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A bill to be entitled  
 An act relating to the Tallahassee-Leon County Civic Center Authority; codifying, amending, repealing, and reenacting the authority's special acts; providing for planning, developing, operating, and maintaining a comprehensive complex of civic, governmental, educational, recreational, convention, and entertainment facilities; providing for the method and manner of the election, selection, and terms of membership of the authority; providing powers, functions, privileges, duties, and responsibilities of the authority; providing for the issuance of bonds; providing for the rights and remedies of bondholders; providing for the sources of revenues to the authority; naming the Tallahassee-Leon County Civic Center; requiring the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue a beverage license to the authority or its designee; providing severability; repealing chapters 72-605, 77-480, 79-502, and 81-494, Laws of Florida; providing an effective date.

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

Section 1. Pursuant to section 189.429, Florida Statutes, this act constitutes the codification of all special acts relating to the Tallahassee-Leon County Civic Center Authority. It is the intent of the Legislature to provide a single, comprehensive special act charter for the authority, including

29 all current legislative enactments as herein provided and any  
 30 additional authority granted by this act and chapter 189,  
 31 Florida Statutes, as the same may be amended from time to time  
 32 for the betterment of the citizens of the City of Tallahassee,  
 33 Leon County, and the university community. It is further the  
 34 intent of this act to preserve selected authority of the  
 35 Tallahassee-Leon County Civic Center Authority while providing  
 36 local authority and management services to Florida State  
 37 University.

38 Section 2. Chapters 72-605, 77-480, 79-502, and 81-494,  
 39 Laws of Florida, relating to the Tallahassee-Leon County Civic  
 40 Center Authority, are codified, reenacted, amended, and repealed  
 41 as herein provided.

42 Section 3. The charter of the Tallahassee-Leon County  
 43 Civic Center Authority is re-created and reenacted to read:

44 Section 1. The Tallahassee-Leon County Civic Center  
 45 Authority, hereinafter referred to as the authority, a local  
 46 public agency, politic and corporate, is created for the purpose  
 47 of planning, developing, operating, and maintaining a  
 48 comprehensive complex of civic, governmental, educational,  
 49 recreational, convention, and entertainment facilities for the  
 50 use and enjoyment of the citizens of Leon County and the state.  
 51 It is the finding of the Legislature that said purposes are  
 52 essential public purposes.

53 Section 2. (1) The authority shall consist of a thirteen-  
 54 member board composed of seven members appointed by the  
 55 President of Florida State University, one of these appointments  
 56 shall be elected the chair, two members appointed by the

57 President of Florida Agricultural and Mechanical University, two  
 58 members appointed by the Mayor of the City of Tallahassee, and  
 59 two members appointed by the Chair of the Leon County Board of  
 60 County Commissioners. All members shall be appointed to serve  
 61 staggered 4-year terms. In order to achieve staggered terms,  
 62 beginning July 1, 2004, of the initial appointments by the  
 63 President of Florida State University, three members shall serve  
 64 2-year terms, and one member appointed by the President of  
 65 Florida Agricultural and Mechanical University, one member  
 66 appointed by the mayor, and one member appointed by the Chair of  
 67 the Leon County Board of County Commissioners shall serve 2-year  
 68 terms.

69 (2) Upon the death or resignation of any member of the  
 70 authority, a successor shall be appointed by the appropriate  
 71 body for the unexpired term. The members shall not be entitled  
 72 to any compensation for their duties except for actual expenses  
 73 necessarily incurred in the performance of their duties.

74 (3) Each member shall serve until his or her successor  
 75 shall be appointed. A majority of the members of the authority  
 76 shall constitute a quorum. A vacancy in the authority shall not  
 77 impair the rights of a quorum to exercise all the rights and  
 78 perform all the duties of the authority.

79 (4) The authority shall elect one of its members as chair  
 80 subject to subsection (1), one as vice chair, and one as  
 81 secretary-treasurer.

82 Section 3. The following words and terms are defined as  
 83 follows:

84 (1) "City" means the City of Tallahassee.

85 |       (2) "County" means Leon County.

86 |       (3) "Authority" means the Tallahassee-Leon County Civic  
 87 | Center Authority.

88 |       (4) "Civic, governmental, educational, recreational,  
 89 | convention, and entertainment facilities" means and includes  
 90 | facilities for all types of civic, governmental, educational,  
 91 | recreational, convention, and entertainment purposes, including,  
 92 | but not limited to, facilities for accommodating conferences,  
 93 | meetings, conventions, citizens' and taxpayers' gatherings,  
 94 | exhibitions, sporting events, dances, shows, plays, games, and  
 95 | like events.

