

Agenda Item No. 6 (a)  
10-1-69

69-72

ORDINANCE NO. \_\_\_\_\_

ORDINANCE CREATING DADE COUNTY  
EDUCATIONAL FACILITIES AUTHORITY  
PURSUANT TO CHAPTER 69-345, LAWS  
OF FLORIDA; PROVIDING THAT NEITHER  
THE FUNDS NOR THE FAITH OR CREDIT  
OF THE COUNTY SHALL BE OBLIGATED  
BY THE AUTHORITY AND PROVIDING  
EFFECTIVE DATE

WHEREAS, the Board of County Commissioners finds that the youth of Dade 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; and

WHEREAS, the Board of County Commissioners declares that there is a need in Dade County for an educational facilities authority as authorized by Chapter 69-345, Laws of Florida,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA:

Section 1. Creation of Authority. Pursuant to Chapter 69-345, Laws of Florida, and upon its own motion, the Board of County Commissioners does hereby create the Dade County Educational Facilities Authority consisting of five members to be appointed by resolution of the County Commission, one of such members shall be a trustee, director or officer of an institution for higher education located in Dade County.

Section 2. Organization of Authority. Of the members first appointed, one shall serve for one year, one for two years, one for three years, one

1. I HEREBY CERTIFY THAT THE ABOVE MICROPHOTOGRAPH IS A TRUE COPY OF THE ORIGINAL DOCUMENT AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS, AND THAT THE PHOTOGRAPHIC REPRODUCTION WAS MADE IN ACCORDANCE WITH THE STANDARDS AND PROCEDURES OF THE NATIONAL BUREAU OF STANDARDS-PHOTOGRAPHIC REPRODUCTION SERVICE, INC. (NBS-PHOTOGRAPHIC REPRODUCTION SERVICE, INC.)  
17/30/80 Dade County  
ATTEST: \_\_\_\_\_  
CLERK OF COUNTY COMMISSIONERS

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for four years, and one for five years, and in each case until his successor is appointed and has qualified. Thereafter, the commission shall appoint for terms of five years each a member or members to succeed those whose terms expire. The commission shall fill any vacancy for an unexpired term. A member of the Authority shall be eligible for reappointment. Any member of the Authority may be removed by the commission for misfeasance, malfeasance or willful neglect of duty. Each member of the Authority before entering upon his duties shall take and subscribe the oath of 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 Clerk. The Authority shall annually elect one of its members as chairman and one as vice-chairman, and shall also 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. The executive director shall keep a record of the proceedings of the Authority and shall be custodian of all books, documents and papers filed with the Authority and of the minute book or journal of the Authority and of its official seal. He may cause copies to be made of all minutes and other records and documents of the Authority and may give certificates under the official seal of the Authority to the effect that such copies are true copies, and all persons dealing with the Authority may rely upon such certificates. Three members of the Authority shall constitute a quorum and the affirmative vote of a majority of the members present at a meeting of the Authority shall be necessary for any action taken by an Authority; provided, however, any action may be taken by an Authority with the unanimous consent of all

HEREBY CERTIFY THAT THE ABOVE MICROPHOTOGRAPH IS A TRUE COPY OF THE ORIGINAL DOCUMENT AND THAT THE PHOTODUPLICATION PROCESSING WAS COMPLETED IN THE REGULAR COURSE OF BUSINESS AND THAT THE PHOTODUPLICATION PROCESSING MEETS THE REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS WHICH MEETS THE REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PHOTODUPLICATIONS.

7/30/80  
A. J. [Signature]  
A. J. [Signature]

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of the members of an Authority. No vacancy in the membership of the Authority shall impair the right of a quorum to exercise all the rights and perform all the duties of the Authority. Any action taken by the authority under the provisions of Chapter 69-345 may be authorized by resolution at any regular or special meeting, and each such resolution shall take effect immediately and need not be published or posted. The members of the Authority shall receive no compensation for the performance of their duties hereunder but each such member shall be paid his necessary expenses incurred while engaged in the performance of such duties. Notwithstanding any other law to the contrary, it shall not be or constitute a conflict of interest for a trustee, director, officer or employee of an institution for higher education to serve as a member of the Authority.

Section 3. Powers of Authority. The Authority is vested with those powers specified in Chapter 69-345 and no other powers or authority, such powers to be exercised in accordance with the provisions of Chapter 69-345.

Section 4. Expenses. All expenses incurred in carrying out the provisions of Chapter 69-345 shall be payable solely from funds provided under the Authority of Chapter 69-345 and no liability or obligation shall be incurred by an Authority hereunder beyond the extent to which moneys shall have been provided under the provisions of Chapter 69-345. Neither the notes, bonds nor any other obligation incurred by the Authority shall be deemed a pledge of the faith or credit of Dade County nor shall any

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Dade County  
I HEREBY CERTIFY THAT THE ABOVE MICROFILMED IS A TRUE COPY OF THE ORIGINAL DOCUMENT AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS AND THAT THE PROCESSING USED FOR MICROFILMING WERE ACCOMPLISHED IN A HARMLESS AND ACCEPTABLE MANNER. I AM AWARE OF THE REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS-ISO FOR MICROFILMING AND MICROREPRODUCTION REPRODUCTIONS.

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act of inaction by the Authority directly or indirectly or contingently obligate Dade County to levy or to pledge any form of taxation whatever therefore or to make any appropriation for their payment.

Section 5. Reports. Within the first ninety days of each calendar year, the Authority shall make a report to the governing body of the county of its activities for the preceding calendar year. Each such report shall set forth a complete operating and financial statement covering its operations during such year. The Authority shall cause an audit of its books and accounts to be made at least once each year by certified public accountants and the cost thereof shall be paid by the Authority from funds available to it pursuant to Chapter 69-345.

