

1                                   A bill to be entitled  
 2           An act relating to the St. Augustine-St. Johns County  
 3           Airport Authority; amending chapter 2002-347, Laws of  
 4           Florida; renaming the St. Augustine-St. Johns County  
 5           Airport Authority; providing for compensation of board  
 6           members; providing an effective date.

7  
 8   Be It Enacted by the Legislature of the State of Florida:

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 10           Section 1. Sections 1 through 3 of section 3 of chapter  
 11   2002-347, Laws of Florida, are amended to read:

12           Section 1. Status of the St. Johns ~~St. Augustine-St. Johns~~  
 13   County Airport Authority.—The St. Johns ~~St. Augustine-St. Johns~~  
 14   County Airport Authority is declared to be an independent  
 15   special district pursuant to chapter 189, Florida Statutes, as  
 16   it may be amended from time to time. The St. Johns County  
 17   Airport Authority may conduct airport operations under the name  
 18   "Northeast Florida Regional Airport."

19           Section 2. Boundaries of the St. Johns ~~St. Augustine-St.~~  
 20   ~~Johns~~ taxing district.—All lands lying within St. Johns County,  
 21   Florida, shall constitute the boundaries of the St. Johns ~~St.~~  
 22   ~~Augustine-St. Johns~~ County special taxing district.

23           Section 3. Minimum charter requirements.—In accordance  
 24   with section 189.404(3), Florida Statutes, the following

25 subsections constitute the charter of the St. Johns St.  
 26 ~~Augustine St. Johns~~ County Airport Authority:

27 (1) There is hereby created an authority to be known as  
 28 the St. Johns St. ~~Augustine St. Johns~~ County Airport Authority  
 29 with the power to sue and be sued and with the additional powers  
 30 specified herein.

31 (2) There is also created a special taxing district in St.  
 32 Johns County, which district shall be a body politic and  
 33 corporate and political subdivision of the state under the name  
 34 of "St. Johns St. ~~Augustine St. Johns~~ County Airport Authority  
 35 District." The St. Johns St. ~~Augustine St. Johns~~ County Airport  
 36 Authority shall be the governing body and shall exercise its  
 37 powers and jurisdiction within the territory of said district,  
 38 which shall comprise all of St. Johns County.

39 (3) The St. Johns St. ~~Augustine St. Johns~~ County Airport  
 40 Authority shall be governed by a board of five members known as  
 41 the St. Johns St. ~~Augustine St. Johns~~ County Airport Authority  
 42 board. The expiration of each 4-year term for each seat is  
 43 staggered, such that two or three of the five seats are elected  
 44 every 2 years. At the general election held prior to the  
 45 expiration of each of said terms, successors shall be elected by  
 46 the qualified electors residing within the boundaries of the St.  
 47 Johns St. ~~Augustine St. Johns~~ County Airport Authority District  
 48 for a term of 4 years, to expire the first Tuesday after the  
 49 first Monday in January following the election. Vacancies in

50 office shall be filled by appointment of the Governor and  
51 confirmed by the Senate for the remainder of the unexpired  
52 terms. No member of the St. Johns ~~St. Augustine-St. Johns~~ County  
53 Airport Authority board shall be an officer or employee of the  
54 City of St. Augustine, St. Johns County, or the State of  
55 Florida, except members of the militia or notaries public. Not  
56 more than two of the members shall be persons who are primarily  
57 engaged in the aviation business, and no person shall be  
58 eligible for appointment or election as a board member except  
59 persons residing within the boundaries of the St. Johns ~~St.~~  
60 ~~Augustine-St. Johns~~ County Airport Authority District. The  
61 members constituting the St. Johns ~~St. Augustine-St. Johns~~  
62 County Airport Authority board shall select one of their number  
63 as chair, and the term of office of the chair shall be 1 year.  
64 The members shall receive no compensation for their services so  
65 long as the St. Johns County Airport Authority levies ad valorem  
66 taxes greater than 0.00 mills, but they are authorized to be  
67 reimbursed for verified travel and other expenses, which shall  
68 be paid from the funds of the Authority. The members shall  
69 receive compensation for their services as set by the Authority  
70 up to but not exceeding \$7,500 per year so long as the St. Johns  
71 County Airport Authority levies ad valorem taxes of 0.00 mills,  
72 and they are authorized to be reimbursed for verified travel and  
73 other expenses, which shall be paid from the funds of the  
74 Authority. Three members shall constitute a quorum for the

