

1
2 An act relating to the St. Lucie County Port
3 and Airport Authority; providing definitions;
4 reorganizing, updating, and clarifying
5 provisions; providing for the continuing
6 existence of the authority and of its rights
7 and obligations; providing that employees of
8 the authority shall be considered employees of
9 St. Lucie County; providing that authority
10 meetings shall be held in accordance with
11 chapter 189, Florida Statutes; amending and
12 reorganizing provisions relating to powers and
13 duties of the authority, and consultants,
14 travel expense, taxation, and bonding;
15 providing for the approval by the authority of
16 privately owned airports within the district;
17 deleting obsolete text relating to ad valorem
18 taxation; authorizing the levy of non-ad
19 valorem assessments and issuance of bonds
20 secured thereby; clarifying purposes for which
21 bonds may be issued; providing the authority to
22 enter trust agreements to secure bonds;
23 providing that the purchase of commodities and
24 services by the authority shall be in
25 accordance with the St. Lucie County purchasing
26 policy; declaring legislative intent; repealing
27 chapter 88-515, Laws of Florida; providing for
28 severability; providing an effective date.
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30 Be It Enacted by the Legislature of the State of Florida:
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1 Section 1. Short title.--This act shall be known and
2 may be cited as the "St. Lucie County Port and Airport
3 Authority Act."

4 Section 2. Definitions.--The following terms shall
5 have the meanings set forth for the purposes of this act:

6 (1) "Authority" means the St. Lucie County Port and
7 Airport Authority Special Taxing District and is synonymous
8 with the terms "St. Lucie County Port and Airport Authority
9 Special Taxing District" and "district."

10 (2) "Board" or "board of commissioners" means the
11 governing board of the district.

12 (3) "Bonds" means any evidence of indebtedness issued
13 and delivered by the authority for consideration and shall
14 include, without limiting the generality of the foregoing
15 revenue bonds, general obligation bonds, limited tax bonds,
16 non-ad valorem assessment bonds, notes, or other obligations.

17 (4) "District" means the special taxing district which
18 is the subject of this act and is synonymous with "authority"
19 as defined herein.

20 (5) "Project" means any development, improvement,
21 property, facility, works, enterprise, or service previously,
22 currently, or hereafter undertaken or established under the
23 provisions of this act or any predecessor to this act.

24 (6) "Port facilities" shall mean and shall include
25 harbor, shipping, and port facilities, and improvements of
26 every kind, nature, and description, including, but without
27 limitation, channels, turning basins, jetties, breakwaters,
28 public landings, wharves, docks, markets, parks, recreational
29 facilities, structures, buildings, piers, storage facilities,
30 refrigerating plants, bulkheads, connecting railroads, public
31 buildings and plazas, anchorages, utilities, bridges, tunnels,

1 roads, causeways, equipment, and any and all property and
2 facilities necessary or useful in connection with the
3 foregoing, and any one or more or any combination thereof and
4 any extension, addition, betterment, or improvement of any
5 thereof.

6 (7) "Airport" means any area of land or water, except
7 a restricted landing area, or any manmade object or facility
8 located thereon, which is designed for the landing and takeoff
9 of aircraft, whether or not facilities are provided for the
10 shelter, servicing, or repair of aircraft, or for receiving
11 and discharging passengers or cargo, and all appurtenant areas
12 used or suitable for access to airport facilities, airport
13 buildings, or other airport facilities and equipment, and all
14 appurtenant rights-of-way, whether heretofore or hereafter
15 established.

16 (8) "Air navigation facility" means any facility used
17 in, available for use in, or designed for use in aid of air
18 navigation, including airports, restricted landing areas, and
19 any structures, mechanisms, lights, beacons, marks,
20 communicating systems, or other instrumentalities or devices
21 used or useful as an aid, or constituting an advantage or
22 convenience, to the safe taking off, navigation, and landing
23 of aircraft, or the safe and efficient operation or
24 maintenance of an airport, or restricted landing area, and any
25 combination of any or all of such facilities.

26 (9) "Air navigation" means the operation or navigation
27 of aircraft in the airspace over this state, or upon any
28 airport or restricted landing area within this state.

