

By Representative Wiles

1                                   A bill to be entitled  
 2           An act relating to the St. Augustine-St. Johns  
 3           County Airport Authority and the St.  
 4           Augustine-St. Johns County Airport Authority  
 5           District, a special taxing district in St.  
 6           Johns County; providing for codification of  
 7           special laws regarding special districts  
 8           pursuant to chapter 97-255, Laws of Florida;  
 9           providing legislative intent; codifying and  
 10          reenacting chapter 63-1853, Laws of Florida, as  
 11          amended; providing district status and  
 12          boundaries; providing powers; providing for  
 13          applicability of chapters 298 and 189, Florida  
 14          Statutes, and other general laws; providing an  
 15          Authority charter; providing for liberal  
 16          construction; providing a saving clause in the  
 17          event any provision of the act is deemed  
 18          invalid; repealing all prior special acts of  
 19          the Legislature relating to the St.  
 20          Augustine-St. Johns County Airport Authority;  
 21          providing an effective date.

22  
 23 Be It Enacted by the Legislature of the State of Florida:

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 25           Section 1. Intent.--Pursuant to chapter 97-255, Laws  
 26 of Florida, this act constitutes the codification of all  
 27 special acts relating to the St. Augustine-St. Johns County  
 28 Airport Authority. It is the intent of the Legislature in  
 29 enacting this law to provide a single, comprehensive special  
 30 act charter for the Authority, including all current

1 legislative enactments and any additional authority granted by  
2 this act.

3 Section 2. Codification.--Chapters 63-1853, 65-2169,  
4 65-2172, 65-2175, 67-1983, 69-1535, 69-1541, 82-374, 83-507,  
5 83-508, and 89-496, Laws of Florida, relating to the St.  
6 Augustine-St. Johns County Airport Authority, are codified,  
7 reenacted, amended, and repealed as herein provided.

8 Section 3. The St. Augustine-St. Johns County Airport  
9 Authority is re-created and the charter for such Authority is  
10 re-created and reenacted to read:

11 Section 1. Status of the St. Augustine-St. Johns  
12 County Airport Authority.--The St. Augustine-St. Johns County  
13 Airport Authority is declared to be an independent special  
14 district pursuant to chapter 189, Florida Statutes, as it may  
15 be amended from time to time.

16 Section 2. Boundaries of the St. Augustine-St. Johns  
17 County taxing district.--All lands lying within St. Johns  
18 County, Florida, shall constitute the boundaries of the St.  
19 Augustine-St. Johns County special taxing district.

20 Section 3. Minimum charter requirements.--In  
21 accordance with section 189.404(3), Florida Statutes, the  
22 following subsections constitute the charter of the St.  
23 Augustine-St. Johns County Airport Authority:

24 (1) There is hereby created an authority to be known  
25 as the St. Augustine-St. Johns County Airport Authority with  
26 the power to sue and be sued and with the additional powers  
27 specified herein.

28 (2) There is also created a special taxing district in  
29 St. Johns County, which district shall be a body politic and  
30 corporate and political subdivision of the state under the  
31 name of "St. Augustine-St. Johns County Airport Authority

1 District." The St. Augustine-St. Johns County Airport  
2 Authority shall be the governing body and shall exercise its  
3 powers and jurisdiction within the territory of said district,  
4 which shall comprise all of St. Johns County.

5 (3) The St. Augustine-St. Johns County Airport  
6 Authority shall be governed by a board of five members known  
7 as the St. Augustine-St. Johns County Airport Authority board.  
8 The expiration of each 4-year term for each seat is staggered,  
9 such that two or three of the five seats are elected every 2  
10 years. At the general election held prior to the expiration of  
11 each of said terms, successors shall be elected by the  
12 qualified electors residing within the boundaries of the St.  
13 Augustine-St. Johns County Airport Authority District for a  
14 term of 4 years, to expire the first Tuesday after the first  
15 Monday in January following the election. Vacancies in office  
16 shall be filled by appointment of the Governor and confirmed  
17 by the Senate for the remainder of the unexpired terms. No  
18 member of the St. Augustine-St. Johns County Airport Authority  
19 board shall be an officer or employee of the City of St.  
20 Augustine, St. Johns County, or the State of Florida, except  
21 members of the militia or notaries public. Not more than two  
22 of the members shall be persons who are primarily engaged in  
23 the aviation business, and no person shall be eligible for  
24 appointment or election as a board member except persons  
25 residing within the boundaries of the St. Augustine-St. Johns  
26 County Airport Authority District. The members constituting  
27 the St. Augustine-St. Johns County Airport Authority board  
28 shall select one of their number as chair, and the term of  
29 office of the chair shall be 1 year. The members shall receive  
30 no compensation for their services, but they are authorized to  
31 be reimbursed for verified travel and other expenses, which