75 | purpose of conducting business, exercising powers, and all other  
76 | purposes. Notices of election shall be given through the Office  
77 | of the Secretary of State, as provided by the general laws of  
78 | the state. Members of the St. Johns ~~St. Augustine~~ ~~St. Johns~~  
79 | County Airport Authority board shall be identified on such board  
80 | by numbered groups, and candidates for election to such board  
81 | shall qualify in particular groups, and otherwise as provided by  
82 | the laws of the state.

83 |         (4) The St. Johns ~~St. Augustine~~ ~~St. Johns~~ County Airport  
84 | Authority is empowered to employ an executive director, a legal  
85 | counsel, and other such permanent or temporary employees,  
86 | including, but not limited to, technical experts, secretaries,  
87 | and clerical help, as may be needed to operate the Authority.  
88 | The St. Johns ~~St. Augustine~~ ~~St. Johns~~ County Airport Authority  
89 | board is empowered to determine the qualifications, duties, and  
90 | compensation of said employees, the compensation to be fixed by  
91 | resolution of the members of the board and to be paid from the  
92 | income of the Authority.

93 |         (5) The St. Johns ~~St. Augustine~~ ~~St. Johns~~ County Airport  
94 | Authority as hereby created is authorized and empowered to own  
95 | and acquire property by purchase, lease, lease-purchase, eminent  
96 | domain, gift, or transfer from the City of St. Augustine, the  
97 | United States of America, the State of Florida, or any agencies  
98 | thereof, and other entities or individuals, and to acquire,  
99 | construct, maintain, and operate airport facilities, warehouses,

100 hangars, repair facilities, seaplane bases, and all other  
 101 facilities incident to the operation of airport facilities for  
 102 both foreign and domestic air transportation, either by land  
 103 planes or seaplanes, including multimodal transportation  
 104 facilities which interconnect with the airport facility. The  
 105 Authority is authorized and empowered to own, acquire, and  
 106 operate airplanes, seaplanes, and lighter-than-air craft, and to  
 107 engage in instruction in aviation, research in aeronautical  
 108 fields, and promotion of aeronautical development. Property of  
 109 the St. Johns ~~St. Augustine-St. Johns~~ County Airport Authority  
 110 may be utilized for purposes which are not related to aviation.

111 (6) The St. Johns ~~St. Augustine-St. Johns~~ County Airport  
 112 Authority is authorized and empowered to conduct activities  
 113 necessary to create and support a multimodal transportation  
 114 system to interconnect with and support the airport activities  
 115 and to serve the district and the region.

116 (7) The St. Johns ~~St. Augustine-St. Johns~~ County Airport  
 117 Authority shall have the right and power of eminent domain over  
 118 real and personal property and to maintain eminent domain  
 119 proceedings in the form and in the manner as prescribed by the  
 120 general laws of the state, provided that the power of eminent  
 121 domain shall be exercised to carry out the purposes of this act.

122 (8) The St. Johns ~~St. Augustine-St. Johns~~ County Airport  
 123 Authority is authorized and empowered to enter into contracts  
 124 with any individual, corporation, or political subdivision or

125 | agency of the state, and the United States of America, and to  
126 | enter into operating contracts or leases for facilities owned by  
127 | the Authority and any and all other contracts for furthering the  
128 | business, operation, and maintenance of the facilities as herein  
129 | provided, including the right to lease any or all airport  
130 | facilities and appurtenances to individuals, corporations, or  
131 | government entities. The Authority is further authorized to fix  
132 | and revise from time to time rates, fees, and other charges for  
133 | the use of and for the services furnished or to be furnished by  
134 | any airport facility owned or operated by the Authority. Such  
135 | rates, fees, and charges shall be fixed and revised so that the  
136 | revenues of the Authority, together with any other available  
137 | funds, will be sufficient at all times:

138 |       (a) To pay the costs, including salaries, for maintaining,  
139 | operating, and repairing the airport facilities owned or  
140 | operated by the Authority, including reserves for such purposes.