96 |       (5) "Cost," as applied to any facility, means and includes  
 97 | all expenses as may be necessary or incident to acquisition,  
 98 | construction, or financing.

99 |       Section 4. The authority is hereby authorized and  
 100 | empowered:

101 |       (1) To sue and be sued.

102 |       (2) To contract.

103 |       (3) To adopt bylaws for the regulation of its affairs and  
 104 | the conduct of its business.

105 |       (4) To adopt an official seal.

106 |       (5) To purchase, acquire, develop, construct, improve,  
 107 | relocate, equip, maintain, and operate any auditorium, stadium,  
 108 | coliseum, or other similar facility, including motor vehicle  
 109 | parking therefor, which may be used in conjunction with the  
 110 | facility.

111 |       (6) To make a comprehensive, long-range master plan for  
 112 | the overall orderly development of a civic center complex, to

113 develop detailed plans for specific facilities within the  
 114 aforesaid master plan.

115 (7) To acquire by grant, purchase, lease, gift, devise, or  
 116 condemnation all property, real or personal, or any estate,  
 117 easement, franchise, or interest therein necessary, desirable,  
 118 or convenient for the purposes of this act, which land shall be  
 119 adjacent and contiguous to the civic center complex; to sell,  
 120 lease, rent, transfer, or otherwise dispose of any property or  
 121 any part thereof or interest therein; and to exercise all of its  
 122 powers and authority with respect thereto.

123 (8) To borrow money and issue negotiable bonds, and to  
 124 provide for the rights of the holders thereof, and to secure the  
 125 payment of said bonds by a pledge of all or any portion of the  
 126 revenues and other moneys legally available therefor, and, in  
 127 general, to provide for the security of the bonds and the rights  
 128 and remedies of the holders thereof.

129 (9) To fix and collect rates, rentals, fees, and charges  
 130 for the use of any and all facilities owned by the authority,  
 131 including, but not limited to, recreational, convention,  
 132 entertainment, and parking facilities of the authority.

133 (10) To provide through contract or in-house service for  
 134 the operation of food and beverage, parking, and other  
 135 concessions relating to the operation of the recreational,  
 136 convention, and entertainment facilities of the authority.

137 (11) To make and enter into all contracts and agreements  
 138 and execute all instruments necessary or incidental to the  
 139 performance of the duties imposed and the execution of the  
 140 powers granted under this act and to employ such consulting

141 services, engineers, superintendents, managers, construction and  
142 financial experts and attorneys, and such employees and agents  
143 as may, in the judgment of the authority, be deemed necessary  
144 and fix their compensation.

145 (12) To cooperate with and contract with the government of  
146 the United States or the state, or any agency or instrumentality  
147 of either thereof, or with any municipality, district, private  
148 corporation, copartnership, association, or individual in  
149 carrying out the powers granted in this act.

150 (13) To accept gifts of money or property, real or  
151 personal, from any individual or the federal, state, county, or  
152 municipal government.

153 (14) To provide use of the facility for graduation  
154 ceremonies for Florida Agricultural and Mechanical University,  
155 Tallahassee Community College, Florida State University, and  
156 public high schools in Leon County.

157 (15) The purpose of the Tallahassee-Leon County Civic  
158 Center Authority shall continue to be service to the community,  
159 community users, including, but not limited to, the university  
160 community, civic associations, and other not-for-profit groups  
161 within the service district. Furthermore, the city and county  
162 shall be assured of the option to locate a community performing  
163 arts center at the Tallahassee-Leon County Civic Center complex  
164 and shall consult with the authority regarding any location at  
165 the complex. A final decision regarding the location of the  
166 performing arts center shall be made no later than June 30,  
167 2005. Should a community performing arts center be located at

168 | the Tallahassee-Leon County Civic Center, the usage shall be  
 169 | governed by the community.

170 | (16) The Tallahassee-Leon County Civic Center Authority  
 171 | shall be a local public agency, politic and corporate primarily  
 172 | acting as an instrumentality or agency of the state, pursuant to  
 173 | section 768.28(2), Florida Statutes, for purposes of sovereign  
 174 | immunity.

