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A bill to be entitled

An act relating to the Panama City-Bay County Airport and Industrial District, an independent special district in Bay County; codifying, amending, reenacting, and repealing chapter 98-527, Laws of Florida, relating to the district; providing definitions; providing boundaries of the district; providing restrictions with respect to certain real estate; providing for a board of directors and its membership, quorum, travel expenses, and per diem; authorizing the board to employ an airport manager and other persons as required, to establish an airport police department, and to contract for certain projects and purposes; providing purposes of the district; providing powers of the board; providing for the issuance of bonds; declaring the purposes of the board a public purpose and exempting district property from taxation; providing severability; repealing chapter 98-527, 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 chapter 98-527, Laws of Florida, relating to the Panama City-Bay County Airport and Industrial District. It is the intent of the Legislature in enacting this law to provide a single, comprehensive special act charter for the district, including all current legislative authority granted to the district, any additional authority granted by this act, and any authority granted by applicable

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30 general law.

31 Section 2. Chapter 98-527, Laws of Florida, is codified,  
 32 reenacted, amended, and repealed as provided in this act.

33 Section 3. The Panama City-Bay County Airport and  
 34 Industrial District is re-created and the charter for such  
 35 district is re-created and reenacted to read:

36 Section 1. Airport district established.--There is created  
 37 and established as a political subdivision of the state an  
 38 airport district in Bay County to be known as the "Panama City-  
 39 Bay County Airport and Industrial District," an independent  
 40 special district. The boundaries of the district shall be  
 41 coterminous with the legal boundaries of Bay County. The  
 42 district shall not lease, own, or acquire any real estate except  
 43 in Bay County without the permission of the county or city  
 44 within whose jurisdiction such property is located.

45 Section 2. Definitions.--As used in this act, the  
 46 following words and terms shall have the following meanings:

47 (1) "Airport district" or "district" means the Panama  
 48 City-Bay County Airport and Industrial District herein created.

49 (2) "City" means the City of Panama City.

50 (3) "County" means the County of Bay.

51 (4) "County commissioners" means the Board of County  
 52 Commissioners, the governing body of the County of Bay.

53 (5) "Aviation facility" means all land, improved or  
 54 unimproved, hangars, buildings, passenger terminals, shops,  
 55 restaurants, hotels, office buildings, and any and all other  
 56 facilities, including property rights, easements, and  
 57 franchises, the district deems necessary and convenient.

58 (6) "Airport project" or "project" means any one or any

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59 combination of two or more of the following when undertaken by  
 60 or owned, controlled, or operated by the airport district:  
 61 airports, airport facilities, landing fields, hangars, shops,  
 62 terminals, buildings, oil tanks, pipelines, industrial parks,  
 63 warehouses, and terminal railway facilities, including rolling  
 64 stock, belt line railroad, bridges, causeways, tunnels,  
 65 facilities for the loading, unloading, and handling of  
 66 passengers, mail express, freight and other cargo, hotels,  
 67 office buildings, industrial facilities, and any and all other  
 68 facilities, including all property rights, easements, and  
 69 franchises relating to any such project or projects which, by  
 70 resolution, the district may deem necessary and convenient.

71 (7) "Improvements" means such replacements, repairs,  
 72 extensions, additions, enlargements, and betterments of and to a  
 73 project as are deemed necessary to place such project in proper  
 74 condition for the safe, efficient, and economic operation  
 75 thereof, when such project shall be undertaken by or owned,  
 76 controlled, or operated by the airport district.

77 (8) "Cost," as applied to improvements, means the cost of  
 78 acquiring or constructing improvements as hereinabove defined  
 79 and includes the cost of labor and materials, machinery and  
 80 equipment, engineering and legal expense, plans specifications,  
 81 financing charges, and such other expenses as may be necessary  
 82 or incident to such acquisition or construction.

83 (9) "Cost," as applied to a project acquired, constructed,  
 84 extended, or enlarged, includes the purchase price of any  
 85 project acquired and the cost of such construction, extension,  
 86 or enlargement; improvements; all lands, properties, rights,  
 87 easements, and franchises acquired; all machinery and equipment;

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88 engineering and legal services; investigations and audits;  
 89 financing charges; and all other expenses necessary or incident  
 90 to determining the practicability or feasibility of such  
 91 acquisition or construction, administrative expense, and such  
 92 other expenses as may be necessary or incident to the financing  
 93 herein authorized and to the construction or acquisition of a  
 94 project and the placing of the same in operation. Any obligation  
 95 or expense incurred by the airport district prior to the  
 96 issuance of bonds or revenue bonds under the provisions of this  
 97 act for engineering studies and for estimates of cost and of  
 98 revenues and for other technical, financial, or legal services  
 99 in connection with the acquisition or construction of any  
 100 project may be regarded as part of the cost of such project.

