

A bill to be entitled

An act relating to the Gainesville-Alachua County Regional Airport Authority; amending chapter 86-469, Laws of Florida, as amended, eliminating annual reporting requirements, providing for the privatization of airport operations; removing budget approval by the city commission; deleting obsolete provisions; affirming that the City of Gainesville has no power to operate or maintain the airport and airport facilities; providing for the conveyance of title to the authority; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Chapter 86-469, Laws of Florida, as amended by chapter 89-433, Laws of Florida, is amended to read:

Section 1. Short title.--This act shall be known and may be cited as the "Gainesville-Alachua County Regional Airport Authority Act."

Section 2. Definitions.--As used in this act, unless the context otherwise requires:

(1) "Airport" means any area, of land or water, which is designed for the landing and taking off of aircraft, whether or not facilities are provided for the shelter, servicing, or repair of aircraft or for receiving and discharging passengers or cargo, and all appurtenant areas used or suitable for airport buildings or other airport facilities, and all appurtenant rights-of-way at the area now

known and which may hereinafter be known as the Gainesville Regional Airport.

(2) "Airport facilities" means airport facilities at the area now known as the Gainesville Regional Airport, including, but not limited to, runways, taxiways, taxi lanes, aprons, landing-fields, hangars, shops, terminals, buildings and all other facilities necessary or desirable for the landing, taking off, operating, servicing, repairing and parking of aircraft, and the unloading and handling of passengers, mail, express and freight, together with all necessary appurtenances and equipment and all properties, rights, easements and franchises relating thereto and deemed necessary or convenient by the authority in connection therewith. This shall also include the area known on the effective date of this act as the "Airport Industrial Park" and all appurtenant facilities related thereto.

(3) "Authority" means the Gainesville-Alachua County Regional Airport Authority created herein.

(4) "Authorized project" means an undertaking, including a capital project, approved by the authority and includes all property rights, easements, and franchises related thereto and deemed necessary or convenient for the construction, acquisition or operation thereof, and embraces any capital expenditure which it the-city-commission deems to be made for a public purpose, including the refunding of any bonded indebtedness which may be outstanding on any existing project which is to be improved by means of a new project.

(5) "Board of county commissioners" means the Board of County Commissioners of the County of Alachua.

(6) "Bond" includes bonds, debentures, notes, certificates of indebtedness, mortgage certificates, or other

1 obligations or evidences of indebtedness of any type or
 2 character.
 3 (7) "City" means the City of Gainesville.
 4 (8) "City Commission" means the City Commission of the
 5 City of Gainesville.
 6 (9) "County" means the County of Alachua.
 7 (10) "Person" means any individual, firm, partnership,
 8 corporation, company, association, joint stock association, or
 9 body politic; and includes any trustee, receiver, assignee, or
 10 other similar representative thereof.
 11 ~~+++--preexisting-authority--means-the-Gainesville~~
 12 ~~Region-Airport-Authority-created-under-Gainesville-City~~
 13 ~~Ordinance-Nor-27478-82-337~~
 14 ~~(11)+++ "Revenue bonds" means obligations of the~~
 15 ~~authority which are payable from revenues derived from sources~~
 16 ~~other than ad valorem taxes on real or tangible personal~~
 17 ~~property and which do not pledge the property, credit, or~~
 18 ~~general tax revenue of the authority or the city.~~
 19 ~~(12)+++ "Refunding bonds" means bonds issued to~~
 20 ~~refinance outstanding bonds of any type and the interest and~~
 21 ~~redemption premium thereon. Refunding bonds shall be insuable~~
 22 ~~and payable in the same manner as the refinanced bonds, except~~
 23 ~~that no approval by the electorate shall be required unless~~
 24 ~~required by the State Constitution.~~

25 Section 3. Gainesville-Alachua County Regional Airport
 26 Authority.--
 27 (1) CREATION AND PURPOSE.--For the purpose of managing
 28 and operating the airport and airport facilities, there is
 29 hereby created a dependent special district to be known as the
 30 Gainesville-Alachua County Regional Airport Authority. The
 31 exercise by the authority of the powers conferred upon it by

