

By Senator Lawson

6-1443-04

See HB

1                                   A bill to be entitled  
2           An act relating to the Tallahassee-Leon County  
3           Civic Center Authority; codifying, amending,  
4           repealing, and reenacting the authority's  
5           special acts; providing for planning,  
6           developing, operating, and maintaining a  
7           comprehensive complex of civic, governmental,  
8           educational, recreational, convention, and  
9           entertainment facilities; providing for the  
10          method and manner of the election, selection,  
11          and terms of membership of the authority;  
12          providing powers, functions, privileges,  
13          duties, and responsibilities of the authority;  
14          providing for the issuance of bonds; providing  
15          for the rights and remedies of bondholders;  
16          providing for the sources of revenues to the  
17          authority; naming the Tallahassee-Leon County  
18          Civic Center; authorizing the Division of  
19          Alcoholic Beverages and Tobacco of the  
20          Department of Business and Professional  
21          Regulation to issue a beverage license to the  
22          authority or its designee; providing  
23          severability; repealing chapters 72-605,  
24          77-480, 79-502, and 81-494, Laws of Florida;  
25          providing an effective date.

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

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29           Section 1. Pursuant to section 189.429, Florida  
30 Statutes, this act constitutes the codification of all special  
31 acts relating to the Tallahassee-Leon County Civic Center

1 Authority. It is the intent of the Legislature to provide a  
2 single, comprehensive special act charter for the authority,  
3 including all current legislative enactments as herein  
4 provided and any additional authority granted by this act and  
5 chapter 189, Florida Statutes, as the same may be amended from  
6 time to time. It is further the intent of this act to preserve  
7 all authority of the Tallahassee-Leon County Civic Center  
8 Authority.

9       Section 2. Chapters 72-605, 77-480, 79-502, and  
10 81-494, Laws of Florida, relating to the Tallahassee-Leon  
11 County Civic Center Authority, are codified, reenacted,  
12 amended, and repealed as herein provided.

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

15       Section 1. The Tallahassee-Leon County Civic Center  
16 Authority, hereinafter referred to as the authority, a local  
17 public agency, politic and corporate, is created for the  
18 purpose of planning, developing, operating, and maintaining a  
19 comprehensive complex of civic, governmental, educational,  
20 recreational, convention, and entertainment facilities for the  
21 use and enjoyment of the citizens of Leon County and the  
22 state. It is the finding of the Legislature that said purposes  
23 are essential public purposes.

24       Section 2. (1) The authority shall consist of a  
25 ten-member board composed of the chair of the Leon County  
26 Board of County Commissioners, or his or her designee; one  
27 other member of the county commission, or his or her designee;  
28 the Mayor of the City of Tallahassee, or his or her designee;  
29 one member of the city commission, or his or her designee; the  
30 President of Florida State University, or his or her designee;  
31 the President of Florida Agricultural and Mechanical

1 University, or his or her designee; the President of the  
2 Student Government Association of Florida State University, or  
3 his or her designee; the President of the Student Government  
4 Association of Florida Agricultural and Mechanical University,  
5 or his or her designee; one member appointed by the County  
6 Commission of Leon County for an initial term of 4 years; and  
7 one member appointed by the Tallahassee City Commission for an  
8 initial term of 4 years. Each succeeding appointment by the  
9 county and city commissions shall be for terms of 4 years.

10 (2) Upon the death or resignation of any member of the  
11 authority, a successor shall be appointed by the board for the  
12 unexpired term. The members shall not be entitled to any  
13 compensation for their duties except for actual expenses  
14 necessarily incurred in the performance of their duties.

15 (3) Each member shall serve until his or her successor  
16 shall be appointed. A majority of the members of the authority  
17 shall constitute a quorum. A vacancy in the authority shall  
18 not impair the rights of a quorum to exercise all the rights  
19 and perform all the duties of the authority.