1 shall be paid from the funds of the Authority. Three members  
2 shall constitute a quorum for the purpose of conducting  
3 business, exercising powers, and all other purposes. Notices  
4 of election shall be given through the Office of the Secretary  
5 of State, as provided by the general laws of the state.  
6 Members of the St. Augustine-St. Johns County Airport  
7 Authority board shall be identified on such board by numbered  
8 groups, and candidates for election to such board shall  
9 qualify in particular groups, and otherwise as provided by the  
10 laws of the state.

11 (4) The St. Augustine-St. Johns County Airport  
12 Authority is empowered to employ an executive director, a  
13 legal counsel, and other such permanent or temporary  
14 employees, including, but not limited to, technical experts,  
15 secretaries, and clerical help, as may be needed to operate  
16 the Authority. The St. Augustine-St. Johns County Airport  
17 Authority board is empowered to determine the qualifications,  
18 duties, and compensation of said employees, the compensation  
19 to be fixed by resolution of the members of the board and to  
20 be paid from the income of the Authority.

21 (5) The St. Augustine-St. Johns County Airport  
22 Authority as hereby created is authorized and empowered to own  
23 and acquire property by purchase, lease, lease-purchase,  
24 eminent domain, gift, or transfer from the City of St.  
25 Augustine, the United States of America, the State of Florida,  
26 or any agencies thereof, and other entities or individuals,  
27 and to acquire, construct, maintain, and operate airport  
28 facilities, warehouses, hangars, repair facilities, seaplane  
29 bases, and all other facilities incident to the operation of  
30 airport facilities for both foreign and domestic air  
31 transportation, either by land planes or seaplanes, including

1 multimodal transportation facilities which interconnect with  
2 the airport facility. The Authority is authorized and  
3 empowered to own, acquire, and operate airplanes, seaplanes,  
4 and lighter-than-air craft, and to engage in instruction in  
5 aviation, research in aeronautical fields, and promotion of  
6 aeronautical development. Property of the St. Augustine-St.  
7 Johns County Airport Authority may be utilized for purposes  
8 which are not related to aviation.

9 (6) The St. Augustine-St. Johns County Airport  
10 Authority is authorized and empowered to conduct activities  
11 necessary to create and support a multimodal transportation  
12 system to interconnect with and support the airport activities  
13 and to serve the district and the region.

14 (7) The St. Augustine-St. Johns County Airport  
15 Authority shall have the right and power of eminent domain  
16 over real and personal property and to maintain eminent domain  
17 proceedings in the form and in the manner as prescribed by the  
18 general laws of the state, provided that the power of eminent  
19 domain shall be exercised to carry out the purposes of this  
20 act.

21 (8) The St. Augustine-St. Johns County Airport  
22 Authority is authorized and empowered to enter into contracts  
23 with any individual, corporation, or political subdivision or  
24 agency of the state, and the United States of America, and to  
25 enter into operating contracts or leases for facilities owned  
26 by the Authority and any and all other contracts for  
27 furthering the business, operation, and maintenance of the  
28 facilities as herein provided, including the right to lease  
29 any or all airport facilities and appurtenances to  
30 individuals, corporations, or government entities. The  
31 Authority is further authorized to fix and revise from time to

1 time rates, fees, and other charges for the use of and for the  
2 services furnished or to be furnished by any airport facility  
3 owned or operated by the Authority. Such rates, fees, and  
4 charges shall be fixed and revised so that the revenues of the  
5 Authority, together with any other available funds, will be  
6 sufficient at all times:

7 (a) To pay the costs, including salaries, for  
8 maintaining, operating, and repairing the airport facilities  
9 owned or operated by the Authority, including reserves for  
10 such purposes.