1 this act will be deemed to be for an essential and proper
 2 purpose.
 3 (2) MEMBERSHIP.--The powers of the authority shall be
 4 vested in its members in office from time to time. There
 5 shall be nine members. As a condition of eligibility for
 6 appointment and to hold office, each member shall reside
 7 within the city or county. No person shall serve as a member
 8 of the authority and, at the same time, hold any publicly
 9 elected office in the State of Florida.
 10 (3) INITIAL APPOINTMENTS; EXPIRATION OF TERMS.--
 11 Initial appointments shall be as follows:
 12 (a) The initial members of the authority shall consist
 13 of:
 14 1. All members of the preexisting authority; and
 15 2. The four members separately appointed by the
 16 Governor and the county to the authority created by chapter
 17 85-378, Laws of Florida.
 18 (b) If any of the members designated in paragraph (a)
 19 declines to serve, such office shall be filled within 30 days
 20 of the effective date of this act, as follows:

21 1. The Governor shall replace by appointment any of
 22 the three members appointed by him under chapter 85-378, Laws
 23 of Florida;
 24 2. The board of county commissioners shall replace by
 25 appointment the member appointed thereby under chapter 35-378,
 26 Laws of Florida; and
 27 3. The city commission shall replace by appointment
 28 any of the remaining members.
 29 (c) The term of any member initially appointed under
 30 this act shall expire on July 31 of the year such member's
 31 term was scheduled to expire under chapter 85-378, Laws of

1 Florida, or under Gainesville City Ordinance No. 2721/0-82-33,
 2 as appropriate, except that the term of any such member
 3 previously appointed by the city who was also subsequently
 4 appointed to the authority created under chapter 85-378, Laws
 5 of Florida, shall expire on July 31 of the year which
 6 represents the later expiration date of the two appointments.
 7 (4) SUBSEQUENT APPOINTMENTS; TERMS.--Upon expiration
 8 of initial terms of office:

9 (a) Subsequent appointments shall be made by the
 10 appropriate appointing entity on or prior to the date of
 11 expiration of the preceding term in the same manner as
 12 described in paragraph (3)(b). In the event an appointment
 13 has not been made by such date, the Governor shall make the
 14 appointment within 20 days thereafter.

15 (b) All members shall serve 3-year terms of office,
 16 beginning on August 1 and expiring on July 31 of the
 17 appropriate year.

18 (5) FILLING OF VACANCIES.--Except as may be otherwise
 19 provided herein, vacancies in office shall be filled for the
 20 balance of the term by the appropriate appointing entity, in
 21 the same manner as set forth in paragraph (3)(b). In such
 22 cases, the appointment shall be made no later than 30 days
 23 after the office has become vacant. In the event an
 24 appointment has not been made by such date, the Governor shall
 25 make the appointment within 20 days thereafter.

26 (6) ORGANIZATION; MEETINGS; NOTICE; QUORUM.--

27 (a) A chairman, vice chairman, and secretary/treasurer
 28 shall be chosen by and from the authority membership. The
 29 chairman, vice chairman, and secretary/treasurer shall each
 30 serve a term of office of 1 year, and no member shall hold the
 31 same office for more than 2 consecutive terms.

1 (b)1. The authority shall meet at the call of the
 2 chairman, at the request of three or more of its members, and
 3 at such other times as may be prescribed by rule of the
 4 authority.

5 2. The authority shall give reasonable notice of all
 6 meetings at least 48 hours prior thereto, which shall be
 7 published in a newspaper in general circulation in Alachua
 8 County, and shall include agenda items whenever such items
 9 involve leasing of any airport property. All meetings of the
 10 authority shall be so noticed except emergency meetings which
 11 shall only be called when there is an immediate danger to the
 12 public health, safety or welfare.

13 (c) The presence of five members is required to
 14 constitute a quorum, and the affirmative vote of a majority of
 15 the members present and eligible to vote, but no fewer than
 16 four of the members present and eligible to vote, is required
 17 for any action or recommendation by the authority.

18 (7) REMOVAL FROM OFFICE.--A member may be removed by
 19 the entity appointing such member, but only upon grounds
 20 constituting misfeasance, neglect of duty, incompetence,
 21 permanent inability to perform official duties, or commission
 22 of a felony. The unexcused failure to attend three
 23 consecutive regular meetings of the authority shall be deemed
 24 neglect of duty, without limiting the meaning of that term.

