

INTRODUCED BY: COMMISSIONER CURTAN

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA, DECLARING THE NEED FOR A HOUSING FINANCE AUTHORITY TO FUNCTION IN ST. JOHNS COUNTY, FLORIDA, CREATING AND ESTABLISHING THE HOUSING FINANCE AUTHORITY OF ST. JOHNS COUNTY, FLORIDA; PROVIDING FOR THE EXERCISE OF POWERS BY THE AUTHORITY; PROVIDING FOR OPERATIONS BY THE AUTHORITY WITHIN THE OUTER BOUNDARIES OF ST. JOHNS COUNTY; REQUIRING A RESOLUTION TO ACTIVATE THE AUTHORITY; PLACING CERTAIN RESTRICTIONS ON THE AUTHORITY; PROVIDING FOR CHANGES TO THE AUTHORITY'S ACTIVITIES; PROVIDING FOR MEMBERSHIP TO THE AUTHORITY; PROVIDING FOR THE ISSUANCE OF REVENUE BONDS; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida enacted the "Florida Housing Finance Act" providing for the creation of Housing Authorities, providing for issuance of revenue bonds and providing other powers and functions; and

WHEREAS, the Board of County Commissioners of St. Johns County has held public workshops and meetings and has heard testimony concerning the need for a Housing Finance Authority,

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

Section 1. That the Board of County Commissioners of St. Johns County, Florida hereby finds and declares that there is a shortage of housing and rentals, hereinafter referred throughout this ordinance as housing, which many persons cannot afford, and a shortage of capital for investment in such housing within the outer boundaries of St. Johns County. This shortage of housing is a threat to the health, safety, morals, and welfare of the residents of the County, deprives the County of an adequate tax base and causes the County to make excessive expenditures for crime prevention and control of public health, welfare and safety.

Section 2. That the Board of County Commissioners further finds and declares that such shortage cannot be relieved except through the encouragement of investment by

private enterprise and the stimulation of construction and rehabilitation of housing through the use of public financing.

Section 3. That the Congress of the United States has, by the enactment of amendments to the Internal Revenue Code of 1954, found and determined that housing may be financed by means of obligations issued by any state or local governmental unit, the interest on which obligations is exempt from federal income taxation, and has thereby provided a method to aid state and local governmental units to provide assistance to meet the need for housing.

Section 4. That the provisions of this Ordinance are found and declared to be necessary in the public interest as a matter of legislative and executive determination.

Section 5. That the Board of County Commissioners of St. Johns County hereby finds and declares that there is a strong need for a housing finance authority in St. Johns County, Florida to function to alleviate the shortage of housing and capital for investment in housing within the outer boundaries of St. Johns County.

Section 6. There is hereby created a separate public body corporate and politic to be known as the Housing Finance Authority of St. Johns County, Florida, to function within the outer boundaries of St. Johns County, Florida, and which shall carry out only the powers granted in the Florida Housing Finance Authority Law and this ordinance as either may be amended from time to time.

Section 7. The Housing Finance Authority of St. Johns County, Florida, shall not transact any business or exercise any powers under the Florida Housing Finance Authority Law until the Board of County Commissioners of St. Johns County, Florida passes a resolution declaring the need for said housing finance authority to function to alleviate a shortage of housing and capital for investment in housing in St. Johns County.

Section 8. That the Housing Finance Authority of St. Johns County, Florida hereby created, upon passage of the above-described resolution, may transact business and perform duties and exercise all the powers authorized and empowered by the Florida Housing Finance Authority Law, except such duties

and powers as may specifically be restricted, withheld or withdrawn by provisions of this ordinance as amended from time to time. The Authority shall have the power to make and issue such regulations, by-laws and rules as it deems necessary to implement its powers and functions.

Section 9. The Authority shall have the power and is hereby directed to operate within the outer territorial boundaries of St. Johns County.

Section 10. The County may at any time, through its Board of County Commissioners, and at its sole discretion, alter or change the structure, organizations, programs or activities of the Authority, including terminating the Authority, subject to any limitation on the impairment of contracts entered into by the Authority and subject to the limitations or requirements of the Florida Housing Finance Authority Act.

Section 11. Any bonds to be issued and sold by the Authority shall first be approved by resolution of the Board of County Commissioners both as to documents and method of sale.

Section 12. Any rules or regulations to be promulgated by the Authority setting forth standards or criteria for determining whether persons are "eligible persons" in the program shall be submitted to and approved by the Board of County Commissioners.

Section 13. The number of members of the Housing Finance Authority of St. Johns County and their qualifications shall be as determined in the Florida Housing Finance Authority Law, as amended from time to time. The members shall be appointed by Resolutions of the Board of County Commissioners of St. Johns County, Florida. Each member of the Authority shall take and subscribe the oath or affirmation required by the State Constitution. A record of each such oath shall be filed in the Office of the Secretary of State and with the County Clerk. A certificate of the appointment or reappointment of any member of the Housing Finance Authority shall be filed with Clerk of the Circuit Court of St. Johns County. A member shall receive no compensation for his services, but shall be entitled to necessary expenses, including traveling expenses,

incurred in the discharge of his duties.

