

1 A bill to be entitled
 2 An act relating to the St. Augustine-St. Johns County
 3 Airport Authority, St. Johns County; amending chapter
 4 2002-347, Laws of Florida; renaming the St. Augustine-
 5 St. Johns County Airport Authority as the St. Johns
 6 County Airport Authority; authorizing the Authority to
 7 conduct airport operations under a specified name;
 8 providing for compensation of board members under
 9 certain conditions; providing an effective date.

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

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 13 Section 1. Sections 1 through 3 of section 3 of chapter
 14 2002-347, Laws of Florida, are amended to read:

15 Section 1. Status of the St. Johns ~~St. Augustine-St. Johns~~
 16 County Airport Authority.—The St. Johns ~~St. Augustine-St. Johns~~
 17 County Airport Authority is declared to be an independent
 18 special district pursuant to chapter 189, Florida Statutes, as
 19 it may be amended from time to time. The St. Johns County
 20 Airport Authority may conduct airport operations under the name
 21 "Northeast Florida Regional Airport."

22 Section 2. Boundaries of the St. Johns ~~St. Augustine-St.~~
 23 ~~Johns~~ taxing district.—All lands lying within St. Johns County,
 24 Florida, shall constitute the boundaries of the St. Johns ~~St.~~
 25 ~~Augustine-St. Johns~~ County special taxing district.

26 Section 3. Minimum charter requirements.—In accordance
 27 with section 189.404(3), Florida Statutes, the following
 28 subsections constitute the charter of the St. Johns ~~St.~~
 29 ~~Augustine-St. Johns~~ County Airport Authority:

30 (1) There is hereby created an authority to be known as
 31 the St. Johns ~~St. Augustine-St. Johns~~ County Airport Authority
 32 with the power to sue and be sued and with the additional powers
 33 specified herein.

34 (2) There is also created a special taxing district in St.
 35 Johns County, which district shall be a body politic and
 36 corporate and political subdivision of the state under the name
 37 of "St. Johns ~~St. Augustine-St. Johns~~ County Airport Authority
 38 District." The St. Johns ~~St. Augustine-St. Johns~~ County Airport
 39 Authority shall be the governing body and shall exercise its
 40 powers and jurisdiction within the territory of said district,
 41 which shall comprise all of St. Johns County.

42 (3) The St. Johns ~~St. Augustine-St. Johns~~ County Airport
 43 Authority shall be governed by a board of five members known as
 44 the St. Johns ~~St. Augustine-St. Johns~~ County Airport Authority
 45 board. The expiration of each 4-year term for each seat is
 46 staggered, such that two or three of the five seats are elected
 47 every 2 years. At the general election held prior to the
 48 expiration of each of said terms, successors shall be elected by
 49 the qualified electors residing within the boundaries of the St.
 50 Johns ~~St. Augustine-St. Johns~~ County Airport Authority District

51 for a term of 4 years, to expire the first Tuesday after the
52 first Monday in January following the election. Vacancies in
53 office shall be filled by appointment of the Governor and
54 confirmed by the Senate for the remainder of the unexpired
55 terms. No member of the St. Johns ~~St. Augustine~~ ~~St. Johns~~ County
56 Airport Authority board shall be an officer or employee of the
57 City of St. Augustine, St. Johns County, or the State of
58 Florida, except members of the militia or notaries public. Not
59 more than two of the members shall be persons who are primarily
60 engaged in the aviation business, and no person shall be
61 eligible for appointment or election as a board member except
62 persons residing within the boundaries of the St. Johns ~~St.~~
63 ~~Augustine~~ ~~St. Johns~~ County Airport Authority District. The
64 members constituting the St. Johns ~~St. Augustine~~ ~~St. Johns~~
65 County Airport Authority board shall select one of their number
66 as chair, and the term of office of the chair shall be 1 year.
67 The members shall receive no compensation for their services so
68 long as the St. Johns County Airport Authority levies ad valorem
69 taxes greater than 0.00 mills, but they are authorized to be
70 reimbursed for verified travel and other expenses, which shall
71 be paid from the funds of the Authority. The members shall
72 receive compensation for their services as set by the Authority
73 up to but not exceeding \$7,500 per year so long as the St. Johns
74 County Airport Authority levies ad valorem taxes of 0.00 mills,
75 and they are authorized to be reimbursed for verified travel and

76 | other expenses, which shall be paid from the funds of the
 77 | Authority. Three members shall constitute a quorum for the
 78 | purpose of conducting business, exercising powers, and all other
 79 | purposes. Notices of election shall be given through the Office
 80 | of the Secretary of State, as provided by the general laws of
 81 | the state. Members of the St. Johns ~~St. Augustine~~ ~~St. Johns~~
 82 | County Airport Authority board shall be identified on such board
 83 | by numbered groups, and candidates for election to such board
 84 | shall qualify in particular groups, and otherwise as provided by
 85 | the laws of the state.