25 (8) RESTRICTIONS.--

26 (a) No person who has ~~transacted business~~ with the
 27 authority shall be eligible for appointment to the authority
 28 until 3 years after the last transaction. No person who has
 29 served on the authority shall be eligible to transact business
 30 with the authority until 3 years after his last date of
 31 service. Said transactions include transactions either for

1 oneself or as an employee of, agent for, or consultant to any
 2 other, person or legal entity. However, nothing in this
 3 paragraph shall be construed as prohibiting an appointed
 4 member from purchasing supplies or services from any fixed-
 5 base operators or tenants at the airport or airport industrial
 6 park.
 7 (b) No member, officer, agent, or employee of the
 8 authority, either for himself or as agent for anyone else, or
 9 as a stockholder or owner in any other legal entity, shall
 10 participate in or benefit directly or indirectly from any
 11 sale, purchase, lease, franchise, contract, or other
 12 transaction entered into by the authority or the city. The
 13 provisions of this paragraph shall be cumulative to any
 14 general laws of the state which may from time to time be
 15 applicable to members, officers, agents or employees of the
 16 authority and which require the disclosure of, or prohibit,
 17 conflicts of interest.

18 (9) EXPENSES.--The members of the authority shall
 19 receive no salary or other compensation for their services.
 20 The authority shall, however, be authorized to pay reasonable
 21 costs and expenses necessarily incurred by the members in
 22 performance of their duties.

23 Section 4. Powers and duties.--The authority shall
 24 have exclusive jurisdiction over the operation and maintenance
 25 of, and improvements to, the airport and airport facilities,
 26 and pursuant thereto shall have the following powers and
 27 duties, which are in addition to all other powers granted by
 28 other provisions of this act:

29 (1) To enter into contracts and to sue and be sued in
 30 its own name.

1 (2) To acquire real property in fee simple or any
 2 lesser interest or easement ~~in the name of the city~~ by
 3 purchase, gift, devise, lease or other means if the authority
 4 is able to agree with the owners of said property on the terms
 5 of such acquisition. To acquire real property in fee simple
 6 or any lesser interest of ~~easement in the name of the city~~, as
 7 it may deem necessary for the property managing and operation
 8 of the airport and airport facilities, by condemnation in the
 9 manner provided by the law under which municipalities are
 10 authorized to acquire property for public purposes, with full
 11 power to exercise the right of eminent domain for such
 12 purposes being hereby granted to said authority as specified
 13 in and including all the powers, rights right, and privileges
 14 of chapters 73 and 74, Florida Statutes, or any succeeding
 15 legislation. For the purposes of making surveys and
 16 examinations relative to any condemnation proceedings, it
 17 shall be lawful to enter upon any land, doing no unnecessary
 18 damage. The authority may take possession of any such
 19 property to be acquired at any time after the filing of the
 20 petition describing the same in condemnation proceedings, as
 21 provided in chapters 73 and 74, Florida Statutes. It shall
 22 not be precluded from abandoning the condemnation of any such
 23 property in any case where possession thereof has not been
 24 taken. ~~However no condemnation proceedings in exercise of~~
 25 ~~the power of eminent domain shall be initiated or validly~~
 26 ~~unless and until the city commission shall by resolution~~
 27 ~~approve the resolution of the authority and authorize by~~
 28 ~~resolution the exercise of the power of eminent domain in the~~
 29 ~~name of the city for the purposes set forth in such resolution~~
 30 ~~of the authority~~ To acquire or lease personal property in
 31 the name of the authority ~~or in the name of the city~~.