20 (4) The authority shall elect one of its members as  
21 chair, one as vice chair, and one as secretary-treasurer.

22 Section 3. The following words and terms are defined  
23 as follows:

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

25 (2) "County" means Leon County.

26 (3) "Authority" means the Tallahassee-Leon County  
27 Civic Center Authority.

28 (4) "Civic, governmental, educational, recreational,  
29 convention, and entertainment facilities" means and includes  
30 facilities for all types of civic, governmental, educational,  
31 recreational, convention, and entertainment purposes,

1 including, but not limited to, facilities for accommodating  
2 conferences, meetings, conventions, citizens' and taxpayers  
3 gatherings, exhibitions, sporting events, dances, shows,  
4 plays, games, and like events.

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

8 Section 4. The authority is hereby authorized and  
9 empowered:

10 (1) To sue and be sued.

11 (2) To contract.

12 (3) To adopt bylaws for the regulation of its affairs  
13 and the conduct of its business.

14 (4) To adopt an official seal.

15 (5) To purchase, acquire, develop, construct, improve,  
16 relocate, equip, maintain, and operate any auditorium,  
17 stadium, coliseum, or other similar facility, including motor  
18 vehicle parking therefor, which may be used in conjunction  
19 with the facility.

20 (6) To make a comprehensive, long-range master plan  
21 for the overall orderly development of a civic center complex,  
22 to develop detailed plans for specific facilities within the  
23 aforesaid master plan in close coordination with the  
24 Tallahassee-Leon County Planning Department, and to obtain  
25 necessary feasibility and other reports and studies by and  
26 through the Tallahassee-Leon County Planning Department.

27 (7) To acquire by grant, purchase, lease, gift,  
28 devise, or condemnation all property, real or personal, or any  
29 estate, easement, franchise, or interest therein necessary,  
30 desirable, or convenient for the purposes of this act, which  
31 land shall be adjacent and contiguous to the civic center

1 complex; to sell, lease, rent, transfer, or otherwise dispose  
2 of any property or any part thereof or interest therein; and  
3 to exercise all of its powers and authority with respect  
4 thereto.

5 (8) To borrow money and issue negotiable bonds, and to  
6 provide for the rights of the holders thereof, and to secure  
7 the payment of said bonds by a pledge of all or any portion of  
8 the revenues and other moneys legally available therefor, and,  
9 in general, to provide for the security of the bonds and the  
10 rights and remedies of the holders thereof.

11 (9) To fix and collect rates, rentals, fees, and  
12 charges for the use of any and all facilities owned by the  
13 authority, including, but not limited to, recreational,  
14 convention, entertainment, and parking facilities of the  
15 authority.

16 (10) To contract for the operation of food and  
17 beverage, parking, and other concessions relating to the  
18 operation of the recreational, convention, and entertainment  
19 facilities of the authority.

20 (11) To make and enter into all contracts and  
21 agreements and execute all instruments necessary or incidental  
22 to the performance of the duties imposed and the execution of  
23 the powers granted under this act and to employ such  
24 consulting services, engineers, superintendents, managers,  
25 construction and financial experts and attorneys, and such  
26 employees and agents as may, in the judgment of the authority,  
27 be deemed necessary and fix their compensation.

28 (12) To cooperate with and contract with the  
29 government of the United States or the state, or any agency or  
30 instrumentality of either thereof, or with any municipality,  
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1 district, private corporation, copartnership, association, or  
2 individual in carrying out the powers granted in this act.

3 (13) To accept gifts of money or property, real or  
4 personal, from any individual or the federal, state, county,  
5 or municipal government.

6 (14) To have and exercise the right and sovereign  
7 power of eminent domain and to do all acts or things necessary  
8 or proper to carry out the powers expressly granted in this  
9 act.