11 (b) To pay the principal of and interest on all bonds  
12 or revenue certificates issued by the Authority under the  
13 provisions of this act as the same become due and payable and  
14 to provide reserves therefor.

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16 Notwithstanding any of the foregoing provisions of this  
17 section, the Authority may enter into contracts relating to  
18 the use of or for the services furnished or to be furnished by  
19 any airport facility, which contracts shall not be subject to  
20 revision except in accordance with the terms of such  
21 contracts.

22 (9) Within the limits of its budget, the St.  
23 Augustine-St. Johns County Airport Authority is authorized to  
24 borrow money and give its notes as evidence of indebtedness  
25 therefor in order to carry out the purposes and authorizations  
26 of this act.

27 (10) To carry out the purposes of this act, the  
28 authority is authorized, for the purpose of construction,  
29 acquiring, paying for, and improving its properties and  
30 facilities, to raise moneys by the issuance and sale of  
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1 revenue bonds or certificates or general obligation bonds or  
2 combined revenue and general obligation bonds.  
3       (a) Revenue bonds or certificates issued pursuant to  
4 this act shall be payable from and secured by a pledge of all  
5 or any part of the income, rents, and revenues derived by the  
6 Authority from any of its properties or facilities now or  
7 hereafter owned or operated by the Authority. The Authority  
8 may further pledge its full faith and credit and taxing power  
9 for the payment of such revenue bonds or certificates to the  
10 full extent that the revenues derived from the operation of  
11 the properties and facilities of the Authority are  
12 insufficient for the payment of the principal of and interest  
13 on and reserves for such revenue bonds or certificates,  
14 provided that the issuance of such revenue bonds or  
15 certificates, if the full faith and credit of the Authority  
16 are pledged therefor, have been first approved by the  
17 qualified electors residing in the district in the manner  
18 provided in Section 6 of Article IX of the State Constitution.  
19       (b) The Authority may also issue its general  
20 obligation bonds for the purposes aforesaid and may pledge its  
21 full faith and credit and taxing power for the payment of the  
22 principal of and interest on said bonds and reserves therefor  
23 as the same become due, provided that the issuance of such  
24 general obligation bonds has been first approved by the  
25 qualified electors residing in the district in the manner  
26 provided in Section 6 of Article IX of the State Constitution.  
27       (c) Any bond election of the qualified electors  
28 residing in the district shall be called and held in the  
29 manner provided in the applicable Florida Statutes for the  
30 holding of bond elections.  
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1       (d) After the issuance of any revenue bonds, which are  
2 additionally secured by the full faith and credit of the  
3 Authority as provided above, or of any general obligation  
4 bonds, the Authority shall have the power and shall be  
5 irrevocably obligated to levy ad valorem taxes on all taxable  
6 property within the district to the full extent necessary to  
7 pay the principal of and interest on and reserves for any  
8 general obligation bonds issued, as the same mature and become  
9 due, and to pay the principal of and interest on and reserves  
10 therefor due on any revenue bonds or certificates to the full  
11 extent that the revenues derived from the operation of the  
12 Authority's properties and facilities are insufficient for the  
13 payment thereof.

14       (e) Any of said revenue bonds or certificates or  
15 general obligation bonds may be authorized by resolution or  
16 resolutions adopted by the Authority, which may be adopted at  
17 the same meeting at which they are introduced, by a majority  
18 of all the members of the Authority then in office and need  
19 not be published or posted. The bonds shall bear interests at  
20 the rate or rates (subject to section 215.84, Florida  
21 Statutes), may be in one or more series, may bear such date or  
22 dates, may mature at such time or times not exceeding 40 years  
23 from their respective dates, may be payable in such medium of  
24 payment, at such place or places within or without the state,  
25 may carry such registration privileges, may be subject to such  
26 terms or prior redemption, with or without premium, may be  
27 executed in such manner, may contain such terms, covenants,  
28 and conditions, and may be in such form, all as such  
29 resolution or subsequent resolutions shall provide. The bonds  
30 may be sold or exchanged for refunding bonds or delivered to  
31 contractors in payment for any part of the works or



