

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

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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-

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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.