101 (10) "Bonds" means revenue bonds, refunding bonds, or  
 102 other evidence of indebtedness or obligations in either  
 103 temporary or definitive form which the district is authorized to  
 104 issue pursuant to this act.

105 (11) "Revenue bonds" means revenue certificates or other  
 106 obligations and the interest thereon which are payable from  
 107 revenues derived from the operation of the facilities of the  
 108 airport district or from other sources than ad valorem taxes.

109 (12) "Facility" or "facilities" means and includes all  
 110 projects and improvements of the airport district.

111 Section 3. Governing board.--The Board of Directors, a  
 112 body corporate and politic, shall be the governing board of the  
 113 Panama City-Bay County Airport and Industrial District.

114 (1) The board shall consist of five persons who are  
 115 citizens and residents of Bay County. Two of said five members  
 116 shall be appointed by the City Commission of the City of Panama

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117 City. Two of said five members shall be appointed by the Board  
 118 of County Commissioners of Bay County. Said four members so  
 119 appointed shall select the fifth member. Upon the expiration of  
 120 the several terms of the members as herein provided, the Board  
 121 of County Commissioners of Bay County and the City Commission of  
 122 the City of Panama City shall appoint successors for the members  
 123 whose terms are expiring, each to hold office for a term of 2  
 124 years. The fifth member of said district shall always hold  
 125 office for a term of 2 years and shall be selected by the four  
 126 appointed members as aforesaid.

127 (2) Three members of the board shall constitute a quorum.  
 128 The vote of three members shall be necessary for any action  
 129 taken by the board involving the incurring of any indebtedness  
 130 or expenditures of district funds or moneys.

131 (3) The members of the board shall not receive  
 132 compensation for their services, but shall be reimbursed for  
 133 travel and per diem the same as that provided for county  
 134 officials; however, members of the board must submit a signed  
 135 statement requesting the allowable expenses within 6 months  
 136 after the date of incurring such expenses.

137 (4) An airport manager may be employed by the board, who  
 138 shall be a full-time employee and shall devote his or her time  
 139 and attention to the discharge of his or her duties. The airport  
 140 manager shall receive such salary as the board may set.

141 (5) The board shall have power to employ such persons in  
 142 addition to the airport manager as the business of the airport  
 143 district may require.

144 (6) The board shall have the power to establish an  
 145 independent Airport Police Department with full police powers.

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146       (7) The board shall have the power to contract with  
 147       similar authorities in carrying out common projects and the  
 148       purposes of this act.

149       Section 4. Purposes of airport district.--The airport  
 150       district is created for the purpose of acquiring, constructing,  
 151       improving, financing, operating, and maintaining airport  
 152       projects and any other development of land owned or leased by  
 153       the district and necessary to the economic welfare of the  
 154       inhabitants of the district and which will promote the economic,  
 155       commercial, and industrial development of the district. The  
 156       exercise by the district of the powers conferred by this act  
 157       shall be deemed to be and shall constitute a public purpose.

158       Section 5. Powers of the Board of Directors.--The Board of  
 159       Directors shall have all of the power necessary and proper to  
 160       carry out the purposes and intent of this act, including the  
 161       power to sue and be sued, under the name of the "Panama City-Bay  
 162       County Airport and Industrial District"; to contract and be  
 163       contracted with; to adopt and use a common seal and to alter  
 164       same; to acquire, purchase, hold, lease, mortgage, and convey  
 165       such real and personal property as the board may deem proper or  
 166       expedient to carry out the purposes of this act; to employ such  
 167       persons and agents as the board may deem advisable and to fix  
 168       the compensation thereof and to remove any appointees or  
 169       employees, agents, or servants; to insure the improvements,  
 170       fixtures, and equipment against loss by fire, windstorm, or  
 171       other coverage in such amounts as may be determined reasonable  
 172       and proper; and to borrow and issue evidence of indebtedness of  
 173       the district to carry out the provisions of this act in the  
 174       manner herein provided. The board shall also have the right and

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175 power:

176 (1) Of eminent domain over real and personal property and  
 177 to maintain eminent domain proceedings in the form and manner as  
 178 prescribed by the general laws of the state, provided that the  
 179 power of eminent domain shall be exercised only for the purpose  
 180 of providing for aviation facilities.

181 (2) To acquire, by purchase, condemnation through power of  
 182 eminent domain, gift, grant, franchise, or lease, property,  
 183 either real or personal; however, the power of eminent domain  
 184 shall be exercised only for the purpose of providing for  
 185 aviation facilities.

186 (3) To grant easements of right-of-way over or through any  
 187 lands owned by the airport district.