1 improvements financed by such bonds, or delivered in exchange  
2 for any properties, either real, personal, or mixed, including  
3 franchises, to be acquired for such works or improvements, all  
4 at one time or in blocks from time to time, in such manner and  
5 at such price or prices, as the board of the Authority in its  
6 discretion shall determine and in accordance with Florida  
7 Statutes.

8 (f) Pending the preparation of the definitive bonds,  
9 interim certificates or receipts or temporary bonds in such  
10 form and with such provisions as the Authority board may  
11 determine may be issued to the purchaser or purchasers of the  
12 bonds issued hereunder. The bonds and such interim  
13 certificates or receipts or temporary bonds shall be fully  
14 negotiable and shall be and constitute negotiable instruments  
15 within the meaning of and for all purposes of the law merchant  
16 and the negotiable-instruments law of the state.

17 (g) Said bonds may be issued to refund any obligations  
18 therefor issued pursuant to this act or any other law to  
19 finance the construction or acquisition of properties or  
20 facilities of the Authority at or before the maturity of such  
21 outstanding obligations, or for the combined purposes of  
22 refunding such outstanding obligations and the construction or  
23 acquisition of properties or facilities of the Authority.

24 (h) In the event the Authority issues revenue bonds or  
25 certificates, whether payable from the revenues of the  
26 properties and facilities of the Authority or secured by a  
27 pledge of the full faith and credit of the Authority as  
28 provided above, the Authority may make valid and legally  
29 binding covenants with the holders of said revenue bonds or  
30 certificates as to the purposes for which the proceeds of the  
31 revenue bonds or certificates may be applied and the securing,

1 use, and disposition thereof; the creation and maintenance of  
2 reserve funds, the fixing, establishing, collection, and  
3 maintenance of fees, rentals, or other charges for the use of  
4 the services and facilities of the Authority; limitations or  
5 restrictions on the issuance of additional revenue bonds or  
6 other certificates payable from the revenues derived from the  
7 properties and facilities of the Authority; the appointment of  
8 a trustee to hold and apply any funds of the Authority; the  
9 appointment of a receiver upon default of the Authority in the  
10 payment of the principal of or interest on any such revenue  
11 bonds or certificates or in the performance of any covenants  
12 relating thereto; and such other and additional covenants as  
13 is deemed necessary and desirable for the security of the  
14 holders of such revenue bonds or certificates issued pursuant  
15 to this act.

16 (i) All revenue bonds or certificates and general  
17 obligation bonds issued hereunder shall be and constitute  
18 legal investments for saving banks, banks, trust companies,  
19 executors, administrators, trustees, guardians, and other  
20 fiduciaries and for any board, body, agency, or  
21 instrumentality of the state, or of any county, municipality,  
22 or other political subdivision of the state, and shall be and  
23 constitute securities which may be deposited by any bank or  
24 trust company as security for the deposit of state, county,  
25 municipal, and other public funds.

26 (j) All property of and all revenues derived from the  
27 properties and facilities of the Authority shall be exempt  
28 from all taxation by the state or by any county, municipality,  
29 or other political subdivision thereof. Revenue bonds or  
30 certificates and general obligation bonds issued pursuant to  
31 this act, shall, together with the income therefrom, be exempt

1 from all taxation by the state, or by any county,  
2 municipality, or other political subdivision thereof.