29 (10) "Airport facilities" means and includes airports
30 and air navigation facilities, and includes any property used
31 by or useful for services to, or the convenience of, freight

1 or passenger carriers, aircraft, passengers, or otherwise
2 functionally related or subordinate to airport or air
3 navigation facilities.

4 (11) "Non-ad valorem assessment" means only those
5 assessments which are not based upon millage and which can
6 become a lien against a homestead as permitted in s. 4, Art. X
7 of the State Constitution.

8 (12) "Person" shall have the meaning set forth in s.
9 1.01(3), Florida Statutes, as the same may be amended from
10 time to time.

11 Section 3. Continuing existence.--The special taxing
12 district which had been known as the Fort Pierce Port and
13 Airport Authority pursuant to chapter 61-2754, Laws of
14 Florida, and is now known as the St. Lucie County Port and
15 Airport Authority pursuant to chapter 88-515, Laws of Florida,
16 shall continue in existence and shall have the powers, duties,
17 and obligations set forth herein. The territory of St. Lucie
18 County Port and Airport Authority shall continue to be the
19 same as and include all of the territory within St. Lucie
20 County.

21 Section 4. Continuation of rights and
22 obligations.--The title, rights, and ownership of all real and
23 personal property, uncollected taxes, claims, and choses in
24 action held or owned by the said Fort Pierce Port and Airport
25 Authority which passed to and vested in the St. Lucie County
26 Port and Airport Authority pursuant to prior laws shall remain
27 vested in the St. Lucie County Port and Airport Authority. All
28 lawful debts, contracts, bonds, and other obligations of the
29 Fort Pierce Port and Airport Authority now existing or
30 outstanding shall remain valid and unimpaired as the debts,
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1 contracts, bonds, and obligations of the St. Lucie County Port
2 and Airport Authority.

3 Section 5. Taxes to retire prior obligations.--The St.
4 Lucie County Port and Airport Authority is authorized and
5 empowered to levy such taxes upon the taxable property within
6 St. Lucie County as may be necessary to pay and retire all
7 bonds and other obligations of said former Fort Pierce Port
8 and Airport Authority, which were assumed by the St. Lucie
9 County Port and Airport Authority under the provisions of
10 chapter 88-515, Laws of Florida.

11 Section 6. Board of Commissioners; chair and vice
12 chair; meetings.--The governing body of the St. Lucie County
13 Port and Airport Authority shall be known and designated as
14 the "Board of Commissioners of the St. Lucie County Port and
15 Airport Authority," and shall be made up ex officio of the
16 five county commissioners of St. Lucie County, who shall serve
17 ex officio as the governing body. As soon as practicable after
18 this act becomes law, the board shall meet and organize by the
19 election from their number, a chair and a vice chair. The
20 chair and vice chair shall each hold office at the will of the
21 board and until their successor is duly elected. The chair
22 shall preside at all meetings of the authority and perform
23 such duties as the authority may prescribe. The vice chair
24 shall perform the duties of the chair in the absence of the
25 chair. The board shall hold at least two regular meetings per
26 month. Special meetings shall be held pursuant to ch. 189,
27 Florida Statutes. In the event of a bona fide emergency
28 situation, a meeting to deal with the emergency may be held as
29 necessary, with reasonable notice, so long as it is
30 subsequently ratified by the board. Three members of the
31 board shall constitute a quorum to transact business. The

1 affirmative vote of three members shall be necessary to
2 transact business.

3 Section 7. Secretary, treasurer of the authority.--The
4 clerk of the circuit court of St. Lucie County, shall serve ex
5 officio as secretary and treasurer of the authority and shall
6 give to the board a good and sufficient surety bond in the sum
7 of \$10,000, conditioned upon his or her faithfully performing
8 the duties of the office and well and truly accounting for all
9 moneys of the authority coming into his or her custody or
10 control. The premium of this bond shall be paid out of the
11 funds of the authority, and the bond shall be approved by the
12 board and shall be filed with the State Comptroller in
13 Tallahassee. The treasurer shall be the custodian of all funds
14 belonging to the board and to the authority, and such funds
15 may be disbursed only upon the order of the board, signed by
16 the secretary and countersigned by the chair of the board. The
17 board is authorized to select as a depository, any bank or
18 trust company organized under the laws of the United States or
19 the State of Florida and authorized pursuant to general law to
20 accept deposit of county funds. Such funds shall be deposited
21 by the treasurer in such depository upon such terms and
22 conditions as the board may deem just and reasonable, and may
23 be deposited in the name of St. Lucie County as long as they
24 are properly accounted for by the treasurer.