1 (3) To let or lease the airport and the airport
 2 facilities or any portion thereof, and to grant concessions
 3 upon such terms and conditions as it shall deem proper.
 4 (4) To employ an airport manager and other personnel
 5 as provided in section 6.
 6 (5) To accept revenues from the operation of the
 7 airport and airport facilities and, independently, or in
 8 conjunction with the City of Gainesville if required by a
 9 granting agency, to accept gifts, grants, and other revenues.
 10 (6) To prepare and propose a budget annually, and to
 11 amend it during the fiscal year, as provided in section 5.
 12 (7) To adopt rules for the regulation of its affairs
 13 and the conduct of its business, and rules for the operation
 14 of the airport, airport facilities, and aircraft, including,
 15 but not limited to, safety and noise abatement rules, and to
 16 enforce and administer all such rules.
 17 (8) To name and rename the airport and airport
 18 facilities.
 19 (9) To adopt and alter an official seal.
 20 (10) To maintain an office within the city.
 21 (11) To undertake capital projects and repair, equip,
 22 maintain, and operate the airport and such buildings,
 23 structures, roads, alleyways, and any other development of
 24 land or improvements as the authority shall determine to be
 25 necessary and proper in the performance of the duties and
 26 purposes of this act.
 27 (12) To issue revenue bonds or refunding bonds of the
 28 authority pursuant to section 9. 40r Further, to borrow money
 29 from available sources to finance airport operations and
 30 facilities, excluding the Airport Industrial Park.

1 (13) To fix and revise from time to time and to
 2 collect rates, fees, and other charges for the use of the
 3 airport and airport facilities.
 4 (14) To pay operating and debt service costs of the
 5 airport and airport facilities.
 6 (15) When deemed desirable by the authority, and, when
 7 agreed to by the city, to utilize the purchasing authority and
 8 capability of the city for such things as, but not limited to,
 9 computer services, supplies, equipment, labor, and contractual
 10 services. However, all such material and services shall be
 11 paid by the authority out of its own budget and not that of
 12 the city.
 13 ~~++67--To-annually-issue-a-report-to-the-city~~
 14 ~~commission-board-of-county-commissioners-and-the-governor-on~~
 15 ~~the-progress-of-the-20-year-master-plan-which-is-being~~
 16 ~~conducted-on-the-airport~~
 17 (16) ~~++77~~ To do all acts necessary in order to carry
 18 out the purposes of this act.
 19 (17) ~~++87~~ To appoint or employ and constitute its own
 20 airport guards or police officers, or to contract with the
 21 city, county, or agency of the state to provide law
 22 enforcement services and protection through its duly sworn
 23 officers, and all such officers shall have full power of
 24 arrest to prevent or abate the commission of any offense
 25 against the ordinances of the city or county, the laws of this
 26 state, or the laws of the United States, when any such
 27 offense, or threatened offense occurs upon any airport lands.
 28 (18) ~~++97~~ To expend funds to advertise and promote the
 29 airport, its operations, airport facilities and issues
 30 affecting the airport.

1 (19) To privatize any operation of the airport when
2 deemed in the best interest of the public.

3 Section 5. Budget.--

4 (1) INITIAL BUDGET PROCEDURES.--The authority shall
5 operate under the annual budget of the preexisting authority
6 for the 1994-1995 +1986-1987 fiscal year, but may submit budget
7 amendments pursuant to this section. The fiscal year for the
8 authority shall be October 1 through September 30 of each year
9 concurrent with the fiscal year of the City of Gainesville.

10 (2) GENERAL BUDGET PROCEDURES.--For the 1995-1996
11 +1987-1988 fiscal year and each fiscal year thereafter:

12 (a) Prior to preparation of the annual budget as
13 provided in paragraph (b), the authority shall, by the time
14 specified by the city commission, develop an annual proposed
15 budget consisting of the elements described in paragraph (b),
16 which shall be presented for a public hearing before the
17 citizens of Alachua County. This public hearing shall be
18 noticed as a budget hearing.

19 (b) Following the public hearing conducted pursuant to
20 paragraph (a), the authority shall prepare an annual budget,
21 consisting of an operating revenue/operating revenue expense
22 account, capital outlay account, capital project account, and
23 such other accounts as the city commission shall prescribe
24 for its operations in the ensuing fiscal year, and the
25 chairman of the authority shall, by the time specified by the
26 city commission, submit such budget to the city commission.
27 At the time the authority prepares its annual budget, it shall
28 adopt a resolution determining and finding the estimated
29 amounts to be expended by the authority in the ensuing year in
30 each account, exclusive of any bonds or other indebtedness of
31 the authority, used to acquire, establish, construct, enlarge,

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1 operate and maintain the airport and airport facilities and
2 other facilities related thereto, or for any other corporate
3 purpose of the authority. A certified copy of such resolution
4 shall be submitted to the city commission at the same time
5 that the authority submits its annual budget referred to
6 herein.