3 (k) Whenever any debt has been incurred or bonds have  
4 been issued by the St. Augustine-St. Johns County Airport  
5 Authority, the board shall determine annually by resolution  
6 the amount necessary to be raised by taxation for the payment  
7 of principal of and interest on any indebtedness or bonds  
8 maturing in such year for such purposes. A certified copy of  
9 the resolution shall be filed annually with the Board of  
10 County Commissioners of St. Johns County and the board of  
11 county commissioners shall order annually the property  
12 appraiser to assess property in the district sufficient to pay  
13 the principal of and interest on any indebtedness in said  
14 year, together with any delinquency for prior years. The board  
15 of county commissioners shall order annually the property  
16 appraiser to assess and the tax collector to collect such  
17 other taxes as may be certified to the board of county  
18 commissioners by the board of the Authority, as authorized by  
19 provisions of this act for other purposes.

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

24 (12) The St. Augustine-St. Johns County Airport  
25 Authority shall have no power or authority to bind or commit  
26 the City of St. Augustine, a municipal corporation, in any  
27 manner directly or indirectly and the City of St. Augustine  
28 shall not be liable or responsible in any manner for any of  
29 the debts, liabilities, obligations, acts, or omissions of the  
30 St. Augustine-St. Johns County Airport Authority, or any of  
31 its officers or employees. All persons dealing with the

1 Authority are hereby charged with full notice of this  
2 limitation of its powers.

3 (13) The fiscal year of the St. Augustine-St. Johns  
4 County Airport Authority shall be the same as that of St.  
5 Johns County, being October 1 to September 30 of each year.  
6 The St. Augustine-St. Johns County Airport Authority shall  
7 maintain acceptable books of account reflecting all income and  
8 expenditures and said books shall be open to reasonable public  
9 inspection.

10 (a) In addition, the St. Augustine-St. Johns County  
11 Airport Authority shall prepare a budget on or before the  
12 first day of each fiscal year, and no money shall be spent or  
13 obligations incurred by the board or Authority except in  
14 accordance with the terms of the budget.

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

19 (14) St. Johns County and the City of St. Augustine  
20 are empowered to appropriate and contribute to the St.  
21 Augustine-St. Johns County Airport Authority such sums of  
22 money for the operating expenses of the Authority as the  
23 commission of the city or the county may from year to year  
24 determine necessary. Such sums of money so appropriated and  
25 contributed by the city or the county shall be paid to the St.  
26 Augustine-St. Johns County Airport Authority upon its  
27 requisition. The City of St. Augustine and St. Johns County  
28 are further authorized to convey by sale, lease, or gift any  
29 city-owned or county-owned properties that the city or county  
30 deems appropriate to convey to the Authority.

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1           (15) The St. Augustine-St. Johns County Airport  
2 Authority shall, with the consent of the City Commission of  
3 St. Augustine, evidenced by resolution of the commission,  
4 exercise any powers relating to aviation conferred upon  
5 municipalities by general law, including the provisions of  
6 chapter 332, Florida Statutes, known as the Airport Act of  
7 1945.

8           Section 4. Liberal construction.--It is intended that  
9 the provisions of this act be liberally construed for  
10 accomplishing the work authorized and provided for or intended  
11 to be provided for by this act and, where strict construction  
12 would result in the defeat of the accomplishment of any part  
13 of the work authorized by this act and a liberal construction  
14 would permit or assist in the accomplishment of any part of  
15 the work authorized by this act, the liberal construction  
16 shall be chosen.

17           Section 5. Invalidity.--If any section, subsection,  
18 sentence, clause, or phrase of this act is held to be  
19 unconstitutional, such holding shall not affect the validity  
20 of the remaining portions of the act, the Legislature hereby  
21 declaring that it would have passed this act and each section,  
22 subsection, sentence, clause, or phrase thereof irrespective  
23 of any other separate section, subsection, sentence, clause,  
24 or phrase thereof and irrespective of the fact that any one or  
25 more other sections, subsections, sentences, clauses, or  
26 phrases thereof may be declared unconstitutional.

27           Section 6. Repeal of prior special acts.--Chapters  
28 63-1853, 65-2169, 65-2172, 65-2175, 67-1983, 69-1535, 69-1541,  
29 82-374, 83-507, 83-508, and 89-496, Laws of Florida, relating  
30 to the St. Augustine-St. Johns County Airport Authority are  
31 repealed 10 days after the effective date of this act.

1           Section 7. This act shall take effect upon becoming a  
2 law.  
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