

**Bylaws of Tri-Par Estates Park and Recreation District**  
**Adopted: August 20, 2013; Amended February 7, 2017**

**PREAMBLE**

These amended and restated bylaws are to supplement Laws of Florida, House Bill No. 1857, dated May 25, 2001, establishing and governing the operation of the District, hereinafter known as the "Enabling Act."

**Article 1 - Name**

The name shall be Tri-Par Estates Park and Recreation District, hereinafter known as "Tri-Par", the "District", or the "Park."

**Article 2 - Office**

The principal office of the District shall be located at 1616 Presidio Street, Sarasota, County of Sarasota, State of Florida.

**Article 3 - Purpose**

Provide an age-restricted community for manufactured homes and common facilities and programs to make the Park a pleasant and desirable place to live.

**Article 4 - Board of Trustees**

**Section 1 - Function:** The business and affairs of the District shall be conducted and administered by a Board of Trustees as designated in the Enabling Act, hereinafter known as the "Board" or the "Trustees."

**Section 2 - Composition:** The Board shall consist of nine (9) Trustees. Trustee seats will be numbered #1 through #9 for purpose of determining and regulating expiration of terms, and for no other purposes related to responsibilities of Trustees.

**Section 3 - Elections:** All elections shall be conducted by the Supervisor of Elections of Sarasota County, on the second Tuesday of March, according to rules governing general elections in the County. Any registered voter residing in the District and a freeholder (property owner) within the District is eligible to run for election as a Trustee.

**Section 4 - Terms:** Elected terms are for three (3) years with three elected each year. Terms of newly elected trustees become effective on the first Tuesday of April following elections, and will be sworn in at a Special Board Meeting on the first Tuesday in April or at the earliest possible date thereafter.

Seats #1, #2, #3 were elected in 2003, and expire in 2006, and each three years thereafter.

Seats #4, #5, #6 were elected in 2002, and expire in 2005, and each three years thereafter.

Seats #7, #8, #9 were elected in 2004, and expire in 2007, and each three years thereafter.

**Section 5 - Officers:** At the Special Board Meeting on the first Tuesday in April following elections or at the earliest possible date thereafter, the highest ranking officer remaining from the old Board will chair the Special Board Meeting until a new chairman is elected. The Trustees shall select the following officers to serve for the current year.

**A. Chair:** Shall chair the Board meetings and give general direction to the work of the Trustees.

**B. 1<sup>st</sup> Vice Chair:** Shall act as Chair at the request of, or in the absence of the Chair.

**C. 2<sup>nd</sup> Vice Chair:** Shall act as Chair upon request, or in the absence of Chair and 1<sup>st</sup> Vice Chair.

**D. Secretary:** Shall be the custodian of the official records of the District, and maintain the official copy of minutes of all Trustee meetings and actions. Shall sign documents on behalf of the District. Shall serve as, or arrange for, Recording Secretary for Board meetings.

**E. Treasurer:** Shall be the official custodian of the financial records of the District, and sign financial reports and documents to governmental agencies. Staff persons may be provided to do the bookkeeping function and prepare reports for the Board under direction of the Treasurer.

**Bylaws of Tri-Par Estates Park and Recreation District**  
**Adopted: August 20, 2013; Amended February 7, 2017**

**F. Election of Officers:** Nomination of officers shall be by voice by the Trustees and the election shall be by a show of hands. Candidates for the office may speak and be questioned by other Trustees.

**G. Selection of Trustee Responsibilities:** At conclusion of the officer elections, the Trustees will select their areas of responsibility. Board of Trustees will discuss and assign areas of responsibilities.

**Section 6 - Executive Committee:** The officers of the Board shall serve as an Executive Committee. The Chair may call a meeting of the Executive Committee when needed for urgent matters. A majority of the Executive Committee may act on behalf of the Trustees. Actions of the Executive Committee shall be reported and ratified at the next Board meeting. Failure to ratify will void such action of the Executive Committee.

**Section 7 - Duties:**

A. Adopt and enforce policies and procedures for conducting the operations and business of the District.

B. Supervise all real and personal property owned by the District.

C. Employ staff as needed for operations.

D. Establish budgets and determine the assessments required from property owners.

E. Appoint persons to serve on committees as required or desired.

**Section 8 - Meetings:**

A. The Board shall have an official monthly meeting on the third Tuesday of each month at 7:00 pm in the Clubhouse, or at another time or place as agreed by the Trustees.

B. All meetings shall be conducted as required by Florida Sunshine Laws. Notice of meetings and the agenda shall be posted on the public bulletin board 24 hours in advance.

C. Additional Board meetings as needed may be called by the Chair, with 48 hours notice to Trustees and notice posted 48 hours in advance.

D. The Board may also call Workshop meetings as required 24 hours in advance when issues are expected to require extended review and discussion beyond the time restraints for the monthly meeting.

E. Florida sunshine laws require that all meetings (with a few exceptions) be open to residents of the Park. Residents are permitted to speak in meetings only when authorized by the Chair.

F. The Chair shall be generally guided by Roberts' Rules of Order for conducting meetings, as fitting the circumstances of the meeting.