7 ~~(c) The city commission shall examine the budget and~~
8 ~~the certified copy of the resolution and may, in its sole~~
9 ~~discretion, increase or decrease the total amount requested in~~
10 ~~each account of the budget as the city commission deems~~
11 ~~advisable. The city commission shall not, however, have the~~
12 ~~power to veto line items within any account of the budget.~~
13 ~~The authority shall offer any budget amendments necessitated~~
14 ~~by any such increase or decrease. Thereafter, the city~~
15 ~~commission shall approve the budget of the authority, either~~
16 ~~as submitted or as increased or decreased by amendment, as~~
17 ~~foresaid.~~

18 ~~(c) In addition to budget amendments offered under~~
19 ~~paragraph (c), the authority may, at any time within a fiscal~~
20 ~~year, adopt budget amendments provided that any budget~~
21 ~~amendment adopted by the authority that increases the total~~
22 ~~budget shall be approved by the city commission prior to~~
23 ~~taking effect.~~

24 ~~(d) All anticipated revenues to be derived from the~~
25 ~~operation of the airport and airport facilities shall be~~
26 ~~included in the budget; provided, however, that any amounts of~~
27 ~~money, anticipated or actual, including funds in the~~
28 ~~authority's budget for the preceding fiscal year which remain~~
29 ~~unencumbered and unexpended from the revenue derived under the~~
30 ~~budget for the preceding fiscal year, may, by resolution of~~
31 ~~the authority duly adopted and approved by the city~~

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1 commission, be set aside in a separate fund, to be known and
 2 described as a "Renewal and Replacement Fund," and accumulated
 3 in said fund from year to year for the purpose of purchasing
 4 real and tangible personal property, and building and
 5 constructing permanent improvements, replacements,
 6 alterations, buildings, and other structures, including, but
 7 not limited to, runways, taxi strips and aprons. Such funds
 8 may be disbursed from time to time out of the renewal and
 9 replacement fund, upon proper resolution of the authority duly
 10 adopted and approved by the city commission, solely for the
 11 payment of the cost of purchasing real and tangible personal
 12 property, and building and constructing permanent
 13 improvements, replacements, alterations, buildings, and other
 14 structures, including, but not limited to, runways, taxi
 15 strips and aprons.

16 (e) The authority shall adopt budget procedures to
 17 establish the direct and indirect costs of operating and
 18 maintaining the airport and airport facilities, as well as the
 19 direct income derived therefrom. However, the budget of the
 20 authority shall not include the maintenance and upkeep of
 21 navigational aids as performed and funded directly by the
 22 Federal Aviation Administration.

23 (f) The remaining balance in the airport operations
 24 and capital budget of the airport enterprise fund of the
 25 preexisting authority shall be transferred from the city
 26 budget to the authority budget on January 1, 1987, except
 27 that up to \$1,000,000 may be transferred on the effective date of
 28 this act to fund expenses of the authority in carrying out its
 29 functions specified in section 15 of this act
 30 (g) The remaining balance in the operations trust fund
 31 established in the State General Appropriations Act for 1985-

1 ~~1986 shall be transferred from the Department of~~
 2 ~~transportation to the authority on January 1, 1987.~~
 3 (f) The city, ~~shall~~ and the county and its other
 4 political subdivisions may, by loan or grant, fund budget
 5 deficits of the authority, and all may guarantee bonds issued
 6 by the authority.

7 Section 6. Employees.--
 8 (1) The authority shall employ an aviation-experienced
 9 manager to administer and manage all operations of the airport
 10 and airport facilities and to supervise all airport projects.
 11 The manager shall employ, supervise, and remove all other
 12 employees of the authority. All personnel actions of the
 13 authority shall be based upon merit and cause and implemented
 14 pursuant to personnel policies of the authority.

15 (2) The authority shall provide terms and
 16 conditions of employment for its employees substantially equal
 17 to those enjoyed by similarly situated city employees.

