

RESOLUTION 2019- 71

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, REPEALING ST. JOHNS COUNTY RESOLUTION 2011-94; DISSOLVING THE ST. JOHNS COUNTY EDUCATIONAL FACILITIES AUTHORITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AND EFFECTIVE DATE.

WHEREAS, Section 243.21, Florida Statutes, creates an Educational Facilities Authority in each Florida county and provides that each said authority shall not be authorized to conduct business until the adoption of an ordinance or resolution by the Board of County Commissioners determining that there is a need for educational facilities in the County; and

WHEREAS, the St. Johns County Board of County Commissioners adopted St. Johns County Resolution 2011-94, which activated the St. Johns County Educational Facilities Authority for the purpose of assisting institutions for higher education in the construction, financing, and refinancing of projects; and

WHEREAS, Resolution 2011-94 provided for initial membership of the Educational Facilities Authority and also provided that future members would be appointed by resolution of the Board of County Commissioners; and

WHEREAS, all seats on the Educational Facilities Authority are currently vacant; and

WHEREAS, the Educational Facilities Authority has not taken any formal action since 2011; and

WHEREAS, as of the date of this resolution, there is no longer a need for an Educational Facilities Authority within the County; and

WHEREAS, as of the date of this resolution, any fund balance remaining within the Educational Facility Authority shall revert back to the Board of County Commissioners of St. Johns County.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY:

Section 1. The above recitals are incorporated into the body of this resolution and are adopted as findings of fact.

Section 2. The Board of County Commissioners hereby repeals St. Johns County Resolution 2011-94 and dissolves the St. Johns County Educational Facilities Authority.

Section 3. The Board of County Commissioners authorizes final payment to be made from the Educational Facilities Authority to W.H. O'Connell & Associates, P.A. for services rendered preparing final documents related to the dissolution of the Educational Facilities Authority.

Section 4. To the extent that there are typographical or administrative errors that do not change the tone, tenor, or context of this resolution, this resolution may be revised without subsequent approval of the Board of County Commissioners.

Section 5. This resolution shall be effective upon adoption by the Board of County Commissioners.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 5 day of March, 2019.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

By: Paul M. Waldron
Paul M. Waldron, Chair

ATTEST: Hunter S. Conrad, Clerk of Court

By: Pam Hatterman
Deputy Clerk

RENDITION DATE 3/8/19



A RESOLUTION PERTAINING TO EDUCATION IN ST. JOHNS COUNTY; CREATING A ST. JOHNS COUNTY EDUCATIONAL FACILITIES AUTHORITY; PROVIDING FINDINGS; SETTING FORTH THE AUTHORITY OF THE ST. JOHNS COUNTY EDUCATIONAL FACILITIES AUTHORITY; PROVIDING FOR ACTIVATION OF THE ST. JOHNS COUNTY EDUCATIONAL FACILITIES AUTHORITY; SETTING FORTH THE PURPOSE AND POWERS OF THE ST. JOHNS COUNTY EDUCATIONAL AUTHORITY; PROVIDING FOR MEMBERSHIP; REQUIRING THE APPOINTMENT OF EXECUTIVE DIRECTOR; PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST.

JOHNS COUNTY:

Section 1. Short Title. This Resolution shall be known as the “St. Johns County Educational Facilities Authority Resolution.”

Section 2. Findings. The St. Johns County Board of County Commissioners (the “Board”) hereby makes the following findings of fact:

a. Part II, Chapter 243, Florida Statutes, the “Higher Educational Facilities Authorities Law: authorizes counties to activate educational facilities authorities;

b. Pursuant to Section 243.21, Florida Statutes, the Board on its own motion, finds that activation of the St. Johns County Educational Facilities Authority is necessary to provide the fullest opportunity for citizens of St. Johns County to develop their intellectual and mental capabilities at institutions for higher education located in St. Johns County.

Section 3. Authority. This Resolution is enacted pursuant to the authority granted the Board in the Higher Educational Facilities Authorities Law.

Section 4. Activation of Authority. Pursuant to Section 243.21, Florida Statutes, there is hereby activated the St. Johns County Educational Facilities Authority (the “Authority”).

Section 5. Purpose and Powers. The purpose of the Authority is to assist institutions for higher education in the construction, financing, and refinancing of projects, and for this purpose the Authority is authorized and empowered to implement the powers enumerated in Section 243.22, Florida Statutes.

Section 6. Membership. The Authority shall be composed of six (6) members. The initial members shall consist of the members of the St. Johns County Industrial Development Authority (St. Johns County IDA) together with a sixth member who shall be a trustee, director, officer, or employee of an institution of higher education located within St. Johns County to be appointed by the Board. The initial members who are members of the St. Johns County Industrial Development shall serve for terms of one (1) year, two (2) years, three (3) years and for (4) years with the member whose term of office on the Industrial Development Authority shall be the earliest to expire serving for one year, the to expire in two (2) years, the next to expire in three (3) years and the next to expire in four (4) years. The two remaining members shall serve for a period of five years. Kenneth Russom is hereby appointed to serve an initial term of five (5) years. The terms of succeeding members shall be provided in Section 243.21, Florida Statutes. Appointments or reappointments shall take place as provided by general law.

Section 7. Future Members. 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 8. Appointment of Executive Director. 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 and may be the Executive of the St. Johns County IDA.

Section 9. Member Compensation. 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 10. Powers of Members. Among the powers so specified in the Higher Education 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 purposed described in the Act.

Section 11. Bond. 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 12. Obligation to Pay. 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, St. Johns County, nor the Authority shall be obligated to pay the same or the interest thereon except from revenues and proceeds pledged therefore and that neither the faith and credit not 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.

Section 13. Effective Date. This Resolution shall take effect pursuant to general law.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 19th day of April, 2011.

ATTESTED: CHERYL STRICKLAND, CLERK

By: Pam Halterman
Deputy Clerk

Effective Date: 4/19/11

ST. JOHNS COUNTY BOARD
OF COUNTY COMMISSIONERS

By: J. Ken Bryan
J. Ken Bryan, Chairman

Rendition Date: 04/21/11