Section 6. Effective Date. The provisions of this ordinance shall become effective ten (10) days from the date of its enactment.

PASSED AND ADOPTED

7/30/80  
I HEREBY CERTIFY THAT THE ABOVE MICROPHOTODUPLICATION IS A TRUE COPY OF THE ORIGINAL DOCUMENT AND THAT THE PHOTODUPLICATION PROCESSING WAS COMPLETED IN THE REGULAR COURSE OF BUSINESS AND THAT THE PHOTODUPLICATION MEETS THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS AND METROLOGY. *[Signature]*  
7/30/80  
COUNTY CLERK, DADE COUNTY

MEMORANDUM

TO: Honorable Earl M. Starnes  
County Commission

DATE: September 25, 1969

FROM: Thomas G. Britton  
County Attorney

SUBJECT: Attached ordinance

The attached ordinance is submitted pursuant to your request through the County Manager of September 18.

On September 17, the County Manager furnished the Commission with a copy of HB 1966 (which became Chapter 69-345 on July 5) and which is 28 pages in length.

The summary of this Act, prepared by Legislative Reference Bureau is attached for your convenience.

We have prepared an ordinance rather than a resolution because of the requirement of Section 4.08 of the Home Rule Charter.

*Thomas G. Britton*  
Thomas G. Britton  
County Attorney

T.G.B. sb

I HEREBY CERTIFY THAT THE ABOVE XEROGRAPHIC IS A TRUE COPY OF THE ORIGINAL DOCUMENT AND WAS REPRODUCED IN THE REGULAR COURSE OF BUSINESS, AND THAT THE PHOTODUPLICATION PROCESSES USED FOR XEROGRAPHING WERE ACCOMPLISHED IN A MANNER AND ON XEROFILM WHICH MEET THE REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS-ANSI. XEROGRAPHIC REPRODUCTION  
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 [Signature]  
 COUNTY CLERK

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**REFERENCE BUREAU SUMMARY**

Provides for the creation of county higher education facility authorities in each county if the county commissioners declare, by ordinance or resolution, a need for such authority either upon its own motion or on petition of 25 residents. Grounds for such need shall exist if there is a shortage of educational facilities at an institution for higher education located within the county.

Requires the ordinance or resolution to designate five persons as members of the authority. Prescribes the terms, duties, and compensation of the authority. Prescribes powers of the authority including procedure whereby needed facilities may be constructed and financed. Authorizes the authority to fix and collect rentals and other charges for the use of such facilities. Provides that the authority may designate a participating institution for higher education as its agent.

Prohibits payment of expenses from funds other than those provided for in this act by negotiable notes or revenue bonds and authorizes issuance of refunding bonds. Requires the authority to conduct annual audits and reports of financial statements to the county commissioner. Exempts facilities of the authority from taxation.

STATE OF FLORIDA }  
COUNTY OF DADE }

I, RICHARD P. BEISNER, Clerk of the Circuit Court in and for Dade County, Florida, and Ex-Officio Clerk of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of following deeded ORDINANCE of Dade County, Florida, as appears of record.

ORDINANCE NO. 69-72, adopted by the said Board of County Commissioners at its meeting held on OCT. 22, 1969

IN WITNESS WHEREOF, I have hereunto set my hand and official seal  
on \_\_\_\_\_ A.D. 1969

RICHARD P. BEISNER, Ex-Officio Clerk  
Board of County Commissioners  
Dade County, Florida

By 15/R  
Deputy Clerk

SEAL

BOARD OF COUNTY COMMISSIONERS  
DADE COUNTY, FLORIDA

I HEREBY CERTIFY THAT THE ABOVE MICROPHOTOGRAPH IS A TRUE COPY OF THE ORIGINAL DOCUMENT AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS, AND THAT THE PHOTOGRAPHIC REPRODUCTION OF THIS DOCUMENT WAS ACCOMPLISHED IN A MANNER AND BY A PERSON WHO MEETS THE QUALIFICATIONS AND REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR ACCURATE, MICROPHOTOGRAPHIC REPRODUCTION.  
7/30/80  
Dade County  
MICROFILM UNIT  
DADE COUNTY CLERK'S OFFICE

STATE OF FLORIDA )  
DADE COUNTY ) SS:  
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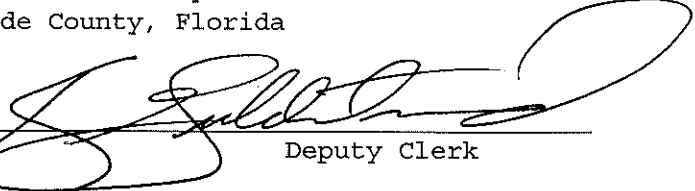
I, HARVEY RUVIN, Clerk of the Circuit Court in and for Dade County, Florida, and Ex-Officio Clerk of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above foregoing is a true and correct

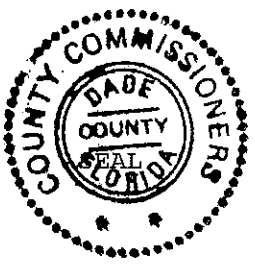
COPY OF ORDINANCE 69-72 PASSED AND ADOPTED OCTOBER 22, 1969

\_\_\_\_\_ as appears of record.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this 08th day of JANUARY A.D. 1997.

HARVEY RUVIN, Clerk  
Board of County Commissioners  
Dade County, Florida

By   
Deputy Clerk



Board of County Commissioners  
Dade County, Florida