

Poste
12-15-82

ORDINANCE NO. 782

AN ORDINANCE CREATING THE CITY OF NORTH MIAMI HEALTH FACILITIES AUTHORITY; FINDING AND DECLARING NEED FOR THE AUTHORITY; CONSTITUTING THE CITY COUNCIL AS MEMBERS OF THE AUTHORITY; PROVIDING FOR A CITIZENS ADVISORY COMMITTEE; PRESCRIBING POWERS OF THE AUTHORITY BY REFERENCE TO HEALTH FACILITIES AUTHORITY LAW; REQUIRING PAYMENT OF EXPENSES BY HEALTH FACILITIES; PRESCRIBING CONDITIONS GOVERNING REVENUE BONDS; PROVIDING FOR REPEAL AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature declared it is essential that people have access to adequate medical care and health facilities, and that health facilities within each county and municipality be provided with appropriate additional means to assist in the development and maintenance of the public health; and

WHEREAS, the Legislature enacted the Health Facilities Authorities Law, Chapter 154, Part III, Florida Statutes, as amended, for the express purpose of providing a measure of assistance and an alternate method to enable health facilities in each county and municipality to provide the facilities and structures which are determined to be needed by the community.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF NORTH MIAMI HEREBY ORDAINS:

Section 1. Declaration of Need. The City Council of the City of North Miami finds and declares that there is a need for a Health Facilities Authority to function within the City of North Miami to accomplish the purposes and objectives of the Health Facilities Authority Law.

Section 2. Creation of the Authority. The City of North Miami Health Facilities Authority shall be and it is hereby created and established within the City of North Miami in accordance with the Health Facilities Authority Law.

Section 3. City Council Constituted as Initial Members of the Authority. The members of the City Council of the City of North Miami shall constitute the initial members of the Authority, and the members of the Council are hereby designated and appointed as the membership of the Authority, said initial members to serve the following terms:

- | | |
|--------------------|---------|
| Howard Neu | 1 year |
| Robert Lippelman | 2 years |
| James P. Devaney | 3 years |
| Diane Lord Brannen | 4 years |
| John Hagerty | 4 years |

If any of the named appointees is unable to serve the term indicated, the appointed successor shall serve only that portion of the term remaining.

Upon expiration of the foregoing terms, unless a member of the Authority resigns or is removed for just cause, the City Council shall appoint successor members of the Authority to serve staggered four year terms.

Section 4. Citizens Advisory Committee. The Authority may appoint a Citizens Advisory Committee consisting of five persons who are residents of the City of North Miami. The Committee shall adopt its own rules and procedure and internal organization. The Committee shall serve solely in an advisory capacity. The Committee shall make recommendations to the Authority as to all matters referred to it by the Authority.

Section 5. Powers of the Authority. The Authority shall have the powers conferred by the Health Facilities Authorities Law, Chapter 154, Part III, Florida Statutes, as amended, which is made a part of this ordinance by reference.

Section 6. Payment of Expenses. All expenses incurred by the Authority in exercising the powers prescribed by the Health Facilities Authority Law shall be payable by the health facilities submitting applications to the Authority, or from proceeds derived from the sale of revenue bonds issued by the Authority. No funds of the City shall be appropriated or expended by the Authority.

Section 7. Revenue Bonds. Revenue bonds issued by the Authority shall not constitute a debt, liability or obligation of the City of North Miami or a pledge of the full faith and credit of the City, but shall be payable solely from the revenues provided therefor and generated by the health care facility, and all revenue bonds issued by the Authority shall expressly so provide. Any obligation whatsoever incurred by the Authority shall be the sole obligation of the Authority and shall not be in any way attributed to the City and shall not be paid, either directly or indirectly, out of any City funds.

Section 8. Repeal. All ordinances or parts of ordinances in conflict herewith or inconsistent herewith are hereby repealed, but only insofar as such ordinances may be inconsistent or in conflict with the provisions of this Ordinance.

Section 9. Severability. If any word, clause, phrase, sentence, paragraph or section of this Ordinance is held to be invalid by a Court of competent jurisdiction, such declaration of invalidity shall not affect any other word, clause, phrase, sentence, paragraph or section of this Ordinance, except that if Section 7 of this Ordinance is found to be invalid, then the entire Ordinance shall automatically be invalid.

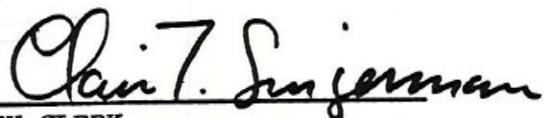
Section 10. Effective Date. This ordinance shall take effect immediately upon its passage, adoption and publication in accordance with the City Charter.

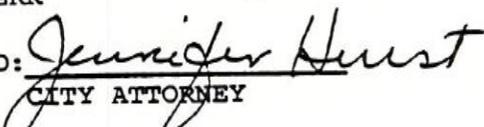
PASSED AND ADOPTED by 4-0 vote of the City Council on the first reading, in full, this 23rd day of NOVEMBER, 1982.

PASSED AND ADOPTED by 5-0 vote of the City Council on second reading, by title only, this 14th day of DECEMBER, 1982.


MAYOR

ATTEST:


CITY CLERK

APPROVED: 
CITY ATTORNEY