the Authority elects to purchase goods or commodities under a contract entered into pursuant to law by any other political subdivision, municipality, authority, or other public agency.

(e) When competitive bidding is required hereunder, the Authority shall let the contract to the lowest responsible bidder.

Section 18. TRESPASS. (a) For the purposes of this section, "trespass" upon the grounds or facilities of the Authority means:

(1) Entering and remaining upon any grounds or facilities owned, operated, or controlled by the Authority, and committing any act ~~that~~ ~~which~~ disrupts the orderly conduct of any activity authorized by the Authority, its lessees, or its licensees on the grounds or facilities; or

(2) Entering and remaining on the grounds or facilities after being directed not to enter, or to leave, the grounds or facilities by the Authority, by any

employee or agent thereof authorized by the Authority to maintain order on the facilities and enforce the rules and regulations of the Authority, or by any law enforcement officer, after a determination by the Authority, any employee or agent thereof, or any law enforcement officer that the entering or remaining on the grounds or facilities is disrupting the orderly conduct of any activity authorized by the Authority, its lessees, or its licensees on the grounds or facilities, or is in violation of the rules and regulations of the Authority.

(b) Any person found guilty of committing the offense of trespass upon the grounds or facilities of the Authority is guilty of a criminal offense and misdemeanor within the meaning of s. 775.08, Florida Statutes, and shall be punished as provided by law.

(c) A law enforcement officer is authorized to arrest any person on or off the premises without a warrant if the officer has probable cause for believing such person has committed the offense of trespass upon the grounds or facilities of the Authority.

Section 19. Chapters 65-2307, 67-2112, 69-1123, 69-1134, 69-1142, 69-1656, 73-633, 74-614, 74-615, 75-509, 75-515, 77-658, 77-659, 78-621, ~~and 81-495, 92-236, 94-410, and 95-525~~, Laws of Florida, relating to the Tampa Sports Authority, are hereby repealed.

Section 20. Prior to July 1, 1992, and every 10 years thereafter, the Hillsborough County Legislative Delegation shall review this act, and all acts that ~~which~~ amend or otherwise modify this act, for the purpose of determining whether or not there is a need for a recodification of such acts. If it is determined that there is such a need, the delegation may require the Tampa Sports Authority to accomplish same, and to prepare, or cause to be prepared, such legislation as may be necessary for such purpose.

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

Became a law without the Governor's approval June 5, 1996.

Filed in Office Secretary of State June 4, 1996.
