

## CHAPTER 69-1510

## House Bill No. 2791

AN ACT creating and establishing a special district in Polk County, Florida, to be known and designated as the Polk County Industrial Development Authority; defining the territorial boundaries of said district; providing for the governing body of said district and membership thereof; conferring upon said district the authority to encourage and finance industrial development within the district; authorizing said district to issue in the manner provided by general law revenue bonds or other debt obligations to finance the various projects that the district is authorized to undertake; providing for the payment of the expenses of the district out of the general fund of Polk County; providing that the district shall have power to enter into contracts, leases, trust deeds, mortgages and other agreements and to exercise all incidental powers necessary to carry out the purposes of this Act, and providing an effective date.

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

Section 1. For the purpose of performing such acts as shall be necessary for the sound planning for, and development of Polk County, its industry, commerce and business a special district is hereby created and incorporated, to be known as Polk County Industrial Development Authority in Polk County, which said district shall be a public body politic and corporate. The boundaries of said special district shall be the boundaries of Polk County.

Section 2. The Authority shall be composed of nine (9) members, each of whom shall be a resident and freeholder of Polk county. The authority members shall be appointed by the board of county commissioners of Polk County in the following manner and for the following terms: Each member shall serve a term of three (3) years, except that of the members initially appointed, three (3) members shall serve terms of one (1) year, three (3) members shall serve terms of two (2) years and three (3) members shall serve terms of three (3) years. Each member shall serve and continue to hold office until his successor is appointed and qualified. In the event of a vacancy in the office of any member during a term of office, the said board of county commissioners shall appoint a successor for the period of

the unexpired term. Each member shall subscribe and file with the clerk of the circuit court of said county an oath accepting the office of member and binding himself to well and truly perform the duties of the office but no bond shall be required of him as a condition of holding office. The authority may provide for its officers or for each member to be bonded in an amount to be set by the authority and the cost of said bonds shall be a proper authority expense. At least one (1) member of the authority shall reside in each county commissioner district and not more than three (3) members shall reside in the same county commissioner district; except that a change in the district lines during any member's term of office shall not act to divest him of his office until the expiration of his term. All terms of members shall be measured from the date this act becomes a law.

Section 3. Chairman, Vice-Chairman and Administrative Director. The Authority shall appoint its Chairman, A Vice-Chairman, a Secretary, and an Administrative Director who shall serve for such terms as may be designated by the Authority.

Section 4. Quorum, transaction of business. Any five (5) members of the Authority shall constitute a quorum for the transaction of the business of the Authority.

Section 5. Meetings; rules of procedure. As soon as practicable after this act shall take effect, the said Authority shall meet and arrange a time for holding meetings of the Authority, and for such other meetings as shall be necessary, and it may adopt such rules of organization and procedure as it may deem necessary, and determine the duties of its members.

Section 6. Duties. It shall be the duty of such Authority to make a study of the advantages, facilities, resources, products, attractions, attributes, conditions and all other data concerning Polk County with relation to the encouragement of industry to locate in said county, to use such means and media as said Authority deems advisable, to publicize and to make known such data and material to such persons, firms and corporations, agencies and institutions which, in the discretion of said Authority, would reasonably result in encouraging industry to locate in Polk County; to cooperate with any and all other governmental agencies in accomplishing this purpose and to do all other things it deems advisable in its effort to locate a greater amount of

industry in Polk County. The encouragement of industry to locate in Polk County is hereby declared to be a valid district county and public purpose.

Section 7. Expenses; gifts. The Board of County Commissioners of Polk County, Florida, is hereby authorized to pay the expenses of such Authority and the cost of carrying out the purposes of this act out of the general fund of the County. In addition to the funds received from the general fund of the County provided for herein, such Authority shall be empowered and authorized to accept, receive and expend, for carrying out the purposes of this act, such sums as may be offered as gifts, donations, grants or bequests, from any source whatever, specifically including contributions from any municipality, which contributions are hereby authorized.

Section 8. Lease of municipal or county property for industrial purposes. The County Commissioners of Polk County or the governing body of any municipality in Polk County is hereby granted the power to lease or sell for the purposes of this act, any municipal or county-owned property which, in the reasonable discretion of the governing body is not needed for municipal or county purposes.

Section 9. Powers. The Polk County Industrial Development Authority shall have the following powers:

- (1) To have a seal and alter the same at pleasure and to sue and be sued.
- (2) To acquire, hold and dispose of personal and real property for its corporate purposes.
- (3) To make contracts and to execute all instruments necessary or convenient for the purposes of this act.
- (4) 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.

Section 10. For the purpose of financing and refinancing of capital projects for industrial and manufacturing plants including water, sewage, pollution and waste control facilities and all appurtenant facilities for the complete operation thereof the

authority shall have the power to issue revenue bonds or debt obligations payable solely from revenue derived from the sale, operation or leasing of such projects. Such revenue bonds or debt obligations may be authorized, issued and sold in the manner provided by general law for the issuance of revenue bonds by municipalities, counties, special districts or other local governmental bodies.

Section 11. The Authority shall be endowed with and authorized to exercise all the powers in connection with the authorization, issuance and sale of revenue bonds to finance the cost of capital projects conferred on counties, municipalities, special districts and other local governmental bodies by the Florida Industrial Development Financing Act and all of the privileges, benefits, powers and terms including definitions of such act shall be fully applicable to the authority.

Section 12. The powers conferred by this act shall be in addition and supplementary to existing powers and statutes, and this act shall not be construed as repealing any of the provisions of any other law, general or local, except as herein provided, but to provide an alternative for the exercise of the powers granted by this act.

Section 13. Constitutional construction. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

Section 14. Effective date. This act shall take effect immediately upon becoming a law.

Became a law without the Governor's approval.

Filed in Office Secretary of State June 29, 1969.