

RESOLUTION NO.: 86-38

A RESOLUTION OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, FINDING AND DECLARING THAT THERE IS A NEED FOR AN EDUCATIONAL FACILITIES AUTHORITY TO FUNCTION IN ST. JOHNS COUNTY; MAKING FINDINGS THAT THE YOUTH OF ST. JOHNS COUNTY DO NOT HAVE THE FULLEST OPPORTUNITY TO LEARN AND TO DEVELOP THEIR INTELLECTUAL AND MENTAL CAPACITIES BECAUSE THERE IS A SHORTAGE OF EDUCATIONAL FACILITIES OR PROJECTS AT THE INSTITUTIONS FOR HIGHER EDUCATION LOCATED WITHIN THE COUNTY; ACTIVATING THE AUTHORITY PURSUANT TO PART II OF CHAPTER 243, FLORIDA STATUTES; NAMING MEMBERS OF THE AUTHORITY AND THEIR TERMS; REQUIRING THE MEMBERS TO TAKE AN OATH; REQUIRING THE APPOINTMENT OF AN EXECUTIVE DIRECTOR; LISTING CERTAIN POWERS OF THE AUTHORITY, PURSUANT TO PART II, CHAPTER 243, FLORIDA STATUTES; PROVIDING FOR PAYMENT OF BONDS ISSUED BY THE AUTHORITY.

WHEREAS, the Florida Legislature has created in each county a local governmental body as a public body corporate and politic to be known in each county as said county's Educational Facilities Authority; and,

WHEREAS, such Educational Facilities Authority cannot transact any business or exercise any power until the Board of County Commissioners of such county passes an ordinance or resolution declaring that there is a need for an authority to function in such county; and,

WHEREAS, the Board of County Commissioners of St. Johns County at its regular meeting held on March 25, 1986, found and determined that there is a need for an Educational Facilities Authority to function in St. Johns County;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

Section 1. It is hereby found and determined that the youth of St. Johns County and the State of Florida do not have the fullest opportunity to learn and to develop their intellectual and mental capacities because there is a shortage of educational facilities or projects at the institutions for higher education located within St. Johns County.

Section 2. There is a need for an Educational Facilities Authority to function in St. Johns County.

Section 3. There is hereby activated by this Resolution an Educational Facilities Authority to be known as the ST. JOHNS COUNTY EDUCATIONAL FACILITIES AUTHORITY, which Authority shall have the powers and duties conferred and described in the Higher Educational Facilities Authority's Law, the "Act", being Part 2 of Chapter 243 of the Florida Statutes, as amended, from time to time.

Section 4. The following five (5) persons shall serve as members of the St. Johns County Educational Facilities Authority for the initial term indicated after such person's name, and in each case, until his successor is appointed and has qualified:

(a) Dr. William J. McClure shall serve for one (1) year.

(b) Mr. A. J. "Drew" DuPont, Jr. shall serve for two (2) years.

(c) Mr. John W. Daniels shall serve for three (3) years.

(d) Mrs. Linda Whittington shall serve for four (4) years.

(e) Mr. Jack Lakes shall serve for five (5) years.

Each member of this Authority before entering upon his or her duties, shall take and subscribe the oath or affirmation required by the State Constitution; thereafter, a record of such oath shall be filed with the Department of State and with the Clerk of the Board of County Commissioners of St. Johns County.

Section 5. Future members of the St. Johns County Educational Facilities Authority may be appointed by resolution of the Board of County Commissioners of St. Johns County.

Section 6. It is hereby found that Dr. William J. McClure, is a trustee, director, officer or employee of an institution for higher education as defined by the Higher Educational Facilities Authorities Law, that is located in St. Johns County.

Section 7. It is hereby found that Mr. A. J. "Drew" DuPont, Jr., is a lay citizen who does not derive a majority of his income from education or education related fields.

Section 8. It is hereby found that Mr. John W. Daniels and Mrs. Linda Whittington are part of the commercial financial community in St. Johns County and each has a favorable reputation for skill, knowledge, and experience in the field of state and municipal finance.

Section 9. It is hereby found that Mr. Jack Lakes is part of the commercial, financial or educational community in the State of Florida and has a favorable reputation for skill, knowledge, and experience in the financing of projects for institutions for higher education.

Section 10. The St. Johns County Educational Facilities Authority shall appoint an executive director who shall not be a member of the Authority, and who shall serve at the pleasure of the Authority and receive such compensation as shall be fixed by the authority.

Section 11. The members of the St. Johns County Educational Facilities Authority shall receive no compensation for the performance of their duties hereunder but each such member shall be paid his or her necessary expenses incurred while engaged in the performance of such duties, which expenses, if any, may be paid from bond proceeds, if any, as an expense of issuance.

Section 12. That among the powers so specified in the Higher Educational Facilities Authorities Law are the powers to issue revenue bonds, loan bond proceeds to institutions for higher education projects as defined in the Act, and to enter into contracts for any and all purposes described in the Act.

Section 13. The revenue bonds, if any, issued by the Authority shall not be deemed to constitute a debt or liability of the State of Florida or St. Johns County or a pledge of the faith and credit of the State or County, but shall be payable solely from revenues collected by the authority.

Section 14. All such revenue bonds, if any, issued by such Authority shall contain on the face thereof a statement to the effect that neither the State of Florida, nor the Authority shall be obligated to pay the same or the interest thereon except from revenues of the project or the portion thereof for which they are issued and that neither the faith and credit nor the taxing power of the State or of any political subdivision thereof is pledged to the payment of the principal of or the interest on such bonds.

PASSED in open session of the Board of County Commissioners of St. Johns County, Florida, this 25 day of March, 1986.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

Francis McBratner
Chairman

ATTEST: CARL "BUD" MARKEL, CLERK

By: Cheryl Kent
Deputy Clerk