86 | (4) The St. Johns ~~St. Augustine~~ ~~St. Johns~~ County Airport
 87 | Authority is empowered to employ an executive director, a legal
 88 | counsel, and other such permanent or temporary employees,
 89 | including, but not limited to, technical experts, secretaries,
 90 | and clerical help, as may be needed to operate the Authority.
 91 | The St. Johns ~~St. Augustine~~ ~~St. Johns~~ County Airport Authority
 92 | board is empowered to determine the qualifications, duties, and
 93 | compensation of said employees, the compensation to be fixed by
 94 | resolution of the members of the board and to be paid from the
 95 | income of the Authority.

96 | (5) The St. Johns ~~St. Augustine~~ ~~St. Johns~~ County Airport
 97 | Authority as hereby created is authorized and empowered to own
 98 | and acquire property by purchase, lease, lease-purchase, eminent
 99 | domain, gift, or transfer from the City of St. Augustine, the
 100 | United States of America, the State of Florida, or any agencies

101 thereof, and other entities or individuals, and to acquire,
102 construct, maintain, and operate airport facilities, warehouses,
103 hangars, repair facilities, seaplane bases, and all other
104 facilities incident to the operation of airport facilities for
105 both foreign and domestic air transportation, either by land
106 planes or seaplanes, including multimodal transportation
107 facilities which interconnect with the airport facility. The
108 Authority is authorized and empowered to own, acquire, and
109 operate airplanes, seaplanes, and lighter-than-air craft, and to
110 engage in instruction in aviation, research in aeronautical
111 fields, and promotion of aeronautical development. Property of
112 the St. Johns ~~St. Augustine-St. Johns~~ County Airport Authority
113 may be utilized for purposes which are not related to aviation.

114 (6) The St. Johns ~~St. Augustine-St. Johns~~ County Airport
115 Authority is authorized and empowered to conduct activities
116 necessary to create and support a multimodal transportation
117 system to interconnect with and support the airport activities
118 and to serve the district and the region.

119 (7) The St. Johns ~~St. Augustine-St. Johns~~ County Airport
120 Authority shall have the right and power of eminent domain over
121 real and personal property and to maintain eminent domain
122 proceedings in the form and in the manner as prescribed by the
123 general laws of the state, provided that the power of eminent
124 domain shall be exercised to carry out the purposes of this act.

125 (8) The St. Johns ~~St. Augustine~~ ~~St. Johns~~ County Airport
126 Authority is authorized and empowered to enter into contracts
127 with any individual, corporation, or political subdivision or
128 agency of the state, and the United States of America, and to
129 enter into operating contracts or leases for facilities owned by
130 the Authority and any and all other contracts for furthering the
131 business, operation, and maintenance of the facilities as herein
132 provided, including the right to lease any or all airport
133 facilities and appurtenances to individuals, corporations, or
134 government entities. The Authority is further authorized to fix
135 and revise from time to time rates, fees, and other charges for
136 the use of and for the services furnished or to be furnished by
137 any airport facility owned or operated by the Authority. Such
138 rates, fees, and charges shall be fixed and revised so that the
139 revenues of the Authority, together with any other available
140 funds, will be sufficient at all times:

141 (a) To pay the costs, including salaries, for maintaining,
142 operating, and repairing the airport facilities owned or
143 operated by the Authority, including reserves for such purposes.

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

148

149 Notwithstanding any of the foregoing provisions of this section,
150 the Authority may enter into contracts relating to the use of or
151 for the services furnished or to be furnished by any airport
152 facility, which contracts shall not be subject to revision
153 except in accordance with the terms of such contracts.

154 (9) Within the limits of its budget, the St. Johns County
155 ~~St. Augustine-St. Johns~~ Airport Authority is authorized to
156 borrow money and give its notes as evidence of indebtedness
157 therefor in order to carry out the purposes and authorizations
158 of this act.

159 (10) To carry out the purposes of this act, the Authority
160 is authorized, for the purpose of construction, acquiring,
161 paying for, and improving its properties and facilities, to
162 raise moneys by the issuance and sale of revenue bonds or
163 certificates or general obligation bonds or combined revenue and
164 general obligation bonds.