**Section 9 - Quorum:** At any meeting of the Board a majority of the Trustees (majority being five) shall constitute a quorum. Florida sunshine laws forbid any discussion or communication between Trustees pertaining to matters requiring a vote at any time other than during a duly announced meeting.

**Section 10 - Vacancies:** Vacancies occurring on the Board from any cause shall be filled for the remainder of the unexpired term by the remaining Trustees, from registered voters residing in the District and a freeholder (property owner) within the District.

**Bylaws of Tri-Par Estates Park and Recreation District**

**Adopted: August 20, 2013; Amended February 7, 2017**

**Section 11 - Removal:** Any Trustee may be removed by action of the Board for malfeasance or misfeasance, after due notice and opportunity to be heard upon the charges.

**Section 12 - Compensation:** Trustees shall receive no compensation for their services, but may be reimbursed for approved expenses related to work of the Trustees.

**Article 5 - Management**

**Section 1 - Management by Trustees:** Trustees assume management responsibilities. Trustees must agree among themselves regarding allocation and division of responsibilities. Upon such agreement each Trustee will be authorized and empowered to manage their assigned tasks. Each Trustee will fully report on their activities in their area at monthly Board meetings. Areas of responsibility to be assigned may include, but are not limited to the following:

Building and Grounds, includes Maintenance staff	Roads, Drainage and Utilities
Building Permits	Policy and Procedure
Deed Restriction and Animal Control Enforcement	Security Services
Storage Lot Management	Disaster Preparedness
Recreational, Social Activities and Bingo	Health and Welfare Activities
Broadcasting, TV, PA, Public Wi-Fi	Blood Bank Scheduling
Saturday "Coffee" Events	Public Safety
Tri-Par Church Representative	Flea Market Liaison
Office Management	Long Term Financial Planning
Keys and FOB Controls	Newsletter and Communication
Bulletin Boards	Purchasing
Insurance Management	Inventory Records Management
Budget Preparation	Pool Patrol and Rules Enforcement

**Section 2 - Park Manager:** The Board may employ a Park Manager to be responsible for management of Park staff and operations. The manager will follow policies and procedures as approved by the Board, will give a full report of activities at each Board meeting, and will present as proposals to the Board prior to implementing new procedures.

**Article 6 - Receipt and Disbursement of Funds**

- A. All elected officers shall be approved and bonded to sign District checks.
- B. All disbursements shall be upon receipt of a voucher or invoice approved by the Park Manager or a Trustee. Purchases in excess of \$1,000 must be approved in advance at a Board meeting.
- C. All checks for disbursement shall require two signatures, normally the Treasurer and one other officer, or in the absence of the Treasurer two other officers.
- D. In no case may a Trustee sign a check payable to him/herself.

**Article 7 - Deed Restrictions**

**Section 1 - Age Requirements:**

- A. At least one resident of each dwelling must be age 55 or greater.
- B. All other residents must be age 45 or greater. Upon receipt and Board approval of required application forms, an underage bona fide caregiver may be authorized.
- C. Underage guests of owners/renters may stay in owner/renter's dwelling only a maximum of 30 days in any 12-month period.

## **Bylaws of Tri-Par Estates Park and Recreation District**

**Adopted: August 20, 2013; Amended February 7, 2017**

**Section 2 - Other Restrictions:** Other deed restrictions that owners/renters/guests must observe, including regulations of parking, yards, fences, pets, signs, maintenance of properties and other items, are detailed in a separate deed restrictions document that has been provided to all owners and renters.

### **Article 8 - Miscellaneous Provisions**

**Section 1 - Fiscal Year:** The fiscal year of the District shall be October 1 through September 30.

**Section 2 - Deposits:** All funds received shall be deposited to the credit of Tri-Par in such banks or depositories that are approved for Florida public funds, as authorized by the Trustees.

**Section 3 - Records:** The District shall maintain correct and proper books and records and shall keep copies of the minutes of all meetings of Trustees. These are public records (with a few exceptions) and will be available for viewing by residents upon request and scheduled during regular office hours.

**Section 4 - Contracts:** The Trustees may authorize any officer or agent of the District to enter into any contract or to execute and deliver any instrument or document on behalf of the District, which authority must be specific. Contracts exceeding \$20,000 have special requirements as outlined in the Enabling Act.

### **Article 9 - Amendments**

These bylaws may be amended, repealed, altered or suspended in whole or in part by action of the Board. Prior to such action, the proposed changes shall be presented by any Trustee at any regular meeting of the Board. A copy of the proposed amendments shall be posted on the public bulletin board at least 21 days prior to a regular Board meeting, at which a public hearing will be held and after which the Trustees will vote on the proposed amendment(s).

### **Article 10 - Conflict of Law**

The Enabling Act (Florida House Bill 1857) contains many additional details relating to operation and requirements for Tri-Par that are not repeated herein. In the event any provisions of these bylaws are determined to be in conflict with the Enabling Act, the provisions of the Enabling Act will prevail. Any such conflict shall not invalidate any other provisions of these bylaws. These bylaws cancel and replace all prior bylaws of the District. Any previous policies, procedures or actions of Trustees now in conflict with these amended and restated bylaws are hereby repealed.

Adopted: August 30, 2013

Article 5, Section 2; and Article 6.B, Amended February 7, 2017