188 (4) To construct, acquire, establish, extend, enlarge,  
 189 improve, reconstruct, maintain, equip, repair, and operate any  
 190 project, as hereinabove defined, within the boundaries of the  
 191 airport district.

192 (5) To borrow money, incur indebtedness, and issue such  
 193 bonds for and on behalf of the airport district as the board may  
 194 from time to time determine; but in no case shall the  
 195 indebtedness of the district for bonds issued be considered a  
 196 debt of the city or the county.

197 (6) To apply to the proper authorities of the United  
 198 States for the right to establish, operate, and maintain foreign  
 199 and domestic trade zones within the limits of the airport  
 200 district and to establish, operate, and maintain such foreign  
 201 and domestic trade zones.

202 (7) To fix and revise from time to time and to collect  
 203 rates, fees, rentals, and other charges for the use of or for

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204 the services of any facility insofar as it may be permissible  
 205 for the board to do so under the State Constitution and the  
 206 Constitution and laws of the United States.

207 (8) To make rules and regulations for its own government  
 208 and to hold regular meetings at least once a month, said  
 209 meetings to be open to the public.

210 (9) To operate, manage, and control all projects, as  
 211 hereinabove defined, hereafter acquired or constructed under the  
 212 provisions of this act.

213 (10) To enter into joint agreements and arrangements with  
 214 steamship lines, railroads, airlines, or other transportation  
 215 lines or any common carrier as the board shall deem to its  
 216 advantage to do so.

217 (11) To make and enter into all contracts and agreements  
 218 necessary or incidental to the performance of its duties and the  
 219 execution of its powers and to appoint and employ such  
 220 engineers, architects, attorneys, agents, and other employees as  
 221 may be necessary in its judgment and to fix their compensation;  
 222 however, such compensation must be within the amount appointed  
 223 for such purpose in the annual budget of the district.

224 (12) To exercise such powers as may be reasonably  
 225 necessary to effectively control and regulate facilities under  
 226 its jurisdiction.

227 (13) To appoint a manager of the airport district and to  
 228 determine his or her duties and compensation in accordance with  
 229 the provisions elsewhere contained in this act.

230 (14) To maintain a full-time airport law enforcement staff  
 231 and to determine duties and compensation in accordance with the  
 232 provisions elsewhere in this act.

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233 (15) To receive and accept from the Federal Government or  
 234 any agency thereof grants for or in aid of the construction of  
 235 any project and/or operation of the airport and other aviation  
 236 facilities and facilities related thereto.

237 (16) To make such rules and regulations governing aircraft  
 238 which are under the jurisdiction of the district.

239 (17) To make rules and regulations governing the operation  
 240 of the airport and other aviation facilities and facilities  
 241 related thereto.

242 (18) To impose a franchise or license tax upon businesses  
 243 and occupations carried on or operated under and by virtue of  
 244 any franchises, licenses, or privileges granted by the board  
 245 with respect to such airports, and other aviation facilities and  
 246 facilities related thereto, controlled or operated by the  
 247 airport district and the board.

248 (19) To advertise the airports of such district in such  
 249 manner as the board deems advisable and to negotiate and  
 250 contract with airlines and other institutions as the board may  
 251 deem necessary for development, expansion, and operation of the  
 252 airport district.

253 (20) To acquire, own, and control the properties now owned  
 254 and held by the Panama City-Bay County Airport and Industrial  
 255 District and assume all of its indebtedness, obligations, and  
 256 liabilities.

257 (21) To adopt a budget with which all expenditures shall  
 258 be made in strict accordance with the budget so adopted and  
 259 approved.

260 Section 6. Issuance of bonds; purposes and powers;  
 261 general.--The board is authorized to provide by resolution at

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262 one time or from time to time for the issuance of bonds of the  
 263 airport district for the purpose of paying all or a part of the  
 264 cost of any project or improvement of the district or any  
 265 combination thereof. The bonds of each issue shall be dated,  
 266 shall bear interest at such fixed or variable rate or rates,  
 267 shall mature at such time or times, not exceeding 40 years from  
 268 their date or dates, as may be determined by the board, and may  
 269 be made redeemable before maturity, at the option of the board,  
 270 at such price or prices and under such terms and conditions as  
 271 may be fixed by the board prior to the issuance of the bonds.  
 272 The board shall determine the form of the bonds, including any  
 273 interest coupons to be attached thereto, and the manner of  
 274 execution of the bonds and coupons and shall fix the  
 275 denomination or denominations of the bonds and coupons, and the  
 276 place or places of payment of principal and interest which may  
 277 be at any bank or trust company within or without the state. In  
 278 the event any officer whose signature or a facsimile of whose  
 279 signature shall appear on any bonds or coupons shall cease to be  
 280 such officer before the delivery of such bonds, such signature  
 281 or such facsimile shall nevertheless be valid and sufficient for  
 282 all purposes the same as if he or she had remained in office  
 283 until such delivery. All bonds issued under the provisions of  
 284 this act shall have and are hereby declared to have all the  
 285 qualities and incidents of negotiable instruments under the laws  
 286 of the state. The bonds may be issued in coupon or in registered  
 287 form or both, as the board may determine, and provisions may be  
 288 made for the registration of any coupon bonds as to principal  
 289 alone and also as to both principal and interest and for the  
 290 reconversion into coupon bonds of any bonds registered as to