Section 14. This ordinance shall constitute the charter of the Florida Housing Finance Authority of St. Johns County.

Section 15. If any section, subsection, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision; and such holding shall not affect the validity of the remaining portions hereof.

Section 16. This ordinance shall take effect immediately upon receipt of official acknowledgment by the Office of the Secretary of State to the Clerk of the Board of County Commissioners, that same has been filed.

PASSED by the Board of County Commissioners of St. Johns County, Florida, this 26th day of February, 1980.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Chester Benet
Its Chairman

ATTEST:

By: Mario Hudson, Deputy Clerk
for its Clerk, OLIVER LAWTON



Adopted: regular meeting 2/26/80

Effective: 3-6-80

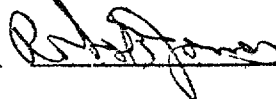
The St. Augustine Record

PUBLISHED EVERY AFTERNOON EXCEPT SUNDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA, }
COUNTY OF ST. JOHNS }

Before the undersigned authority personally appeared _____
Robert E. James who on oath says that he is
Advertising Manager of the St. Augustine Record, a
daily newspaper published at St. Augustine in St. Johns County, Florida;
that the attached copy of advertisement, being a Legal Notice
Board of County Commissioners Meeting
_____ in the matter of _____
Housing Finance Authority
_____ in the _____ Court,
was published in said newspaper in the issues of _____
January 25, 1980

Affiant further says that the St. Augustine Record is a newspaper
published at St. Augustine, in said St. Johns County, Florida, and that the
said newspaper has heretofore been continuously published in said St.
Johns County, Florida, each day, except Sundays, and has been entered
as second class mail matter at the post office in the City of St. Augustine,
in said St. Johns County, Florida, for a period of one year next preceding
the first publication of the attached copy of advertisement; and affiant
further says that he has neither paid nor promised any person, firm or
corporation any discount, rebate, commission or refund for the purpose
of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me
this 2th day of February 
A.D. 19 80
Michelle M. Lloyd
Notary Public

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULAR MEETING ON FEBRUARY 26, 1980, AT 9:45 O'CLOCK A.M. IN THE COUNTY COMMISSIONERS ROOM, ST. JOHNS COUNTY COURTHOUSE, ST. AUGUSTINE, FLORIDA, WILL HOLD A PUBLIC HEARING TO CONSIDER THE PASSAGE OF THE FOLLOWING ORDINANCE:
AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA, DECLARING THE NEED FOR A HOUSING FINANCE AUTHORITY TO FUNCTION IN ST. JOHNS COUNTY, FLORIDA, CREATING AND ESTABLISHING THE HOUSING FINANCE AUTHORITY OF ST. JOHNS COUNTY, FLORIDA; PROVIDING FOR THE EXERCISE OF POWERS BY THE AUTHORITY;

PROVIDING FOR OPERATIONS BY THE AUTHORITY WITHIN THE OUTER BOUNDARIES OF ST. JOHNS COUNTY; REQUIRING A RESOLUTION TO ACTIVATE THE AUTHORITY; PLACING CERTAIN RESTRICTIONS ON THE AUTHORITY; PROVIDING FOR MEMBERSHIP TO THE AUTHORITY; PROVIDING FOR THE ISSUANCE OF REVENUE BONDS; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE. The proposed Ordinance is on file in the office of the Clerk of the Circuit Court, St. Johns County, Florida, St. Johns County Courthouse, and may be examined by parties interested prior to said public hearing. All parties having any interest in said Ordinance will be afforded an opportunity to be heard at the public hearing.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY FLORIDA
BY: OLIVER LAWTON
Its Clerk
J25L728adv.



Secretary of State

STATE OF FLORIDA
THE CAPITOL
TALLAHASSEE 32304
(904) 488-3680

GEORGE FIRESTONE
SECRETARY OF STATE

FILED

March 4, 1980

'80 MAR -6 AM 11 23

Honorable Oliver Lawton
Clerk of Circuit Court
St. Johns County
Post Office Drawer 300
St. Augustine, Florida 32084

Handwritten signature and stamp: CLERK CIRCUIT COURT

Attention: Marie Hudson, Deputy Clerk

Dear Mr. Lawton:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge:

- 1. Receipt of your letter/s of February 27, 1980 and certified copy/ies of St. Johns County Ordinance/s No./s 80-7
2. Receipt of County Ordinance/s relative to: (a) which we have numbered (b) which we have numbered
3. We have filed this/these Ordinance/s in this office March 4, 1980.
4. The original/duplicate copy/ies showing the filing date is/are being returned for your records.

Cordially,

Handwritten signature of Nancy Kavanaugh and typed name: (Mrs.) Nancy Kavanaugh, Chief, Bureau of Laws

NK/mb