25 Section 8. Travel expenses.--The members of the board
26 and the employees of the authority, when traveling outside the
27 boundaries of St. Lucie County, whether within or outside of
28 the state of Florida on official business shall each be
29 reimbursed for the expenses paid in accordance with the
30 provisions of s. 112.061, Florida Statutes, as the same may be
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1 amended from time to time. These expenses are to be paid from
2 the maintenance fund of the authority.

3 Section 9. Powers of the authority.--The authority
4 shall be a dependent special district and operate as an arm of
5 the government of St. Lucie County. In addition, the authority
6 shall have and the board may exercise all the powers of a
7 corporate body, including, without limitation, the following
8 powers:

9 (1) To sue and be sued in the name of the authority;
10 to adopt and use a seal, alter the same at its pleasure, and
11 authorize the use of a facsimile thereof; and to make and
12 execute contracts and other instruments necessary or
13 convenient to the exercise of its powers.

14 (2) To employ an airport director and a port director
15 and such other employees as the board may determine to be
16 necessary, convenient, and in the best interest of the
17 authority in connection with the promotion, enlargement,
18 operation, and maintenance of the port and airport facilities,
19 and the land and facilities owned by the authority, and in
20 order to carry out the purposes of this act. All employees of
21 the authority shall be considered employees of St. Lucie
22 County who shall be assigned to the authority, and whose
23 salary and other costs of employment shall be paid by the
24 county from funds held on behalf of the authority. Such
25 employees, except collective bargaining unit employees, shall
26 be subject to the personnel rules and regulations, and shall
27 participate in the employee benefit and retirement benefit
28 plans of St. Lucie County. Collective bargaining unit
29 employees of the authority shall be members of a collective
30 bargaining unit of St. Lucie County employees pursuant to
31 general law.

1 (3) To contract with architects, engineers, attorneys,
2 real estate counselors, appraisers, and such other consultants
3 as the board may determine to be necessary, convenient, and in
4 the best interest of the authority in connection with the
5 promotion, enlargement, operation, and maintenance of the port
6 and airport facilities, and the land and facilities owned by
7 the authority, and in order to carry out the purposes of this
8 act.

9 (4) To construct, reconstruct, own, repair, maintain,
10 extend, enlarge, improve, rehabilitate, furnish, equip,
11 manage, operate, develop, and promote the Ft. Pierce Harbor
12 and Inlet between the Indian River and the Atlantic Ocean
13 connecting with the harbor, the navigable waterways connected
14 therewith, and such port facilities and other works in
15 connection with the inlet, harbor, and waterways as may be
16 owned or controlled by the authority.

17 (5) Subject to the jurisdiction of the United States
18 and the State of Florida, construct, reconstruct, own, repair,
19 maintain, extend, enlarge, improve, rehabilitate, furnish,
20 equip, manage, operate, develop, and promote airport
21 facilities, heliports, and air terminals and such buildings,
22 structures, roads, alleyways, railroad loading and unloading
23 facilities, and any other development of land as the authority
24 shall determine to be necessary and proper in the performance
25 of the duties and purposes of this act; and to enact, adopt,
26 and establish by resolution, rules and regulations for the
27 complete exercise of jurisdiction over such areas.

28 (6) To approve or disapprove the location,
29 establishment, construction, and operation of privately owned
30 airports within the district. No state airport license or
31 state approval of an airport site shall be effective in the

1 district without approval of the district on the application
2 therefor.

3 (7) To enter into joint arrangements with airlines and
4 air carriers, with steamship lines, railroads, or other
5 transportation lines, or any common carrier, if the board
6 shall deem it to the advantage of the authority.

7 (8) To construct, own, manage, maintain, and control
8 industrial parks and industrial commercial buildings.