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291 both principal and interest. The issuance of such bonds shall  
 292 not be subject to any limitations or conditions contained in any  
 293 other law and the board may sell such bonds in such manner and  
 294 for such price as it may determine to be for the best interest  
 295 of the district, but no such sale shall be made at a price so  
 296 low as to require the payment of interest on the money received  
 297 therefor at more than the fixed or variable rate or rates  
 298 computed with relation to the absolute maturity of the bonds in  
 299 accordance with standard tables of bond values, excluding,  
 300 however, from such computations the amount of any premium to be  
 301 paid on redemption of any bonds prior to maturity. Prior to the  
 302 preparation of definitive bonds, the board may, under like  
 303 restrictions, issue interim receipts or temporary bonds, with or  
 304 without coupons, exchangeable for definitive bonds when such  
 305 bonds have been executed and are available for delivery. The  
 306 board may also provide for the replacement of any bonds which  
 307 shall be mutilated or be destroyed or lost.

308 (1) Bonds may be issued under the provisions of this act  
 309 without obtaining the consent of any commission, board, bureau,  
 310 or agency of the state or county and without any other  
 311 proceedings or the happening of any other condition or thing  
 312 than those proceedings, conditions, or things which are  
 313 specifically required by this act. The bonds may be validated in  
 314 accordance with the State Constitution and the laws of Florida.

315 (2) The proceeds of the bonds shall be used solely for the  
 316 payment of the cost of the project for which such bonds shall  
 317 have been authorized and shall be disbursed in the manner  
 318 provided in the resolution or in the trust agreement authorizing  
 319 the issuance of such bonds. In the event that the actual cost of

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320 the project exceeds the estimated cost, the board may issue  
 321 additional bonds to cover the deficiency, subject to the same  
 322 restrictions as required for the original issue.

323 Section 7. Additional authority; bonds.--In addition to  
 324 any other powers which the board may now have, the board is  
 325 hereby granted the following rights and powers, and shall have  
 326 and may exercise all powers necessary, appurtenant, convenient,  
 327 or incidental to the execution of the powers enumerated in this  
 328 act:

329 (1) To borrow money and to make and issue negotiable  
 330 notes, bonds, certificates, refunding bonds, and other  
 331 obligations, hereinafter called "bonds," of the district, said  
 332 bonds to have a maturity date not exceeding 40 years from the  
 333 date of issue, and to secure the payment of such bonds or any  
 334 part thereof by a pledge of any or all of the district's  
 335 revenues, rates, fees, rentals, or other charges, and any other  
 336 funds legally available therefor; and any other funds it has a  
 337 right to, or may hereafter have the right to, pledge for such  
 338 purposes, including, without limitation, amounts received from  
 339 public agencies pursuant to interlocal agreements under part I,  
 340 chapter 163, Florida Statutes, hereinafter referred to as  
 341 "revenues"; and in general, to provide for the security of said  
 342 bonds and the rights and remedies of the holders thereof. Such  
 343 bonds may be issued to finance or refinance one or more or a  
 344 combination of airport and other aviation facilities and  
 345 facilities related thereto and may, subject to any prior rights  
 346 of bondholders, be pledged for any one or more or any  
 347 combination of airport and other aviation facilities and  
 348 facilities related thereto. Any revenues from the existing

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349 airport and other aviation facilities and facilities related  
 350 thereto and constructed or acquired prior to this act or  
 351 existing acts, or existing airports and other aviation  
 352 facilities and facilities related thereto constructed or  
 353 acquired by the district from any source, may be pledged for any  
 354 one or more or any combination of airports and other aviation  
 355 facilities or facilities related thereto financed under this  
 356 act, regardless of whether such existing airports and other  
 357 aviation facilities and facilities related thereto are then  
 358 being improved or financed by the proceeds of the bonds to be  
 359 issued to finance the one or more or any combination of airports  
 360 and other aviation facilities and facilities related thereto for  
 361 which such revenues of such existing airports and other aviation  
 362 facilities and facilities related thereto are to be pledged.