10 Section 5. (1) The authority is hereby authorized to  
11 issue bonds from time to time in such principal amount as in  
12 the opinion of the authority shall be necessary to provide  
13 sufficient moneys for achieving its lawful purposes. Bonds  
14 shall be authorized by resolution of the members of the  
15 authority and shall bear such date or dates; mature at such  
16 time or times, not to exceed 40 years; bear interest at such  
17 rate or rates as shall be determined by the authority,; be  
18 payable solely from all revenues and income of the authority,  
19 including the receipts from lease rentals and appropriations  
20 from the United States, the state, or any political  
21 subdivision thereof, in such medium of payment and at such  
22 place or places; be subject to such terms of redemption; and  
23 be entitled to such priorities of lien on the revenues and  
24 other available moneys as such resolution may provide. The  
25 bonds shall be executed either by manual or facsimile  
26 signature by such officers as the authority shall determine.  
27 Such bonds shall have the seal of the authority affixed or  
28 imprinted thereon. The bonds shall be sold at public or  
29 private sale and upon such terms and conditions as the  
30 authority deems in the best public interest.

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1           (2) The authority may enter into any deeds of trust,  
2 indentures, or other agreements with any bank or trust company  
3 within or without the state as security for such bonds and  
4 may, under such agreements, assign and pledge all or any of  
5 the revenues and other available moneys pursuant to the terms  
6 of this act. Such deed of trust, indenture, or other agreement  
7 may contain such provisions as are customary in such  
8 instrument or as the authority may authorize, including, but  
9 not limited to, provisions as to:

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

12           (b) The application of funds and the safeguarding of  
13 funds on hand or on deposit.

14           (c) The rights and remedies of the trustees and the  
15 holders of the bonds.

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

18           (e) Any other or additional matters of like or  
19 different character that in any way may affect the security or  
20 protection of the bonds.

21           (3) The bonds issued pursuant to this act are hereby  
22 declared to be negotiable instruments and shall have all the  
23 qualities and incidents of negotiable instruments under the  
24 law merchant and the negotiable instruments law of the state.

25           Section 6. The boundaries of the Tallahassee-Leon  
26 County Civic Center Authority shall be coexistent with the  
27 boundaries of Leon County.

28           Section 7. The Tallahassee-Leon County Civic Center is  
29 hereby named the "Donald L. Tucker Civic Center" in  
30 recognition of the untiring and unselfish efforts of Donald L.  
31 Tucker in his years of service as a representative of the

1 district encompassing Tallahassee and Leon County and in  
2 recognition and appreciation of the invaluable service he has  
3 provided to his constituency and to the state by his efforts  
4 in bringing about the construction of this civic center.

5 Section 8. The authority is authorized and directed to  
6 erect suitable markers, which shall include a marker over the  
7 main entrance of the center, reflecting the name of the civic  
8 center as described in section 7.

9 Section 9. In addition to any licenses that may be  
10 issued under the provisions of the beverage law of the state,  
11 the Division of Alcoholic Beverages and Tobacco of the  
12 Department of Business and Professional Regulation is hereby  
13 authorized to issue a special license or special licenses to  
14 qualified applicants consisting of the Tallahassee-Leon County  
15 Civic Center Authority, or its designee, for use within the  
16 confines of the 20-acre civic center complex located within  
17 the City of Tallahassee and known as the Donald L. Tucker  
18 Civic Center; however, any such license issued pursuant to  
19 this act shall only permit the licensee to sell alcoholic  
20 beverages for onpremises consumption.

21 Section 10. The provisions of this act are severable,  
22 and it is the intent of the Legislature to confer the whole or  
23 any part of the powers herein provided for. If any of the  
24 provisions of this act or any of the powers granted by this  
25 act are held unconstitutional by any court of competent  
26 jurisdiction, the decision of the court shall not affect or  
27 impair any of the remaining provisions of this act or any of  
28 the remaining powers granted by this act.

29 Section 4. Chapters 72605, 77480, 79502, and 81494,  
30 Laws of Florida, are repealed.

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