

Ashley Hofecker

From: Bryant, Linda C. <Linda.Bryant@DOS.MyFlorida.com>
Sent: Tuesday, December 23, 2014 8:35 AM
To: Ashley Hofecker
Cc: County Ordinances
Attachments: Hernando20141222_Ordinance2014_27_Ack.pdf

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FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

December 23, 2014

Honorable Don Barbee Jr.
Hernando County Clerk's Office
20 North Main Street, Rm. 241
Brooksville, Florida 34601-2800

Attention: Ashley Hofecker

Dear Mr. Barbee:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hernando County Ordinance No. 2014-27, which was filed in this office on December 23, 2014.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

ORDINANCE NO.: 2014 - 27

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AN ORDINANCE AMENDING CHAPTER 3, ARTICLE II OF THE HERNANDO COUNTY CODE; ABOLISHING THE HERNANDO COUNTY AVIATION AUTHORITY AS A DEPENDENT SPECIAL DISTRICT; PROVIDING FOR THE HERNANDO COUNTY BOARD OF COUNTY COMMISSIONERS TO SERVE AS THE SUCCESSOR-IN-INTEREST TO ALL RIGHTS AND LIABILITIES OF THE HERNANDO COUNTY AVIATION AUTHORITY; REPEALING ORDINANCES RELATED TO THE HERNANDO COUNTY AVIATION AUTHORITY; AMENDING TITLE OF APPLICABLE ARTICLE OF THE HERNANDO COUNTY CODE; AMENDING SECTIONS 3-17 AND 3-33 TO REMOVE REFERENCES TO THE HERNANDO COUNTY AVIATION AUTHORITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. Abolition of Hernando County Aviation Authority – Transfer of Assets & Liabilities. The Hernando County Aviation Authority, a dependent special district of Hernando County, is hereby abolished. All assets and liabilities of the Hernando County Aviation Authority are transferred to the Hernando County Board of County Commissioners in accordance with Fla. Stat. § 189.076.

1 **Section 2. Repeal of Ordinances Related to the Hernando County Aviation Authority.**

2 Hernando County Code §§ 3-18 (Intent), 3-19 (Created; Composition; Terms), 3-20 (Removal of
3 Members; Filling of Vacancies), 3-21 (Oath of Members), 3-22 (Officers), 3-23 (Compensation),
4 3-24 (Execution of Surety Bond), 3-25 (Majority Vote Required for Action; All Actions Subject to
5 Approval by Board of County Commissioners), 3-26 (Powers), 3-27 (Budget and Finances
6 Generally), 3-28 (Rates, Fees and Charges), 3-29 (County's Authority to Make Grants and Permit
7 Use of Property), and 3-32 (Transfer of Assets and Obligations) are hereby repealed in their entireties.

8 **Section 3. Amending Title of Article II of Chapter 3 of the Hernando County Code.** The
9 title of Article II of Chapter 3 of the Hernando County Code is hereby changed to “Brooksville-
10 Tampa Bay Regional Airport.”

11 **Section 4. Amendment of Hernando County Code § 3-17.** Hernando County Code § 3-17
12 is hereby amended to read as follows, with underlined matter added and struck-through matter
13 deleted:

14 Definitions.

15 As used in this article:

16 ~~Authority means the Hernando County Aviation Authority.~~

17 County means Hernando County.

18 Improvements shall mean repairs, replacements, extensions and additions of
19 buildings, lands, or any other facilities normally used or needed in the operation of an
20 airport.

1 Public airport facilities means the airport facilities located in Hernando County and
2 includes all facilities used or to be used in connection with aviation activities.

3 **Section 5. Amendment of Hernando County Code § 3-33.** Hernando County Code § 3-33
4 is hereby amended to read as follows, with underlined matter added and struck-through matter
5 deleted:

6 Airport leases.

7 (a) All leases at the airport shall be at fair market value rent (FMVR) in
8 accordance with the regulations, rules and orders of the Federal Aviation Authority
9 (FAA) applicable to surplus military airports. All leases shall include a provision
10 whereby the rent is adjusted at least every five (5) years during the life of the lease,
11 and including any renewals or extensions thereto, to reflect fair market value rent at
12 time of adjustment. Fair market value rent shall be based upon current appraisal
13 methodology performed in accordance with the Uniform Standards of Professional
14 Appraisal Practice (USPAP).

15 (b) In order to encourage new tenants to locate at the airport, the airport director,
16 in his or her discretion, may offer leasing incentives as provided herein on all ground
17 leases at least thirty (30) years in duration and where the tenant pays for the costs of
18 all improvement (i.e. constructing the building and other improvements). The leasing
19 incentives for all new non-aeronautical tenants shall be limited to the first five (5)
20 years of the lease term and shall be based on a sliding scale in which one hundred

1 (100) percent of fair market value rent is obtained by the fifth year. All leases shall
2 be subject to ~~review by the aviation authority and~~ review and approval by the board
3 of county commissioners. All leases on non-approved forms may be subject to further
4 review and approval by the FAA.

5 **Section 6. Severability.** It is declared to be the intent of the Board of County
6 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this ordinance
7 is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity
8 of the remaining portions of this ordinance.

9 **Section 7. Inclusion in the Code.** It is the intention of the Board of County Commissioners
10 of Hernando County, Florida, and it is hereby provided, that the provisions of this Ordinance shall
11 become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, the
12 section of this Ordinance may be renumbered or relettered to accomplish such intention, and that the
13 word "ordinance" may be changed to "section," "article," or other appropriate designation.

14 **Section Conflicting Provisions Repealed.** All ordinances or parts of ordinances in conflict
15 with the provisions of this ordinance are hereby repealed.

16 **Section 8. Effective Date.** This ordinance shall take effect immediately upon receipt of
17 official acknowledgment from the office of the Secretary of State of Florida that this ordinance has
18 been filed with said office.

1 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**
2 **HERNANDO COUNTY** in Regular Session this 16th day of December 2014.



BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

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9 Attest:

10 DONALD C. BARBEE, JR.
11 Clerk

By:

12 WAYNE DUKES
13 Chairman

14 Approved for Form and Legal Sufficiency

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Deputy County Attorney