175 | Section 5. (1) The authority is hereby authorized to  
 176 | issue bonds from time to time in such principal amount as in the  
 177 | opinion of the authority shall be necessary to provide  
 178 | sufficient moneys for achieving its lawful purposes. Bonds shall  
 179 | be authorized by resolution of the members of the authority and  
 180 | shall bear such date or dates; mature at such time or times, not  
 181 | to exceed 40 years; bear interest at such rate or rates as shall  
 182 | be determined by the authority; be payable solely from all  
 183 | revenues and income of the authority, including the receipts  
 184 | from lease rentals and appropriations from the United States,  
 185 | the state, or any political subdivision thereof, in such medium  
 186 | of payment and at such place or places; be subject to such terms  
 187 | of redemption; and be entitled to such priorities of lien on the  
 188 | revenues and other available moneys as such resolution may  
 189 | provide. The bonds shall be executed either by manual or  
 190 | facsimile signature by such officers as the authority shall  
 191 | determine. Such bonds shall have the seal of the authority  
 192 | affixed or imprinted thereon. The bonds shall be sold at public  
 193 | or private sale and upon such terms and conditions as the  
 194 | authority deems in the best public interest.

195       (2) The authority may enter into any deeds of trust,  
 196       indentures, or other agreements with any bank or trust company  
 197       within or without the state as security for such bonds and may,  
 198       under such agreements, assign and pledge all or any of the  
 199       revenues and other available moneys pursuant to the terms of  
 200       this act. Such deed of trust, indenture, or other agreement may  
 201       contain such provisions as are customary in such instrument or  
 202       as the authority may authorize, including, but not limited to,  
 203       provisions as to:

204             (a) The pledging of all or any part of the revenues or  
 205             other moneys lawfully available therefor.

206             (b) The application of funds and the safeguarding of funds  
 207             on hand or on deposit.

208             (c) The rights and remedies of the trustees and the  
 209             holders of the bonds.

210             (d) The terms and provisions of the bonds or the  
 211             resolutions authorizing the issuance of the same.

212             (e) Any other or additional matters of like or different  
 213             character that in any way may affect the security or protection  
 214             of the bonds.

215       (3) The bonds issued pursuant to this act are hereby  
 216       declared to be negotiable instruments and shall have all the  
 217       qualities and incidents of negotiable instruments under the law  
 218       merchant and the negotiable instruments law of the state.

219       Section 6. The boundaries of the Tallahassee-Leon County  
 220       Civic Center Authority shall be coexistent with the boundaries  
 221       of Leon County.



222       Section 7. The Civic Center facility shall continue to be  
223 named the "Donald L. Tucker Civic Center" and referred to as  
224 such in all publications, advertisements, notices, and other  
225 such documents in recognition of the untiring and unselfish  
226 efforts of Donald L. Tucker in his years of service as a  
227 representative of the district encompassing Tallahassee and Leon  
228 County and in recognition and appreciation of the invaluable  
229 service he has provided to his constituency and to the state by  
230 his efforts in bringing about the construction of this complex.

231       Section 8. The authority is authorized and directed to  
232 erect suitable markers, which shall include a marker over the  
233 main entrance of the center, reflecting the name of the civic  
234 center as described in section 7. Subsequent facilities located  
235 within, on site or the greater complex may be designated for  
236 other individuals who are deemed by the authority to have made  
237 substantial contribution to the further development of the  
238 facility.

239       Section 9. In addition to any licenses that may be issued  
240 under the provisions of the beverage law of the state, the  
241 Division of Alcoholic Beverages and Tobacco of the Department of  
242 Business and Professional Regulation shall issue a special  
243 license or special licenses to qualified applicants consisting  
244 of the Tallahassee-Leon County Civic Center Authority or its  
245 designee for use within the confines of the 20-acre civic center  
246 complex located within the City of Tallahassee and known as the  
247 Donald L. Tucker Civic Center; however, such license issued  
248 pursuant to this act shall only permit the licensee to sell

249 | alcoholic beverages for on-premises consumption, or off-premises  
250 | consumption for events sponsored through the civic center.

251 | Section 10. The provisions of this act are severable, and  
252 | it is the intent of the Legislature to confer the whole or any  
253 | part of the powers herein provided for. If any of the provisions  
254 | of this act or any of the powers granted by this act are held  
255 | unconstitutional by any court of competent jurisdiction, the  
256 | decision of the court shall not affect or impair any of the  
257 | remaining provisions of this act or any of the remaining powers  
258 | granted by this act.

259 | Section 4. Chapters 72-605, 77-480, 79-502, and 81-494,  
260 | Laws of Florida, are repealed.

261 | Section 5. This act shall take effect upon becoming a law.