9 (9) To contract debts for the acquisition or
10 construction of any port or airport facilities or improvements
11 or for any other purposes of this act, to borrow money, to
12 make advances, to issue bonds, to issue notes in anticipation
13 of the receipt of the revenues from taxes, non-ad valorem
14 assessments, or other revenue sources, to issue certificates
15 of participation, directly or indirectly, and to issue other
16 obligations to finance all or any part of such acquisition or
17 construction or in the carrying out of any other purposes of
18 this act.

19 (10) To receive, administer, and comply with
20 conditions and requirements respecting any gift, grant, or
21 donation of any property, money, labor, or other things of
22 value from any source, whether federal, state, local, or
23 private.

24 (11) To adopt rules, regulations, and policies in
25 connection with the performance of the authority's functions,
26 for the operation of the district and any project owned or
27 operated by the district, and for the complete exercise of
28 jurisdiction and control over such operations, projects, and
29 facilities.

30 (12) To fix and determine the rates, tolls, or charges
31 for the use of any of the works or facilities owned and

1 controlled by the authority. The rates, tolls, and charges
2 shall be levied and collected by the board. All funds
3 collected shall be used by the board to pay interest on
4 outstanding bonds or other obligations, to pay the necessary
5 and regular expenses of the authority, and to form a fund from
6 which the board may purchase outstanding bonds and obligations
7 of the authority.

8 (13) To appoint pilots for the authority, and the
9 board shall have all the powers of boards of Pilot
10 Commissioners under the laws of Florida. The board shall also
11 have the power to appoint a harbormaster and prescribe his
12 powers and duties. The board shall have the power to grant
13 licenses to competent and trustworthy persons to act as
14 steamship agents for the Port of Fort Pierce. Such licenses
15 shall be held during good behavior, but any license may be
16 revoked by the board after due notice and hearing if, in the
17 opinion of board, it should be revoked.

18 (14) To acquire, by purchase, grant, lease, gift,
19 eminent domain or otherwise, or to obtain options for the
20 acquisition of any property, real or personal, improved or
21 unimproved, tangible or intangible, or any right or interest
22 in any such property for any of the purposes authorized by
23 this act, whether or not subject to mortgage, liens, charges,
24 or other encumbrances. The board is authorized to exercise the
25 right of eminent domain and institute and maintain
26 condemnation proceedings as prescribed by general law.

27 (15) To rent, lease, sell, exchange, transfer, or
28 otherwise dispose of, or to grant options for any such
29 purposes with respect to any real or personal property or
30 interest therein.

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1 (16) To exercise the right and power of eminent domain
2 and to condemn any lands, easements, or other property needed
3 for the purposes of the authority.

4 (17) To make and execute financing agreements,
5 lease-purchase agreements, contracts, deeds, and other
6 instruments necessary or convenient to the exercise of its
7 powers and functions, including contracts with persons, firms,
8 corporations, federal, state, and local governmental agencies
9 and instrumentalities, and to cooperate with such persons with
10 reference to any of the powers hereby granted.

11 (18) To assess, levy, and collect ad valorem taxes and
12 non-ad valorem assessments upon property within the district
13 as authorized by this act and applicable general law.

14 (19) To provide adequate insurance on all real and
15 personal property, equipment, employees, and other personnel.

16 (20) To do all other acts and things necessary or
17 proper in the exercise of the powers herein granted.

18 Section 10. Ad valorem taxes.--The board is hereby
19 authorized and empowered to levy upon all of the real and
20 personal taxable property in St. Lucie County, a special tax
21 sufficient in amount to pay the interest becoming due and
22 payable annually upon any bonds issued or assumed or hereafter
23 issued, by the authority, and also to create a sinking fund
24 for the payment of the principal thereof at maturity; and in
25 addition a special tax, to be known as maintenance tax, not
26 exceeding 3 mills on the dollar for each year to be used for
27 the construction, reconstruction, ownership, repair,
28 management, extension, improvement, rehabilitation,
29 furnishing, equipping, development, maintenance, operation,
30 promotion, and enlargement of projects, for payment of other
31 debts of the authority, and for administrative purposes of the

1 authority, as authorized and prescribed by this act. The
2 provisions of general law pertaining to the levy, assessment,
3 collection, enforcement, disbursement, and administration of
4 ad valorem taxes shall apply to the ad valorem taxes
5 authorized by this act, and all officers charged with the
6 administration of ad valorem taxes shall be governed by such
7 provisions.

