

Hernando 72-2

AN ORDINANCE AUTHORIZING THE RENOVATION OF THE HERNANDO COUNTY COURTHOUSE AND THE CONSTRUCTION OF AN ADDITION THERETO AND THE ISSUANCE OF NOT EXCEEDING \$1,000,000 CERTIFICATES OF INDEBTEDNESS OF HERNANDO COUNTY PAYABLE FROM AD VALOREM TAXES TO FINANCE THE COST THEREOF; RATIFYING, CONFIRMING AND VALIDATING CERTIFICATES OF INDEBTEDNESS FOR SUCH PURPOSE HERETOFORE AUTHORIZED BY RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY ON JANUARY 10, 1972; SUBSTITUTING AS AUTHORITY FOR THE ISSUANCE OF SUCH CERTIFICATES OF INDEBTEDNESS THE AUTHORITY OF THIS ORDINANCE, INSTEAD OF CHAPTER 135, FLORIDA STATUTES; AND PROVIDING FOR THE ENACTMENT OF THIS ORDINANCE AS AN EMERGENCY.

APR 19 2 39 PM '72
RICHARD(DICK)STONE
SECRETARY OF STATE

FILED

72-2

WHEREAS, pursuant to Article VIII, Section 1 of the Constitution of the State of Florida and Sections 125.65 and 125.66, Florida Statutes, the Board of County Commissioners of Hernando County, Florida, hereinafter sometimes referred to as the "County", has all powers of local self government to perform county functions and to render county services in a manner not inconsistent with general or special law and such power may be exercised by the enactment of county ordinances; and

WHEREAS, it is necessary for the carrying out of the essential governmental functions of the County and for the public health, safety and general welfare of the inhabitants of the County that the courthouse building in Brooksville, Florida, be renovated and that an addition thereto be constructed, such renovation and construction to be hereinafter referred to as the "project"; and

WHEREAS, said Board by resolution duly adopted September 28, 1971 determined the necessity for such project and provided for the publication of a notice that at the next regular meeting of said Board after publication of notice had been completed said Board would convene for the purpose of hearing objections to such project, and said notice was published once a week for four consecutive weeks on the dates of September 30 and October 7, 14 and 21 of 1971, in The Sun-Journal, a newspaper of general circulation published in Brooksville; and

WHEREAS, at such next regular meeting, held November 1, 1971, said Board met for the purpose of holding said public hearing

on any objections to such project, and after discussion and consideration thereof, said Board, by resolution duly adopted on said date, determined to proceed with said project and provided for the levy of a building tax not to exceed five (5) mills on the dollar of assessed valuation of taxable property in the County to pay the principal of and interest on Certificates of Indebtedness to be issued to finance the cost of such project; and

WHEREAS, the County had theretofore, by resolution duly adopted on September 28, 1971, provided for the holding of an election in the County on November 2, 1971 on the question of issuing said Certificates of Indebtedness and for the publication of notice of such election in said The Sun-Journal on September 30 and October 7, 14 and 21, 1971; and

WHEREAS, pursuant to said notice calling said election and in accordance with law, the question of whether said Certificates of Indebtedness should be issued was submitted to the qualified electors residing in the County and said Board, by resolution duly adopted on November 15, 1971, canvassed the returns of said election and it was found and determined that the issuance of said Certificates of Indebtedness was approved by said electors, 2,067 votes having been cast in said election in favor of the issuance of said Certificates of Indebtedness and 1,607 votes having been cast in said election against the issuance thereof; and

Whereas, said Board, by resolution duly adopted on January 10, 1972, a copy of which is attached hereto and incorporated herein by this reference, authorized the issuance of not exceeding \$1,000,000 Certificates of Indebtedness of the County for the purpose of financing the project and provided that the principal of and interest on said certificates shall be payable solely from and secured by a lien upon and a pledge of the proceeds to be derived by the County from a building tax not exceeding five (5) mills on the dollar per annum upon all taxable property in the County levied pursuant to the provisions of Section 135.01, Florida Statutes, for a period of not more than thirty (30) consecutive years, beginning with fiscal year 1972 - 1973; and

WHEREAS, said Certificates of Indebtedness as authorized by said January 10, 1972 resolution were duly validated by final judgment of the Circuit Court for Hernando County entered on February 15, 1972 and the time for filing an appeal from said judgment has expired and no appeal or exception has been filed thereto, and the validity of such proceedings and said Certificates of Indebtedness has not been called in question by any proceedings in said Court or elsewhere; and

WHEREAS, said Board, by resolution duly adopted on March 20, 1972, authorized the sale of said Certificates of Indebtedness at 11:00 o'clock P.M., May 4, 1972 and directed publication of notice of such sale to be made in The Daily Bond Buyer, a financial newspaper published in the Borough of Manhattan, City and State of New York, not less than fifteen (15) days prior to said date of sale; and

WHEREAS, it has come to the attention of said Board that said Section 135.01, Florida Statutes, was repealed in the last Session of the Florida Legislature, and it is necessary that this ordinance be adopted for the purpose of supplying authority for the issuance of said Certificates of Indebtedness, in lieu of said repealed Section 135.01; and because construction of the project ^{should} ~~not be delayed~~ and the sale and delivery of said Certificates of Indebtedness is eminent and should not be postponed, it is hereby found, determined and declared that an emergency exists and that immediate enactment of this ordinance is necessary, and the notice requirements of Section 125.66, Florida Statutes, for the adoption of this ordinance are hereby waived;

NOW, THEREFORE, be it Ordained by the Board of County Commissioners of Hernando County, Florida:

SECTION 1. The County is hereby authorized and empowered:

- (1) To acquire and construct said project.
- (2) To issue Certificates of Indebtedness in the manner described in said January 10, 1972 resolution attached to this ordinance, which Certificates of Indebtedness shall be payable solely from and secured by a prior lien upon and a pledge of the proceeds to be derived by the County from a building tax not ex-

ceeding five (5) mill on the dollar per annum on all taxable property in the County, to be levied for a period of not more than thirty (30) consecutive years, beginning with fiscal year 1972-1973, pursuant to the authority of this ordinance and said resolution adopted by the Board on November 1, 1971; and the authorization of such Certificates of Indebtedness in the manner provided in said January 10, 1972 resolution and all acts and proceedings heretofore taken, had, done and performed by the Board and the County in connection with the authorization and issuance of said Certificates of Indebtedness described in said resolution are hereby severally ratified, confirmed and validated in every respect.


(3) To do all things necessary and make and enter into all contracts and agreements necessary or incidental to the performance and the execution of the County's powers under this ordinance.

SECTION 2. The Board may amend said January 10, 1972 resolution authorizing issuance of the Certificates of Indebtedness wherever it may be necessary to substitute as authority for the issuance of such Certificates of Indebtedness the authority of this ordinance, and in such other respects as shall not be inconsistent with the provisions hereof.

SECTION 3. The Clerk of the Board is hereby directed to publish notice of the enactment of this ordinance in a newspaper of general circulation within the County, within seven (7) days after the effective date of such enactment, which notice shall contain the title of this ordinance and state the substance of its contents.

SECTION 4. The Clerk of the Board is further directed to file a certified copy of this ordinance in the office of the Department of State of Florida as soon after enactment as shall be practicable, by registered mail, return receipt requested.

SECTION 5. This ordinance shall take effect as of the time said certified copy thereof has been accepted by the United States postal authorities for special delivery by registered mail to said Department of State of Florida.


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Chairman