363 (2) To make contracts of every kind and nature and to  
 364 execute all instruments necessary or convenient for the carrying  
 365 on of its business.

366 (3) To enter into interlocal agreements with any public  
 367 agencies of the state for any of its purposes, including, but  
 368 not limited to, providing additional sources of funds to pay or  
 369 secure bonds of the district or to finance or refinance any  
 370 project or cost of the district.

371 (4) To enter into and perform its obligations under any  
 372 bond insurance agreements, surety bonds, or interest rate hedge,  
 373 or to swap contracts or other financial instruments, and to  
 374 secure its obligations thereunder from any revenues legally  
 375 available therefor.

376 (5) Without limitation of the foregoing, to borrow money  
 377 and accept grants, contributions, or loans from, and to enter

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378 into, and comply with the terms of, contracts, leases, or other  
 379 transactions with, the state government or the Federal  
 380 Government.

381 (6) To conduct public hearings and advertise the same as  
 382 may be required by federal law in connection with any borrowing.

383 (7) To have the power of eminent domain, such power to be  
 384 extended in the manner provided by law for the state or agencies  
 385 or instruments thereof.

386 (8) To refund, refinance, retire, or defease any  
 387 obligations then outstanding.

388 (9) To pledge, hypothecate, or otherwise encumber all or  
 389 part of the revenues, rates, fees, rentals, or other charges,  
 390 funds, or receipts of the district as security for all or any of  
 391 the obligations issued by the district.

392 (10) To employ technical experts necessary to assist the  
 393 board in carrying out or exercising any powers granted hereby,  
 394 including, but not limited to, architects, engineers, attorneys,  
 395 fiscal advisors, fiscal agents, investment bankers, and aviation  
 396 consultants.

397 (11) To exercise all powers of a "local agency" pursuant  
 398 to part II, chapter 159, Florida Statutes, relative to the  
 399 purposes of the district.

400 (12) To do all acts and things necessary or convenient for  
 401 the promotion of its business and the general welfare of the  
 402 district in order to carry out the powers granted to it by this  
 403 act or any other laws. The board shall have no power at any time  
 404 or in any manner to pledge the taxing power of the state, or any  
 405 political subdivision or agency thereof; nor shall any of the  
 406 obligations issued by the district be deemed obligations of the

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407 state, or any political subdivision or agency thereof, secured  
 408 by and payable from ad valorem taxes thereof; nor shall the  
 409 state, or any political subdivision or agency thereof, be liable  
 410 for the payment of principal of or interest on such obligations  
 411 except from the special funds provided for in this act or  
 412 pursuant to interlocal agreements entered into with public  
 413 agencies of the state.

414 Section 8. Purposes and powers; bonds.--The bonds issued  
 415 by the board pursuant to this act shall be authorized by  
 416 resolution of the members thereof and shall bear such date or  
 417 dates, mature at such time or times, not exceeding 40 years from  
 418 the respective dates, bear interest at such fixed or variable  
 419 rate or rates, be payable at such times, be in such  
 420 denominations, be in such form, carry such registration,  
 421 exchangeability, and interchangeability privileges, be payable  
 422 in such medium of payment and at such place, within or without  
 423 the state, be subject to such terms of redemption, and be  
 424 entitled to such priorities on the revenues, rates, fees,  
 425 rentals, or other charges or receipts of the district as such  
 426 resolution or any resolutions subsequent thereto may provide.  
 427 The bonds shall be executed either by manual or facsimile  
 428 signature by such officers as the district shall determine,  
 429 provided that such bonds shall bear at least one signature which  
 430 is manually executed thereon, to the extent required by general  
 431 law, and the bonds shall have the seal of the district affixed,  
 432 imprinted, reproduced, or lithographed thereon, all as may be  
 433 prescribed in such resolution or resolutions. Said bonds may be  
 434 sold either at public or private sale at such price or prices as  
 435 the board shall determine to be in the best interests of the

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436 district. Pending the preparation of definitive bonds, interim  
 437 certificates or temporary bonds may be issued to the purchaser  
 438 of such bonds and may contain such terms and conditions as the  
 439 board may determine, including, without limitation, provisions  
 440 for registration and book entry registration of bonds.

441 (1) Any such resolution or resolutions authorizing any  
 442 bonds hereunder may contain provisions which shall be part of  
 443 the contract with the holders of such bonds as to:

444 (a) The pledging of all or any part of the revenues,  
 445 rates, fees, rentals, or other charges or receipts of the  
 446 district derived by the district from all or any of its airports  
 447 and other aviation, commercial, or industrial facilities and  
 448 facilities related thereto or pursuant to interlocal agreements  
 449 or from other sources legally available for such payments.