8 Section 11. Non-ad valorem assessments.--The board is
9 hereby authorized and empowered by resolution to assess, levy,
10 and collect non-ad valorem assessments for the acquisition,
11 construction, reconstruction, rehabilitation, development,
12 improvement, maintenance, repair, management, or operation of
13 district facilities authorized by this act. Such special
14 assessments shall be levied only on benefited real property at
15 a rate based upon the special benefit accruing to such
16 property, when the acquisition, construction, reconstruction,
17 rehabilitation, development, improvement, repair, maintenance,
18 management, or operation funded by the non-ad valorem
19 assessment provides a benefit which is different in type or
20 degree from benefits provided to the property in the district
21 as a whole. Such resolution shall state the estimated cost of
22 the acquisition, construction, reconstruction, rehabilitation,
23 development, improvement, maintenance, repair, management, or
24 operation, as the case may be, and such estimated cost may
25 include the cost of all labor and materials, the cost of all
26 lands, property rights, easements, and franchises acquired,
27 expenses associated with the issuance of bonds secured in
28 whole or in part by non-ad valorem assessments, including, but
29 not limited to, financing charges, the establishment of
30 reasonable reserves and/or the purchase of insurance and
31 surety bonds, interest prior to and during construction and

1 for 1 year after completion of construction, discount on the
2 sale of bonds, costs of plans and specifications, surveys of
3 estimates of costs and revenues, cost of engineering,
4 financial, and legal services, and all other expenses
5 necessary or incident to determining the feasibility or
6 practicability of the undertaking, administrative expense, and
7 such other expense as may be necessary or incident to the
8 financing authorized by this act. Non-ad valorem assessments
9 shall be liens, coequal with the lien of all state, county,
10 district, and municipal taxes, superior in dignity to all
11 other liens, titles, and claims, until paid, shall bear
12 interest at the rate prescribed by law for ad valorem taxes,
13 and shall be levied and collected using the procedures
14 provided in chapter 197, Florida Statutes, or such other
15 method as the authority may prescribe.

16 Section 12. Bonds.--

17 (1) The board for and on behalf of the authority is
18 authorized to provide by resolution from time to time for the
19 issuance of general obligation bonds, limited tax revenue
20 bonds, revenue bonds, and non-ad valorem assessment bonds to
21 pay all or part of the cost of acquisition, construction,
22 reconstruction, rehabilitation, development, or improvement of
23 any facilities provided for in this act, or for the purpose of
24 refunding any such bonds of the district which are then
25 outstanding, including any redemption premium thereon and any
26 interest accrued or to accrue to the date of redemption, and,
27 if deemed advisable by the board, for the additional purpose
28 of acquiring, constructing, or improving additional port or
29 airport facilities. The board shall also have the authority to
30 provide by resolution for the issuance of other obligations to
31 pay all or part of the cost of maintenance, repair,

1 management, or operation of port or airport facilities.
2 However, the issuance of general obligation bonds or limited
3 tax revenue bonds shall have been approved at an election of
4 the qualified electors who reside in such district, such
5 election to be called, noticed, and conducted as provided by
6 law. The bonds of each issue shall be dated, shall bear
7 interest at such rate or rates as shall not exceed the maximum
8 bond interest rate provided by general law, shall mature at
9 such time or times not exceeding 40 years from the date or
10 dates of the bonds as may be determined by the board and may
11 be redeemable before maturity, at the option of the board,
12 under such terms and conditions and at such prices as may be
13 fixed by the board prior to the issuance of such bonds. The
14 board shall determine the form of such bonds, including any
15 interest coupons to be attached thereto, and shall fix the
16 denomination or denominations of such bonds and the place or
17 places of payment of principal and interest, which may be at
18 any bank or trust company within or outside of the state. Such
19 authorizing resolution may further provide that such bonds may
20 be executed manually or by the engraved, lithographed, or
21 facsimile signature of the chair of the board. The seal of the
22 authority may be affixed or lithographed, engraved, or
23 otherwise reproduced in facsimile on such bonds and shall be
24 attested by the manual or facsimile signature of the secretary
25 and treasurer of said authority; provided that the signature
26 of at least one of the officials executing such bonds,
27 including the registrar authenticating such bonds, shall be a
28 manual signature. In case any officer whose signature or
29 facsimile of at least one of the officials executing such
30 bonds shall cease to be such officer before the delivery of
31 such bonds, such signature or facsimile thereof shall

