

ORDINANCE NO. 79-05

AN ORDINANCE PURSUANT TO CHAPTER 154, PART III, FLORIDA STATUTES RELATING TO A HEALTH FACILITIES AUTHORITY IN COLLIER COUNTY, FLORIDA; PROVIDING FOR FINDINGS AND DECLARATION OF NECESSITY; PROVIDING FOR CREATION OF THE COLLIER COUNTY HEALTH FACILITIES AUTHORITY; PROVIDING FOR MEMBERSHIP; PROVIDING FOR APPOINTMENT AND TERMS; PROVIDING FOR OFFICERS; PROVIDING FOR COMPENSATION; PROVIDING FOR POWERS; PROVIDING FOR AREA EMBRACED; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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WILLIAM J. O'BRIEN
CLERK
COLLIER COUNTY
FLORIDA

BE IT ORDAINED by the Board of County Commissioners of Collier County, Florida:

SECTION 1: FINDINGS AND DECLARATION OF NECESSITY. The Board of County Commissioners of Collier County, Florida, hereby declares and finds that for the benefit of the people of this County, the increase of their commerce, welfare, and prosperity and improvement of their health and living conditions, it is essential that the people of this County have access to adequate medical care and health facilities, and that it is further essential that such health facilities within Collier County be provided with appropriate additional means to assist in the development and maintenance of the public health. The Board of County Commissioners of Collier County, Florida, further finds, and declares that there is a need for a health facilities authority to function within Collier County, Florida.

SECTION 2: CREATION. Pursuant to the authority granted by Chapter 154, Part III, Florida Statutes, the Board of County Commissioners of Collier County, Florida, hereby creates a public body corporate and politic to be known as the Collier County Health Facilities Authority (hereinafter "Authority").

SECTION 3: MEMBERSHIP. The Collier County Health Facilities Authority shall be composed of five (5) persons who are residents of Collier County, Florida.

SECTION 4: APPOINTMENT AND TERMS. The Board of County Commissioners of Collier County, Florida, shall appoint the five (5) members of the Collier County Health Facilities Authority. Of the members first appointed, one shall serve for one year, one for two years, one for three years, and two for four years; in each case until his successor is appointed and has qualified. Thereafter, the Board of County Commissioners shall appoint for terms of four (4) years each, a member or members to succeed those whose terms expire. The Board of County Commissioners 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 governing body 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 oath shall be filed in the Department of State and with the Clerk.

SECRETARY OF STATE
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SECTION 5: COMPENSATION. The members of the Authority shall receive no compensation for the performance of their duties hereunder, but each member shall be paid his necessary expenses incurred while engaged in the performance of such duties pursuant to Section 112.061, Florida Statutes (1977).

SECTION 6: POWERS. The purpose of the Collier County Health Facilities Authority is to assist health facilities in the acquisition, construction, financing, and refinancing the projects in any incorporated or unincorporated area within the geographical limits of Collier County, Florida. For this purpose, the Authority may exercise those powers that are set forth in the Health Facilities Authorities Law to be found in Chapter 154, Part III, Florida Statutes.

SECTION 7: AREA EMBRACED. The area embraced by the terms of this Ordinance shall be all that territory located within the boundaries of Collier County, Florida, except that territory within the corporate limits of municipalities.

SECTION 7: PROVIDING FOR SEVERABILITY. If any section, part of a section, paragraph, sentence, phrase of this Ordinance is, for any reason, held or declared to be unconstitutional, inoperative, or void, such holding of invalidity shall not affect the remaining portions of this Ordinance, and it shall be construed to have been the intent to pass this Ordinance without such unconstitutional, invalid, or inoperative part therein, and the remainder hereof, after the exclusion of such part or parts, shall be deemed to be held valid as if such part or parts had not been included herein.

SECTION 9: EFFECTIVE DATE. This Ordinance shall take effect immediately upon receipt of Notice from the Secretary of State that a certified copy has been received for filing.

ADOPTED this 20th day of November, 1979.



ATTEST
WILLIAM S. REAGAN, CLERK

William S. Reagan

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: *Clifford Wenzel*
Clifford Wenzel
Chairman

APPROVED AS TO FORM AND LEGALITY
Office of the County Attorney

Donald B. ...
Attorney

This ordinance filed with the Secretary of State's Office the 27th day of November, 1979 and acknowledgement of that filing received this 29th day of November, 1979.

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By: *Virginia Mayis*
Deputy Clerk

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Cty. Attorney's Office
10/18/79

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STATE OF, FLORIDA)
COUNTY OF, COLLIER)

I, WILLIAM J. REAGAN, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true original of:

ORDINANCE NO. 79-95

which was adopted by the Board of County Commissioners during Regular Session November 20th, 1979.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 20th day of November, 1979.

WILLIAM J. REAGAN
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners

By Virginia Magri
Deputy Clerk



This ordinance filed with the Secretary of State's Office the 27th day of November, 1979 and acknowledgement of that filing received this 29th day of November, 1979.

By Virginia Magri
Deputy Clerk Virginia Magri