18 (b) Those individuals employed in the city's airport
 19 department as director of aviation and supervisor of
 20 operations shall be paid off effective the close of the work
 21 day January 1, 1987. The authority shall offer to employ
 22 effective January 1, 1987, all such individuals employed in
 23 the city's airport department on January 1, 1987. Said
 24 individuals shall be offered employment with the authority at
 25 the same salary as that which would have been paid by the city
 26 on January 1, 1987, and with all their terms and conditions
 27 of employment being similar (in total) to those they enjoyed
 28 with the city as of January 1, 1987.

29 (c) The current employees of the City of Gainesville
 30 employed as other than director of aviation and supervisor of
 31 operations with the airport shall remain employees of the

1 ~~city. These employees shall continue in service at the~~
2 ~~airport in accordance with the agreement entered into pursuant~~
3 ~~to this section. The city shall prior to January 1, 1987~~
4 ~~contract with the airport authority for the services of these~~
5 ~~employees. This agreement shall include a provision providing~~
6 ~~for compensation to the city at cost for the services of these~~
7 ~~employees in the event of a vacancy in a position or the~~
8 ~~creation of a new position at the airport authority. The city~~
9 ~~shall fill the position in accordance with the agreement~~
10 ~~entered into pursuant to this section. As an alternative~~
11 ~~with consent of the city commission, the authority may~~
12 ~~directly employ other employees to fill such vacancies or new~~
13 ~~positions.~~
14 ~~(d) The agreement entered into pursuant to this~~
15 ~~section shall be for a term of no less than 10 years.~~
16 ~~However, the city and authority may renegotiate the terms and~~
17 ~~conditions at any time in the event such agreement is~~
18 ~~terminated, the authority may directly employ its own~~
19 ~~employees.~~
20 ~~(3) Nothing in this act shall interfere with the~~
21 ~~rights of the parties to that certain agreement between the~~
22 ~~authority and the city pursuant to sections 6(c) and (d) of~~
23 ~~chapter 86-469, Laws of Florida.~~

24 Section 7. Relationship between the authority, city,
25 county, and state. The authority shall have the power and
26 responsibility to operate the airport and airport facilities
27 in a manner consistent with applicable federal, state, county,
28 and city law. The city has no power to operate or maintain
29 the airport and airport facilities. Applicable building codes
30 of the city shall apply to all construction upon the airport,
31 except to the extent that different state or federal

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1 requirements are expressly applicable, and except to the
2 extent that the authority or the airport has been made exempt
3 from any requirement of the city by state or federal law. All
4 construction upon the airport shall be subject to inspection
5 by the city on behalf of the state, and the city inspectors
6 may ensure compliance with applicable state regulations for
7 such construction in addition to applicable city regulations.
8 Section 8. Title to airport land. The city may convey
9 ~~this act shall not affect the title to the land comprising the~~
10 ~~Gainesville Regional Airport to the authority for no monetary~~
11 ~~consideration and Airport Industrial Park. Nothing in this~~
12 ~~act shall be construed to impair the obligations of any~~
13 ~~original agreements with the Federal Government or of any~~
14 ~~agreement between the city or any of its agencies and fixed-~~
15 ~~base operators of the airport entered into as of the effective~~
16 ~~date of this act.~~

17 Section 9. Bonding power.
18 (1) The authority is empowered and authorized to issue
19 revenue or refunding bonds. The purpose of the bonds shall be
20 to pay all or any part of the cost for the acquisition and
21 development of property by the authority for the design and
22 construction or reconstruction of any authorized project, for
23 equipment, or for refunding of bonds for the same purpose.

24 (2) Bonds issued under this section shall be
25 authorized by resolution of the authority. Such bonds may be
26 issued in one or more series and shall bear such date or
27 dates, be payable upon demand or mature at such time or times,
28 be in such denomination or denominations, be in such form,
29 registered or not, with or without coupon, carry such
30 conversion or registration privileges, have such rank or
31 priority, be executed in such manner, be payable in such

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1 medium of payment, at such place or places, and be subject to
 2 such terms of redemption, with or without premium, be secured
 3 in such manner, and have such other characteristics as may be
 4 provided by such resolution or ordinance or trust indenture or
 5 mortgage issued pursuant thereto. Such bonds shall bear
 6 interest at such rate or rates allowed by s. 215.84, Florida
 7 Statutes.
 8 (3) The authority shall determine the terms and manner
 9 of sale and distribution or other disposition of any and all
 10 bonds it may issue and shall have any and all powers necessary
 11 or convenient to such disposition.