1 nevertheless be valid and sufficient for all purposes the same
2 as if he had remained in office until such delivery. Such
3 bonds may be issued in coupon or registered form as the board
4 may determine in such authorizing resolution, and provision
5 may be made for the registration of any coupon bonds as to
6 principal alone and also as to principal and interest, and for
7 the reconversion of coupon bonds or of any bond registered as
8 to principal and interest. The board may sell such bonds
9 either at public or private sale and for such price as it may
10 determine to be for the best interests of the authority, but
11 no such sale may be made at a price that requires the payment
12 of interest in excess of the maximum bond interest rate
13 provided by general law.

14 (2) The proceeds of the sale of any general obligation
15 bonds, limited tax bonds, revenue bonds, and non-ad valorem
16 assessment bonds shall be used solely for the payment of the
17 costs, including engineering, financial, and legal expenses,
18 of the acquisition, construction, reconstruction,
19 rehabilitation, development, or improvement of such facilities
20 or the refunding of bonds outstanding, and proceeds from the
21 issuance of other obligations of the district may additionally
22 be used to pay the costs of repair, management, maintenance,
23 or operation of port or airport facilities. The proceeds of
24 bonds issued under the authority of this section shall be
25 disbursed in such manner and under such restrictions as the
26 board may provide in the authorizing resolution. Prior to the
27 preparation or issuance of definitive bonds, the board may,
28 under like restrictions, issue interim receipts or temporary
29 notes or other forms or such temporary obligations with or
30 without coupons, exchangeable for definitive bonds when such
31 bonds have been executed and are available for delivery. The

1 board may also provide for the replacement of any bonds which
2 have become mutilated, destroyed, or lost upon proper
3 indemnification.

4 (3) The board may provide that the bonds issued
5 hereunder shall be payable from and secured by a pledge of any
6 one or more of the following sources:

7 (a) Revenues of any one or more port or airport
8 facilities now owned or hereafter acquired or constructed by
9 the authority;

10 (b) Proceeds from the sale or lease of all or any part
11 of any port or airport facilities now or hereafter owned by
12 the authority, as such facilities may be extended, enlarged,
13 or improved;

14 (c) Any money received by the authority from the
15 United States or any agency or instrumentality thereof or from
16 any other person in connection with any port or airport
17 facilities or in repayment of any advances made by the
18 authority for all or any part of the cost of any port or
19 airport facilities;

20 (d) The full faith, credit, and taxing power of the
21 authority, or limited ad valorem taxes levied by the
22 authority, and such bonds may be additionally secured by a
23 pledge of revenues, sale or lease proceeds, or money received
24 by the authority from the United States or any agency or
25 instrumentality thereof or other person as herein authorized.
26 The board may provide that such bonds shall be payable as to
27 principal and interest in the first instance from such
28 revenues, sale or lease proceeds, or money received by the
29 authority from the United States or any agency or
30 instrumentality thereof or any other person;

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1 (e) The proceeds of any sale or lease of port or
2 airport facilities or property, after paying all costs in
3 connection therewith; or

4 (f) The proceeds of any non-ad valorem assessments
5 levied pursuant to this act.

6 Section 13. Trust agreement or resolution.--In the
7 discretion of the board, any bonds issued under the provisions
8 of this act may be secured by a trust agreement by and between
9 the authority and a corporate trustee, which may be any trust
10 company or bank having the powers of a trust company within or
11 outside of the state. Such trust agreement or the resolution
12 providing for the issuance of such bonds may contain such
13 provisions for protecting and enforcing the rights and
14 remedies of the bondholders as may be reasonable and proper
15 and not in violation of law, including covenants setting forth
16 the duties of the authority in relation to the acquisition of
17 property and the acquisition, construction, reconstruction,
18 improvement, maintenance, repair, lease, operation, and
19 insurance of any port or airport facilities in connection with
20 which such bonds shall have been authorized, the custody,
21 safeguarding, or application of all moneys, and conditions or
22 limitations with respect to the issuance of additional bonds.
23 It shall be lawful for any bank or trust company incorporated
24 under the laws of Florida which may act as depository of the
25 proceeds of bonds or of revenue or other funds to furnish such
26 indemnifying bonds or to pledge such securities as may be
27 required by the board. Any such trust agreement or resolution
28 may set forth the rights and remedies of the bondholders and
29 of the trustee under any such trust agreement, and may
30 restrict the individual right of action by bondholders. In
31 addition to the foregoing, any such trust agreement or