450 (b) The construction, improvement, operation, extension,  
 451 enlargement, maintenance, repair, or lease of such airports, and  
 452 other aviation, commercial, or industrial facilities and  
 453 facilities related thereto, and the duties of the district with  
 454 reference thereto.

455 (c) Limitations on the purposes to which the proceeds of  
 456 the bonds, then or thereafter to be issued, or any loan or grant  
 457 by the Federal Government or the state government or the county  
 458 or any municipality therein or any limited purpose revenues  
 459 authorized to be collected or received by the district may be  
 460 applied.

461 (d) The fixing, charging, establishing, and collecting of  
 462 rates, fees, rentals, or other charges for use of the services  
 463 and facilities of the airports, and other aviation facilities  
 464 and facilities related thereto, of the district or any part

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465 thereof.

466 (e) The setting aside of reserves or sinking funds or  
 467 repair and replacement funds or other funds and the regulation  
 468 and disposition thereof.

469 (f) Limitations on the issuance of additional bonds.

470 (g) The terms and provisions of any deed of trust or  
 471 indenture securing the bonds, or under which the same may be  
 472 issued.

473 (h) Establishment of permitted investments in which any  
 474 proceeds of the bonds or other funds securing same may be  
 475 invested.

476 (i) Any other or additional agreements with the holders of  
 477 the bonds as are customary and proper and which in the judgment  
 478 of the board will make said bonds more marketable.

479 (2) The board may enter into any deeds of trust,  
 480 indentures, or other agreements, with any bank or trust company  
 481 within or without the state, as security for such bonds, and may  
 482 assign and pledge all or any part of the revenue, rates, fees,  
 483 rentals, or other charges or receipts of the district  
 484 thereunder. Such deeds of trust, indentures, or other agreements  
 485 may contain such provisions as may be customary in such  
 486 instruments or as the district may authorize, including, but  
 487 without limitation, provisions as to:

488 (a) The construction, improvement, operation, extension,  
 489 leasing, maintenance, repair, or lease of such airports, and  
 490 other aviation facilities and facilities related thereto and the  
 491 duties of the district with reference thereto.

492 (b) The application of funds and the safeguarding of funds  
 493 on hand or on deposit.

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494 (c) The appointment of consulting engineers or architects  
 495 and approval thereof by the holders of the bonds.

496 (d) The rights and remedies of said trustee and the  
 497 holders of the bonds.

498 (e) The terms and provisions of the bonds or the  
 499 resolution authorizing the issuance of the same. Any of the  
 500 bonds issued pursuant to this act are, and are hereby declared  
 501 to be, negotiable instruments under the law merchant and  
 502 negotiable instruments law of the state.

503 (f) Except as otherwise provided in this act, provision by  
 504 the board, by resolution or by trust agreement, for the payment  
 505 of the proceeds of the sale of the revenue bonds and the  
 506 revenues of the facilities to such officer, board, or depository  
 507 as it may determine for the custody thereof and for the method  
 508 of disbursement thereof with such safeguards and restrictions as  
 509 it may determine. All expenses incurred in carrying out such  
 510 trust agreement may be treated as a part of the cost of  
 511 operation of the facilities affected by such trust agreement.

512 (3) The pledge by the board of its revenues, rates, fees,  
 513 rentals, and other charges, funds, and receipts to the payment  
 514 of the bonds described above, either directly by the terms of a  
 515 resolution of the board or through any deed of trust, indenture,  
 516 or other agreement, shall create a valid and binding lien  
 517 thereon and a prior perfected security interest therein from the  
 518 time the pledge is made, and all moneys and revenues so pledged  
 519 shall immediately become subject to a lien of such pledge  
 520 without any physical delivery thereof or further act, and the  
 521 lien of any such pledge shall be valid and binding against all  
 522 parties having claims of any kind in tort, contract, or

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523 otherwise against the district, irrespective of whether such  
524 parties have notice thereof. Neither the resolutions nor the  
525 deed of trust, indenture, or other agreement by which the pledge  
526 is created need be filed or recorded, except in the records of  
527 the board, nor shall notice thereof be required to be given to  
528 any obligor of any such moneys or revenue, and no filings under  
529 the Florida Uniform Commercial Code shall be required in order  
530 to perfect the pledge granted thereby.

531 Section 9. Revenue bonds.--Revenue bonds of the district  
532 may be issued under the provisions of this act and shall be  
533 payable from the revenues derived from the operation of any  
534 facility or combination of facilities of the district under the  
535 supervision, operation, and control of the district and from any  
536 other funds legally available therefor, except ad valorem taxes.  
537 The issuance of such revenue bonds shall not directly,  
538 indirectly, or contingently obligate the state, the district,  
539 the city, or the county to levy any ad valorem taxes or to make  
540 any appropriations for their payment or for the operation and  
541 maintenance of the facilities of the district.