12 (4) The authority may establish and administer such
 13 sinking funds as it deems necessary or convenient for the
 14 payment, purchase, or redemption of any outstanding bonded
 15 indebtedness of the authority.

16 Section 10. Bonding rights.--The State of Florida does
 17 pledge to, and agree with, the Federal Government and any
 18 person, firm or corporation, subscribing to, or acquiring the
 19 bonds to be issued by the authority for the construction,
 20 acquisition, extension, improvement or enlargement of
 21 projects, or any part thereof, that the state will not limit
 22 or alter the rights hereby vested in the authority until all
 23 bonds at any time issued, together with the interest therein,
 24 are fully paid and discharged or until provision is made
 25 therefor. The State of Florida does further pledge to, and
 26 agree with, the Federal Government that in the event that the
 27 Federal Government shall construct or contribute any funds for
 28 the construction, acquisition, extension, improvement or
 29 enlargement of said projects, or any part thereof, the state
 30 will not alter or limit the rights and powers of the authority
 31 in any manner which would be inconsistent with the continued

1 maintenance and operation of the projects, or any part
 2 thereof, or the improvement thereof, or which would be
 3 inconsistent with the due performance of any agreements
 4 between the authority and the Federal Government, and the
 5 authority shall continue to have and may exercise all powers
 6 herein granted, so long as the same may be necessary or
 7 desirable for the carrying out of the purposes of this act and
 8 the purposes of the Federal Government in the construction, or
 9 acquisition or improvement or enlargement of said projects, or
 10 any part thereof.

11 Section 11. Effect on other laws.--This act shall
 12 supersede any law, whether general, special or local,
 13 establishing an airport authority, and, to the extent
 14 inconsistent with this act, any local ordinance or resolution
 15 regarding the operation of the airport facility.

16 Section 12. Building restriction.--The erection of any
 17 new structures or the alteration of any existing structures, on
 18 the airport that would constitute a hazard to air navigation
 19 affecting any facility operated by the authority as the same
 20 is defined by the criteria set forth in Regulations of the
 21 Administrator, Federal Aviation Agency, Washington, D.C., is
 22 hereby prohibited.

23 Section 13. Nothing herein shall interfere with any
 24 legal action filed by or against the city or predecessor or
 25 predecessors of the authority. The authority may become a
 26 party in any such action as provided by law. Nothing herein
 27 shall impair the right of the city to initiate, pursue, or
 28 defend litigation.

29 Section 14.--Chapter 85-3787--Laws-of-Florida--is hereby
 30 repeated

31

1 Section 15. Upon the effective date of this act, the
 2 authority shall undertake all planning and administrative
 3 functions preparatory to operating the airport facilities
 4 including the proposal of amendments to the budget of the
 5 preexisting authority and may enter into contracts to take
 6 effect no sooner than January 1, 1987, but the authority
 7 shall not otherwise take over the operation of the airport and
 8 airport facilities until January 1, 1987.

9 Section 14. Severability. If any provision of
 10 this act or the application thereof to any person or
 11 circumstance is held invalid, the invalidity shall not affect
 12 other provisions or applications of the act which can be given
 13 effect without the invalid provisions or applications, and to
 14 this end the provisions of this act are declared severable.

15 (b) In particular, if all or part of the method of
 16 appointments provided by this act is held invalid, the offices
 17 filled by the invalid appointments shall be considered vacant
 18 and such vacancies shall be filled by the Governor if the act
 19 can be held valid by such alternative method. If the act
 20 cannot be held valid if the Governor so fills such invalid
 21 appointments, the offices of all nine members shall be
 22 considered vacant and shall all be filled for the remainder of
 23 the vacant terms at a general election if held within 90 days
 24 of such vacancies or if not held within that time, at a
 25 special election paid for out of the budget of the authority
 26 and held by the board of county commissioners for that
 27 purpose in accordance with election laws currently in force
 28 in the county, except that any term filled that would be
 29 shorter than one year shall be filled at such election for one
 30 additional year.

31 Section 2. This act shall take effect on June 1, 1995.

