

## House Bill No. 1387

An act relating to the Putnam County Development Authority; providing for codification of the authority's special acts; amending, codifying, and reenacting the authority's special acts; providing for membership of the authority; authorizing the County of Putnam and its incorporated municipalities to contract with the authority; prescribing the authority's powers and duties, including the power to issue and validate revenue anticipation certificates; repealing all prior special acts relating to the Putnam County Development Authority; 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 Putnam County Development Authority. It is the intent of the Legislature in enacting this law to provide a single, comprehensive special act charter for the Authority, including all current legislative authority granted to the Authority by its several legislative enactments and any additional authority granted by this act.

Section 2. Chapters 61-2727, 69-1522, 78-606, and 81-478, Laws of Florida, are amended, codified, reenacted, and repealed as herein provided.

Section 3. The charter for the Putnam County Development Authority is re-created and reenacted to read:

Section 1. Popular Name.—This act may be cited by the popular name "Putnam County Development Authority."

Section 2. Definitions.—When used in this act, the following words and terms, unless a different meaning appears clearly from the context, shall have the following meanings:

(1) "Authority" means the Putnam County Development Authority created by this act.

(2) "Project" means and includes the acquisition of lands, properties, and improvements for development, expansion, and promotion of industry, commerce, agriculture, natural resources, recreation, transportation (including airports and river ports), and vocational training and the construction of buildings and plants for the purpose of selling, leasing, or renting such structures to private persons, firms, or corporations.

(3) "Cost of project" embraces the cost of construction, the cost of all lands, properties, easements, rights, and franchises acquired, the cost of machinery and equipment, financing charges, interest prior to and during construction, the cost of engineering, architectural and legal expense, and plans and specifications and other expenses necessary or incident to determining the feasibility or practicability of the project, administrative ex-

penses, and such other expenses as may be necessary or incident to the financing herein authorized for the construction of any project and placing the same in operation.

Section 3. Authority; Creation and Purpose.—For the purpose of performing such acts as are necessary for the sound development of Putnam County, there is created a body corporate and politic to be known as the Putnam County Development Authority, which is deemed to be a public corporation by that name, which body may contract and be contracted with and sue and be sued in all courts of law and equity.

Section 4. Membership; Appointment; Term of Office.—The Authority shall be composed of nine members and shall be selected as follows: three members of the board of county commissioners, three members of the City Commission of the City of Palatka, the Clerk of the Circuit Court of Putnam County, the Mayor of the Town of Interlachen, and the Mayor-commissioner of the City of Crescent City. The three members of the board of county commissioners shall be designated by and serve at the pleasure of the chair of the board of county commissioners, and the three members of the City Commission of the City of Palatka shall be designated by the mayor of the city.

Section 5. Officers.—The Authority shall elect from its membership at its organizational meeting, and annually thereafter, a chair, vice chair, secretary, treasurer, and any other officers deemed necessary.

Section 6. Quorum; Transaction of Business.—Any five members shall constitute a quorum for the transaction of the ordinary business of the Authority. However, any action with respect to any project of the Authority must be approved by not less than 5 affirmative votes. No business shall be transacted except at regularly called meetings and duly recorded in the minutes thereof.

Section 7. Compensation; Travel Expenses.—Members of the Authority shall serve without compensation but may be reimbursed for travel expenses incurred in the performance of their duties as members of the Authority.

Section 8. Authority of County and Cities to Contract.—Putnam County and all incorporated cities therein are expressly authorized to enter into contracts with the Authority as a public corporation.

Section 9. Powers and Duties.—The Putnam County Development Authority shall have the following powers:

- (1) To have a seal and alter the same at its pleasure.
- (2) To acquire, hold, and dispose of personal property, including stock of other corporations, for its corporate purposes.
- (3) To enter into contracts with the County of Putnam and all incorporated cities therein.
- (4) It shall acquire from the county, and Putnam County shall transfer to the Authority, the lands given to the county by Loveland and Tanner, Inc.,

for an industrial park by agreement dated September 30, 1960, and recorded in the official records of Putnam County, book 62, pages 348, 349, and 350, item 34,801, on December 19, 1960, and the Authority shall hold such lands for the purposes of this act and to administer same as provided in subsection (5).