542 (1) The board shall not convey or mortgage any facility or  
543 any part thereof as security for the payment of the revenue  
544 bonds.

545 (2) In the discretion of the board, each or any issue of  
546 such revenue bonds may be secured by a trust agreement by and  
547 between the board and a corporate trustee, which may be any  
548 trust company or bank having the powers of a trust company  
549 within or outside of the state. Such trust agreement may pledge  
550 or assign the revenues to be received by the district. The  
551 resolution providing for the issuance of revenue bonds or such

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552 trust agreement may contain such provisions for protecting and  
 553 enforcing the rights and remedies of the bondholders as may be  
 554 reasonable, proper, and not in violation of law, including  
 555 covenants setting forth the duties of the district in relation  
 556 to the acquisition, construction, improvement, maintenance,  
 557 operation, repair, equipping, and insurance of the facilities  
 558 and the custody, safeguarding, and application of all moneys. It  
 559 shall be lawful for any bank or trust company incorporated under  
 560 the laws of this state to act as such depository and to furnish  
 561 such indemnifying bonds or to pledge such securities as may be  
 562 required by the board. Such resolution or such trust agreement  
 563 may restrict the individual right of action by bondholders as is  
 564 customary in trust agreements securing bonds or debentures of  
 565 corporations. In addition to the foregoing, such resolution or  
 566 such trust agreement may contain such other provisions as the  
 567 board may deem reasonable and proper for the security of  
 568 bondholders. Except as otherwise provided in this act, the board  
 569 may provide, by resolution or by trust agreement, for the  
 570 payment of the proceeds of the sale of the revenue bonds and the  
 571 revenues of the facilities to such officer, board, or depository  
 572 as it may determine for the custody thereof and for the method  
 573 of disbursement thereof with such safeguards and restrictions as  
 574 it may determine. All expenses incurred in carrying out such  
 575 trust agreement may be treated as a part of the cost of  
 576 operation of the facilities affected by such trust agreement.

577 (3) The resolution or trust agreement providing for the  
 578 issuance of the revenue bonds may also contain such limitations  
 579 upon the issuance of additional revenue bonds as the board may  
 580 deem proper, and such additional bonds shall be issued under

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581 such restrictions or limitations as may be prescribed by such  
 582 resolution or trust agreement.

583 Section 10. Refunding obligations.--The board is  
 584 authorized to provide by resolution for the issuance of  
 585 refunding bonds or refunding revenue bonds of the district for  
 586 the purpose of refunding any bonds or revenue bonds,  
 587 respectively, then outstanding and issued under the provisions  
 588 of this act. The board is further authorized to provide by  
 589 resolution for the issuance of refunding revenue bonds for the  
 590 combined purpose of:

- 591 (1) Paying the cost of any project of the district.  
 592 (2) Refunding bonds or revenue bonds of the district which  
 593 shall theretofore have been issued under the provisions of this  
 594 act and shall then be outstanding. The issuance of such bonds,  
 595 the maturities and other details thereof, the rights and  
 596 remedies of the holders thereof, and the rights, powers,  
 597 privileges, duties, and obligations of the district with respect  
 598 to the same shall be governed by the foregoing provisions of  
 599 this act insofar as the same may be applicable.

600 Section 11. Bonds to constitute legal investments.--Any  
 601 bonds issued pursuant to this act shall be and constitute legal  
 602 investments for banks, savings banks, trustees, executors,  
 603 administrators, and all other fiduciaries for all state,  
 604 municipal, and public funds and shall also be and constitute  
 605 securities eligible for deposit as security for all state,  
 606 municipal, or other public funds, notwithstanding the provisions  
 607 of any other law or laws to the contrary.

608 Section 12. Remedies.--Any holder of bonds or other  
 609 obligations issued under the provisions of this act or any of

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610 the coupons appertaining thereto and the trustee under any trust  
 611 agreement, except to the extent that the rights herein given may  
 612 be restricted by such trust agreement, may either at law or in  
 613 equity, by suit, action, mandamus, or other proceedings, protect  
 614 and enforce any and all rights under the laws of Florida or  
 615 granted hereunder or under such trust agreement or the  
 616 resolution authorizing the issuance of such bonds or other  
 617 obligations and may enforce and compel the performance of all  
 618 duties required by this act or by such trust agreement or  
 619 resolution to be performed by the board or by any officer  
 620 thereof.