1 resolution may contain such other provisions as the board may
2 deem reasonable and proper for the security of the
3 bondholders. All expenses incurred in carrying out the
4 provisions of such trust agreement or resolution shall be
5 treated as part of the cost of the operation of the port or
6 airport facilities.

7 Section 14. Bonds; additional provisions.--All bonds,
8 assessment bonds, or other obligations issued under the
9 provisions of this act, shall be and constitute and shall have
10 all the qualities and incidents of negotiable instruments
11 under the laws of Florida, and shall not be invalid for any
12 irregularity or defect in the proceedings for the issuance and
13 sale thereof and shall be incontestable in the hands of bona
14 fide purchasers for value. No proceedings in respect to the
15 issuance of such bonds shall be necessary except as are
16 required by this act. The provisions of this act shall
17 constitute an irrevocable contract between the authority and
18 the holders of such bonds or coupons thereof issued pursuant
19 to the provisions hereof. Any holder of such bonds may either
20 at law or in equity, by suit, action, or mandamus, force and
21 compel the performance of the duties required by this act or
22 of any of the officers or persons herein mentioned in relation
23 to said bonds, or the levy, assessment, collection, and
24 enforcement and application of the taxes, revenues, or non-ad
25 valorem assessments pledged for the payment of principal and
26 interest thereof.

27 Section 15. Procurement.--Insofar as the exercise of
28 any power or authority granted by this act shall involve the
29 purchase or procurement of commodities or services, the board
30 shall exercise such power in accordance with the purchasing
31 and procurement rules, regulations, ordinances, practices, and

1 procedures of St. Lucie County as the same may exist from time
2 to time. The authority shall requisition such commodities and
3 services through such purchasing agents as the county may from
4 time to time appoint, and such requisitions or contracts may
5 be issued or entered into in the name of St. Lucie County. The
6 costs of such purchases, procurements, and contracts of the
7 authority shall be paid with funds of the authority.

8 Section 16. Projects declared to be for public
9 purposes.--The conservation, protection, management,
10 construction, maintenance, and improvement of the Ft. Pierce
11 Harbor and Inlet between Indian River and the Atlantic Ocean
12 connected with the harbor, and the navigable waterways
13 connected therewith, and the acquisition, construction,
14 reconstruction, improvement, and maintenance of other port and
15 airport facilities as authorized in this act are found and
16 declared to be for public purposes; necessary for the use of
17 shipping, air, and other transportation and for the extension
18 of commerce of the state and of the authority; necessary for
19 the maintenance of the inhabitants of the territory embraced
20 by the authority; and for the convenience, comfort, and
21 welfare of the authority and the inhabitants thereof and of
22 the state. It is the legislative intent that in performing the
23 duties and exercising the powers prescribed by this act, the
24 authority shall act as a branch of the general administration
25 of the policy of this state.

26 Section 17. Legislative intent; powers not limited by
27 enumeration.--It is the legislative intent to reorganize,
28 clarify, and modernize provisions of the authority's enabling
29 act, and to clarify the status of the authority under existing
30 law. However, the enumeration of powers in this act shall not
31 be construed as a limitation on or in derogation of any power

1 conferred by any other law, either general, special, or local,
2 but shall be regarded as supplemental and additional to such
3 powers. This act, being necessary for the welfare of the
4 inhabitants of the district and the state, shall be liberally
5 construed to effect the purposes set forth herein.

6 Section 18. Chapter 88-515, Laws of Florida, is hereby
7 repealed.

8 Section 19. Severability.--Any clause or section of
9 this act which for any reason may be declared invalid may be
10 eliminated from this act, and the remaining portion of
11 portions thereof shall be and remain valid as if such invalid
12 clause or section had not been incorporated herein.

13 Section 20. This act shall take effect upon becoming a
14 law.

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