(5) To acquire in its own name by purchase, gift, or otherwise, on such terms and conditions and in such manner as it may deem proper, real property or liens or easements therein or franchises necessary or convenient for its corporate purposes, and to use the same, and to lease or make contracts with respect to the use or disposition of same, in any manner the Authority deems to be its best advantage. If the Authority deems it expedient to construct any project, or use any project already constructed, on lands the title to which shall then be in the County of Putnam or any of one of its incorporated cities, the governing authorities of such county and cities are authorized, in their discretion, to convey title to such lands, including any improvements thereon, to the Authority.

(6) To select and appoint agents and employees, including engineers, architects, builders, and attorneys, and to fix their compensation.

(7) To make contracts, and to execute all instruments necessary or convenient, including contracts for construction, lease, rental, and sale of projects or contracts with respect to the use of projects which it erects or acquires.

(8) To construct, erect, acquire, own, repair, remodel, maintain, extend, improve, equip, operate, and manage projects, self-liquidating or otherwise, located on property owned or leased by the Authority, and to pay the cost of any such projects from the proceeds of revenue-anticipation certificates of the Authority or from any grant from Putnam County or any of the incorporated cities therein, or from any grant from the state, or from any contribution or loan by persons, firms, or corporations, all of which the Authority is hereby authorized to receive, accept, and use.

(9) To borrow money for any of its corporate purposes and to execute notes, mortgages, deeds to secure debt, trust deeds, and such other instruments as may be necessary or convenient to evidence and secure such borrowing.

(10) To exercise any power granted by the laws of the state to public or private corporations, performing similar functions, which is not in conflict with the constitution and laws of Florida.

(11) To do all things necessary or convenient to carry out the powers expressly conferred by this act.

(12) To adopt, alter, or repeal its own bylaws, rules, and regulations governing the manner in which its business may be transacted and in which the power granted to it may be enjoyed, as the Authority may deem necessary or expedient in facilitating its business.

(13) To issue revenue-anticipation certificates for the purpose of paying all or any part of the cost of any project of the Authority. Such revenue-

anticipation certificates shall be issued and validated under and in accordance with the applicable provisions of the laws of the state.

(14) To perform such powers and duties as may from time to time be authorized by the Legislature.

(15) To be deemed a "local agency" within the meaning of section 159.27(4), Florida Statutes, and possess all the powers of a local agency under part II of chapter 159, Florida Statutes; without limiting the generality of the foregoing, projects financed by the Authority under part II of chapter 159, Florida Statutes, need not be located on property owned or leased by the Authority, and bonds issued by it pursuant to part II of chapter 159, Florida Statutes, need not be validated under chapter 75, Florida Statutes.

Section 10. Creation of State and County Debts Prohibited.—The Authority shall not be empowered in any manner to create a debt against the state, the County of Putnam, or any of the incorporated cities therein.

Section 11. Audit.—The books and records of the Authority shall be audited at least annually, at the expense of the Authority, by a competent auditor. The Authority shall furnish copies of said audit to the Board of County Commissioners of Putnam County.

Section 12. Construction.—This act, being for the purpose of developing and promoting the public good and the welfare of Putnam County and the incorporated cities therein and their inhabitants, shall be liberally construed to effect the purposes thereof.

Section 13. Severability.—If any section, subsection, sentence, clause, or provision of this act is held invalid, the remainder of the act shall not be affected.

Section 4. Chapters 61-2727, 69-1522, 78-606, and 81-478, Laws of Florida, are repealed.

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

Approved by the Governor June 10, 2003.

Filed in Office Secretary of State June 10, 2003.