141 |       (b) To pay the principal of and interest on all bonds or  
142 | revenue certificates issued by the Authority under the  
143 | provisions of this act as the same become due and payable and to  
144 | provide reserves therefor.

145 |

146 | Notwithstanding any of the foregoing provisions of this section,  
147 | the Authority may enter into contracts relating to the use of or  
148 | for the services furnished or to be furnished by any airport

149 facility, which contracts shall not be subject to revision  
 150 except in accordance with the terms of such contracts.

151 (9) Within the limits of its budget, the St. Johns ~~St.~~  
 152 ~~Augustine-St. Johns~~ Airport Authority is authorized to borrow  
 153 money and give its notes as evidence of indebtedness therefor in  
 154 order to carry out the purposes and authorizations of this act.

155 (10) To carry out the purposes of this act, the authority  
 156 is authorized, for the purpose of construction, acquiring,  
 157 paying for, and improving its properties and facilities, to  
 158 raise moneys by the issuance and sale of revenue bonds or  
 159 certificates or general obligation bonds or combined revenue and  
 160 general obligation bonds.

161 (a) Revenue bonds or certificates issued pursuant to this  
 162 act shall be payable from and secured by a pledge of all or any  
 163 part of the income, rents, and revenues derived by the Authority  
 164 from any of its properties or facilities now or hereafter owned  
 165 or operated by the Authority. The Authority may further pledge  
 166 its full faith and credit and taxing power for the payment of  
 167 such revenue bonds or certificates to the full extent that the  
 168 revenues derived from the operation of the properties and  
 169 facilities of the Authority are insufficient for the payment of  
 170 the principal of and interest on and reserves for such revenue  
 171 bonds or certificates, provided that the issuance of such  
 172 revenue bonds or certificates, if the full faith and credit of  
 173 the Authority are pledged therefor, have been first approved by

174 the qualified electors residing in the district in the manner  
175 provided in Section 12 of Article VII of the State Constitution.

176 (b) The Authority may also issue its general obligation  
177 bonds for the purposes aforesaid and may pledge its full faith  
178 and credit and taxing power for the payment of the principal of  
179 and interest on said bonds and reserves therefor as the same  
180 become due, provided that the issuance of such general  
181 obligation bonds has been first approved by the qualified  
182 electors residing in the district in the manner provided in  
183 Section 12 of Article VII of the State Constitution.

184 (c) Any bond election of the qualified electors residing  
185 in the district shall be called and held in the manner provided  
186 in the applicable Florida Statutes for the holding of bond  
187 elections.

188 (d) After the issuance of any revenue bonds, which are  
189 additionally secured by the full faith and credit of the  
190 Authority as provided above, or of any general obligation bonds,  
191 the Authority shall have the power and shall be irrevocably  
192 obligated to levy ad valorem taxes on all taxable property  
193 within the district to the full extent necessary to pay the  
194 principal of and interest on and reserves for any general  
195 obligation bonds issued, as the same mature and become due, and  
196 to pay the principal of and interest on and reserves therefor  
197 due on any revenue bonds or certificates to the full extent that  
198 the revenues derived from the operation of the Authority's



199 | properties and facilities are insufficient for the payment  
200 | thereof.

