

- 32 (2) experience as a utility service provider;
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34 (3) investment banking, financial or certified public accounting experience;
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36 (4) experience in energy and water conservation;
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38 (5) experience with business, contract or corporate law, or contract administration; or
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40 (6) engineering experience.

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42 The city commission may appoint voting members with any qualifications or experience
43 the city commission deems relevant or beneficial to service on the utility board.
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- 45 (b) *Non-Voting Members.* The Alachua County Board of County Commissioners and the
46 Alachua County School Board may each appoint one non-voting member to the utility
47 board, subject to the approval of the city commission. Elected officials, or a person
48 appointed to fill an elected official's seat until the next election, may not be appointed or
49 serve as a non-voting member. Non-voting members shall have the same rights and
50 privileges as voting members, except non-voting members shall not make motions or
51 vote on motions under consideration.
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53 (c) *Term.*

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55 (1) Each voting and non-voting member shall be appointed to a four-year term.
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57 (2) Members may be reappointed for consecutive terms and may remain a member after
58 expiration of their term until a successor has been appointed and qualified. Members
59 may serve no more than three consecutive terms.
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61 (3) When a voting position becomes vacant before the end of the term, the city
62 commission may appoint a substitute voting member to fill the vacancy for the
63 duration of the vacated term. When a non-voting position becomes vacant before the
64 end of the term, the respective appointing board may appoint a substitute non-voting
65 member to fill the vacancy for the duration of the vacated term, subject to approval by
66 the city commission.
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- 68 (d) *Officers.* The voting members of the utility board shall annually elect a chair and vice-
69 chair from among the voting members.
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- 71 (e) *Compensation of members.* The utility board members shall not be deemed employees of
72 the city, nor entitled to compensation, pension, or other retirement benefits on account of
73 service on the utility board. Utility board members may be paid for mileage, travel and
74 any other such expenses incurred on board business from funds budgeted by the city
75 commission pursuant to city financial policies and procedures.

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(f) *Attendance.* Voting members are required to attend all regular and special meetings of the utility board. Each voting member may be granted four absences per calendar year. A voting member shall notify the board secretary of an absence prior to the meeting, if practicable.

(g) *Removal from board.* A utility board member may be removed by the city commission. Non-voting members may also be removed by official action of their respective appointing board.

(h) *Rules of procedure.*

(1) The utility board shall adopt rules of procedure to carry out its purposes. All rules must conform to this code and state law and must be approved by the city commission and approved as to form and legality by the city attorney.

(2) The utility board shall meet at least once each calendar month, unless cancelled by the board or its chair. The utility board may meet more often at the call of the chair, the city commission, or at the request of two or more voting members of the utility board. When the most efficient use of utility staff time and city resources dictate, the utility board may meet concurrently with the city commission.

(3) A quorum shall consist of a majority of the voting members of the utility board; however, a smaller number may adjourn a meeting. Official action can only be taken by majority vote when a quorum is present.

Section 2. It is the intention of the City Commission that the provisions of Section 1 of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Gainesville, Florida, and that the sections and paragraphs of this Ordinance may be renumbered or relettered in order to accomplish such intentions.

Section 3. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application hereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or application of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

111 **Section 4.** All ordinances or parts of ordinances, in conflict herewith are to the extent of
112 such conflict hereby repealed.

113 **Section 5.** This ordinance shall become effective immediately upon final adoption.

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116 **PASSED AND ADOPTED THIS 6th DAY OF DECEMBER, 2018.**

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LAUREN POE
MAYOR

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122 ATTEST:

Approved as to form and legality

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124



OMICHELE D. GAINNEY
CLERK OF THE COMMISSION



NICOLLE M. SHALLEY
CITY ATTORNEY

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130 This ordinance passed on first reading this 15th day of November, 2018.

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132 This ordinance passed on second reading this 6th day of December, 2018.