165 (a) Revenue bonds or certificates issued pursuant to this
166 act shall be payable from and secured by a pledge of all or any
167 part of the income, rents, and revenues derived by the Authority
168 from any of its properties or facilities now or hereafter owned
169 or operated by the Authority. The Authority may further pledge
170 its full faith and credit and taxing power for the payment of
171 such revenue bonds or certificates to the full extent that the
172 revenues derived from the operation of the properties and
173 facilities of the Authority are insufficient for the payment of

174 the principal of and interest on and reserves for such revenue
175 bonds or certificates, provided that the issuance of such
176 revenue bonds or certificates, if the full faith and credit of
177 the Authority are pledged therefor, have been first approved by
178 the qualified electors residing in the district in the manner
179 provided in Section 12 of Article VII of the State Constitution.

180 (b) The Authority may also issue its general obligation
181 bonds for the purposes aforesaid and may pledge its full faith
182 and credit and taxing power for the payment of the principal of
183 and interest on said bonds and reserves therefor as the same
184 become due, provided that the issuance of such general
185 obligation bonds has been first approved by the qualified
186 electors residing in the district in the manner provided in
187 Section 12 of Article VII of the State Constitution.

188 (c) Any bond election of the qualified electors residing
189 in the district shall be called and held in the manner provided
190 in the applicable Florida Statutes for the holding of bond
191 elections.

192 (d) After the issuance of any revenue bonds, which are
193 additionally secured by the full faith and credit of the
194 Authority as provided above, or of any general obligation bonds,
195 the Authority shall have the power and shall be irrevocably
196 obligated to levy ad valorem taxes on all taxable property
197 within the district to the full extent necessary to pay the
198 principal of and interest on and reserves for any general

199 obligation bonds issued, as the same mature and become due, and
200 to pay the principal of and interest on and reserves therefor
201 due on any revenue bonds or certificates to the full extent that
202 the revenues derived from the operation of the Authority's
203 properties and facilities are insufficient for the payment
204 thereof.

205 (e) Any of said revenue bonds or certificates or general
206 obligation bonds may be authorized by resolution or resolutions
207 adopted by the Authority, which may be adopted at the same
208 meeting at which they are introduced, by a majority of all the
209 members of the Authority then in office and need not be
210 published or posted. The bonds shall bear interests at the rate
211 or rates allowable by general law, may be in one or more series,
212 may bear such date or dates, may mature at such time or times
213 not exceeding 40 years from their respective dates, may be
214 payable in such medium of payment, at such place or places
215 within or without the state, may carry such registration
216 privileges, may be subject to such terms or prior redemption,
217 with or without premium, may be executed in such manner, may
218 contain such terms, covenants, and conditions, and may be in
219 such form, all as such resolution or subsequent resolutions
220 shall provide. The bonds may be sold or exchanged for refunding
221 bonds or delivered to contractors in payment for any part of the
222 works or improvements financed by such bonds, or delivered in
223 exchange for any properties, either real, personal, or mixed,

224 including franchises, to be acquired for such works or
225 improvements, all at one time or in blocks from time to time, in
226 such manner and at such price or prices, as the board of the
227 Authority in its discretion shall determine and in accordance
228 with Florida Statutes.

229 (f) Pending the preparation of the definitive bonds,
230 interim certificates or receipts or temporary bonds in such form
231 and with such provisions as the Authority board may determine
232 may be issued to the purchaser or purchasers of the bonds issued
233 hereunder. The bonds and such interim certificates or receipts
234 or temporary bonds shall be fully negotiable and shall be and
235 constitute negotiable instruments within the meaning of and for
236 all purposes of the law merchant and the negotiable-instruments
237 law of the state.

238 (g) Said bonds may be issued to refund any obligations
239 therefor issued pursuant to this act or any other law to finance
240 the construction or acquisition of properties or facilities of
241 the Authority at or before the maturity of such outstanding
242 obligations, or for the combined purposes of refunding such
243 outstanding obligations and the construction or acquisition of
244 properties or facilities of the Authority.

245 (h) In the event the Authority issues revenue bonds or
246 certificates, whether payable from the revenues of the
247 properties and facilities of the Authority or secured by a
248 pledge of the full faith and credit of the Authority as provided

249 | above, the Authority may make valid and legally binding
250 | covenants with the holders of said revenue bonds or certificates
251 | as to the purposes for which the proceeds of the revenue bonds
252 | or certificates may be applied and the securing, use, and
253 | disposition thereof; the creation and maintenance of reserve
254 | funds, the fixing, establishing, collection, and maintenance of
255 | fees, rentals, or other charges for the use of the services and
256 | facilities of the Authority; limitations or restrictions on the
257 | issuance of additional revenue bonds or other certificates
258 | payable from the revenues derived from the properties and
259 | facilities of the Authority; the appointment of a trustee to
260 | hold and apply any funds of the Authority; the appointment of a
261 | receiver upon default of the Authority in the payment of the
262 | principal of or interest on any such revenue bonds or
263 | certificates or in the performance of any covenants relating
264 | thereto; and such other and additional covenants as is deemed
265 | necessary and desirable for the security of the holders of such
266 | revenue bonds or certificates issued pursuant to this act.