201 |       (e) Any of said revenue bonds or certificates or general  
202 | obligation bonds may be authorized by resolution or resolutions  
203 | adopted by the Authority, which may be adopted at the same  
204 | meeting at which they are introduced, by a majority of all the  
205 | members of the Authority then in office and need not be  
206 | published or posted. The bonds shall bear interests at the rate  
207 | or rates allowable by general law, may be in one or more series,  
208 | may bear such date or dates, may mature at such time or times  
209 | not exceeding 40 years from their respective dates, may be  
210 | payable in such medium of payment, at such place or places  
211 | within or without the state, may carry such registration  
212 | privileges, may be subject to such terms or prior redemption,  
213 | with or without premium, may be executed in such manner, may  
214 | contain such terms, covenants, and conditions, and may be in  
215 | such form, all as such resolution or subsequent resolutions  
216 | shall provide. The bonds may be sold or exchanged for refunding  
217 | bonds or delivered to contractors in payment for any part of the  
218 | works or improvements financed by such bonds, or delivered in  
219 | exchange for any properties, either real, personal, or mixed,  
220 | including franchises, to be acquired for such works or  
221 | improvements, all at one time or in blocks from time to time, in  
222 | such manner and at such price or prices, as the board of the

223 Authority in its discretion shall determine and in accordance  
224 with Florida Statutes.

225 (f) Pending the preparation of the definitive bonds,  
226 interim certificates or receipts or temporary bonds in such form  
227 and with such provisions as the Authority board may determine  
228 may be issued to the purchaser or purchasers of the bonds issued  
229 hereunder. The bonds and such interim certificates or receipts  
230 or temporary bonds shall be fully negotiable and shall be and  
231 constitute negotiable instruments within the meaning of and for  
232 all purposes of the law merchant and the negotiable-instruments  
233 law of the state.

234 (g) Said bonds may be issued to refund any obligations  
235 therefor issued pursuant to this act or any other law to finance  
236 the construction or acquisition of properties or facilities of  
237 the Authority at or before the maturity of such outstanding  
238 obligations, or for the combined purposes of refunding such  
239 outstanding obligations and the construction or acquisition of  
240 properties or facilities of the Authority.

241 (h) In the event the Authority issues revenue bonds or  
242 certificates, whether payable from the revenues of the  
243 properties and facilities of the Authority or secured by a  
244 pledge of the full faith and credit of the Authority as provided  
245 above, the Authority may make valid and legally binding  
246 covenants with the holders of said revenue bonds or certificates  
247 as to the purposes for which the proceeds of the revenue bonds

248 or certificates may be applied and the securing, use, and  
249 disposition thereof; the creation and maintenance of reserve  
250 funds, the fixing, establishing, collection, and maintenance of  
251 fees, rentals, or other charges for the use of the services and  
252 facilities of the Authority; limitations or restrictions on the  
253 issuance of additional revenue bonds or other certificates  
254 payable from the revenues derived from the properties and  
255 facilities of the Authority; the appointment of a trustee to  
256 hold and apply any funds of the Authority; the appointment of a  
257 receiver upon default of the Authority in the payment of the  
258 principal of or interest on any such revenue bonds or  
259 certificates or in the performance of any covenants relating  
260 thereto; and such other and additional covenants as is deemed  
261 necessary and desirable for the security of the holders of such  
262 revenue bonds or certificates issued pursuant to this act.

263 (i) All revenue bonds or certificates and general  
264 obligation bonds issued hereunder shall be and constitute legal  
265 investments for saving banks, banks, trust companies, executors,  
266 administrators, trustees, guardians, and other fiduciaries and  
267 for any board, body, agency, or instrumentality of the state, or  
268 of any county, municipality, or other political subdivision of  
269 the state, and shall be and constitute securities which may be  
270 deposited by any bank or trust company as security for the  
271 deposit of state, county, municipal, and other public funds.

272 (j) All property of and all revenues derived from the  
273 properties and facilities of the Authority shall be exempt from  
274 all taxation by the state or by any county, municipality, or  
275 other political subdivision thereof. Revenue bonds or  
276 certificates and general obligation bonds issued pursuant to  
277 this act, shall, together with the income therefrom, be exempt  
278 from all taxation by the state, or by any county, municipality,  
279 or other political subdivision thereof.