621 Section 13. Exemption of property from taxation.--The  
 622 effectuation of the purposes of the board created under this act  
 623 is, shall, and will be in all respects for the benefit of the  
 624 people of the state and of Bay County, for the increase of their  
 625 commerce and prosperity, and for the improvement of their health  
 626 and welfare. The exercise of the powers by the board conferred  
 627 by this act to effect such purposes constitutes the performance  
 628 of essential functions and is hereby declared to be a public  
 629 purpose. As the facilities owned, operated, supervised, and  
 630 controlled by the district and the board under the provisions of  
 631 this act constitute public property and are used for public  
 632 purposes, the board shall not be required to pay any taxes or  
 633 assessments upon any such facilities or any parts thereof.

634 Section 14. Board of Directors accounting practices;  
 635 deposit of moneys of the board.--All moneys of the board,  
 636 whether derived from taxes or levied and collected within the  
 637 airport district or from other sources, shall be paid into the  
 638 treasury of the board. Such moneys shall be used exclusively by

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639 the board and shall be disbursed by the board with approved  
 640 budgetary practice and accounting methods and only for the  
 641 purposes specified in the budget of the board. No funds or  
 642 moneys shall be withdrawn from the treasury of the board except  
 643 in accordance with the budget and upon the signature of either  
 644 the chair or one of the members of the board and either the  
 645 airport manager or designated staff member as authorized by the  
 646 members of the board. The board may require such officers or  
 647 members of the board or employees thereof to execute fidelity  
 648 bonds in such sums as the board may from time to time determine.  
 649 The premiums on such bonds shall be paid by the district as a  
 650 proper operating expense thereof.

651 Section 15. Annual audit.--The books and records of the  
 652 board shall be audited annually by a certified public accountant  
 653 and copies of such audit submitted to the board and the City  
 654 Commission of the City of Panama City and the Board of County  
 655 Commissioners of Bay County.

656 Section 16. Awarding of contracts.--No contract shall be  
 657 let by the district for any construction improvement, repair, or  
 658 building, nor shall any goods, supplies, or materials for  
 659 airport district purposes or uses be purchased when the amount  
 660 to be paid by the district exceeds the amounts specified in  
 661 section 287.057 or section 255.20, Florida Statutes, as amended  
 662 from time to time unless the provisions of those statutes are  
 663 satisfied. However, in the event of an emergency, the district  
 664 may take such action as is necessary to protect airport  
 665 properties. Nothing in this act shall be construed to prohibit  
 666 the airport district from utilizing and complying with other  
 667 applicable laws governing the issuance of contracts for

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668 construction, goods, supplies, or services by a political  
 669 subdivision, or with the rules and regulations of the Federal  
 670 Government or state government assisting in the financing of  
 671 district facilities, or from awarding contracts for the  
 672 construction of district facilities on a negotiated basis  
 673 utilizing the provisions in section 159.32, Florida Statutes.

674 Section 17. Purchases by board.--No member of the board or  
 675 other officer or employee shall purchase supplies, goods, or  
 676 materials for use by the airport district from himself or  
 677 herself or from any firm or corporation in which he or she is  
 678 interested, directly or indirectly, or in any manner share in  
 679 the proceeds of such purchase, nor shall the board be obligated  
 680 for the purchase price for such supplies, goods, or materials so  
 681 purchased. No board member or other officer or employee shall  
 682 bid or enter into or be in any manner interested, directly or  
 683 indirectly, in any contract for public work to which the airport  
 684 may be a party. Any person who violates the provisions of this  
 685 section shall be guilty of malfeasance in office. All moneys or  
 686 things of value paid and delivered pursuant to such contract or  
 687 purchase may be recovered by the board and, in the event of its  
 688 refusal, by a taxpayer for the use of the board, including  
 689 costs, expenses, and reasonable attorney's fees incurred in any  
 690 proceeding for the recovery thereof.

691 Section 18. Conflict of interest.--No board member or  
 692 other officer or employee shall act as a consultant to, be  
 693 employed by, or receive compensation in any manner, directly or  
 694 indirectly, from any vendor, tenant, or concessionaire of the  
 695 airport district, nor shall any board member, other officer, or  
 696 employee conduct other than airport business within the airport

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697 facility or on airport property. Any person who violates the  
698 provisions of this section shall be guilty of malfeasance in  
699 office.

700 Section 19. Additional general provisions; act complete  
701 and additional authority.--The powers conferred by this act  
702 shall be in addition and supplemental to the existing powers of  
703 the board as herein provided.

704 Section 20. If any section, clause, or provision of this  
705 act shall be held unconstitutional or ineffective in whole or in  
706 part, to the extent that the remainder of the act is not  
707 unconstitutional or ineffective, it shall be valid and  
708 effective, and no other section, clause, or provision shall on  
709 account thereof be deemed invalid or ineffective.

710 Section 4. Chapter 98-527, Laws of Florida, is repealed.

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