267 | (i) All revenue bonds or certificates and general
268 | obligation bonds issued hereunder shall be and constitute legal
269 | investments for saving banks, banks, trust companies, executors,
270 | administrators, trustees, guardians, and other fiduciaries and
271 | for any board, body, agency, or instrumentality of the state, or
272 | of any county, municipality, or other political subdivision of
273 | the state, and shall be and constitute securities which may be

274 deposited by any bank or trust company as security for the
275 deposit of state, county, municipal, and other public funds.

276 (j) All property of and all revenues derived from the
277 properties and facilities of the Authority shall be exempt from
278 all taxation by the state or by any county, municipality, or
279 other political subdivision thereof. Revenue bonds or
280 certificates and general obligation bonds issued pursuant to
281 this act, shall, together with the income therefrom, be exempt
282 from all taxation by the state, or by any county, municipality,
283 or other political subdivision thereof.

284 (k) Whenever any debt has been incurred or bonds have been
285 issued by the St. Johns ~~St. Augustine-St. Johns~~ County Airport
286 Authority, the board shall determine annually by resolution the
287 amount necessary to be raised by taxation for the payment of
288 principal of and interest on any indebtedness or bonds maturing
289 in such year for such purposes. A certified copy of the
290 resolution shall be filed annually with the Board of County
291 Commissioners of St. Johns County and the board of county
292 commissioners shall order annually the property appraiser to
293 assess property in the district sufficient to pay the principal
294 of and interest on any indebtedness in said year, together with
295 any delinquency for prior years. The board of county
296 commissioners shall order annually the property appraiser to
297 assess and the tax collector to collect such other taxes as may
298 be certified to the board of county commissioners by the board

299 of the Authority, as authorized by provisions of this act for
 300 other purposes.

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

305 (12) The St. Johns ~~St. Augustine~~ ~~St. Johns~~ County Airport
 306 Authority shall have no power or authority to bind or commit the
 307 City of St. Augustine, a municipal corporation, in any manner
 308 directly or indirectly and the City of St. Augustine shall not
 309 be liable or responsible in any manner for any of the debts,
 310 liabilities, obligations, acts, or omissions of the St. Johns
 311 ~~St. Augustine~~ ~~St. Johns~~ County Airport Authority, or any of its
 312 officers or employees. All persons dealing with the Authority
 313 are hereby charged with full notice of this limitation of its
 314 powers.

315 (13) The fiscal year of the St. Johns ~~St. Augustine~~ ~~St.~~
 316 ~~Johns~~ County Airport Authority shall be the same as that of St.
 317 Johns County, being October 1 to September 30 of each year. The
 318 St. Johns ~~St. Augustine~~ ~~St. Johns~~ County Airport Authority shall
 319 maintain acceptable books of account reflecting all income and
 320 expenditures and said books shall be open to reasonable public
 321 inspection.

322 (a) In addition, the St. Johns ~~St. Augustine~~ ~~St. Johns~~
 323 County Airport Authority shall prepare a budget on or before the

324 first day of each fiscal year, and no money shall be spent or
 325 obligations incurred by the board or Authority except in
 326 accordance with the terms of the budget.

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

331 (14) St. Johns County and the City of St. Augustine are
 332 empowered to appropriate and contribute to the St. Johns St.
 333 ~~Augustine St. Johns~~ County Airport Authority such sums of money
 334 for the operating expenses of the Authority as the commission of
 335 the city or the county may from year to year determine
 336 necessary. Such sums of money so appropriated and contributed by
 337 the city or the county shall be paid to the St. Johns St.
 338 ~~Augustine St. Johns~~ County Airport Authority upon its
 339 requisition. The City of St. Augustine and St. Johns County are
 340 further authorized to convey by sale, lease, or gift any city-
 341 owned or county-owned properties that the city or county deems
 342 appropriate to convey to the Authority.

343 (15) The St. Johns St. ~~Augustine St. Johns~~ County Airport
 344 Authority shall, with the consent of the City Commission of St.
 345 Augustine, evidenced by resolution of the commission, exercise
 346 any powers relating to aviation conferred upon municipalities by
 347 general law, including the provisions of chapter 332, Florida
 348 Statutes, known as the Airport Act of 1945.

HB 787

2021

349 | Section 2. This act shall take effect upon becoming a law. |