

RESOLUTION

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, CREATING THE LEON COUNTY EDUCATIONAL FACILITIES AUTHORITY PURSUANT TO CHAPTER 243, PART II, FLORIDA STATUTES; APPOINTING THE INITIAL MEMBERS OF THE AUTHORITY; PROVIDING THAT NEITHER THE FUNDS NOR THE FAITH AND CREDIT OF THE COUNTY SHALL BE OBLIGATED BY THE AUTHORITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners finds that the youth of Leon 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 Leon County for an educational facilities authority as authorized by Chapter 243, Part II, Florida Statutes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA;

Section 1. Creation of Authority. Pursuant to Chapter 243,, Part II, Florida Statutes, and upon its motion, the

Board of County Commissioners does hereby create the Leon County Educational Facilities Authority consisting of seven members, as described herein, and one of such members shall be a trustee, director, officer, or employee of an institution for higher education located in Leon County.

Section 2. Appointment of Initial Members and Term of Each. The initial members of the Authority and the term of each (from the date this Resolution becomes effective) is as follows:

- |                      |             |
|----------------------|-------------|
| 1. Penny Dehler      | One Year    |
| 2. Jerry Draper      | Two Years   |
| 3. Richard E. Flamer | Three Years |
| 4. Bob Kellum        | Four Years  |
| 5. John Kraft        | Four Years  |
| 6. Marshall Miller   | Five Years  |
| 7. Ray Solomon       | Five Years  |

Section 3. Organization of Authority. Of the members first appointed, one shall serve for one year, one for two years, one for three years, two for four years, and two 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

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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 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 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 shall 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. A majority 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 of the members of the 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 243 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 4. Powers of Authority. The Authority is vested with those powers specified in Chapter 243, Part II, and no other powers or authority, such powers to be exercised in accordance with the provisions of Chapter 243, Part II.

Section 5. Expenses. All expenses incurred in carrying out the provisions of Chapter 243 shall be payable solely from funds provided under the authority of Chapter 243 and no liability or obligations shall be incurred by an Authority hereunder beyond the extent to which moneys shall have been provided under the provisions of Chapter 243. Neither the notes, bonds nor any other obligation incurred by the Authority shall be deemed a pledge of the faith or credit of Leon County nor shall any act or inaction of the Authority directly or indirectly or contingently obligate Leon County to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment.

Section 6. Reports. Within the first ninety (90) 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 243.

Section 7. Effective Date. The provisions of this resolution shall become effective upon its enactment.

DULY PASSED AND ADOPTED by the Board of County Commissioners of Leon County, Florida, this 17<sup>th</sup> day of July, 1990.

BOARD OF COUNTY COMMISSIONERS  
LEON COUNTY, FLORIDA

By: [Signature]  
Gary Yordon, Chairman

APPROVED AS TO FORM:  
[Signature]  
Herbert W.A. Thiele, Esq.  
County Attorney

[Seal]  
By: [Signature]  
Sam Hurst  
Deputy Clerk