280 (k) Whenever any debt has been incurred or bonds have been  
281 issued by the St. Johns ~~St. Augustine~~ ~~St. Johns~~ County Airport  
282 Authority, the board shall determine annually by resolution the  
283 amount necessary to be raised by taxation for the payment of  
284 principal of and interest on any indebtedness or bonds maturing  
285 in such year for such purposes. A certified copy of the  
286 resolution shall be filed annually with the Board of County  
287 Commissioners of St. Johns County and the board of county  
288 commissioners shall order annually the property appraiser to  
289 assess property in the district sufficient to pay the principal  
290 of and interest on any indebtedness in said year, together with  
291 any delinquency for prior years. The board of county  
292 commissioners shall order annually the property appraiser to  
293 assess and the tax collector to collect such other taxes as may  
294 be certified to the board of county commissioners by the board  
295 of the Authority, as authorized by provisions of this act for  
296 other purposes.

297 (11) In addition to the powers enumerated above, the  
 298 Authority shall for general purposes have the authority to levy  
 299 an ad valorem tax on all taxable property situated within the  
 300 district, said ad valorem tax not to exceed .5 mill.

301 (12) The St. Johns ~~St. Augustine~~ ~~St. Johns~~ County Airport  
 302 Authority shall have no power or authority to bind or commit the  
 303 City of St. Augustine, a municipal corporation, in any manner  
 304 directly or indirectly and the City of St. Augustine shall not  
 305 be liable or responsible in any manner for any of the debts,  
 306 liabilities, obligations, acts, or omissions of the St. Johns  
 307 ~~St. Augustine~~ ~~St. Johns~~ County Airport Authority, or any of its  
 308 officers or employees. All persons dealing with the Authority  
 309 are hereby charged with full notice of this limitation of its  
 310 powers.

311 (13) The fiscal year of the St. Johns ~~St. Augustine~~ ~~St.~~  
 312 ~~Johns~~ County Airport Authority shall be the same as that of St.  
 313 Johns County, being October 1 to September 30 of each year. The  
 314 St. Johns ~~St. Augustine~~ ~~St. Johns~~ County Airport Authority shall  
 315 maintain acceptable books of account reflecting all income and  
 316 expenditures and said books shall be open to reasonable public  
 317 inspection.

318 (a) In addition, the St. Johns ~~St. Augustine~~ ~~St. Johns~~  
 319 County Airport Authority shall prepare a budget on or before the  
 320 first day of each fiscal year, and no money shall be spent or

321 obligations incurred by the board or Authority except in  
 322 accordance with the terms of the budget.

323 (b) An audit of the affairs of the Authority shall be  
 324 conducted annually by a certified public accountant and shall be  
 325 submitted to the state auditor for review in accordance with the  
 326 general laws of Florida.

327 (14) St. Johns County and the City of St. Augustine are  
 328 empowered to appropriate and contribute to the St. Johns ~~St.~~  
 329 ~~Augustine-St. Johns~~ County Airport Authority such sums of money  
 330 for the operating expenses of the Authority as the commission of  
 331 the city or the county may from year to year determine  
 332 necessary. Such sums of money so appropriated and contributed by  
 333 the city or the county shall be paid to the St. Johns ~~St.~~  
 334 ~~Augustine-St. Johns~~ County Airport Authority upon its  
 335 requisition. The City of St. Augustine and St. Johns County are  
 336 further authorized to convey by sale, lease, or gift any city-  
 337 owned or county-owned properties that the city or county deems  
 338 appropriate to convey to the Authority.

339 (15) The St. Johns ~~St. Augustine-St. Johns~~ County Airport  
 340 Authority shall, with the consent of the City Commission of St.  
 341 Augustine, evidenced by resolution of the commission, exercise  
 342 any powers relating to aviation conferred upon municipalities by  
 343 general law, including the provisions of chapter 332, Florida  
 344 Statutes, known as the Airport Act of 1945.

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